

MINUTES OF THE MEETING OF MAY 12, 2008

PRESIDENT SCHULMAN: Ah...good evening everyone, before we begin...ah...our formal meeting tonight, I want to thank Leader Casar for taking the meeting last week, occasionally I actually do have business that requires me to not be here on Monday. I do apologize but I'd also like to thank Member Carbenia, who...ah...also took my place. I'll probably be going right around the table here very shortly. But I do appreciate it, I want everyone to know that...ah...ah...I miss these meetings when I'm not here and I do apologize. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

12 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, PATRICK BARTON & "BUTCH" KRAUS)

TWELVE COUNCILMEMBERS PRESENT

CLERK TIMBERLAKE: Twelve present Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. We'll have the invocation given tonight by Councilmember Thomas West. Will you all please remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on Monday, May 12, 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 Councilmember Thomas West, followed by the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We're now under agenda corrections. Members of Council, you're going to be asked to suspend Rule 22A to add the Second Reading of Ordinances 7 through and including 10. Member Casar, the Chair will recognize that motion.

(Rumbling sound: Member Kraus moves the public speaks podium)

MEMBER KRAUS: I got it done early Dave.

PRESIDENT SCHULMAN: Thank you Member...thank you Member Kraus for being so quiet and inconspicuous.

(LAUGHTER)

MEMBER CASAR: Mr. President

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we suspend Rule 22A and add Ordinances 7, 8, 9 and 10 to this evening's agenda.

MEMBER CARBENIA: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded to suspend....to suspend Rule 22A to second reading Ordinances 7 through and including 10 to this evening's agenda. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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're now under Public Hearings. There are no public hearings this evening.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks on Ordinance and Resolutions for adoption. We have no speakers signed up this evening.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions, Madame Clerk, would you please read the full Resolution #52.

#52. COUNCIL AS A WHOLE: CONGRATULATING MELVYN MEADOWS ON HIS RETIREMENT. - ADOPTED

PRESIDENT SCHULMAN: Would you read the full Resolution please? Thank you.

CLERK TIMBERLAKE: Sure, sorry.

PRESIDENT SCHULMAN: That's okay. If you'd quite flirting you might hear your President speak.
(Laughter)

CLERK TIMBERLAKE: **AN INFORMAL RESOLUTION RESPECTFULLY SUBMITTED BY COUNCIL AS A WHOLE ON THIS 12TH DAY OF MAY, 2008 WHEREAS:** Melvyn Meadows began his career with the City of Canton's Sanitation Department on July 22, 1983. Under the direction of Superintendent Meadows, the Sanitation Department has seen numerous changes; and, **WHEREAS:** The Sanitation routes were streamlined from 11 routes to 9, new trucks were purchased and old trucks were updated to handle appliances and igloos. Mel implemented curb-side appliance pick ups and devised a plan for the Sanitation Department to drop off trash at a local transfer station, thereby saving thousands of dollars in fuel costs; and, **WHEREAS:** Mel has been a faithful, long-time McKinley Booster and enjoys watching his beloved Bulldogs play basketball and football. During the season, you will always find him in front of the television watching his favorite national football team, the Cleveland Browns. In the summertime Mel is an avid fisherman, a green-thumb gardener and is always looking for anyone to challenge him in a game of tennis. **Now Therefore Be It Resolved:** We, the members of Canton City Council along with Mel's daughters and grandchildren and family do hereby go on public record congratulating and commending **MELVYN MEADOWS** for his countless hours of work and dedication to the City of Canton.

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Congratulations on your retirement!

(STANDING OVATION)

PRESIDENT SCHULMAN: Member Casar, the Chair will recognize a motion to adopt Resolution 52.

MEMBER CASAR: Mr. President. I move we adopt Resolution #52.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 52. Are there any remarks? If not Madame...if not by voice vote, all those in favor signify by saying aye. Those opposed, no.

NO REMARKS RESOLUTION #52 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Resolution 52 has been adopted And I know the Mayor and our Service Director Tom Bernabei wish to present Mr. Meadows with this award. Thank you. Mel, do you want to step up to the...because I can assure you, we'd like to hear something from you.

MAYOR HEALY: Mel, ah...we just want to ah...take a moment to again congratulate you. You're not cry are ya?

MELVYN MEADOWS: No.

MAYOR HEALY: Okay, we...we went through that already, we're good. But...ah...I'm...I'm...I'm honored to...to stand up here and support...ah...ah...the Resolution that Council has put forward in honoring you...ah...for...for all your wonderful years of service...ah...but before I hand this over, I just want to let you know that...ah...I'm right now challenging you to a game of tennis.

MELVYN MEADOWS: Okay, accepted. *(Laughter)*

MAYOR HEALY: You'll have some time, I don't know if I will but we'll figure it out. Anyway, I want to...ah..forward this to you from City Council and the City of Canton. Ah....again, congratulations and thank you for every that you've done for us.

PRESIDENT SCHULMAN: Mr. Bernabei, do you have anything that you wish to add?

SERVICE DIRECTOR BERNABEI: I have had the pleasure of knowing Mr. Meadows since the early 1980's when I first started working for the ah...City Law Department. Ah...I've had the pleasure of representing him in a personal...personal capacity and as you can see, he is not in jail today. *(Laughter)* He is...he's done a tremendous job...ah for all the reasons stated in the...in the Resolution in the Sanitation Department. Ah...we had the pleasure of going out to the Department on his last day on April 30th and there a lot of tears shed by a lot of people...ah...given Mr. Meadows'...ah...farewell. I appreciate all the very...very hard work that he's done for the City of Canton and he is truly deserving of his retirement. Thank you Mel.

(APPLAUSE)

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MELVYN MEADOWS: Mayor, Service Director, Members of Council, people present, I just want to say that I have enjoyed everyday of my tenure as a Department Head for the City of Canton. The City offered me a tremendous opportunity to maximize myself. I think I did that and if I didn't, I surely was trying hard. I'm going to miss the City...ah...the work that I did, I'm going to miss that. But most of all, I'm going to miss all of the people in this room and especially all the people at the Sanitation Department, who so faithfully made me look good over the years. There's some tremendous working people down there in that Department and I wish them all the best in all the years to come. I think they're going to be just fine, I think the City's going to be just fine. I want to thank my family for all the support they've shown me and I'm sure that they will continue as I go home and cry again. *(Laughter)* I found out that...ah...I found out very...very early...ah...in my starting my career with the City that you either had to be a tough guy or you had to be the biggest bluffer you ever saw. Well, all these years I've prided myself thinking that "Mel, you're tough, you got those big old rough guys eatin' out of your hand." Well when it was time for me to leave, I started crying like a little girl and I couldn't stop crying and ah...I'm not going to cry tonight 'cuz there's really no cryin' in garbage, okay...there's really no cryin' in garbage. *(Laughter)* But I wish everybody here well...um...if anybody needs anything from Mel Meadows, you can count on me. And my dear friend Chris over here, Chris, call me anytime. She's a rookie and...ah...I'd be willing to help you through anything and everybody else. And the Mayor and Tom Bernabei. Thank you so very...very much.

(APPLAUSE)

PRESIDENT SCHULMAN: Mel, that's a nice way to start a meeting, congratulations. Thank you for all your service.

COMMUNICATIONS

PRESIDENT SCHULMAN: We are 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 MAY 12, 2008.

215. AUDITOR MALLONN (CITY): CERTIFICATE OF TOTAL AMT FR: 2008 ALL SOURCES. - RECEIVED & FILED

216. AUDITOR MALLONN (CITY): REQ AUTHORIZATION TO ENTER INTO CONTRACT W/KRONOS INC FOR ACQUISITION & INSTALLATION OF A NEW TIME & ATTENDANCE SYSTEM; AUTHORIZE \$42,974.00 SUPP APPROP. - FINANCE COMMITTEE

217. HEALTH BENEFITS ADMIN, BRESSON: APRIL 2008 MO COMPARATIVE RPT OF INSUR CLAIMS & JAN - APRIL 2000 PAID CLAIMS & COMPARATIVE RPT. - RECEIVED & FILED

218. TREASURER SCHIRACK: APRIL 2008 PKING MTR REVENUE. - RECEIVED & FILED

219. TREASURER SCHIRACK: APRIL 2008 DEPOSIT & PAY INS. - RECEIVED & FILED

220. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 4/30/08. - RECEIVED & FILED

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221. WEST, T., WARD 2 CNCLMN: REQ LEGISLATION BE AUTHORIZED & DRAFTED AMENDING THE MANAGEMENT-NON-BARGAINING UNIT PERSONNEL ORD TO CREATE THE GRANTS ADMINISTRATOR POSITION UNDER CITY COUNCIL. - PERSONNEL COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #6 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

#1. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Judiciary Committee

#2. (1ST RDG) AN ORDINANCE AMENDING CHAPTER 1305 OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

Referred to Judiciary Committee

#3. (1ST RDG) AN ORDINANCE REINSTATING AND RATIFYING RESOLUTION NO. 243/2006; AUTHORIZING THE SERVICE DIRECTOR TO EXECUTE THE "2008 START-UP GRANT AGREEMENT" WITH THE SOLID WASTE MANAGEMENT DISTRICT (SWMD), TO APPLY FOR, ACCEPT AND EXECUTE AN ADDITIONAL GRANT FROM THE SWMD FOR \$181,000.00 FOR START-UP COSTS, TO WORK WITH THE LAW DEPARTMENT TO EFFECT ALL AGREEMENTS, ORDINANCES AND RESOLUTIONS NECESSARY FOR THE IMPLEMENTATION OF THE RECYCLING PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Recycling Committee

#4. (1ST RDG) AN ORDINANCE AMENDING SECTION 551.02, PROHIBITIONS AND PENALTY, OF CHAPTER 551, WEEDS AND LITTER, OF THE CODIFIED ORDINANCES

Referred to Judiciary Committee

#5. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO RENAME THE WATER POLLUTION CONTROL CENTER; AUTHORIZING THE LAW DIRECTOR TO AMEND ALL CODIFIED ORDINANCES REFERRING TO THE WATER POLLUTION CONTROL CENTER; AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON

Referred to Judiciary Committee

#6. (1ST RDG) AN ORDINANCE AMENDING NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE

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AN EMERGENCY

Referred Finance & Public Property Capital Improvement Committees**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We are now under Ordinances for their second reading. Madame Clerk, will you please read the Second Reading Ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #7 THROUGH AND INCLUDING #10 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#7. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE 2008 SIDEWALK PROGRAM; AMENDING APPROPRIATION ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFER HEREIN DESCRIBED AND DECLARING THE SAME TO BE AN EMERGENCY

#8. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO JOB CREATION TAX INCENTIVE AND NET PROFITS INCENTIVE AGREEMENTS WITH HYDRODEC NORTH AMERICAN HOLDINGS, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY

#9. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION & CORRECTION FOR RECEIPT OF THE FY 2009 COMMUNITY CORRECTIONS ACT GRANT IN AN AMOUNT NOT TO EXCEED \$80,261.00; AND DECLARING THE SAME TO BE AN EMERGENCY

#10. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, 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, the third and final reading. Madame Clerk will you please read Ordinance #11 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #11 THROUGH #19 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#11. (3RD RDG) **ADOPTED AS AMENDED AS RESOLUTION NO. 62/2008** A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF CANTON TO ACQUIRE AN EASEMENT IN PROPERTY OUTSIDE THE CITY'S CORPORATE LIMITS PURSUANT TO OHIO REVISED CODE CHAPTER 719 TO PROMOTE DRAINAGE OF THE CITY OF CANTON'S PUBLIC ROADWAY AND STORM WATER SYSTEM IN AN ADJACENT PROPERTY OWNED BY CANTON COMMERCE DEVELOPMENT LLC; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution #11. Member Casar.

MEMBER CASAR: Mr. President, I move we amend Resolution #11 by the attached revised Resolution that all Councilmembers ah...before them and Member Mart....ah..Law Director Martuccio explained it to us in Committee.

MEMBER CARBENIA: Seconded.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 11 by substituting the attached revised Resolution for the pending Resolution.

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

NO REMARKS AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion Carries. Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #11 as adopt....as amended.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded ah....vote...on...ah...Ordinance #11 as amended, are there any remarks under this Ordinance? If not...ah...Member...Madame Clerk roll call vote please.

NO REMARKS ROLL CALL: 11 YEAS, 1 NAY

(MEMBER CIRELLI VOTED NAY)

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

#11 ADOPTED AS AMENDED AS ORDINANCE NO. 62/2008

PRESIDENT SCHULMAN: Ordinance #11 is adopted. Ordinance #12 please Madame Clerk.

#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 63/2008** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 15140 AND 15141 AND PARTS OF LOTS 15137 THRU 15139; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #12.

MEMBER CIRELLI: Seconded.

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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: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#12 ADOPTED AS ORDINANCE NO. 63/2008

PRESIDENT SCHULMAN: Ordinance #12 is adopted. Ordinance #13 please.

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 64/2008** AN ORDINANCE APPROVING AND ACCEPTING THE FINAL SUBDIVISION PLAT FOR MILLS INDUSTRIAL PARK IN 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 #13.

MEMBER CIRELLI: Seconded.

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

NO REMARKS ROLL CALL: 11 YEAS, 1 NAY

(MEMBER CIRELLI VOTED NAY)

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

#13 ADOPTED AS ORDINANCE NO. 64/2008

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

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 65/2008** AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PERRY TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #14. Are there any remarks under this Ordinance? If not Madame Clerk, roll call please.

NO REMARKS ROLL CALL: 9 YEAS, 3 NAYS

(MEMBERS CASAR, CARBENIA & CIRELLI VOTED NAY)

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CLERK TIMBERLAKE: Nine yeas, three nays Mr. President.

#14 ADOPTED AS ORDINANCE NO. 65/2008

PRESIDENT SCHULMAN: Ordinance #14 is adopted. Ordinance #15 please.

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 66/2008** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT A GRANT FROM ASHLAND, INC.; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5225 CARNWISE WATER MAIN EXTENSION FUND; AMENDING SUPPLEMENTAL APPROPRIATION ORDINANCE NO. 1/2008; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR SAID WATER MAIN EXTENSION; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #15. Are there any remarks under this Ordinance?

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Casar.

MEMBER CASAR: Ah... quickly...ah..here we go again on another water extension and ah...it seems like every time we have a water extension, it's always 4 to 5,000 feet out of the City of Canton, which in turn, you know is not accessible at this particular time for annexation. So I think that's the game plan of ah...the previous administration and also this administration to...ah...you know, go out as far as we can, sell our and knowing darn well we're never gonna have an opportunity to annex these properties. Ah..and I just feel that..ah...especially this particular area, I'm very familiar with, they have bad water, they chastise the City of Canton all the time, "Well, we'd never want to join the City of Canton." But the want our water and I guess we're going to give it to them and I think it's a sorry mistake.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Ah... Mr. President, I believe...ah in this allotment down there, they..ah...signed the papers saying that...ah...they would annex if...ah...if we got contiguous to their property.

PRESIDENT SCHULMAN: Service Director.

SERVICE DIRECTOR BERNABEI: Member Carbenia, yes this Ordinance requires anyone...ah...obtaining water...ah...to sign a water agreement with the City of Canton which provides or contains in it a declarations...of...of covenants, as to...ah...annexation.

MEMBER CARBENIA: Thank...thank you. Most of the time I agree with Don but this time, I'm going to vote yes.

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PRESIDENT SCHULMAN: Are there any other remarks? If not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 10 YEAS, 2 NAYS

(MEMBERS CASAR & CIRELLI VOTED NAY)

CLERK TIMBERLAKE: Ten yeas, two nays Mr. President.

#15 ADOPTED AS ORDINANCE NO. 66/2008

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance #15 is adopted. Ordinance #16 please.

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 67/2008** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO JOB CREATION TAX INCENTIVE AND NET PROFITS INCENTIVE AGREEMENTS WITH KOCH KNIGHT LLC PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CIRELLI: Seconded.

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

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#16 ADOPTED AS ORDINANCE NO. 67/2008

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance #16 is adopted. Ordinance #17 please.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 68/2008** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A TWO-YEAR PROFESSIONAL SERVICES CONTRACT WITH KIKO AUCTIONEERS, INC. TO CONDUCT AUCTIONS AT THE CANTON SERVICE CENTER FOR THE SALE OF JUNK AND SCRAP ITEMS AND IMPOUNDED VEHICLES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #17. Are there any remarks under this Ordinance? Member Cirelli.

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MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER CIRELLI: Um...this past weekend it was brought to my attention that ah...someone had to dispose of a car so they sold it to a junk person...some...oh probably like a year or so ago and they got like fifty bucks for it. Well then they had to expos...to get rid of another car and because...um...the cost of all the steel and all that is going up so much to scrap...thank you...ah...they got \$250.00 for it. So are we looking at that with the idea in mind, because I know we're getting rid of...ah...vehicles that have been impounded and what have you. Some of them are just scrap. Are we looking at the fact that we're going to try and get the best bang for our buck out of this scrap that possibly we will make money for the City?

PRESIDENT SCHULMAN: Service Direct.....

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Smuckler.

MEMBER SMUCKLER: For those of you that have never been down there...ah... to one of these auctions, I have twice and um...I can guarantee you, there's no car down there going for \$250.00. Um....

MEMBER WEST: *(Inaudible)*

MEMBER SMUCKLER: Yes I did. And um...Thomas West just said "Well, you tried to get one for your daughter at auction." I went down there and it's just...it's unbelievable. These cars are going for, junkers, thousands of dollars because these cars are being taken apart and sold for individual parts and every part dealer is down there. They're not taking these whole cars out for whole...to fix the cars up, they're taking them down there to scrap them out and then we're getting a very good dollar for these cars. And by the way, it is public record what we get for each one of the cars and I'm sure that you'll look it up.

(LAUGHTER)

PRESIDENT SCHULMAN: Service Director Bernabei.

SERVICE DIRECTOR BERNABEI: Mr. President..ah...Member Cirelli, and in order to save you time from looking it up, I will obtain the..the sale information from the last sale that was held in March and obtain the per price listing for you so that you can...ah...see what they are being sold for.

PRESIDENT SCHULMAN: Thank you Service Director and thank you...ah...Member Cirelli. Any other remarks? If not Madame Clerk, roll call vote please on Ordinance #17.

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 68/2008

PRESIDENT SCHULMAN: Ordinance #17 is adopted, or as we like to say "The Cirelli Ordinance."
(Laughter) Ordinance #18 please.

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#18. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 69/2008** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS AND APPROPRIATION REDUCTIONS HEREIN DESCRIBED; 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? Member Casar.

MEMBER CASAR: Mr. President, I move we amend Ordinance #18 per the copy that all Councilpersons have in.

MEMBER CARBENIA: Seconded.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 18 by replacing Exhibit A attached to the ordinance currently pending before Council with the attached Exhibit A.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance #18 per the copy that's before each Councilmember. Are there any remarks? If not by voice vote, all those in favor to the motion, signify by saying aye. Those opposed, no.

NO REMARKS AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion Carries. Member Casar.

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

MEMBER CARBENIA: Seconded.

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

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#18 ADOPTED AS AMENDED AS ORDINANCE NO. 69/2008

PRESIDENT SCHULMAN: Ordinance #18 is adopted. Ordinance #19 please Madame Clerk.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 70/2008** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND/OR DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT(S) FOR THE PURCHASE AND/OR LEASE OF

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VARIOUS MOTOR VEHICLES AND OTHER ITEMS OF RELATED EQUIPMENT FOR VARIOUS CITY DEPARTMENTS; AUTHORIZING SAID DIRECTORS TO ALTERNATIVELY PURCHASE AND/OR LEASE SAID VEHICLES AND EQUIPMENT PURSUANT TO REVISED CODE SECTIONS 125.04 AND 5513.01; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #19.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to ah...adopt Ordinance #19. Are there any remarks under this Ordinance? Ah....Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 70/2008

PRESIDENT SCHULMAN: Ah...Ordinance #19 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you sir, Finance Committee will meet Monday, May 19th at 6:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President, Judiciary will meet May 19th at 6:30. Also, we'll have an informational meeting....ah...to discuss...ah...the Grant Writer position.....Grant Writer Administrative Position, which is on 221 on our Agenda today. Thank you.

PRESIDENT SCHULMAN: Thank you Member West.

MEMBER CASAR: Mr. President.

MEMBER BARTON: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: The Water Facility Committee will meet at 5:30.

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PRESIDENT SCHULMAN: Thank you Member Casar. Member Barton.

MEMBER BARTON: Recycling Committee will meet on May 19th at 6:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet that same night, same time.

PRESIDENT SCHULMAN: Any other Committee announcements?

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're now under ah....Public Speaks, open forum. And we have two speakers this evening. And I would just ask...ah for those speakers who may not have been...ah...here at Council for our Public Speaks, Council has adopted a rule that restricts each speaker to 3 minutes. I try no to be rude, I try not to cut people off precisely at the end of 3 minutes and sometimes my Leader chastises me for that but nevertheless, if you could keep your remarks to 3 minutes. So...ah..with that said, we...our first speaker tonight is Joe Payne. Mr. Payne. And good evening. And Joe, if you'll give us...I know you've been here, if you'll give us your name and your residential address please.

JOE PAYNE: Um...my name is Joe Payne and I live at 2337 Winfield Way NE, Canton, Ohio. And I just wanted to come inform everybody about the Bridging the Gap event we got going on this Thursday, it's from 4 P.M. to 8 P.M. and it's talk about the different subjects between...um...the difference between adults and how they look at...um....us change and us children and some of the topics that will be talked about is drugs and alcohol, youth violence, education, brain gain, jobs, families, housing and recreation, teen pregnancy, entertainment and respect. And this will be at Gospel Trinity Temple...Trinity Gospel Temple at 1612 Tuscarawas Street, West. Free food provided and we will also do a candlelight for Mario Williams, the young man that was missing and was found murdered and dumped in Lake Erie. And this is Thursday at 4 P.M. to 8 P.M. So, I just want to ask everybody to come out and join us with that. It should be a pretty decent topic and it should be a nice event to have and participate in. Thank you.

PRESIDENT SCHULMAN: Thank you Joe.

(APPLAUSE)

PRESIDENT SCHULMAN: Joe, your doing a great job, keep it up and thanks for coming down here. We appreciate your interest. Thank you. Our next speaker is Mary Knozer....Knorzer, I'm sorry...Mary, if you'd come up and just give me...ah...and the Councilmembers and the Mayor and the Administration your name and your residential address please.

MARY KNORZER: Okay, my name is Mary Knorzer and I live at 1116 Clarendon Ave NW. First of all, I'm not judging any of you so nobody judge me. Only you guys know what's going on, okay. So, but that isn't why I'm here. I'm here because I have a concern, a grave concern for this elderly lady, I have a paper here with her name, the agency that's messin' with her right now so I would like you guys to investigate this.

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She's petrified. I'm here for her, I don't want her knowing anything. I just want you to know something bad is going on in her life. She is 84 years old or 87, yeah. I called her, I had a talk with her the other night. She said Mary, don't get me involved because I know they'll get me. That's a sad way to live. Okay and here's a list, when I was at the Crisis Center one day of a man, the top guy is who I'd like to find cause he started me with a list of homeless people in this City. The homeless is who I'm looking for, cause I think they're the ones being misused by the system right now. So that's all I have to say.

PRESIDENT SCHULMAN: Thank you very much.

MARY KNORZER: And I appreciate all of you and all your work and I love this town. This is...this is our town.

PRESIDENT SCHULMAN: Thank you Mary, very much.

MARY KNORZER: Your welcome.

PRESIDENT SCHULMAN: And thanks for coming down and showing that interest.

(APPLAUSE)

PRESIDENT SCHULMAN: Okay, that ends..ah...Public Speaks, Open Forum.

MISCELLANEOUS BUSINESS

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

MEMBER CASAR: Mr President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move that we adjourn.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that Council adjourn its meeting. Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas.

PRESIDENT SCHULMAN: *(Gavel falls)* Meeting is adjourned. Thank you folks.

ADJOURNMENT TIME: 8:10 P.M.

ATTEST:

APPROVED:

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CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT