

MINUTES OF THE MEETING OF APRIL 7, 2008

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. We're starting a little late tonight and we apologize. We had a ah...meeting in Executive Session before the meeting this evening. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

11 COUNCILMEMBERS PRESENT: (DON CASAR, JOE CARBENIA, MARY M. CIRELLI, BILL SMUCKLER, GREG HAWK, THOMAS E. WEST, JAMES GRIFFIN, CHRIS SMITH, TERRY PRATER, DAVID R. DOUGHERTY & "BUTCH" KRAUS)

ELEVEN COUNCILMEMBERS PRESENT, 1 ABSENT (PAT BARTON)

CLERK TIMBERLAKE: Eleven present, one absent Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight's invocation we'll have our Invocation given by Majority Leader, Member Don Casar. I know that Don would like us to stand and we had a loss today. And then if you'll remain standing for the Pledge of Allegiance.

(MOMENT OF SILENCE FOR CATHERINE (KATE) BARTON, MEMBER PAT BARTON'S MOTHER, WHO PASSED AWAY)

The regular meeting of Canton City Council was held on Monday, April 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 Majority Leader, Don Casar, 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 going to be asked to suspend Rule 22A to add the second reading of Ordinances #7, #8, #9 and Communication #163. Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ordinances 7, 8 and 9 to this evening's agenda and Communication 163.

PRESIDENT SCHULMAN: And...ah.. before you second Member Carbenia, I neglected to say Ordinance #6 will be retained in Committee.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to second reading Ordinances #7, 8, 9 and Communication 163; #6 will be retained in this ev...in Committee to this evening's agenda. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

MINUTES OF THE MEETING OF APRIL 7, 2008

PRESIDENT SCHULMAN: The motion carries and Rule 22A is suspended and the Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We are now under Public Hearings. We have a number of public hearings scheduled this evening. The first two are **7:30 pm and 7:31 pm**. They are AN ORDINANCE VACATING MCGRAW PLACE SW & A PORTION OF TIMKEN PLACE SW; APPROVING & ACCEPTING THE REPLATTING OF LOTS 6738, 6739, 6740, 6741 & PART OF OUT LOT 339; AND DECLARING THE SAME TO BE AN EMERGENCY; THIS IS ASSIGNED TO WARD 5; AND THE PLANNING COMMISSION HAS RECOMMENDED APPROVAL OF THIS ORDINANCE. Is there anyone in the audience wishing to speak for or against these vacations, please come forward. And I have to repeat myself one more time. Is there anyone in the audience wishing to speak for or against these vacations, please come forward. The Chair declares these public hearings over. The matter now rests in the hands of Council. The Ordinance..ah.. will follow later this evening. The next is AN ORDINANCE VACATING PORTIONS OF SAVANNAH AVENUE NE & ENGLEHART AVENUE NE; APPROVING & ACCEPTING THE REPLATTING OF LOTS 1993 THRU 2002 AND LOTS 6248, 6249 AND 28911 AND THE VACATED PORTIONS OF SAVANNAH AVENUE NE & ENGLEHART AVENUE NE; AND DECLARING THE SAME TO BE AN EMERGENCY; THIS IS ASSIGNED TO WARD 2; AND THE PLANNING COMMISSION HAS RECOMMENDED APPROVAL OF THIS VACATION. Is there anyone in the audience wishing to speak for or against this particular Ordinance. Is there anyone in the audience wishing to speak for or against this Ordinance, please come forward. The Chair declares these public hearings over. The matter now rests in the hands of Council. The Ordinance will follow later this evening.

PUBLIC SPEAKS

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

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolution. Mr...ah...Member Casar, I will recognize a motion to excuse Member Barton from this evening's meeting.

MEMBER CASAR: Mr. President, I move that...ah... 7th Ward Councilperson, Pat Barton be excused from this evening's meeting.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that Member Barton be excused from this evening's meeting. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President

PRESIDENT SCHULMAN: Thank you, Madame Clerk, the Motion carries. Ah...Resolution 40 has been postponed until April 14, 2008. Madame Clerk, would you please read Resolution #41 by title.

MINUTES OF THE MEETING OF APRIL 7, 2008

#40. **(NOT READ ALOUD)** COUNCIL OF THE WHOLE: COMMENDING STARK FOUNDATION FOR EFFORTS & CONTRIBUTIONS TO NEIGHBORHOOD ASSNS. - **POSTPONED UNTIL 4/14/08**

#41. SMITH, CHRIS, WARD 4 CNCLMBR: COMMENDING TIMKEN TROJAN BASKETBALL TEAM FOR AN OUTSTANDING & WINNING SEASON. - ADOPTED.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #41.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #41. Are there any remarks?... Member Smith.

MEMBER SMITH: Yes...um...Mr. President, could the Clerk...ah... please read it for the public. I'm going to be awarding them with this on Thursday, and it is open to the public event congratulating the Timken Trojans.

PRESIDENT SCHULMAN: Great Thank you Member Smith.....Yes if you would Madame Clerk.

CLERK TIMBERLAKE: **AN INFORMAL RESOLUTION SUBMITTED BY CHRIS SMITH, WARD 4 COUNCILMEMBER ON THIS 7TH DAY OF APRIL, 2008 WHEREAS:** Coach Hairston and the 2007-2008 Timken High School Varsity Basketball Team successfully completed its season with a winning record of 24-1; and **WHEREAS:** Coach Hairston and the Team were the 2007-2008 Pac 7 Champions and also the Sectional and District Champions; and **WHEREAS:** We congratulate Coach Hairston, the Trojan Coaching Staff and all team members for their hard work, dedication and bringing their community together. **NOW, THEREFORE, BE IT RESOLVED:** That I, Councilmember Chris Smith and the members of the Council of the City of Canton, Ohio do hereby go on public record congratulating **COACH RICK HAIRSTON & THE TIMKEN HIGH SCHOOL BOYS BASKETBALL TEAM** for an outstanding year and for representing the City of Canton. Thank you for a job well done!

(APPLAUSE)

PRESIDENT SCHULMAN: Are there any other remarks?...If not, by voice vote, all those in favor signify by saying aye. Those opposed no. Resolution #41 has been adopted. Resolution #42 please Madame Clerk.

NO REMARKS
UNANIMOUSLY BY VOICE VOTE

RESOLUTION #41 PASSED

#42 SMUCKLER, WM., CNCLMBR AT LARGE: COMMENDING RABBI SPITZER ON HIS FAIR EMPLOYMENT PRACTICE BD RETIREMENT. - ADOPTED

MEMBER CASAR: Mr. President.

MINUTES OF THE MEETING OF APRIL 7, 2008

PRESIDENT SCHULMAN: Member Casar

MEMBER CASAR: I move we adopt Resolution #42.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 42. Are there any remarks?... Member Smuckler.

MEMBER SMUCKLER: Mr. President...um...this Resolution was presented at the Fair Employment Practice Board Meeting this afternoon...um...This will probably not be the last Resolution, there will probably a lot more to follow...um...For those of you that don't know, is Rabbi Spitzer will be retiring from Temple Israel...um...in June. And I would hope and will offer an invite that when a dinner comes along that we're going to have for him in July that any of the Council people that would like to attend, I will make sure there's invitations available. Some of the various boards throughout the Community, he will be stepping down from too because he plans on taking a long, long trip in the fall which will hinder our ability to get quorums at some of these and he does not want to adversely affect some of our boards. But I think that most of you agree that Rabbi Spitzer, besides being a leader in the Jewish Community in Temple Israel, has been a leader throughout the whole Community and will be sorely missed. And Thomas West put it best, "If we had 20 people like him throughout this Community...ah...we wouldn't be hurting at all."

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you Member Smuckler, are there any remarks to Resolution 42?... If not, by voice vote, all those in favor signify by saying aye. Those opposed no. Resolution #42...ah...is carried. Resolution #43 Madame Sm....Clerk.

NO REMARKS	RESOLUTION	#42	PASSED
UNANIMOUSLY BY VOICE VOTE			

#43. SMUCKLER, WM., CNCLMBR AT LARGE: COMMENDING BERNARD JENKINS FOR 38 YRS SERVICE ON BD OF HEALTH. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER CASAR: I move we adopt Resolution #43.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to...ah...pass Resolution #43. Are there any remarks?... Member Smuckler.

MEMBER SMUCKLER: Once we pass this, I'm sure there'll be a lot of remarks.

PRESIDENT SCHULMAN: I know I have a couple. *(Laughter)* With that...ah...all those in favor of

MINUTES OF THE MEETING OF APRIL 7, 2008

Resolution 43, signify by saying aye. Those opposed no. Resolution #43 has been adopted. Member Smuckler.

NO REMARKS
UNANIMOUSLY BY VOICE VOTE

RESOLUTION #43 PASSED

MEMBER DOUGHERTY: Can we have that read please. Mr. President.

PRESIDENT SCHULMAN: Yes...ah...Member...

MEMBER DOUGHERTY: Could we have that read?

PRESIDENT SCHULMAN: Would you mind reading the Resolution.

CLERK TIMBERLAKE: Not at all.

PRESIDENT SCHULMAN: Madame Clerk, thank you.

CLERK TIMBERLAKE: **AN INFORMAL RESOLUTION RESPECTFULLY SUBMITTED BY COUNCIL AS A WHOLE COMMENDING BERNIE JENKINS ON THIS 7TH DAY OF APRIL, 2008**

WHEREAS: Bernie Jenkins is a trusted dedicated business man and public servant and, **WHEREAS:** Bernie Jenkins is owner/engineer of Bernard Jenkins Inc. located in the City of Canton; and, **WHEREAS:** Bernie Jenkins has dedicated his life to community service. He has served 38 years on the Canton City Board of Health, serving from 1970 thru 2008 and, **WHEREAS:** Bernie Jenkins is responsible for beginning many new health programs including women, infants and children, air pollution control, HIV and aids programming and state wide smoking regulations and, **WHEREAS:** Bernie Jenkins has been instrumental in hiring many of the staff at the Canton City Board of Health and, **WHEREAS:** Bernie Jenkins is President Pro Temp of the Canton City Board of Health and, **WHEREAS:** Bernie Jenkins is married to Betty and has five children, and **Now Therefore Be It Resolved:** That Canton City Council go on record commending **BERNIE JENKINS** for his years of dedicated public service to the City of Canton and the Community. Congratulations on your retirement from the Canton City Board of Health.

(APPLAUSE)

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Not unlike the last Resolution, I know this gentleman will be sorely missed also on the Board of Health. I take you back to the one whereas, "Bernie Jenkins is responsible for beginning many new health programs, including women, infants and children" which is W.I.C., "air pollution control, HIV aids programming and state wide smoking regulations." I think that says it all right there. Bernie has been a very active member of this Board, Thomas West said to me over there, "Is he retiring?" He is retiring and I think with the record for this paragraph alone says it all that this gentleman will be sorely missed also. And Bernie, wonderful job, I also know that you were very active and wanted to consolidate Health Departments a few years ago and maybe in the near future, that maybe something that we look at again, if we can work that out. And I hope to at least call on your expertise at that time, if you will help us do that. Uh....because I think that...um...you have a lot to offer. Joining him here this evening...um...is other Board Members, Ernie Schott and Dr. Hickman, Dr. Hickman is sitting next to a very bad individual back there, who even came back for this, former Health Commissioner, Bob Pattison. *(Applause)* Our current Health Commissioner, Jim

MINUTES OF THE MEETING OF APRIL 7, 2008

Adams is here and also...ah...Bernie's daughter is with us this evening also Bernardene and...um...I think that...ah...the Mayor, when sends down a replacement will have awful big shoes to fill for this one. Bernie.

PRESIDENT SCHULMAN: Are there any other remarks before Bernie speaks?

MEMBER WEST: Mr. President, I am in denial. *(Laughter)*

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: It didn't say retirement on this sheet here. I probably wouldn't have shook your hand yet, I would have probably choked you. No actually, he done some great work in this community and I wish your retirement well...um...And at the same time...um...and as the same time, I know that Jim Adams is ready to go forward. And I think that you and Bob planned this last year and didn't tell me about it. So hopefully...um...your...I'm sure you ain't retiring from the Community, right?

BERNIE JENKINS: No.

MEMBER WEST: Okay, well, I'm feeling better about that.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Congratulations...um...got a double whammy there. *(Inaudible)* Bill, I agree...um... I really appreciate everything you've always done. I could always talk to you about issues. Um...love playing with your sons golfing every year, that's always a joy and...uh...congratulations to you.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Bernie, I wanted to thank you so much sir for all the programs that you've helped bring to fruition. Ah...you have done this Community proud by serving for so many years on a...I'm sure times, a difficult Board but we can't thank you enough. You're a Beacon for the young people today. I hope you're going to instead of retire, rewire, because that's the new word because you've got a lot of energy and a lot more to give and I know you're not going to just walk away from this Community and not do anything. So I really thank you for everything that you've done for this Community and it's people like you that I hope that we will see other people follow in your footsteps and they're...ah...You've got big shoes that that person that's going to come in is going to have to fill. So thank you so much for the whole entire Community.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Member Carbenia.

MEMBER CARBENIA: Mr. President. Mr. Jenkins...ah...I've known you for a lot of years, way back when your young boys were playing football and your daughter was growing up and you've always been an upright, good standing person. Ah...you've done a great job on the Health Department...um...you run a good construction company, never heard anything bad about it and you've always been a person that somebody could come up and talk to, shake hands with and feel good when you left...ah..talking with you. So in that aspect, I'm sorry to see you go but I know you won't leave the community...ah...just down flat. Even though you should, you should take your time and enjoy it. I know you won't, I know you.

MINUTES OF THE MEETING OF APRIL 7, 2008

PRESIDENT SCHULMAN: Thank you Member Carbenia. Member Hawk.

MEMBER HAWK: Mr. President. Mr. Jenkins, thank you very much, when I first sat down at this seat you actually spent a lot of time tutoring me, mentoring me and helping me understand some of the processes we go through in the City, to that I owe you a great deal of thanks. Thank you again Mr. Jenkins.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Mr. Jenkins, you will be missed. As an attorney who had the privilege to work with you and your Board, I can tell you, I didn't always end up working with Boards that were led by intelligent, thoughtful, reasonable, professional and classy people like you. Ah...sometimes difficult situations that we work together on went much more smoothly because of the tone of your leadership and your comments. I want to commend you and your Board and outgoing Health Commissioner, Bob Pattison and Rabbi Spitzer. This Community truly has been blessed to have men like all of you leading and volunteering and such important capacities. Thank you again.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: Mr. Jenkins, we didn't do a lot together but I do know your reputation and...and I extend my congratulations to a wonderful, which ever way you decide to go, hopefully you'll stick around and mentor some of us that still need mentoring. Thank you.

PRESIDENT SCHULMAN: Thank you Member Kraus, anyone else? Before you begin, I want to say one thing because Bernie and I do know each other, we go back a fair amount of time. We've had a few drinks together and I've had the privilege of meeting your family, which to me is the shining light of your life. I have...ah...whenever anyone asked me what kind of a father anyone should have, I point to you...Um...I have one story to tell you quickly, Bernie's one son, who went on to become an All American, and they're all extraordinarily successful and just wonderful family...ah...people. But before he went on to become an All American, he was in 8th grade and he was playing, for the championship team and his grades were not good and Bernie said "I'm sorry, you're not going to play in the Championship game." Well, the coach came over, Bernie said "What can I do for ya coach?" He said "Well, you know Bernie, your...your son, we need him...he's the all star of our team." And he said "Well, come on down to the basement." So he goes down to the basement and Bernie starts talking about his son and he says "Coach, I understand you want him to play" and he said "you have no idea how much I want him to play...it...it's gonna be whether we're going to win or lose." He said "Well I'll tell ya one thing, his shoe size is getting bigger and you know, he's outgrowing his clothes, so I hope you have, you know, some money to pay for those things." And the coach looked at him and said "I'm sorry, what do you mean, it's your son." He said "Oh no, no, he's going with you coach, you're gonna raise because he's not playing in the football game if he stays here." And the coach said "Bernie, I completely understand." And left. That's the kind of father Bernie Jenkins was.

(APPLAUSE)

PRESIDENT SCHULMAN: And I can literally regale you with story after story but I'm going to finish with this because I think it's significant, Bernie came to Canton, Ohio in 1956...58, this was not a very welcoming community for African Americans who were professionals. This man has gone through an incredible career and I know you've contributed mightily to the Board of Health but I want everyone to know, you've contributed mightily to every part of this Community, starting with your wife and your family, your business

MINUTES OF THE MEETING OF APRIL 7, 2008

and your State and your Country and we are indebted sir to your service. Thank you.

(APPLAUSE)

BERNIE JENKINS: The first thing I'd like to say is, I will still be maintaining an office a hundred yard from the Health Department. So, anybody thinks I know anything that they want to know from me, just walk right over and ask and I'll be glad to tell you. I've never been put on a pedestal by a distinguished audience, I mean group like this. Ah...but where I come from it would be more like the fence post and I heard somebody say once, if you ever see a turtle sitting on a fence post, you know one thing, he didn't get there by himself. And a lot of people helped me get on this fence post, starting with...ah...two Health Commissioners, Dr. Arnold and Bob Pattison, who is out here are very good Board Members that I've had of many many of. Ah...four Mayors have appointed me and reappointed me to this position. I didn't get fired by this guy because I left. But anyway, there were four guys, four Mayors that did that and the Members of the...the staff of the Health Department, the Health Department is a very complicated...ah...section of the City, it has a lot of different responsibility and all of them are very very necessary to maintain the health and welfare of the City. And we've had a number of people. But the people in our Health Department do not retire and take other jobs. They don't quit and move to other Departments, they don't go to other States. Our guys retire and go to Florida. I mean we...if you'll look at the longevity in this Health Department, it is very very good and very very sound and we have very very good people and I was told the other day, fortunately I had a hand in hiring everyone except one and I am please about that. Uh....also, I'd like to...ah...mention that Council has always approved the Mayor's appointment every time I've been brought up and I've talked a couple times with the Finance people, Mr. Hawk, about the...um...budget we need and things we need and things we need to get our job done. I don't remember having an argument with this Council and I've appreciated that, it's been very very easy and very very good. So I'm very appreciative of this. I'm overwhelmed by it and I thank you very much.

(APPLAUSE)

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Thank you, I just wanted to make one quick...ah...comment. Ah...Mr. Jenkins, ah...would you stand up please. Ah...you had...ah...I...I...I...I...your...your...reputation has proceeded you and I'm...I'm very honored to be here and..and to have an opportunity to meet you and....and to see your work. And ah...I haven't had a chance to work with you throughout your career but...but obviously from the kind words that were said here, you've left a very very big following and we certainly appreciate all your work that you've done for the City. Ah...you did make a request of me recently and I just wanted to let you know...um...it's...it's kind of a neat ah...place for me to be because my father was involved in...in things that I got to follow and so I'm very proud of that. Ah...you have with you tonight your daughter, would you please stand up? Uh...she's a pharmaceutical rep is that correct? Um...she's here and I'm sure he's very proud of her. He...he made a recommendation and ...ah....and...and we are, I just wanted to let you know tonight, going to...ah...follow up with that and recommend her replacing you on the Board. *(Applause)* A....a...a....as...as one...ah...son fol...who followed his father, I can tell you that your shoes will be filled. *(Laughter)* Thank you so much for your work.

BERNIE JENKINS: *(Inaudible)*

MINUTES OF THE MEETING OF APRIL 7, 2008

(LAUGHTER)

MAYOR HEALY: Congratulations, thank you.

PRESIDENT SCHULMAN: Thank you very much Mayor. Are we ready to adjourn Member Casar?

(Laughter)

See...isn't there a ball game on Bernie? You can leave if you want. There's...I think there's a big basketball game tonight.

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 APRIL 7, 2008.

151. AUDITOR MALLONN (CITY): CERTIFICATE OF TOTAL AMT FR: 2008 ALL SOURCES. - RECEIVED & FILED
152. AUDITOR MALLONN (CITY): YEARLY REPORT BY FUND FOR 1/1/08 - 3/31/08. - RECEIVED & FILED
153. AUDITOR MALLONN (CITY): MONTHLY REPORT BY FUND FOR 3/1/08 - 3/31/08. - RECEIVED & FILED
154. DIR. OF DEVELOPMENT TORRES: REQ LEGISLATION FOR RECOMMENDATIONS TO ENTERPRISE ZONE & COMMUNITY REINVESTMENT AREA TAX ABATEMENT GUIDELINES FOR GRANTEEES DOING BUSINESS IN CITY OF CANTON. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
155. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF HRG ON 5/1/08 @ 10:00 A.M. RE: RENEWAL APP FOR PLATINUM DYNASTY LLC DBA PLATINUM DYNASTY @ 1016 - 12TH ST NE, 1 ST FLOOR & BASEMENT. - RECEIVED & FILED
156. MAJ. LDR. DON CASAR: RPT OF WASHINGTON DC TRIP RE: NAT'L LEAGUE OF CITIES. - RECEIVED & FILED
157. MAJ. LDR. DON CASAR: REQ MGMT NON-BARG UNIT EMPLOYEE CLASS PLAN BE AMENDED CHANGING CLK OF CNCL POSITION FR: GR-6 TO GR- 5; UPON PASSAGE, REQ CURRENT EMPLOYEE BE PLACED IN S-3 @ \$55,364.00 PER ANNUM. - PERSONNEL COMMITTEE
158. SAF. DIR. NESBITT: REQ \$12,857.30 SUPP APPROP FR: UNAPP BAL OF 2111 104020 56802, RECEIPT FOR DAMAGED CLAIMS TO 2111 104020 75806, MAJOR EQUIP. - FINANCE COMMITTEE
- 159 SAF. DIR. NESBITT & SERV. DIR. BERNABEI: REQ MGMT NON-BARG UNIT EMPLOYEE CLASS PLAN BE AMENDED CHANGING OPERATIONS ANALYST POSITION FR GR- 5 TO GR-4;

MINUTES OF THE MEETING OF APRIL 7, 2008

UPON PASSAGE, REQ CURRENT EMPLOYEE BE PLACED IN S-4 @ \$65,252 PER ANNUM W/ELIGIBILITY TO ADVANCE TO S-5 OF GR-4 ONE YR FR: EFF DATE OF ORDINANCE. - PERSONNEL COMMITTEE

160. TREASURER SCHIRACK: MARCH 2008 PKG MTR REVENUE. - RECEIVED & FILED

161. TREASURER SCHIRACK: MARCH 2008 DEPOSIT & PAY INS FOR AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED

162. WILLIAMS, J.D., WATER SUPERINTENDENT: 2007 ANNUAL REPORT. - RECEIVED & FILED

163. SMUCKLER, WM., CNCL AT LARGE: ANNEXATION OF FIRST TEE. - ANNEXATION COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

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

#1. (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR ALL MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Personnel Committee

#2. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF 165 SPECIALIZED BULLETPROOF VESTS AND 10 STANDARD BULLETPROOF VESTS FOR THE FIRE DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

#3. (1ST RDG) AN ORDINANCE AMENDING SECTION 975.08, RATES; RESPONSIBILITY OF PUBLIC SERVICE DIRECTOR, OF THE CODIFIED ORDINANCES; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred Environmental & Public Utilities Committee

#4. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE LEASE OF A BACKHOE LOADER FOR THE WATER DEPARTMENT; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ALTERNATIVELY LEASE SAID BACKHOE LOADER PURSUANT TO OHIO REVISED CODE SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

MINUTES OF THE MEETING OF APRIL 7, 2008

#5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH RMI TITANIUM COMPANY

Referred to Community & Economic Development & Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We are now under Ordinances for their second readings. Madame Clerk, will you please read Ordinances 7, 8 and 9 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #7, #8 AND #9 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. (ORDINANCE #6 WAS RETAINED IN COMMITTEE)

#6. (2ND RDG) **(RETAINED IN CMTE FR: 3/10/08, 3/17/08, 3/24/08, 3/31/08 & 4/07/08)** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO 1/2008 AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE NEW HORIZONS PARK PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

#7. (2ND RDG) AN ORDINANCE VACATING PORTIONS OF 4TH STREET SW AND WELLS AVENUE SW; APPROVING AND ACCEPTING THE REPLATTING OF 4.545 ACRES OF LAND FOR THE CANTON FEDERAL CENTER PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

#8. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

#9. (2ND RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$45,132.00 TO 3-D SERVICE LTD.; AMENDING ORDINANCE NO. 1/2008 BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances for their third and final reading. Madame Clerk, would you please read Ordinance #10 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #10 THROUGH #18 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. (ORDINANCE #10 WAS POSTPONED UNTIL 4/21/08)

#10. (3RD RDG) **POSTPONED UNTIL 4/21/08** AN ORDINANCE AMENDING SECTION 131.10, POLICE DEPARTMENT TRUST FUNDS OF THE CODIFIED ORDINANCES

PRESIDENT SCHULMAN: Member Casar.

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

MINUTES OF THE MEETING OF APRIL 7, 2008

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #10. Are there any remarks?...If not, Madame Clerk, roll call vote...

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Oh, I'm sorry, Member Casar. Mr. President, I move ah...postpone Ordinance #10 until 4/21/08.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved to postpone Ordinance 10 until April 21, 2008. Are there any remarks? By voice vote, all those in favor signify by saying aye. Those opposed, the motion carries. Reso...or Ordinance #10 is postponed until 4/21/08. *(President Schulman meant to say 4/21/08)* Ordinance #11 please Madame Clerk.

NO REMARKS
VOICE VOTE

ORDINANCE #10 POSTPONED BY UNANIMOUS

#11. (3RD RDG) **ADOPTED AS ORDINANCE #34/2008** AN ORDINANCE VACATING MCGRAW PLACE SW AND A PORTION OF TIMKEN PLACE SW; APPROVING AND ACCEPTING THE REPLATTING OF LOTS 6738, 6739, 6740, 6741 AND PART OF OUTLOT 339; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar, don't surprise me on this one please.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #11. Are there any remarks?... Member Casar? *(Laughter)* If not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 10 YEAS, 1 NAY

(MEMBER HAWK VOTED NAY)

CLERK TIMBERLAKE: Ten yeas, one nay, Mr. President.

PRESIDENT SCHULMAN: The Ordinance carries. Ordinance#12 please Madame Clerk.

#11 ADOPTED AS ORDINANCE NO. 34/2008

#12. (3RD RDG) **ADOPTED AS ORDINANCE #35/2008** AN ORDINANCE VACATING PORTIONS OF SAVANNAH AVENUE NE AND ENGLEHART AVENUE NE; APPROVING AND ACCEPTING THE REPLATTING OF LOTS 1993 THRU 2002 AND LOTS 6248, 6249 AND 28911 AND THE VACATED PORTIONS OF SAVANNAH AVENUE NE AND ENGLEHART AVENUE NE; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING OF APRIL 7, 2008

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #12.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #12. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 11YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Member Dougherty (*making reference to Member Dougherty getting someone in the audience water because they were having a terrible coughing spell*) Ordinance #12 is adopted. Ordinance #13 please.

#12 ADOPTED AS ORDINANCE NO. 35/2008

#13. (3RD RDG) **ADOPTED AS ORDINANCE #36/2008** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$15,800.00 TO COTTRILL WRECKING CO.; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #13.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #13. Are there any remarks?....If not, Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 11YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance #13 is adopted. Ordinance #14 please.

#13 ADOPTED AS ORDINANCE NO. 36/2008

#14. (3RD RDG) **ADOPTED AS ORDINANCE #37/2008** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH CANTON ELDERLY LLC TO PROVIDE REAL PROPERTY TAX EXEMPTIONS FOR A 40-UNIT MULTIFAMILY ELDERLY RESIDENTIAL HOUSING CONSTRUCTION PROJECT IN THE CANTON CENTER NEIGHBORHOODS COMMUNITY REINVESTMENT AREA; AUTHORIZING THE GRANTING OF A TEN YEAR REAL PROPERTY TAX EXEMPTIONS; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING OF APRIL 7, 2008

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #14.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #14. Are there any remarks?...

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I would ask Council's support on this. It's a 40 unit...ah...elderly building, townhouses that will eliminate a lot of blight and unpleasant conditions in our community. So I would appreciate your support on this.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President...ah..I'm whole heartedly for this project, in fact, it's already underway. It's going to go forward with or without a tax abatement as I see it. I think we have been giving tax abatements out like we're giving out free passes to something. I think that we have to start looking at tax abatement, which really benefits the Community. You know, in the past if we even thought about tax abatement, it was...ah...not even a good word. Ah...I think we're just...we're...we're not being fiscally responsible when we give tax abatements out to everybody that applies to one. It not only hurts the tax base in the City of Canton, it hurts the school systems and yes, there will be temporary jobs, construction jobs, but in the long run it's going to cost the City of Canton and also school systems and I think that ah...we gotta start taking a more thorough look before we grant tax abatements to everybody that requests one.

PRESIDENT SCHULMAN: Thank you Member Casar. Member West.

MEMBER WEST: Mr. President. Um...yes, I do agree with that but at the same time, this is a project that the school board has already passed ah...it allowed for this abatement. Um...I actually asked Community Development...ah...to give me a list of all the tax abatements that we've gotten for the last four years. And I say this very sincerely that we've given a lot out to a lot of for-profit companies. Um...me being a Democrat, a Social Worker, you know, I think we have to take care of the needs of our community and specifically, I think we need to take care of the needs of our seniors. Ah...seniors are right now being forced out of their homes through home foreclosures. And I think right now, and just like Mayfield Manor, right now there's a long list of people waiting to get into that project. This townhouse is going to bring a lot...I mean, quality homes for seniors in downtown Canton. So I appreciate your support.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Thank you Member West. Member Cirelli.

MINUTES OF THE MEETING OF APRIL 7, 2008

MEMBER CIRELLI: Um...I appreciate both of these gentlemen because they brought something up that's been very near and dear to my heart and that's been tax exempts. You know, not only as a Councilmember, but also as a County Commissioner, I have never seen a tax abatement turned down by the schools. And then they turn around and they come and tell us that we have to pass....or they need to pass levies. I just don't get where they're coming from all the time. They approve all of these and they turn around and because of the DuRolph issue, which is never going to be addressed...ah...come to the property owners and yes I know the rental property owners

that they pay...ah...property tax sometimes but we are now approaching 46% rental properties in the City of Canton. And when I heard from Lem Green that there's a hundred year old law, House Bill 224, which I sent to Law Director Martuccio, that says people really are not responsible to have to pay their property tax. And there is a lot of them out there that are not paying their property tax because I've done some real estate searches and that means that they don't pay them, then your property and my property, all gotta go up because the money has got to come from somewhere. And I think we have to, and I appreciate...ah...you know, Council Leader...ah...Casar bringing that issue up and we have to look at these tax abatements. And Member West, I know that you are an advocate for the elderly and the children and what have you. Um....all I'm going to say is, I will support this but I'm going to be watching and if God doesn't put me in my grave.....(Laughter)...I will be keeping track of how this is constructed. Because you know the conversation that you and I had today....The conversation that you and I had today on some of these things and how their constructed are not going to be lasting the 15 years or so people can purchase their homes. But other than that...ah...I'm voting for it but very reluctantly. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli, I hope there are some other things you are concerned about before God puts you in your grave.

(LAUGHTER)

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Was that...was that a motion Mary?

(LAUGHTER)

MEMBER CARBENIA: I was gonna second it for ya.

(LAUGHTER)

MEMBER CARBENIA: But ah....

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: What I'd like to say is...uh...you know we do have a lot of elderly people losing their homes and because of ah...a lot of the foreclosures and things...uh...I...I think...ah...that we need to support this because of the elderly and their gonna need these apartments. It's not like having an apartment in the neighborhood, I mean these...these apartments are for quite a few people, it's a forty unit and I think that it's necessary to help our elderly keep together, keep safe and be able to afford something and at that, I'm going to support this...um...but I do feel that we probably should start taking a look at...ah... tax abatements.

MEMBER CASAR: Mr. President.

MINUTES OF THE MEETING OF APRIL 7, 2008

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I'd like to ask the question of Member West since he seems to be the authority on this. Member West, is this going to be subsidized housing?

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: This will be for low to moderate income.

MEMBER CASAR: So another wards, they will pay...the seniors will be paying rent?

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yes, based on their income scale.

MEMBER CASAR: So we're not hurting the seniors, their going to be paying their fair share, whatever their rent brings in the Community and something else, this is not going to be a low end. It's going to be a substantial rate. So the...so the...I mean it's going to be whatever rate, whatever going rate is for rental properties. It's not going to be a lower rate. My point being, we're not hurting the seniors, they're going to be paying if they're living there, if their living somewhere else. I am not against the seniors because I happen to be one.

MEMBER WEST: Yes, I know, and I'm not saying you are....

MEMBER CASAR: But I'm against tax abatement for something that's not bringing any future revenue to the City of Canton. I'm not against the project per say. They don't need the tax abatement is all I'm saying. They don't need it.

PRESIDENT SCHULMAN: Thank you Member Casar. Member West.

MEMBER WEST: Thank you Member Casar. And let me just say...let me be very clear and I know you're not an advocate against seniors, I know your strong for seniors....

PRESIDENT SCHULMAN: He said he was a senior.

(LAUGHTER)

MEMBER CASAR: That went over my head.

(LAUGHTER)

PRESIDENT SCHULMAN: He doesn't look like a senior. Well...yeah he does.

MEMBER WEST: I'm gonna leave that one alone okay. But no, I do appreciate Casar's...ah...statements in reference to tax abatements but I will say this, I...I think it is...it is going to have quality living for seniors and more specifically, we're looking at townhouses, which is another step in the right direction. When we go to Colu...when I went to Columbus for support of housing project and I see the way they build their senior

MINUTES OF THE MEETING OF APRIL 7, 2008

homes, I see the way they build the homes for our people with mental illness...ah...and then I come back here and then I see ours and we are second rate to some of the other Cities and it's just time that we start moving in the right direction and I think this is it. Thank you.

MEMBER CASAR: Mr. President, could I ask Member West....

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Member West, I agree with everything you say but do you feel they need the tax abatement to go forth with this project, that's just a simple yes or no.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: At this point yes, I believe that there's ah...some of those funds are needed for this project.

MEMBER CASAR: Okay, change that simple yes to give me a reason why.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: First of all, this project brings jobs and I think that we've already committed to a history of giving tax abatements for...ah...companies that bring in jobs and that's based on the CCIC.

MEMBER CASAR: Temporary jobs, construction jobs and if you...

MEMBER WEST: No sir, from what I understand...and Will Dent is here also...um...but they will bring, from what I understand, they also have supportive housing that's actually on the site. Is that...I can actually have Will Dent come in and say....

MEMBER CASAR: Thank you Mr....Member West.

PRESIDENT SCHULMAN: Okay, any other remarks? Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President, with....ah...Council's permission, I would like to ask...ah.. question of Mr. Torres with a one word answer.

PRESIDENT SCHULMAN: Sure.

LAW DIRECTOR MARTUCCIO: Are the encroachments that the Engineering Department pointed out an issue anymore or have those been resolved?

DEVELOPMENT DIRECTOR TORRES: Negative, that issue has been resolved.

LAW DIRECTOR MARTUCCIO: Thank you.

PRESIDENT SCHULMAN: Negative, that issue has been resolved is more than one...*(Laughter)*...I thought you were in the Marine Corp.

MEMBER WEST: Mr. President. Mr. President.

MINUTES OF THE MEETING OF APRIL 7, 2008

PRESIDENT SCHULMAN: Alright, Member Carbenia.

MEMBER CARBENIA: He could have said negatory.

PRESIDENT SCHULMAN: According to my left hand man here, we need to pass this, seven elected members, I'm probably preaching to the choir here. But any other remarks? Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 9 YEAS, 1 NAY, 1 ABSTAIN
(MEMBER CASAR VOTED NAY, MEMBER SMITH ABSTAINED)

CLERK TIMBERLAKE: One abstain, one nay, nine yeas.

PRESIDENT SCHULMAN: Ordinance #14 is adopted. Ordinance #15 please Madame Clerk.
#14 ADOPTED AS ORDINANCE NO. 37/2008

#15. (3RD RDG) **ADOPTED AS ORDINANCE #38/2008** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOT 42765 AND PART OF OUTLOT 1249; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #15.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #15. Are there any remarks?...If not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 11YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Ordinance #15 is adopted. Ordinance #16 please Madame Clerk.
#15 ADOPTED AS ORDINANCE NO. 38/2008

#16. (3RD RDG) **ADOPTED AS ORDINANCE #39/2008** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 3620 THROUGH 3622; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #16.

MEMBER CARBENIA: Seconded.

MINUTES OF THE MEETING OF APRIL 7, 2008

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #16. Are there any remarks?...If not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 11YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Ordinance #16 is adopted. Ordinance #17 Madame Clerk.

#16 ADOPTED AS ORDINANCE NO. 39/2008

#17. (3RD RDG) **ADOPTED AS ORDINANCE #40/2008** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #17.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #17. Are there any remarks?...If not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 11YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Ordinance #17 is adopted. Ordinance #18 Madame Clerk.

#17 ADOPTED AS ORDINANCE NO. 40/2008

#18. (3RD RDG) **ADOPTED AS ORDINANCE #41/2008** AN ORDINANCE AUTHORIZING AND CONSENTING TO THE HEAT STRAIGHTENING OF THE BRIDGE UNDER HARRISON AVENUE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

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

NO REMARKS ROLL CALL: 11YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

MINUTES OF THE MEETING OF APRIL 7, 2008

PRESIDENT SCHULMAN: Ordinance #18 is adopted.

#18 ADOPTED AS ORDINANCE NO. 41/2008

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We're now under Announcement of Committee Meetings. Announcement of Committee Meetings.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet April 7thApril 14th at 6:15.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: The Finance Committee will meet April 14th at 6:15.

PRESIDENT SCHULMAN: Thank you.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Community & Economic Development Committee will meet...let's see, is that the 14th, the day before taxes are due at 6:15.

PRESIDENT SCHULMAN: Thank you Member Carbenia.

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Member Griffin.

MEMBER GRIFFIN: Environmental & Public Utilities will meet April 14th at 6:15.

PRESIDENT SCHULMAN: Thank you. Any other announcements?

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're now under public speaks, open forum, we have...ah...one speaker tonight who I know will be brief since it's the NCAA finals. Patricia Kirk, would you step forward and please give us your ten second recitation. If you could give us your name and home address please and good evening. And you know I'm only kidding, you have three minutes.

PATRICIA KIRK: Okay, Patricia Kirk, I live at 131 5th St NE and yes, I will be brief. What I wanted to say is um...as the papers come around, I know I may not have enough for everyone, is yes, the Kresgee lot needs

MINUTES OF THE MEETING OF APRIL 7, 2008

to be developed but it needs to be developed as a park. You're familiar with the violence that Ward 2 has had in the last couple of days. A study at the University of Illinois, and I'm reading this, I'm sorry you can't read your copies, a study at the University of Illinois states that exposure to green spaces can "Mitigate the harmful effects of chronic mental fatigue, reducing aggressive behavior. Green spaces contribute to a healthier environment and a foster a sense of Community making them particularly valuable in inner City neighborhoods." Keep our one and only green space green. Why don't we have picnics, festivals, movies, rest after cycling, exercise dogs, talk with friends, have lunch and holidays displays. It opens up the area and you can see four different store fronts right along Court Avenue and you know, those stores have never been able to have their store fronts seen before. We can have youth projects, we are representing...have a representative of the Youth Council on Shake A Leaf and we need to give them hope and education and inspiration and show them that there's more than just drugs and violence and gangs. Sustainability doesn't mean destroying natural resources that we have but utilizing them, developing them. Concentrate on businesses that we've had for decades. Did you know that the Canton Sign...ah...Company downtown has been here over 90 years and like they said "They've been forgotten." We can address the violence, engage our youth, give people a place to relax, improve the visual layout of downtown and make it memorable to people. Don't make the mistake of putting a building there and perhaps providing a couple of jobs right there where it blocks other businesses is a mark of success. Um...thank you very much.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're under miscellaneous business. I know Tom Bernabei will say it next week but I will not be here on Monday, I apologize, I know that our Service Director has indicated that I should give him my salary, which I'm not going to do but...ah...never the less...ah...Member Carbenia will be conducting the meeting next Monday because Member and our Majority Leader Casar will be out of town also. Ah...any other Miscellaneous business? Member West.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: I will not be out...I will be out of town also, I have a Ohio Conference in Columbus, Coalition for Homelessness and I'll be in Columbus.

PRESIDENT SCHULMAN: That's three...the Service Director said that's three salaries. Do I hear four? Member Smith.

MEMBER SMITH: Ah... Mr. President, I just wanted to...ah give the other information regarding the Timken Basketball Team. The Community is giving them a celebration and that's going to be Thursday, April the 10th, what I failed to mention was the cost is \$20.00 per person and that includes dinner. So please come out and support the Timken Varsity Team.

PRESIDENT SCHULMAN: Thank you Member Smith.

MEMBER CIRELLI: Mr. President.

MINUTES OF THE MEETING OF APRIL 7, 2008

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. Ah...I would like to make this short...ah...Cynthia Timberlake, our Clerk, ah...last week...ah...Service Director Bernabei, I gave you a paper from one of our Department Heads that said he couldn't research for me on the issue of the sanitation fees. So, to make it short, I did some research on it. So Cindy, if you could read that, it will be into the record, I appreciate it very much here, if you need a copy. I put one in front of everybody and maybe ah...just...what they're doing in Toledo is in their recycling, it gives people incentive...ah...to want to recycle. So she will read that real quickly for the record and I think it's something that we should keep in mind that...ah...would be something to give back to our citizens by doing and helping them to want to do the right thing.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Madame Clerk...ah...briefly if you would.

CLERK TIMBERLAKE: The current rates right now are \$5.50 if they don't recycle, \$3.00 if they recycle. Effective May, 2008 if they don't recycle it will be \$7.00, if they recycle it will be \$2.00. Effective 2009, the rates will change, why they're changing them is to encourage people to recycle. In May of 2009 it will be \$8.50 if you do not recycle, \$1.00 if you recycle. May, 2010 the rates will be changed to \$10.00 if you don't recycle and if you recycle it's \$0.00.

PRESIDENT SCHULMAN: And this is Toledo?

CLERK TIMBERLAKE: Yes.

PRESIDENT SCHULMAN: Okay, thank you. Anything else Member Cirelli? Are there any other remarks?

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar

MEMBER CASAR: 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: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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

ADJOURNMENT TIME: 8:36 P.M.

ATTEST:

APPROVED:

MINUTES OF THE MEETING OF APRIL 7, 2008

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT