

**MINUTES OF THE MEETING APRIL 2, 2007**

PRESIDENT SCHULMAN: (*SOUND OF GAVEL*) Good evening ladies and gentlemen. Thank you. We have ah, big crowd tonight despite the fact the Ohio State Buckeyes will beat the Florida Gators later this evening. (*LAUGHTER & APPLAUSE*) But, we promise you that we'll be outta here by game time. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Madame Clerk, roll call please.

*ROLL CALL TAKEN BY CLERK TIMBERLAKE:*

11 COUNCILMEMBERS PRESENT: (DON CASAR, 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: Eleven present, 1 absent, Mr. President (SMUCKLER ABSENT)

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

*The regular meeting of Canton City Council was held on Monday, April 2, 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 Councilmember-At-Large Mary Cirelli, followed by the Pledge of Allegiance led by President Schulman.*

PRESIDENT SCHULMAN: Thank you for those remarks Member Cirelli.

**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 readings of Ordinances #11 through and including #18. Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President, I move that Rule 22A be suspended to add Ordinances #11 through and including #18 on this evening's agenda; seconded

PRESIDENT SCHULMAN: It's been moved and seconded to suspend rule 22A. Are there any remarks?... If not, by 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 22A is suspended and the Ordinances are a legal part of your agenda

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We are now under Informal Resolutions, excusing members. Mr. Casar, I will recognize a motion to excuse members.

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MEMBER CASAR: Mr. President. I move that Member Smuckler be excused from this evening's meeting; seconded.

PRESIDENT SCHULMAN: Ah, members of Council and ladies and gentlemen, ah, Mr. Smuckler is celebrating the High Holy Day of Passover tonight, so he is unable to be here. I know that he wanted to be and that's the reason for his absence. So, there has been a motion and a second to excuse Member Smuckler. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: Thank you Madame Clerk. We are now on 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 speak this evening.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We are now under Informal Resolutions. Madame Clerk, please read Resolution #32 by title.

#32 COUNCIL-AS-A-WHOLE: COMMENDING GLENOAK HIGH SCHOOL'S BASKETBALL TEAM. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #32; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution #32. Any discussion?

MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Yes. Member Kraus.

MEMBER KRAUS: I won't ask for it to be read but I just wanna show everybody that we presented that to the GlenOak High School team Sunday. Ah, Member Dougherty wasn't able to come. Member Smuckler and I did it to GlenOak as a Council As A Whole and they gave us a plaq...ah, a poster signed by the coaches and team that will hang in the office of Council and um, we wish them well. The only thing was, I would have liked to seen the Repository say that Council gave them the support and they didn't but, that's an oversight. (APPLAUSE)

PRESIDENT SCHULMAN: Well, it's been moved and seconded to adopt Resolution #32. Any other

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remarks?... All those in favor signify by saying aye. Those opposed no. Resolution #32 is adopted. Madame Clerk would you please read Resolutions #33 to #38 by title.

#33. WEST, THOMAS, WARD 2 COUNCILMEMBER: COMMENDING CURTIS A PERRY III FOR THE NOMINATION OF THE STARK COUNTY MINORITY COALITION AWARD. - ADOPTED

PRESIDENT SCHULMAN: Oh. Member Casar, rather than have our Clerk read them all at this point, is there a motion to consolidate all of these?

MEMBER CASAR: Yes, that's what I was waiting to do Mr. President. Ah, I move we adopt Resolutions #33 and including #38; seconded.

PRESIDENT SCHULMAN: Madame Clerk, if you would, could you read um, #33 through #38 and just mention the honoree's name.

#34 SHIRLEE KRANE

#35 CINDY HICKEY

#36 TERESA WURST

#37 SUE BARRICK

#38 RAY MARTINEZ

PRESIDENT SCHULMAN: Thank you very much. Ah, any discussion?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: April is Minority Health Month and these recipients have received the Minority Health Month from the Stark County Minority Health Coalition. Ah, they will hold their dinner on April 5<sup>th</sup>. All is welcome to attend and it is free. Um, and we will give them out at that award. I mean, on that day. Thank you.

PRESIDENT SCHULMAN: Thank you Member West. Any other remarks?... All those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTIONS #33- #38 WERE ADOPTED BY VOICE VOTE

PRESIDENT SCHULMAN: RESOLUTIONS #33 - #38 are adopted.

**COMMUNICATIONS**

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***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 APRIL 2, 2007.***

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

261. AUDITOR, R.A. MALLONN (CITY): CERTIFICATE OF TOTAL AMT FROM ALL SOURCES FOR 2007. - RECEIVED & FILED
262. CAFARO, ANTHONY, JR, APPLICANT: APPLICATION FOR ZONE CHANGE @ 3004 ATLANTIC BLVD UNIT #14 FR: B-3 TO: PB-4 IN WARD 6 (THE MARION PLAZA, INC). -
263. CLERK OF COUNCIL, CYNTHIA TIMBERLAKE, CITY OF CANTON: REQUEST FORMAL RESOLUTION WITHDRAWING THE CITY'S OBJECTION TO THE ISSUANCE OF THE LIQUOR PERMIT FOR SUNKIN, INC DBA SPEED D FOODS @ 2502 - 11<sup>TH</sup> ST SW. -
264. CLERK OF COUNCIL, CYNTHIA TIMBERLAKE, CITY OF CANTON: REQUEST FORMAL RESOLUTION WITHDRAWING THE CITY'S OBJECTION TO THE ISSUANCE OF THE LIQUOR PERMIT FOR BP PRODUCTS NORTH AMERICA, INC DBA BP FOOD MART @ 1200 NORTH MARKET ST & GAS PUMPS. -
265. GIAVASIS, CLERK OF CTS (STARK CO.): NOTICE OF FILING DOCKET & JOURNAL ENTRIES FROM THE TRIAL COURT (DIANO ANNEXATION). -
266. LIQUOR CONTROL DIVISION (OHIO): REQUEST TRANSFER OF OWNERSHIP OF D5 LIQUOR PERMIT FR: LUNA GRILLE INC TO: XENIA HOSPITALITY LTD @ 228 FOURTH ST NW. -
267. LIQUOR CONTROL DIVISION (OHIO): REQUEST TRANSFER OF OWNERSHIP OF D5 D6 LIQUOR PERMIT FR: EST 97 INC DBA HOB NOB TAVERN TO: DIANE J SCHOTT DBA HOB NOB TAVERN @ 1604 HARRISBURG RD NE 1 ST FL. -
268. PRATER, TERRY, WARD 5 CNCLMN: REQUEST AN UNNAMED ALLEY LOCATED SOUTH OF 12<sup>TH</sup> ST SW & NORTH OF ANDERSON PL SW BE NAMED J. BABE STEARN PLACE IN HONOR OF THE LATE J. BABE STEARN. -
269. SCRIMO SHIPLETT, DIANE, APPLICANT: APPLICATION FOR ZONE CHANGE @ 907 - 11<sup>TH</sup> ST NW FR: R-1 TO: R-4 IN WARD 1. -
270. SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: AUTHORIZE SERV DIR TO ENTER INTO PROF SERVICES CONTRACT W/AULTWORKS OCCUPATIONAL MEDICINE FOR A 3 YR PERIOD FROM 4/21/07 - 4/20/10. -
271. SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR THE WPCC WATER TOWER

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PAINTING PROJECT IN AN AMT NOT TO EXCEED \$285,000.00; AUTHORIZE SUPP APPROP FOR SAME FR: UNAPPROP BAL OF 5413 SEWER REPLACEMENT FUND TO: 5413-20-60-42 WPCC WATER TOWER PAINTING PROJ. -

272. SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: AUTHORIZE SERV DIR TO ENTER INTO A PROF SERVICES CONTRACT W/COOPER & ASSOC, LLP FOR ENGINEERING & ARCHITECTURAL SERV FOR THE WILLIG PARK SOFTBALL COMPLEX IN THE AMT OF \$38,400.00 & INCORPORATE 10% FOR CONTINGENCIES, BRINGING THE TOTAL AMT TO \$42,240.00; AUTHORIZE TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR THE CONSTRUCTION AND/OR RENOVATION OF THE WILLIG PARK SOFTBALL COMPLEX. -
273. SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: AUTHORIZE TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR THE CONSTRUCTION WORK TO RELOCATE THE 12" WATER MAIN CURRENTLY LOCATED UNDER WELLS AVE SW USING FEDERAL FUNDING TO PAY FOR SAME. -
274. SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: APPROVE A WATER MAIN EXTENSION FOR RIDGE AVE APARTMENTS, LLC ON CASTLEBAR ST NW REQUESTED BY THE PROPERTY OWNER WHO WILL BE RESPONSIBLE FOR ALL LABOR & MATERIAL NEEDED FOR THE INSTALLATION OF SAID WATER MAIN. -
275. SERVICE DIRECTOR JOSEPH CONCATTO, CITY OF CANTON: APPROVE TO PLACE STEVEN HENDERSON IN STEP 4 SALARY OF GRADE 6 OF THE ENGINEER II (CONSTRUCTION MANAGEMENT) POSITION AT THE ANNUAL RATE OF \$52,598.00 UPON HIS HIRING WHICH HAS YET TO BE DETERMINED.

**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: PRESENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #9 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:***

- #1 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPT OF REHABILITATION & CORRECTION FOR RECEIPT OF THE FISCAL YEAR 2008 COMMUNITY CORRECTIONS ACT GRANT IN AN AMOUNT NOT TO EXCEED \$80,261.00; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #2 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY; ESTABLISHING THE FAIR MARKET VALUE

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OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S NEIGHBORHOOD REVITALIZATION STRATEGY PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

#3 (1<sup>ST</sup> RDG) A RESOLUTION ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECOMMENDATIONS REGARDING ENTERPRISE ZONE TAX ABATEMENT AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

#4 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING A GRANT TO THE CANTON CITY SCHOOLS BOARD OF EDUCATION FOR \$500,000.00 TOWARD THE REPAIRS AND RENOVATION OF FAWCETT STADIUM; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A DISBURSEMENT AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

#5 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS STARK CERAMICS, INC./THE QUARRY ANNEXATION AREA CONTAINING APPROXIMATELY 851.5587 ACRES; ASSIGNING SAID TERRITORY TO WARD 4 OF THE CITY; ASSIGNING ZONING; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Annexation Committee

**PUB HRG APR 16, 2007 @ 7:30 PM**

#6 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH MOTOROLA IN AN AMOUNT NOT TO EXCEED \$110,000.00 FOR INSTALLATION, PROJECT SUPERVISION AND RELATED EQUIPMENT FOR A SECONDARY PSAP-911 SYSTEM; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

#7 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT FROM THE STATE FIRE MARSHALL IN THE AMOUNT OF \$20,050.00 FOR THE FIRE DEPT; 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

#8 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$49,900.00 TO EMC SERVICE COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

#9 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO

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ENTER INTO A CONTRACT WITH CAMP DRESSER & MCKEE FOR DESIGN SERVICES IN AN AMOUNT NOT TO EXCEED \$24,950.00; AMENDING APPROPRIATION ORDINANCE NO 241/2006; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We are now under Ordinances for their second reading. Madame Clerk will you please read Ordinance #11 through #18 by title.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #11 THROUGH #18 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ORDINANCE #18 WAS ADOPTED ON THE SECOND READING.***

- #10 (2<sup>nd</sup> RDG) NOT READ - HELD IN COMMITTEE
- #11 (2<sup>ND</sup> RDG) AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE ENTER INTO CONTRACT WITH NEO LABOR MANAGEMENT COUNCIL IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR ADDITIONAL TRAINING, SUPPORT AND MEDIATION SERVICES TO THE CANTON'S LABOR/MANAGEMENT COUNCIL; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON YMCA AND THE NORTHEAST COMMUNITY CENTER TO PROVIDE A REIMBURSEMENT GRANT IN AN AMOUNT NOT TO EXCEED \$25,000.00 FOR AQUATIC RECREATION FOR THE CITY'S YOUTH; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13 (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF OUTLOT 983 (BUCKEYE LAND CO.); AND DECLARING THE SAME TO BE AN EMERGENCY
- #14 (2<sup>ND</sup> RDG) (READ AS ORDINANCE #13) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PARTS OF LOTS 1492 & 1493 (HABITAT FOR HUMANITY); AND DECLARING THE SAME TO BE AN EMERGENCY
- #15 (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 38115, 38116 AND 38117 (THOMAS & PAMELA CHRISTIANSON); AND DECLARING THE SAME TO BE AN EMERGENCY
- #16 (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING & ACCEPTING THE DEDICATION OF LAND ON TUSCARAWAS STREET WEST (CITY OF CANTON); AND DECLARING THE SAME TO BE AN EMERGENCY
- #17 (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE

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AND/OR DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACTS FOR THE PURCHASES OF VARIOUS MOTOR VEHICLES AND OTHER ITEMS OF RELATED EQUIPMENT FOR VARIOUS CITY DEPARTMENTS; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND/OR DIRECTOR OF PUBLIC SAFETY TO ALTERNATIVELY PURCHASE SAID VEHICLES AND EQUIPMENT PURSUANT TO REVISED CODE SECTIONS 125.04 AND 5513.01; AND DECLARING THE SAME TO BE AN EMERGENCY

#18 (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE #65/2007** AN ORDINANCE AUTHORIZING AND CONSENTING TO MINOR REHABILITATION RESURFACING OF STATE ROUTE 43 FROM 25<sup>TH</sup> STREET TO 55<sup>TH</sup> STREET; STATE ROUTE 43D FROM CHERRY AVENUE TO 3<sup>RD</sup> STREET AND MARKET AVENUE FROM 15<sup>TH</sup> STREET TO WALNUT AVENUE UNDER THE SUPERVISION OF THE DIRECTOR OF TRANSPORTATION OF THE STATE OF OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move the Statutory Rules be suspended on Ordinance #18; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule for Ordinance #18. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Thank you Madame Clerk. You've heard the 3 readings. Member Casar.

MEMBER CASAR: Mr. President. I move we adopt Ordinance #18; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #18. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Ordinance # 18 is adopted. Thank you Madame Clerk.

**#18 AS ADOPTED AS ORDINANCE #65/2007**

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

PRESIDENT SCHULMAN: We are now under Ordinances for their third reading, third and final reading. Madame Clerk, please read Ordinances #19 by title.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #19 THROUGH #21 FOR THEIR THIRD AND FINAL READING BY TITLE AS***

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#19 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE #66/2007** AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUES OF 4 PARCELS OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTIES PURSUANT TO THE CITY'S NEIGHBORHOOD REVITALIZATION STRATEGY PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #19; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #19. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Ordinance #19 has been adopted. Thank you Madame Clerk.

**#19 AS ADOPTED AS ORDINANCE #66/2007**

#20 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE #67/2007** AN ORDINANCE AMENDING SECTION 1 (C) OF ORDINANCE NO. 177/2006; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #20; seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #20. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Ordinance #20 has been adopted. Thank you Madame Clerk.

**#20 AS ADOPTED AS ORDINANCE #67/2007**

#21 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE #68/2007** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$10,151.71 TO PPI GRAPHICS; AND DECLARING THE SAME TO BE AN EMERGENCY

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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 that you adopt Ordinance #21. Are there any remarks on this ordinance?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

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

**#21 AS ADOPTED AS ORDINANCE #68/2007****ANNOUNCEMENT OF COMMITTEE MEETINGS**

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

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: The Finance Committee will meet at 6:15 ah, next Monday evening.

PRESIDENT SCHULMAN: Thank you.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Economic ah, Community and Economic Development will meet at 6:15 next ah, April 9<sup>th</sup>.

PRESIDENT SCHULMAN: Thank you very much Member Carbenia.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Annexation Committee will meet next Monday at 6:15.

PRESIDENT SCHULMAN: Thank you.

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

PRESIDENT SCHULMAN: We are now under Public Speaks, Open Forum. We have seven (7) speakers signed up tonight and if I might, I can tell you on behalf of the Mayor and her Administration and Members of Council and the Law Department, the Auditor, myself, we really appreciate you coming down tonight to be a part of this. I know you all have a great interest in our city, a love for our city and want to see it better and we

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appreciate your being here. I would like to say, however, that because of the limited time, ah, it's our procedure that each speaker only be given 3 minutes. Obviously you have many things to say that could take much longer and you'll have that opportunity after Council adjourns because I can tell you every elected an official..every elected official in this room will stay and listen to what you have to say. So, with that said, I'd like to call Mr. Charles Killins please. If you'll step forward. Mr. Killins, and if I mispronounce your name, let me know. Is Mr. Killins here? Well then we only have six (6) speakers tonight. Ah, Gary Wellman. Mr. Wellman, if you, ah, sir, if you'd step forward and give us your name and your residential address, we'd appreciate it, and again, ah, I would caution you, if you, if you can get it done within 3 minutes, we'd be most appreciative.

MR. WELLMAN: My name is Gary Wellman. I live at 900 Harriet ah, NW, ah, Canton, Ohio. Um, I just, I have what I think is a very common sense plan in ah, in response to the Mayor's 30 day, let's get a plan deal. In my neighborhood, and we have a lot of problems, ah, there's been a lot, and I live in the Summit neighborhood, by the way. Ah, there's been a lot of progress but we ssss, it's still not even close to where it should be. My suggestion is, have the Police enforce strictly, the laws that are, every day laws, the misdemeanor laws. The ah, partying in the street, the drinking, the loud mufflers, the loud stereos. I know it sounds minor but, if ya live with it, it is a major problem. I believe that and all the other ones, ah, walking down the center of the street in groups and defying you to ah, drive your car there. I could go on and on. I have 3 minutes, but, let me get to the point is, if we enforce those, and we do it, not by giving warnings, but citations, tickets, the fines would pay for the policing of this and I believe that by taking care of the small problems, the larger ones would go away and that's all I wanted to say. (APPLAUSE)

PRESIDENT SCHULMAN: Thank you very much sir. Thank you Mr. Wellman. In fact, there was a book called the Typing Point which addressed exactly what you just said. Ah, our next speaker is ah, Joyce Dunlap, I'm sorry, Joyce Dunlap. Joyce... Sumlin?

MS. SUMLIN: Sumlin.

PRESIDENT SCHULMAN: Sumlin? I'm sorry. Joyce... I'm sorry Joyce. I apologize. I couldn't read the writing here. It's my fault. Ah, Joyce, if you would, would you please give us your name and residential address.

MS. SUMLIN: Ah, my name is Joyce Sumlin and I reside at 1627 Gateway SE and I'm here tonight to um, say that I think the Police Department is doing a, a great job. Um, there was a high drug, I mean a high drug area where I work at on the northeast side of town and um, every time I called the Police out, they're there. Um, a lot of times, people don't understand that the response time, they might be taking care of another issue on the other side of town and they can't get to that area right away. But, I must commend Chief McKimm every time I call him, if he can, he tries to come out or he, he sends officer and also, um, I had called Mr. Hunt last year and there was ah, like a little bench there in front of our center and I had told Mr. Hunt that they were out there sellin' and I have to, you know, commend Mr. Hunt also. He sent the workers out, they pulled the bench up, so that cut down a lot of the selling and he also sent some people out to put signs and stuff up. So, um, it's, it's a, it's a good, it's another good part to the Police Department and yeah, we do have issues and they can't stop 'em over night. We have to be part of the problem too so, I'm here today to tell Mr. Hunt thank you, Chief McKimm, and I'll continue working with you guys.

PRESIDENT SCHULMAN: Thank you very much Ms. Sumlin. (APPLAUSE) And I apologize for mispronouncing your name, I'm sorry. I know you. Our next speaker is David Sexton. Mr. Sexton, if you'd

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step forward and give us your name and your street address, and good evening.

MR. SEXTON: Good evening Council and Mayor. Um, my address is 920 9<sup>th</sup> Street NW and it's Summit Neighborhood and um, basically, um, I came to talk about the, the problems that we're having specifically on, in my area and, and a little bit more towards the Newton Zone also. Ah, we have a serious prostitution issue um, I've been in constant contact with um, Mayor Creighton, with regards to hookers being picked up in front of my house. Um, my, I gotta 4 year old daughter and a 3 year old son and, um, I don't, I don't think that they should be um, able to see things like that happening um, in front of my house and I don't think that anybody in this whole, entire area would appreciate that. We go on walks in the neighborhood, the SNET walk um, and basically, um, I find used condoms, um, that are disposed of in people's yards within a hundred feet of the school. Um, there was johns picking up hookers during this walk. Um, Mr. West was involved in the walk and I really appreciate him coming down. Um, there's a lot of things that ah, that are, that are just out in your face wrong and um, the answer that we have had in the past is obviously not the right answer because we're not getting the job done. Ah, the answer that we should have is that if we, if we've got to put a top on a certain individual until we illegally harass them out of town, that is what we need to do because what's happening are good citizens are leaving this town in a mass exodus and um, I think that we should all be concerned about that. Ah, we are exporting jobs but importing hookers and criminals. Um, I don't know what best to say but, ah, I wish there was a simple answer but, I know that there are laws on the books that we can legally harass these individuals and make their lives a living hell as they've done to us, all in this room, and I just say that we should start doin' it. No talk! (APPLAUSE)

PRESIDENT SCHULMAN: Thank you. Thank you very much sir. Thank you Mr. Sexton. Our next speaker is Mari Moss. Miss Moss if you'd tell us your name and your address.

MS. MOSS: Yes. My name is Mari Moss. I live at 1601 Harvard Avenue NW, Canton, Ohio. To the Mayor, Mr. President, the Cabinet and the Council. I stand before you today like the persistent woman in the Bible determined to see victory for a worthy cause. Before Benny, Marnell, Jennifer Milburn, there was Jarvis Bell, John Peanut Graves, Stanely P. Jones, Megan Walker and many many other people who have lost their lives to violence in our community. I have faithfully been attending the Council meetings waiting for a plan of action, a solution for our young people and I have met with various people and submitted ideas and proposals. I would like to commend the Mayor on her direct support of our youth through various programs, not only through appearances, but also through action. I respect, honor and appreciate our police and the decisions of community leaders, but I am not of the opinion that throwing young people and hurt people in jail is the ultimate answer. I am talking about getting to the root of the problem. The root of poverty, the root of hopelessness, the root of despair that I see in the faces of our young people, in the, in the community. School will be out soon and I guarantee you that if young people are not given an incentive to be off the streets, they will be given incentives to be in the streets through drug sales, prostitution, and the like. I'm talking about incentives for young people to use their talents and abilities to work this summer in positive ways. PEACE has offered many opportunities over the years that have been successful every summer with limited funds and it has been working. PEACE has given young people opportunities to do community service projects and unique opportunities through various events including the O'Jays Festivals, picking up trash and selling pop at the Blues Fest, working with the LaBron James Family Foundation and working on our successful show behind the scenes and in front of the camera. We provide 21<sup>st</sup> century opportunities that involve technology, cultivate talent, creativity and create rare opportunities that they would not otherwise have. Opportunities that can go on a college resume. I have heard someone say that if someone, a person has an idea or a solution, they should be skeptical. Ladies and gentlemen, I say to you, that Martin Luther King, Harriet Tubman, George Washington Carver, Frederick

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Douglas are all examples of individuals who have had an idea that have help set people free. One man created the light bulb, one man created the stop light, we have one man running our country. We have one person in charge of this community. So, one person can have an answer. Is it the only answer? No. But it is one of the answers and every solution starts with an idea or a concept ignited by the thought of one and perfected with the support of many and you cannot really say it is not so until you have truly tried and supported it. I am challenging this community to step up with a real commitment to the young people who are the future of this community and save the lives that remain. Thank you. (*APPLAUSE*)

PRESIDENT SCHULMAN: Thank you. Thank you very much. Our next speaker is Mr. Howard Parks. Mr. Parks, if you would stand up and give us your name and residential address sir, we'd appreciate it.

MR. PARKS: My name is Howard R Parks. My residential address is 1806 North Old Drum, Bolivar, Ohio and my office address is 4119 Grand Drive NW. Thank you sir. In the past two and half years, I've owned a warehouse at the 9<sup>th</sup> and Spring Avenue NE address. I have costs from property crime that exceed my property taxes. I have just begun a tour bus business and my main competition is in a low-crime area in the township. If I am to use this building to hom... to home my or house my buses, crime will drive my costs up making me uncompetitive. The tour bus business is a 7/24 operation and I fear drivers beginning or returning from their trips will not be safe. Do I have, do I have to find a building in a safe area or can something be done so that I can bring jobs to the City?

PRESIDENT SCHULMAN: Thank you very much sir. (*APPLAUSE*) Thank you. Our next and last speaker tonight is Danny Thompson. Mr. Thompson. Mr. Thompson's getting a round of applause even before he speaks. (*LAUGHTER*) So this will be a good presentation, I'm sure. Mr. Thompson good evening. If you'd give us your name and your residential address please.

MR. THOMPSON: My name is Danny Thompson and I live at 1466 Allen Avenue SE in the great City of Canton and I'd like to, first of all, thank you Mr. President, Madame Mayor and Council. Also, most importantly, you residents who have come out tonight to show your support of this city, (*APPLAUSE*) because that's what this is. I wanna agree with the sentiments of every speaker who came before me because they hit it right on point. The problem in the city is that we don't have a comprehensive plan to address the gang, drug and other issues in the city, and I think that we're at the point now, and, and I was at the meeting ah, a few days ago, where the Mayor expressed her sentiments to the Police Chief about establishing a plan, coming up with a plan. Ah, both Mayor and Police Chief were in a meeting and building healthy communities back in August where we expressed that exact same sentiment and I'm I'm really encouraged to see that we're all starting to get on the same page. See, because this is not an issue of just police nor is it an issue of just governments. This is an issue in our community where we're gonna have to come together and create a plan to fully utilize what is already available. (*APPLAUSE*) Look, it's not gonna drop out of the sky. We're, I was talking to a police officer and also a city official in some other larger metropolises and they were saying that if they had the police to ah, to resident ratio, they would be extremely please. So, that tells me that there is a opportunity to do some more creative things with the officers that we have. Also, I think we need to really look at, and I, I believe that Mari hit on this, a, a multi-faceted plan. Suppression, intervention and prevention. I think we have to come out of the box with how we go about addressing this issue because you know what, it may be more so inner-city now, but I guarantee every one of you who don't live in the city and live on the outskirts of the city, if you keep playin' around, it's gonna be at your back door. (*APPLAUSE*) It's time we get serious about this problem and get a comprehensive plan. Now, the Mayor has given an ultimatum, and I say that loosely. But, we're here to deliver one too. We're asking for a comprehensive plan to address the gangs, the drugs and some of the other

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issues like the prostitution. This man wants to have a business in this city. I mean, my goodness, if that's not enough motivation to get folks off their duffs, and get busy about solving these problems, we just lost how many jobs we just prayed over? I'm not here to berate anybody, I'm here to say this is our problem. It's a unified problem and it's going to take a unified solution. The police at Skyland Terrace, one second sir, the police have been ah, patrolling Skyland Terrace over the last few months...

PRESIDENT SCHULMAN: I wasn't trying to cut you off, I'm just giving you 30 seconds.

MR. THOMPSON: Ok. Over the last few months, they've been patrolling Skyland Terrace and let me tell you something, I'm getting, I'm getting calls, I'm being told that they're doing an excellent job. (APPLAUSE) So, this is not just about the police. The Mayor has been at various meetings and she is showing that she is interested in solving these problems. Let's come up, let's come together, let's get a comprehensive plan that will bring about a start to the solution because we probably won't be alive to see the solution ended but we can start. Thank you. (APPLAUSE)

PRESIDENT SCHULMAN: Thank you very much sir. I want to reiterate. We thank you for coming down. One of the beauties of our democracy, particularly on this level, is, we get to hear from you, and believe me, we hear you loud and clear. So, with that ah, our public speaks session is over for this evening.

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: We are now under Miscellaneous Business, is there any miscellaneous business?

MEMBER ZACHARY: Mr. President.

PRESIDENT SCHULMAN: Member Zachary.

MEMBER ZACHARY: Just um, really quickly, I would like to thank the, the speakers who came from my area which is Ward 4 and, and reiterate, we had a, we had received a dubious distinction, not so long ago, of having one of the highest crime rates in the nation. Our little City of Canton, Ohio. They didn't say Ward 4 had the highest crime rate, they didn't say Ward 2, they said the City of Canton, Ohio. So, I've often said it, I'm going to reiterate tonight, if I have a drug problem in Ward 4, then the city has a drug problem. If Tom has a, a gang problem in Ward 2, then the city has a gang problem, and, we need, as a group, when we're thinking about putting together this comprehensive plan, bring all of the players to the table. I am the last person who, who will sit here and say the police are not doing their job because I work with them on a daily basis and they've helped me out tremendously in cleaning up drug houses and patrolling the area and making sure that things are the way they are supposed to be. One of the hardest things that we have to, that we're challenged to do is control the behavior of other people. We can't do that, but what we can do is make sure we're there not doing what they're supposed to do that we act, not react, and I think everybody here tonight wants to act. I want to act with you and I think everybody else here tonight, including our absent member, wants the same thing so if we could be brought to the table and this plan is put into place so that we know about it first-hand and, and can be a part of this solution, I would greatly appreciate that.

PRESIDENT SCHULMAN: Thank you Member Zachary. (APPLAUSE) Any other remarks? Member West.

MEMBER WEST: Yeah, how did you guess? Yeah, um, we axed, we asked, excuse me, we asked Chief McKimm to come here tonight to talk about some of the issues that was spaced the other night when ah, Miss

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Brenda Kimbrough, please stand up, please because she, she was, she owes, she deserves a lot of credit, ah, for pulling a lot of people in a room (*APPLAUSE*) for pulling a community together to adjust the problem around cluster mailboxes so we asked Chief McKimm to come tonight to talk to us but, Mr. Casar had talked to him about coming again in the future and he delivered a plan tonight. But, I wanted to thank Brenda specifically because we addressed the problem and she was the one who went up to the postal par... postal, postmaster with us to address that problem and got solutions before we attended that meeting and I think, I, I want to applaud everybody's efforts for coming tonight because it's not just the police department, it's not council, it's not government but it's the state, it's the federal it's the mental health system, it's the alcohol and drug system, it's also the mental retardation system, it's all those systems that deal with this problem of crime. When we're talking about coming up to somebody's ah, car door, at BP Gas Station asking for some change, that may be a mentally ill person. We need mental health to address that. We need alcohol and drug issue, alcohol and drug system to come and address those issues of prostitution cuz many of those ladies are drug addicted. Those are some of those same systems that we need to involve int his comprehensive plan so I would love to be a part of that and hopefully we can do something in the future to make these things go away.

PRESIDENT SCHULMAN: Thank you Member West. (*APPLAUSE*)

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President. Mr. President. I, I appreciate ah, Chief McKimm being here this evening approximately 6:30, members of Council received a 6 page letter of a plan that the Chief would like to ah, ah, implement part of it. It goes from anything from more policemen to ah, a pretty, there's a lot of ah, ah, things in here that gotta be looked at and studied. The Finance Committee, first of all, if we're going to hire more policemen we have to see if we have the funds to do so. But it's, it's a start and, and as I said before, I asked my Councilmembers here this evening, not to really talk about this too much until we read it and know what's in it. So, ah, in the next few days, Councilmembers will look at this, they will study it and we will be having committee meetings on this particular plan and hopefully, some of the things that the Chief suggested, we can implement, we can get this crime off the streets and hopefully, ah, in the future, we can have a better, safer place to live.

PRESIDENT SCHULMAN: Thank you Member Casar. Ah, Member Hart.

MEMBER HART: Yeah, just, ah, I, I, guess when we talk about solving problems, it always does begin to involve a whole community and you know, that involves churches and schools, um, everybody but, you know, in my experience with teaching 32 years, I've run into a lot of students um, really, in sore need of mentors, somebody that can help them and, and guide them and make the right decisions because ah, many times it's that one person that can make the biggest difference in a person's life and help them on that right way. Also, um, I want to wish Member Hawk, the very happiest of birthdays. Um, I wish I could say that there were free hotdogs for everybody, but I doubt I can say that. But again, ah, happy birthday sir, and many more. (*APPLAUSE*)

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Ah, Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you. As someone who has sat here and listened to many public

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speakers over many years, I just wanted to echo the feelings of this Council in saying thank you for coming and in saying also, as the Law Director who deals in a lot of legal fees and a lot of numbers and revised code stuff, it was refreshing to hear the speakers talk of a positive nature of, of, of, I didn't hear hate, I didn't hear anger, I heard love. Love for your city in talking in a positive nature and I appreciate that Member Casar's suggesting that everyone take the time to begin to digest this plan that the Chief has prepared and come together, as some of you said, to, to look at it and see what is feasible in it. But, thank you for coming with the methods and the, the love in your heart that you did.

PRESIDENT SCHULMAN: Thank you Law Director Martuccio. (APPLAUSE) If, if I might ah, take just a couple minutes here. This week, the Congressional Gold Medal, the highest award that Congress can give to any American citizen, was given to the Tuskegee Airmen and Senator Carl Levin made remarks at this ah, Gold Medal Ceremony and, because I believe that um, it has something to do with what we're talking about now, I'd like to just read a part of it if I might. *"It is the ultimate act of patriotism to love your country even when that love is not reciprocated. So, what a special love of country exists when one must suspend a sense of anger and resist feelings of despair to fight, for the right to fight and perhaps die in defense of a nation, many of whose citizens in institution are denigrating your very humanity. What is it that those young men saw in our nation which drove them to defend it in the face of the pain inflicted upon them by laws promoting segregation and practices reflecting racism. They must have sense that despite the bigotry, this was a nation worth fighting for. They must have seen a spark of hope that this was a country worth dying for and sense that they, in their courage and patriotism could help that spark become a flame of justice. The first class of 13 cadets began at the Tuskegee Institute in July of 1941. By the time the last class completed its training, nearly 1,000 black pilots had graduated along side thousands of aircraft and engine mechanics, armament specialists, control tower operators and other positions essential for conducting flying operations. The statistics of their heroism are overwhelming. More than 15,000 combat sorties, 260 enemy aircraft destroyed, 150 distinguished flying crosses and legions of merit and more than 700 air medals and clusters. They were so proficient that white bomber pilots did not just come to accept escorts by the Tuskegee Airmen, they requested the Tuskegee Airmen."* And then, Senator Levin ended it by saying to them, *"Your place in our history is not established by this medal. It was assured when, as young men, you put on the uniform of this nation and defended it, demonstrating your faith in what it could become."* Now, your statements tonight, I'd like to echo what Director Martuccio exactly the same sedaments that Senator Levin expressed to the, to the Tuskegee Airmen. We have a common purpose here. We all live in this community. We have to live in peace and we have to live in harmony and we all have to get along, and I promise you, that is what this Administration and this Council will do, but we cannot do it alone. We need all your help, and I'd just like to echo Law Director Martuccio again, thank you for coming. We appreciate your taking your time to be here tonight. Thank you very much. (APPLAUSE) Member Casar.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER CASAR: I move we adjourn; seconded.

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

CLERK TIMBERLAKE: Eleven yeas.

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NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

PRESIDENT SCHULMAN: (*Gavel falls*) The meeting is adjourned. Thank you ladies and gentlemen.

ADJOURNMENT TIME: 8:15 PM

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

ALLEN SCHULMAN  
PRESIDENT