

MINUTES OF THE MEETING JANUARY 7, 2008
SWEARING-IN CEREMONY OF PRESIDENT ALLEN SCHULMAN

THE FOLLOWING IS THE TITLE AND NAME OF ELECTED OFFICIAL SWORN INTO OFFICE PRIOR TO THE COUNCIL MEETING, ON MONDAY, JANUARY 7, 2008. INCLUDED IS THE INFORMATION AS TO WHO HELD THE BIBLE & BY WHOM THE OFFICIAL WAS SWORN IN. COPIES OF NOTARIZED OATH OF OFFICE IS ON FILE IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JANUARY 7, 2008.

TITLE & NAME:

Allen Schulman,
President of Council

HOLDING THE BIBLE:

Cynthia Timberlake

SWORN-IN BY:

Council Majority Leader,
Don Casar

PRESIDENT SCHULMAN: Good evening everyone and ah...on behalf of City Council and the Administration, we want to wish you all a very happy and healthy and prosperous New Year. Ah...this begins a new term for at least a couple of Councilmembers. Welcome Member Smith and Member Barton, we wish you the very best, it's a pleasure to have you here. Ah...it's a pleasure to have ah...Mayor Healy as our new Mayor and leader of the City of Canton, surrounded by ah...one person I know very well and another that I don't but I'm sure will have the opportunity to meet and work together for the next four years, ah...Director Nesbitt, thank you and welcome. And my good friend, Tom Bernabei, it's always a pleasure to see you and we wish you the very best of luck. And Mayor Healy, obviously you know that this Council and this President and Law Department are behind you 100% and what your going to do. So ah...welcome all. With that said and recognizing Ohio State will beat LSU in about a half an hour, there is 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:

12 COUNCILMEMBERS PRESENT: (DON CASAR, JOE CARBENIA, MARY CIRELLI, WILLIAM SMUCKLER, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, CHRIS SMITH, TERRY PRATER, DAVID R. DOUGHERTY, PAT BARTON, & KARL "BUTCH" KRAUS)

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: All present, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. We will have the invocation given tonight by ah... Councilmember Joe Carbenia. If you'll stand and remain standing please for the pledge of allegiance.

The regular meeting of Canton City Council was held on Monday, January 7, 2008 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 Joe Carbenia, followed by the Pledge of Allegiance led by President Schulman.

PRESIDENT SCHULMAN: I was out in Iowa campaigning for Senator John Edwards and in my absence I see they just took my name right off the ah...Council desk here. This is going to be a very abbreviated meeting.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: Ah first we're up with public hearings. There are no public hearings this evening.

PUBLIC SPEAKS

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PRESIDENT SCHULMAN: We are now under public speaks on Ordinances and Resolutions. We have no speakers signed up this evening.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: Ah we are now under Informal Resolutions.

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JANUARY 7, 2008.

2. AUDITOR MALLONN (CITY): CERTIFICATE OF TOTAL AMT FR: ALL SOURCES FOR 2007. - RECEIVED & FILED
3. AUDITOR MALLONN (CITY): SUBMIT MO. RPT. BY FUND THRU 12/31/07. - RECEIVED & FILED
4. AUDITOR MALLONN (CITY): SUBMIT YRLY. RPT. BY FUND THRU 12/31/07. - RECEIVED & FILED
5. DEPT. OF PUBLIC WORKS: SUBMIT 2007-08 SNOW & ICE CONTROL PROGRAM EFF. 12/26/07 - 4/4/08. - RECEIVED & FILED
6. HEALTH BENEFITS ADMIN, BRESSON: DEC 2007 MO. COMPARATIVE RPT. OF INSUR. CLAIMS & JAN - DEC 2007 PAID CLAIMS & COMPARATIVE RPT. - RECEIVED & FILED
7. LAW DIRECTOR MARTUCCIO: AUTHORIZE PREPARATION OF 2 ORDINANCES TO AUTHORIZE DESIGNEES OF CITY TO PURCHASE EQUIPMENT, SUPPLIES & SERVICES FROM & THRU STATE OF OH, DIV OF ADMINISTRATIVE SERVICES UNDER O.R.C. SEC 125.04. - FINANCE COMMITTEE
8. LIQUOR CONTROL DIV (OHIO): REQ NEW C1 C2 LIQ PERMIT FOR D & S OF CANTON INC DBA A MART EXPRESS @ 2557 CLEVELAND AVE NW. - RECEIVED & FILED
9. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED REPLAT OF LTS 29205, 29204 & PARTS OF LTS 9683 & 9684, SE CORNER OF 16TH ST NE & HARMONY CT(NANCY SWAGGARD). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
10. SAFETY DIRECTOR NESBITT & SERVICE DIRECTOR BERNABEI: AUTHORIZE MAYOR &/OR SERV &/OR SAF DIRECTORS TO COMPLETE VARIOUS CONTRACT ORDINANCES WHICH WERE NOT COMPLETED IN 2007 PURSUANT TO O.R.C. SEC 731.48. - FINANCE COMMITTEE
11. SAFETY DIRECTOR NESBITT & SERVICE DIRECTOR BERNABEI: AUTHORIZE SERV &/OR SAF DIRECTORS TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR SUPPLY

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ITEMS, MATERIALS & PROF SERVICES FOR THE CITY'S OPERATION DURING 2008; AUTHORIZE TO ALTERNATIVELY ENTER INTO CONTRACTS FOR THE PURCHASE OF SAID ITEMS IN ACCORDANCE W/O.R.C. SEC 125.04, O.R.C. SEC 5513.01 & O.R.C. SEC 735.05. - FINANCE COMMITTEE

12. SAFETY DIRECTOR NESBITT: AUTHORIZE SAF DIR TO ACCEPT DONATION OF \$500.00 FR: C.H. PULLEY OF LEXINGTON, KY ON BEHALF OF FIRE DEPT; REQ AUDITOR TO CREATE NEW FUND FOR THIS DONATION FOR FIRE VICTIM'S ASSISTANCE. - FINANCE COMMITTEE

13. SAFETY DIRECTOR NESBITT: AUTHORIZE SAF DIR TO ACCEPT BUREAU OF WKS COMP GRANT FOR \$25,263.62 W/MATCHING FUND AMT OF \$6,315.91 ON BEHALF OF FIRE DEPT; REQ \$25,263.62 SUPP APPROP FR: UNAPP BAL OF 2812 EMS TRAINING & EQUIP FUND TO: 2812 TRAINING & EQIP FUND. - FINANCE COMMITTEE

14. SERVICE DIRECTOR BERNABEI: REQ SUPP APPROP & INTER-FUND ADVANCE FOR REFUSE FUNDS LACK OF SUFFICIENT CASH RESERVES TO SATISFY THE NORMAL MONTHLY OBLIGATIONS. - FINANCE COMMITTEE

15. SERVICE DIRECTOR BERNABEI: AUTHORIZE SERV DIR TO ENTER INTO AGMTS W/ANTHEM BLUE CROSS & BLUE SHIELD & W/COMMUNITY INSURANCE COMPANIES, INC DBA ANTHEM BLUE CROSS & BLUE SHIELD EFF 2/1/08 W/ RESPECT TO THE ADMINISTRATION OF THE CITY'S HEALTH BENEFIT PLAN. - FINANCE & PERSONNEL COMMITTEES

16. STARK COUNTY COMMISSIONERS: RECEIPT OF RESOLUTION & PERTINENT DOCUMENTS APPROVING KOCH KNIGHT ANNEXATION. - PLANNING COMMISSION

17. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATION & CITY'S OUTSTANDING INVESTMENTS AS OF 11/30/07. - RECEIVED & FILED

18. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATION & CITY'S OUTSTANDING INVESTMENTS AS OF 12/31/07. - RECEIVED & FILED

19. TREASURER SCHIRACK: DEC 2007 PKING MTR REVENUE. - RECEIVED & FILED

20. TREASURER SCHIRACK: DEC 2007 DEPOSITS & PAY INS FOR AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for the first reading. There are no Ordinances or Formal Resolutions for their first reading this evening.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances for their second reading. And there are no Ordinances and Formal Resolutions for the second reading this evening.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We're now under Ordinances for their third reading and final reading. And

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there are, amazingly no Ordinances for their third and final readings this evening.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We're now under Announcement of Committee Meetings. And there will be no announcement for Committee Meetings tonight. Excuse me, our Leader, Member Casar.

MEMBER CASAR: Yes ah...the Clerk has some information in regards to 7:00 next Monday.

CLERK TIMBERLAKE: Yes.

MEMBER CASAR: Would you please pass that on. Ah...make a notice....announcement, I'm sorry.

CLERK TIMBERLAKE: At 7:00 next week the Harter School kids would like to make a presentation, so we ask that you could come at 7:00 for a 15 to 20 minute presentation. Thank you Majority Leader.

PRESIDENT SCHULMAN: Are there any other ah...announcement of Committee Meetings?

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: Ah...we're now under Public Speaks, open forum. We do have three speakers signed up this evening and for those who, perhaps have not been here and presented ah...under public speaks, City Council has passed a rule that limits the speakers to 3 minutes each and I can assure you, as I've said throughout the last year, ah...the Administration will be here, our Safety Director, our Service Director, the Mayor, Members of Council, if you wish to discuss anything after the Public Speaks and after our meeting. We will be here ah...to be available to you. So with that said, please if you will, I don't like to interrupt people, I think it's rude. But we will ask you to keep your remarks to 3 minutes. Our first speaker tonight is Shawn Savage. Mr. Savage, would you step forward and give us please sir, your name and your residential address. And good evening and Happy New Year to you sir.

SHAWN SAVAGE: Thank you too, sir. Is this on?

PRESIDENT SCHULMAN: Yes.

SHAWN SAVAGE: Great. Good evening, my name is Shawn Savage, I live at 3810 35th St. Thank you for letting me speak tonight. Mayor Healy, my son was....my son's name is Shawn Savage, he's approximately 5'5", 130 lbs., 16 years old. This is how my son was returned to me December 31st after being in police custody, may I show these pictures around?

PRESIDENT SCHULMAN: Sure.

SHAWN SAVAGE: Of course, this is how he was returned to me after he was being in police custody. Ah...there happened to be four police cars, seven officers, Mr. Zach Taylor, Volpe, Ryan Davis, Steve Swank, Michael Gary, Sergeant Saler, Michael Carpenter, all I'm asking is please show the videos of how this came about so there's no questions of "he said, she said". You tell me there's no tolerance, please show the videos so there's no unanswered questions of what has occurred to my son. I thank you all very much.

PRESIDENT SCHULMAN: Thank you Mr. Savage very much. And we'll let these photographs pass around City Council and the Administration. Our ah...next speaker...ah probably under the same subject matter will

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be fairly similar to Mr. Savage, Saundra Collins. Ms. Collins would you step forward please? Would you give us your name and your residential address ma'am. And again, Happy New Year to you and your family.

SAUNDRA COLLINS: Same to you and all here. Hi, I'm Saundra Collins, I live at 3713 35th St NE in Canton.

PRESIDENT SCHULMAN: There ya go.

SAUNDRA COLLINS: Um...I was born and raised in Canton. I'm a pure Cantonian. I've never left the area, other than for vacations. I've always been proud to say so. Anytime anyone asked me where I was from, I said "Canton, Ohio" and if they didn't know where it was at, of course I'd say "Well, near Akron then Cleveland, or the Football Hall of Fame" which a lot of people still don't even know where that's at. Um...I went from Belden School to Hartford, to St. Benedict's to Timken High School. Graduated with a few people that are in here. And I had a lot of pride, not the kind of pride that makes me puffed up or better than somebody else. But the pride in myself that was instilled as a child. God created all of us equal, equal to the point that we're supposed to be treated equally. Some of you, well some of you went on to be averaged Joe citizens just like me but, being that you're on City Council, you out number me. Um...I've raised four children in this community and now I have six grandchildren. And I want to instill in them the pride that I have for Canton. I've always had an admiration for those in uniform, be it our Military, our Policeman, our Firefighters, Rabbis, Nuns, Reverends, etc. But after the altercation a week ago, involving our Police Officers and a group of youth, and especially Shawn Savage Jr. I am at an utter loss for words. First I want to say that not all of our youth are bad, they're not all ruffians. Shawn is still in high school, 16 years old. He enjoys fun and games just like we all do. He's a respectful child and well behaved. From the description of the evening in question, he did not deserve the beating he took without provocation on his part. From what I understand, when the police...I don't know if there was something going on in the area that night, which is neither here nor there, no one wants to talk about it. But nonetheless, these kids were out there and because they were passed their curfew, they were afraid to say anything or stop where the police were at, so they parked their car in a parking lot and went on. And the police accosted them. Well this was the only one that got caught and the police officer tackled him to the ground. Shawn had his hands up in the air and was saying "I surrender, I'm not going to run." Because the other kids did and I'll tell ya today, I don't know if I'd do the same thing after what's happened to him. But anyway, he kept telling them he surrendered and wanted to know why he was being beaten and to no avail, they told him to shut up, well the one did, I don't know if all of them did. And then the other ones proceeded to beat him with billy clubs across his head, his eye, his ear, his legs. Now this kid, you see him, he sits right there in the black hooded sweatshirt. He's not that tall, from my understanding, the one Police Officer is...was in the Military and the young man is 6 feet, something tall, weighs 200 and some pounds, the one that tackled him. Then they had to have three other help...or two other help, while the other ones stood by and watched. It makes me wonder, if I get picked up for a traffic violation or anything else, what am I supposed to do? Are we allowed to voice our opinion? They never asked the young man why he was out, which was curfew time, 12:30 is our City's curfew that night. And he was out about a quarter till one.

PRESIDENT SCHULMAN: Ah...Ms. Collins, I've given you 4 minutes.

SAUNDRA COLLINS: Okay.

PRESIDENT SCHULMAN: So if you could wrap up, I'm sorry.

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SAUNDRA COLLINS: Alright, but I just want to say, I really am losing my respect for our Police Officers and that's sad because I was born and raised here and that's sad because I know some of them from the past and their not the same as they are today. Thank you very much.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you ma'am very much. Our last speaker tonight is Ruby Brogdon. Good evening and I saw you outside, Happy New Year. But for the record if you'll give us your name and your residential address.

RUBY BROGDON: My name is Ruby Brogdon, I live at 1617 3rd St NE. I'm going to talk about neglect neighborhood. My neighborhood have been neglected ever since Mr. Sam Purses. We only get the streets swept when it's election. We got so many boarded up houses, some are not boarded up, no one living in it and do you know what it reminds of? Sanford and Son, the T.V. show, junk shop. Because that's what it looks like. It's one boarded up behind me, it's so junky, it's pitiful. It's one in front of me need to be torn down, they done broke in it and took everything out of it. Mayor Creighton started on it and she did do me a good favor. She removed the dope house and it was terrible. The creek is growed up. The trees have not been thinned out since Sam Purses. We had a lady, it was been awhile, got killed, she was threw over behind these trees. You cannot see around some of them trees when you're driving when they are out. We need something did for neighborhood. I don't know how you think that people is gonna get jobs, bring they jobs to Canton, the way some of these neighborhoods look. And it's not only where I live, it's all over. Some of these people need to clean up. And I'm going to say to you Mr. Healy, I am going say to you, Mr. Healy, I am going to make a list, I am going to give it to you and also to my Council lady, Mrs. Chris Smith. Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you very much.

MISCELLANEOUS BUSINESS

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

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

MEMBER CARBENIA: Seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: (GAVEL FALLS) The meeting is adjourned. Thank you very much ladies and gentlemen.

ADJOURNMENT TIME: 7:49 P.M.

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ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT