

MINUTES OF THE MEETING OF JUNE 16, 2008

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and to those that are lounging on this...ah....beautiful summer day. 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 yeas Mr. President.

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

The regular meeting of Canton City Council was held on Monday, June 16, 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 Terry Prater, followed by the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We're 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 10 through 21. Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President. I move we suspend Rule 22A and add Ordinances 10 through and including 21 to this evening's agenda.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been so moved and seconded, 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.

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We have no speakers signed up this evening.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: All our Members are here and now we're under Informal Resolutions. Ah...would you please read Resolution 44.

#44. SMITH, C., WARD 4 CNCLMN: SUPPORT FUNDING FOR WATER FACILITY IN WARD 4. - REFERRED TO PARKS & RECREATION COMMITTEE

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #44.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 44. Are there any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed, no.

NO REMARKS RESOLUTION #44 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion and the Resolution carries....Ah...Resolution 62 please Madame Clerk.

#62. COUNCIL AS A WHOLE: CONGRATULATING CANTON CENTRAL CATHOLIC HIGH SCHOOL BASEBALL TEAM FOR WINNING DIVISION III STATE BASEBALL CHAMPIONSHIP - ADOPTED

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #62.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 62. Are there any remarks? Member Griffin....

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: I knew...I knew you would have a remark.

MEMBER GRIFFIN: Okay, could we have the ah...Clerk read the Resolution, sir.

PRESIDENT SCHULMAN: Absolutely Member...ah...Griffin. Madame Clerk.

CLERK TIMBERLAKE: On June 7, 2008 Canton Central Catholic High School Baseball team became the 2008 Division III State Baseball Champions; and **WHEREAS:** Canton Central Catholic Crusaders won their first State Title in the schools 58 years of history with a 30-4 record by defeating Hamilton Badin, 8-0; and **WHEREAS:** We commend Head Coach Doug Miller; Assistant Coaches Jeff Lindesmith, David Schaub,

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Brady Steineck and John Massarelli for their leadership, guidance and compassion in directing their team to the Division III State Baseball Championship; and **WHEREAS:** We appreciate and thank team members Mike Roman, Michael Lindsey, Nick Keller, Michael Marzec, Marc Davide, Chris Snopel, Max Colaner, Alex Myers, John Lindesmith, Taylore Baker, John Shelestak, Grant McCoury, Tyler Weisel, Rob Hoagland and Rudy Donatelli for their hard work, dedication and bringing home the Division III State Baseball Championship to the City of Canton. **Now, Therefore, Be It Resolved:** That we, the Members of the Council of the City of Canton, Ohio, do hereby go on public record as congratulating ***THE 2008 CANTON CENTRAL CATHOLIC HIGH SCHOOL BASEBALL TEAM*** for a winning season and capturing the Division III State Baseball Championship.

(APPLAUSE)

PRESIDENT SCHULMAN: Member Griffin.

MEMBER GRIFFIN: You know, spring sports are different than your fall and winter sports where the teams are still associated. Poor coach is here without a team. *(Laughter)*. But his kids are out there playing ball. But ah...so I'd like to present this to you coach and a copy for each one of the players. And I'll give you some statistics, you know, earned run average is very important in baseball and in 30 games.....34 games, their earned run average for the pitching staff was 236, another words, they gave up less than three runs an inning. And you know what happens to the Indians when they hit more than three runs a game, they loose. *(Laughter)* Okay, um...out of the 30 victories, there were only 2 saves, that tells you that they beat the crap out of them. Um...also, I wanted...oh yeah, on base percentage, 495 %, so their kids were on base almost half the time. Slugging percentage, 508 and ah...they're...they're just fantastic record this year. So, I'd like to thank...ah...Coach Miller. And another thing, they keep these kids around, you know, when I used to umpire, I'd say how many kids are on...seniors are on the team? "Two, three." What eight? They had eight guys, and that's...that's standard for them, so...ah...aye, good luck. Oh...and one other thing, hey Doug is a standard walker in our neighborhood and I always say, "Hey Doug, trash bags in the garage." He doesn't come past my house anymore, *(Member Griffin hands Doug Miller a trash bag)* *(Laughter)* So Dougy, down around Fawcett and Roslyn and...and you know, you know....okay....

PRESIDENT SCHULMAN: Coach, congratulations and we'd love to hear ah...if you have any remarks.

COACH DOUG MILLER: Well, thank you very much, it's an honor to receive...ah...this honor from City Council. The name of our school in the O.H.S.A. Directory is Canton Central Catholic High School, so...um...we're very proud to bring it back to Canton and to Stark County. And...ah...we appreciate everything...ah..I was raised in Canton on Roslyn Ave and I still live in Canton on Poplar Ave, about seven houses down from Councilman Griffin and that's true, I do walk the neighborhood and he says he has a trash bag all the time. *(Laughter)* But...ah...it's just great, we had a great group of young men, absolutely...ah...good baseball players but even better people. Good students...ah...good athletes but...ah...great people...community service, going on to.....many of them going on to college and...ah...it's just a great thing. That was the...ah...fifth State Championship in the history of Stark County for baseball. McKinley had two in '37 and '39 and GlenOak had two in '95 and '96 and now us here in 2008. So only the third school in Stark County and the fifth State Championship in baseball, so it's very difficult. We're very proud and...ah...I'd like to thank City Council for these...ah...fine awards you've given us this evening. Thank you very much.

(APPLAUSE)

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PRESIDENT SCHULMAN: Congratulations again coach and if you need a batting instructor, I heard that Majority Leader Casar played a pretty strong game of baseball, so.

COACH DOUG MILLER: *Inaudible*

PRESIDENT SCHULMAN: (*Laughter*) That's very nice of you to say that, now that you got the award, obviously, so...I think we're going to...and congratulations again coach and best of luck to your, to the young men. Ah...I think we're going to revisit 44...Resolution #44, Member Casar.

MEMBER CASAR: Yes, Mr. President, I move that we reconsider Resolution #44, I apologize....ah...I was...ah...not paying attention.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to reconsider ah...Resolution 44. By voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #44 RECONSIDERED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President...ah...Resolution #44 which was...ah..originally submitted back in May by...ah...Councilperson Smith. Ah...we formed a committee...ah...which was two months to date...ah...Water Committee...ah...basically trying to come up with an area where we might put in a water facility or water facilities. The committee...ah...completed its work this evening...ah...we will be...ah..the Administration, I think Tom...I know Tom Bernabei will be sending out a communication in two weeks with our recommendations, a recommendation to Council, which...ah hopefully will be referred to the Parks and Recreation Committee and...ah...then we will start the deliberations on...ah...where we will put the facility and how much we will spend ah...on a water facility. So I would ask that this...ah...Resolution from...ah...from Member Smith be referred to the Parks and Recreation Committee.

PRESIDENT SCHULMAN: Any other remarks? If not....ah...it will be referred. Thank you Member Casar. And again, I want to commend you and..ah...Member Smith, you've done...ah...phenomenal job and I know it's a lot of work. Thank you for your hard effort. Ah Resolution 63 please. Didn't we congrat...did we adopt 62? Does anybody remember, it's been so long? Yeah I thought we had. Okay. Jim, we could do it again if you want. (*Laughter*) Resolution 63 please.

#63. COUNCIL AS A WHOLE: CONGRATULATING ST. ANTHONY'S CHURCH ON THEIR 100TH ANNIVERSARY. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #63.

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MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 63. Are there any remarks? If not by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #63 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Resolution 64 please.

#63. COUNCIL AS A WHOLE: INSTALL ECOLOGICALLY FRIENDLY BICYCLE RACKS AT CITY HALL AND THROUGHOUT DOWNTOWN AREA. - ADOPTED

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #64.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: Are there any remarks?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Um..I thought we were going to send this to committee so we could discuss this.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: If I may, I think that...ah...I asked that question also in Committee and...ah...Service Director Bernabei says to refer it to him and he'll get...ah...the entities involved. We need the Ward Councilman and the people in the downtown area and they'll come up with a solution, where and what type to put in.

PRESIDENT SCHULMAN: Does that satisfy your inquiry?

MEMBER WEST: Ah..yeah, the only other question is, where is the money coming from?

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I'm not on the Finance Committee.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: This was my Ordinance, it fits into the fact with the sustainability for the City of Canton, our green issues, it falls right in line with that. Uh..again, we will explore it and find out what's going on. It's simply a Resolution to look at making this City more ecologically friendly and to provide parking for people who are now riding their bicycles. It was actually prompted by a member of one of our boards who rides a bicycle down here to attend meetings but he didn't have a place to put a his bicycle at City Hall.

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PRESIDENT SCHULMAN: I think it's a great idea. Any other remarks?

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I'd just like to say I think it's a...it's a great idea and also, especially with the cost of gas, we'll probably have bikes around.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: And I agree that this is a great idea, I'm just trying to find out where the monies coming from and making certain that we do have the money...ah...to fund such a thing and at the same time, I want to make certain that it's aesthetically proper to downtown and Ward 2. Thank you.

PRESIDENT SCHULMAN: Okay, thank you Member West. Ah...any other remarks? All those in favor signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #64 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. I was...ah...remise in not recognizing our...ah...Safety Director's wife and daughter. Deb and Bailey are here with us, I think finally here in Canton full time. So again, welcome and Bailey, it's always good to see you. She's cute and smart as a whip Tom, so nice having you here.

(APPLAUSE)

COMMUNICATIONS

PRESIDENT SCHULMAN: Okay, now we're back 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 JUNE 16, 2008.

251. AUDITOR MALLONN (CITY):MONTHLY RPT BY FUND FOR 5/1/08 THRU 5/30/08. - RECEIVED & FILED

252. AUDITOR MALLONN (CITY):YEARLY RPT BY FUND FOR 1/1/08 THRU 5/30/08. - RECEIVED & FILED

253. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE THE ACCEPTANCE OF PARCEL #02-02026, LOT 5693, HAMMOND AVE. SW. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

254. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE THE MAYOR TO ENTER INTO

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AMENDED CRA AGMT W/ROBERT GASSER TO REFLECT NAME CHANGE. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

255. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE THE MAYOR TO ENTER INTO AMENDED ENTERPRISE ZONE AGREEMENT W/WEDU PROPERTIES TO REFLECT NAME CHANGE. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

256. HEALTH BENEFITS ADMIN., BRESSON: MAY 2008 MONTHLY COMPARATIVE RPT OF INSUR CLAIMS & JAN - MAY 2008 PAID CLAIMS/COMPARATIVE RPT. - RECEIVED & FILED

257. HEALTH DEPARTMENT (CITY): 2007 ANNUAL RPT. - RECEIVED & FILED

258. MARION, WAYNE, APPLICANT: REQ ZONE CHANGE @ 1919 11TH STR. SW. - PLANNING COMMISSION

259. MAYOR HEALY: COURTESY LETTER ADVISING OF APPOINTMENT OF LINDA BARNES TO THE CANTON CITY PLANNING COMMISSION. - RECEIVED & FILED

260. PLANNING COMMISSION: RECOMMENDING PROPERTY BE DESIGNATED AS (OS) OPEN SPACE ZONING AND SAID AREA ASSIGNED TO WARD 6 FOR FIRST TEE ANNEXATION (2525 25TH STR. NE). - ANNEXATION COMMITTEE

261. PLANNING COMMISSION: RECOMMENDING APPROVAL OF ZONE CHANGE @ 3825 13TH STR. SW FR: PR-4 TO PB-4 FOR ERECTION OF ELECTRONIC SIGN (NATIONAL STEELWORKERS). - JUDICIARY COMMITTEE

262. PLANNING COMMISSION: RECOMMENDING APPROVAL OF REPLAT OF OUTLOT 1220 ON LINCOLN STREET, EAST OF SE CORNER OF TRUMP AVE. & LINCOLN STR SE. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

263. SAFETY DIRECTOR NESBITT: APRIL 2008 RPT OF INMATES INCARCERATED UNDER CITY ORDINANCE PROVIDED BY STK. CTY. SHERIFF SWANSON. - RECEIVED & FILED

264. SAFETY DIRECTOR NESBITT: AUTHORIZE THE SAF DIR TO MAKE APPLICATION & ACCEPT GRANT FROM STATE OF OHIO GOVERNOR'S HIGHWAY GRANT. - FINANCE COMMITTEE

265. SERVICE DIRECTOR BERNABEI: AUTHORITY TO ACCEPT GRANT, SETUP SPECIAL ACCT. FOR FUNDS & AUTHORIZE APPROP OF FUNDS (LITTER PREVENTION FUND). - FINANCE COMMITTEE

266. SERVICE DIRECTOR BERNABEI: AUTHORIZE FOR VARIOUS SUPP APPROPS, APPROP TRANSFERS, APPROP REDUCTIONS. - FINANCE COMMITTEE

267. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF MAY 31, 2008. - RECEIVED & FILED

268. TREASURER SCHIRACK: MAY 2008 DEPOSITS & PAY INS. - RECEIVED & FILED

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269. TREASURER SCHIRACK: MAY 2008 PARKING METER REVENUE. - RECEIVED & FILED
270. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 5/30/08. - RECEIVED & FILED

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, would you please read the First Reading Ordinances by title.

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

#1. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE COMMAND/COMMUNICATIONS VEHICLE FOR THE POLICE DEPARTMENT; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ALTERNATIVELY PURCHASE THE VEHICLE PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

#2. (1ST RDG) AN ORDINANCE AUTHORIZING THE STARK COUNTY COMMISSIONERS ON BEHALF OF THE CITY OF CANTON AND IN CONJUNCTION WITH THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF THE 25TH STREET N.E. STORM SEWER AND ROADWAY RECONSTRUCTION PROJECT; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH AND RECEIVE FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4558 25TH STREET N.E. STORM SEWER PROJECT G.P. 1090 FUND; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance & Public Property Capital Improvement Committees

#3. (1ST RDG) AN ORDINANCE AUTHORIZING THE REPLACEMENT OF THE BRIDGE ON SR 172 (TUSCARAWAS) OVER NIMISHILLEN CREEK; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfare Committee

#4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, ENTER INTO AGREEMENT AND ACCEPT FUNDS FOR THE 2009 PROGRAM YEAR FROM THE OHIO PUBLIC WORKS COMMISSION; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

#5. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE

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SAME TO BE AN EMERGENCY (ONASBURG WATER MAIN EXTENSION)

Referred to Finance & Environmental & Public Utilities Committees

#6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT AND RECEIVE FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION IN THE AMOUNT OF \$250,860.00 FOR THE 49TH STREET N.E. (PLAIN CENTER) STORM SEWER AND STORM WATER BASIN PROJECT; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF SAID PROJECT; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4555 49TH STREET AND GARDENDALE N.E. STORM SEWER PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance & Public Property Capital Improvement Committees

#7. (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENTS FOR PURCHASE AND MAINTENANCE OF SAID PROPERTY FROM EASTPOINTE HOMEOWNERS ASSOCIATION AND TEMPORARY CONSTRUCTION EASEMENTS; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

#8. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF THE 30TH STREET N.E. STORM SEWER, ROADWAY RECONSTRUCTION AND STORM WATER BASIN PROJECT, G.P. 1083; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4557 30TH STREET N.E. STORM SEWER, ROADWAY RECONSTRUCTION AND STORM WATER BASIN PROJECT FUND; AUTHORIZE THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT AND RECEIVE FUNDS FROM THE OHIO PUBLIC WORKS COMMISSION IN THE AMOUNT OF \$2,101,300.00 FOR THE PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance & Public Property Capital Improvement Committees

#9. (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND PURCHASE SAID PROPERTY AT THE ESTABLISHED FAIR MARKET VALUE; AUTHORIZING THE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, ENTER INTO AGREEMENT AND RECEIVE FUNDS IN THE AMOUNT OF \$135,000.00 FROM THE CLEAN OHIO CONSERVATION FUND; RESERVE THE PROPERTY FOR PURPOSES OF THE PRESERVATION OF WATER, FORESTRY AND OTHER NATURAL RESOURCES; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: Thank you Madame Clerk, that was...those were...ah...a lot of words there. We're now under Ordinances for their second reading. Madame Clerk, will you please read the Ordinance #10 by title.

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NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #10 THROUGH AND INCLUDING #21 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#10. (2ND 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

#11. (2ND RDG) **ADOPTED AS ORDINANCE NO. 81/2008** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FUNDING AGREEMENT WITH STARK COUNTY OUT OF POVERTY PARTNERSHIP, INC. TO PROVIDE CDBG FUNDS IN THE AMOUNT OF \$50,000.00 AND HOME FUNDS IN THE AMOUNT OF \$500,000.00 FOR THE ADMINISTRATION AND IMPLEMENTATION OF THE CITY'S HOUSING PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY

#12. (2ND RDG) AN ORDINANCE VACATING A PORTION OF WELLS AVENUE N.W. AND ALL OF LEY PLACE N.W.; APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS NOS. 247, 2753 THRU 2762, PARTS OF LOTS NOS. 248 AND 249, PART OF VACATED MCKINLEY AVENUE N.W. AND THE VACATED PORTIONS OF WELLS AVENUE N.W. AND LEY PLACE N.W.; AND DECLARING THE SAME TO BE AN EMERGENCY

PUB HRG: 6/30/08 @ 7:30 PM

#13. (2ND RDG)___AN ORDINANCE AMENDING VARIOUS SECTIONS OF CHAPTER 1157, I-1 LIGHT INDUSTRIAL DISTRICT, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON _____ **PUB HRG: 6/30/08 @ 7:31 PM**

#14. (2ND 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 **PUB HRG: 6/30/08 @ 7:32 PM**

#15. (2ND 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 **PUB HRG: 6/30/08 @ 7:33 PM**

#16. (2ND 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 **PUB HRG: 6/30/08 @ 7:34 PM**

#17. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING DEDICATION PLAT OF A PORTION OF WELLS AVENUE N.W.; APPROVING AND ACCEPTING THE REPLATTING OF LOT NO. 42865; AND DECLARING THE SAME TO BE AN EMERGENCY

#18. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOT NO. 42791; AND DECLARING THE SAME TO BE AN EMERGENCY

#19. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE AND DELIVER TO THE TIMKEN COMPANY AN EASEMENT ON PROPERTY OWNED

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BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

#20. (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

#21. (2ND RDG) **ADOPTED AS ORDINANCE NO. 82/2008** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO ENTER INTO AGREEMENTS AND ACCEPT FUNDS FOR THE BISON CORPORATION REMEDIATION PROJECT; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE KIMBALL ROAD/ALLEN AVENUE S.E. STORM SEWER SLIP LINING PROJECT; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH HZW ENVIRONMENTAL CONSULTANTS, LLC FOR REMEDIAL DESIGN AND IMPLEMENTATION SERVICES; AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION TO HZW ENVIRONMENTAL CONSULTANTS, LLC; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move the Statutory Rules be suspended on Ordinance #21.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: The motion has been moved and seconded to suspend Statutory Rules on...ah...for Ordinance #21. Are there any remarks? If not by voi...ah...roll call vote please.

NO REMARKS ROLL CALL: 10 YEAS, 1 NAY

(MEMBER CIRELLI VOTED NAY)

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

PRESIDENT SCHULMAN: Thank you Madame Clerk, the motion carries...ah...Member Casar, you've heard the three readings.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #21.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #21. Are there any remarks?

MEMBER CIRELLI: Mr. President.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Ah...Member Smuckler.

MEMBER SMUCKLER: Mr. Law Director, I think Member Cirelli's question was very legitimate and if

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we're going to be asked to pass this tonight, I...I'd like an answer to that too. I know it happened a few years ago with this whole thing.

PRESIDENT SCHULMAN: Well, for the benefit of the audience who is here, who may not have attended Caucus...ah...you want to explain what question you want the Law Director to answer?

MEMBER SMUCKLER: Can the City get back money when Abbott pays for this whole thing?

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President, Members..ah...Smuckler and Cirelli, I will find out. Please understand that um....corporation is not the same as personal assets, I believe you'll understand that. Um...the question is, can the receiver redirect some of the monies that are paid in rent for the property when it's...ah...leased and then ultimately purchased, back to the City. If we have a way to claim those funds, we'll pursue it. Um..I'll have that answer for you and ah....email it to both of you as soon as we get that.

MEMBER SMUCKLER: I understand about Corporations, I've got one, my....my question is too, and I know we can reconsider this two weeks from now if we have a problem, but I would like to know by the time the next two weeks, whether this is possible to get back any of the money that was involved in this whole thing.

LAW DIRECTOR MARTUCCIO: I understand and I'll do that but I...I would urge you not to tie the two together. Uh...this provides a remarkably, I think...ah...efficient and...and...um...fiscally prudent way to clean up what will become a major problem if it's not remediated as soon as possible. I think Mr. Connect did a very good job of explaining all the monies and all the funds that have come together...ah....to make this remediation possible. And the plume is spreading underground as we speak. Um...I will get the answer, but I would respectfully urge not tying the two together.

MEMBER SMUCKLER: Thank you.

PRESIDENT SCHULMAN: Thank you Member Smuckler. Member Cirelli, does that answer your inquiry?

MEMBER CIRELLI: Ah...yes sir and...and I want to thank Member Smuckler for asking that question because that's why I had grabbed the microphone also. Um...I will support this with the idea in mind that I'm...my understanding that the neighbors are having problems there and could potentially be...there's a lot of hazards out there. But I really think in all...whenever I hear that we're going to use in Capital Improvement monies and what have you, I think we need to see if it's possible that we can receive some of the monies back from the receivership after he sells the property to the Abbott Company.

PRESIDENT SCHULMAN: Well to comment on what the Law Director has said, if anybody has read the book or seen the movie "A Civil Action" I think you know how difficult it is to recover money when companies long ago were recklessly and intentionally polluting our soils and our Cities. So, I would have...I would concur with the Law Director here, I think it's very prudent that we move forward as quickly as possible. This could become a health....a public health emergency and if we get money fine, if we don't then we're just out the money. It's just the way things are. It's unfortunate, I can tell you I think our laws are changed today where no company would be allowed to do this without being punished including the individuals in the companies who perpetrated this kind of...ah... public health nuisance. Member Carbenia.

MEMBER CARBENIA: If I may, I have a point of order. I asked...ah...Majority....

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PRESIDENT SCHULMAN: You want to withdraw your point of order?

MEMBER CARBENIA: Yes.

PRESIDENT SCHULMAN: Okay, any other remarks? Roll call vote please Madame Clerk.

NO REMARKS ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 82/2008

PRESIDENT SCHULMAN: Ah....Ordinance #21 is adopted.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President....ah...uh...I'd like to reconsider Ordinance #11. And the reason Mr. President...ah...Member Carbenia had asked...ah...for 21 but also they wanted 11 but he didn't specifically tell me 11. But they would like that so that they can get their programs going for children this summer. So I would like to...

PRESIDENT SCHULMAN: So do you have a motion?

MEMBER CASAR: Yes, I would like to reconsider Ordinance #11.

MEMBER CARBENIA: Seconded.

*#11. (2ND RDG) **ADOPTED AS ORDINANCE NO. 81/2008** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FUNDING AGREEMENT WITH STARK COUNTY OUT OF POVERTY PARTNERSHIP, INC. TO PROVIDE CDBG FUNDS IN THE AMOUNT OF \$50,000.00 AND HOME FUNDS IN THE AMOUNT OF \$500,000.00 FOR THE ADMINISTRATION AND IMPLEMENTATION OF THE CITY'S HOUSING PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY*

PRESIDENT SCHULMAN: It's been moved and seconded to reconsider for City Council's decision ah...Ordinance #11. Any remarks?

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER CASAR: I move the Statutory Rules be suspended on Ordinance #11.

PRESIDENT SCHULMAN: I'm going to take your first motion to reconsider and we're going to do that by roll call vote.

MEMBER CASAR: I thought we did.

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PRESIDENT SCHULMAN: No. Uh...roll call vote please Madame Clerk.

NO REMARKS ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: The motion carries. Now Member Casar.

MEMBER CASAR: Mr. President, I move we suspend the Statutory Rules on Ordinance #11.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: Thank you. Um...it's been moved and seconded to suspend the Statutory Rule for Ordinance #11 are there any remarks? If not by voice vote, all those....ah....by voice vote...

MEMBER CARBENIA: Aye.

PRESIDENT SCHULMAN: No...no, forget that, I made a mistake. Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: And the ah....motion carries, you've heard the three readings. Member Casar.

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 CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Ah...yes, I'd like to apologize...ah...I...I gave the wrong number...ah...on...ah...when I gave 21, it should have been 11. I told the Majority Leader ah...that the...ah...Community and Economic Development people wanted to start the program up and they didn't want to have to wait another two weeks for the third reading and so on. So I agreed with them and I...I told...ah...the Dire...the...ah...Majority Leader that I would like to have him do that and he gave me the courtesy and I messed it up, so. Usually I don't make mistakes, my secretary does but, thank you. *(Laughter)*

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Uh...I will support this because of the youths having the positions but I also want it

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known on the floor that I've asked to see..ah...a breakdown of the Administration cost of \$50,000.00, where they were going. He assured that I will get that. Thank you sir.

PRESIDENT SCHULMAN: And that will be duly noted. Any other remarks? If not, ro....voice....
(*Laughter*) roll call vote please Madame Clerk.

NO REMARKS ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 81/2008

PRESIDENT SCHULMAN: Ordinance #11 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Ah...we're now under Ordinances, and Formal Resolutions for their third and final reading. Madame Clerk...ah...would you please read Ordinance #22.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCE #22 FOR ITS THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 83/2008** AN ORDINANCE AMENDING ORDINANCE NOS. 50/2008 AND 247/2007; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #22

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #22. Are there any remarks? If not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 10 YEAS, 1 NAY

(MEMBER CIRELLI VOTED NAY)

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

#22 ADOPTED AS ORDINANCE NO. 83/2008

PRESIDENT SCHULMAN: Ordinance #22 carries....ah and is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

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MEMBER HAWK: The Finance Committee will meet Monday, June 30th at 6:00 P.M.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet 6:00 P.M. on the 30th.

PRESIDENT SCHULMAN: Thank you. Any other committee meetings.

MEMBER SMITH: Ah...Public Safety and Thoroughfares.....

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: Oh, I'm sorry.

PRESIDENT SCHULMAN: That's alright.

MEMBER SMITH: Public Safety and Thoroughfares Committee will meet also at the same time.

PRESIDENT SCHULMAN: Thank you very much. Any other announcements? The Water Facilities Committee is not meeting.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: Alright, we're now under Public Speaks, Open Forum. We have two speakers signed up this evening. Both are...ah...friends and have been here before, so they know the ground rules. Our first...ah...speaker this evening is Ms. Brogdon. Good evening, welcome. If you can give us for the record, your name and your address please.

RUBY BROGDON: My name is Ruby Brogdon. I lives at 1617 3rd St. I'm tired of comin' up here being heard. But you're going to hear me until you clean up next door. I would love to come and be quiet and I'm going to tell you, I was quiet for awhile. I'm back and I'm gonna stay back until something is done next door to me. Now a storm done blowed one old tree over. The front is just a mess. Until this place is cleaned up next door to me, I'm gonna talk and if you don't want to hear me talk do something about it. Mr. Healy, I wants to know from you, when are you going to send someone down there to clean that mess up next door to me?

PRESIDENT SCHULMAN: Well, the Mayor will or may answer you either in Miscellaneous or unless there's a motion but....

RUBY BROGDON: Well, I'm gonna tell ya', I'm not only just interested in my neighborhood, I'm interested in all of them. I live in the City of Canton, I been here for a long time and I think we all should be interested in our community, don't care where we live, you can be poor but you can be clean. Now this house has been vacant next door to me and a mess for over three years and I'm tired of it. When I sit down in there, I was quiet for awhile but I said "If it was another thing, I will be back." And if you don't want to see me every Council meeting that you have, you clean it up and I will sit down and I won't be heard but I'm gonna be

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heard until something is done. Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you. Ms. Brogdon, we love having you here whether you talk or not, it's a pleasure to have you here. And I'm sure the Mayor will respond to you ah....appropriately. Our next speaker is Patricia Kirk and thank you by the way. Ah...Patricia would you like to come up and give us your name and your residential address. And I know you're very familiar with our ground rules.

PATRICIA KIRK: Patricia Kirk, I live at 131- 5th St. And I was going to talk about the Tree Ordinance tonight. But when I was walking across Kresge Park to get here, this tree limb, this was one of Mr. Kirk's tree limbs that he trimmed and it was ripped from the tree and left hanging like that. And you can't do anything about it because you don't have a Tree Ordinance. But...ah...what I was going to show you, these pictures were taken May 21, 2008 when he truned....pruned this tree. This tree was pruned so that the wind would blow through it and not cause damage as it got older and matured. It was not just pruned, it was thinned. Also, I want to tell you that...I want to tell you tomorrow night, 6:30, there's going to be a meeting at Church of the Savior of Shake a Leaf and we are going to have this video "Managing Trees for Public Safety." It's actually written for arborists and that's going to be on the Tree Commissi...or the Tree Ordinance when you consider it. Also you will see the term "International Society of Abarraculture" that is also put out this video. I spoke with Mr. Smuckler, he's going to watch it tonight because he can't make the meeting. I'm going to pick it up early tomorrow morning, if that's alright. And also, could I have a copies of the most...the latest draft of the Tree Ordinance because there will be people there at the meeting tomorrow night who are interested in it. Um...five years ago, I spoke with the supervisor of an agency about tree, city trees and she said it was a win, win situation but she said I would never get it through Council when she heard of the steps. That person is no longer here anymore. She was a supervisor, she worked here. I don't know why she left, I just know that when people get frustrated, whether it's in the neighborhood or as with a City thing, because this is not political, this is just a smart City thing to do, they get frustrated. They leave the neighborhood or they leave the City. But this is a very positive thing that people are eager to hear about. So, Mr. Smuckler, I will leave this tape with you. I will pick it up tomorrow morning and the meetings are public, it's tomorrow night at 6:30 at Church of the Savior. And July the 10th, I am planning on having another meeting there at Church of the Savior with a disc...or with a...it's been made by the Ohio Department of Natural Resources of Actual Trees in the City of Canton, you don't want to miss this. Okay, thank you very much.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you very much. And I know you're a tireless worker on this and I know sometimes people just think, oh that's kind of stupid. It really isn't. Everything you say is....ah...right on point and we do appreciate your hard work, believe me. And I think you'll be happy to hear some things that are occurring and we'll let the Law Director tell you. And that concludes our Public Speaks portion of the meeting.

MISCELLANEOUS BUSINESS

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

MEMBER SMITH: Mr. President.

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PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: Ah...first of all, on June the 3rd...ah...we had a meeting with CTCC...um...pertaining to Martin School and the residents of that area. I just wanted to let you know that CTCC will not be going into Martin School. And another correspondent on ah....Saturday the 21st, we will be hosting a 4th ward residents meeting, it's an informative meeting and that's going to be the 21st, Saturday at 2:00 at the Southeast Community Center.

PRESIDENT SCHULMAN: Thank you, Member Smith. Member West.

MEMBER WEST: Mr. President...um...first I want to also congratulate Chris because I know that she diligently...ah...tried to get a lot of people there and from what I understand, it was an outstanding turnout in the 4th ward. I was pretty excited to hear that. But also, uh...on Saturday, last Saturday, there was two...ah...events that happened in ward 2 that I think everyone should know about. Ah... S.N.E.T. II, which...ah...Multi Development Services and...ah...Jesus Speaks, the Church on McKinley and 12th...or 11th um...held an event. And they went through the neighborhood and, I don't know if you seen it in the paper but they went through the neighborhood and they cut the grass and some of the lots that were really, really bad...ah...and they even went as far as to chop up trees. Uh...they had people from Riverside Church come down and a number of people and they just combed that area and really did a great job. Uh...in so much that I told them that they might want to partner with the City to help get some of their lots taken care of. Uh...the second one was we had a group...um...an amish group called "The Next Door Missions" that came down in ward 2 and helped a couple families...ah...tear down a garage. Uh...they tore down a garage because the families could not get insurance on their house and I thought that was...um...an awesome event and that happened in ward 2. Um...and I thought that that was something that was...it was a major step within our ward where people did all of these things for free and all they needed was, you know some coordination, all they needed was a little bit of donations from other people...ah...to make that happen. And I think we can go a far way with just kind of partnering...ah...with outside neighbors as well as local neighbors to get things done in our community. Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you Member West. Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. Mr. President, I'm not sure who I want to...who to direct this to but...um...several constituents called me and so I went and got my paper, it was Friday's entertainment of our local newspaper, it's called the "Canton" under Canton it shows a picture of "The Canton Concert Band Returns this Summer." However, when you read the dates and where they're playing at, no where are they ever playing here in the City of Canton. It's in North Canton...ah...Perry Park...ah...Jackson Township, Louisville, North Canton again but not at all in Canton. And they were kind of concerned and said "Why is it listed under Canton, however none of the functions are here in Canton?" So if somebody maybe from the Mayor's Administration could check this out, I will be glad to give it to him. Thank you.

PRESIDENT SCHULMAN: Okay, thank you Member Cirelli. Any other...ah....Miscellaneous remarks? Safety Director Nesbitt, my good friend.

SERVICE DIRECTOR NESBITT: Thank you Mr. President. Ah...first of all, I'd like to address Ms. Brogdon...ah...Ms. Brogdon and I have talked several times and...ah...appreciate very much your perseverance on this issue and as you know, we were successful in tearing down that garage that was leaning

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against your fence and that property. And...ah...my goal is to tear that and clean that property up, as I've told you in the past. And I assured you that that will be done. It is very much an eyesore but..ah..we have several concerns on the block. As we walked down that block and saw all the boarded up houses on there, it's a shame that ah....that we are at that point in your neighborhood. And...ah...we need to do something about that and I understand that and I've been working with the Building Department and John Labriola and...ah...we will be addressing that and...ah...as I've told you in the past...ah...it does take some time. I...I know that it does get...ah...kind of frustrating that..that it takes so much time but...ah..we did pass some guidelines for our building people to tear down these....ah...residences. Ah...when I came in here there was not guidelines in place...ah...of how to do this, how to bid it out and stuff and we finally have got those in place now. So..ah...I think you'll see that...ah...we'll start tearing down these...ah...buildings, we have several of them to do in the next few months. So..ah...I want to assure you Miss Brogdon that...ah...we'll address that and...ah...and..and take care of that issue. The other thing I'd like to announce is that tomorrow...ah...from 6:00 to 8:00 P.M., ah...we're going to have a reception...ah with Mayor Healy and the Administration in honoring...ah..the ten police officers...ah...we'll have a reception and it's going to be held at the "Peel" Coleman Community Center and...ah...I would...ah....welcome everybody from the Council and in the community to come down and welcome these...ah..fine...ah...new recruits that we're going to have and put in uniform and...ah...ah...it's gonna be nice...ah...reception to welcome them into the community. I sure would like to have...ah...those of you here attend and please pass that word on. Thank you.

PRESIDENT SCHULMAN: Thank you Director. Mayor Healy.

MAYOR HEALY: Thank you Mr. President. Is this thing on?

PRESIDENT SCHULMAN: Yeah, you just gotta pull it closer.

MAYOR HEALY: I also...ah...would like to announce...ah...an upcoming Mayor's Night. Ah...we have Mayor's Night coming up next Wednesday the 25th, it's going to here in the Council Chambers. I appreciate all those who have come out...ah...in the past and all those members of the Administration...ah...that have been here participating with that. Ah...it's a great opportunity for anybody in the community to sit down and talk directly with the Mayor or any of the Directors...ah...to express your concerns or give us ideas and we certainly appreciate your participation. Thank you.

PRESIDENT SCHULMAN: Thank you Mayor.

MEMBER WEST: Mr....Mr. President, one more thing.

PRESIDENT SCHULMAN: Sure, Member West.

MEMBER WEST: Ah...I also wanted to thank the Safety Director, Tom Nesbitt for coming out to..um...ward 2 and more specifically...ah...Struble Ave. We were having a lot of problems down there with kids...ah...gangs type of kids. He came down there with two officers and what I thought was really unique was, when the two officers came down there, we walked around that neighborhood and all the kids came down and they were at the one guys house and they got to see who these two officers were and to see these officers as human beings, not as people riding in cars, handcuffing people. And I thought that was very positive, I want to thank him for his...ah...for coming down and...ah...doing some walking in our neighborhood. Thank you.

PRESIDENT SCHULMAN: Thank you Member West. I'd like to through out...ah..two accolades myself.

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One to the Mayor, I told him privately tonight and for the public...ah...we have a Sustainability Commission and our Service Director, who does a unbelievably fine job, along with our Safety Director is a part of that Commission, as is...ah...Member Hawk. And I complimented the Mayor this evening, I think he put together a team of people that are incredibly rich in background and experiences and we will have some very dynamic programs and suggestions for Council in...ah...no less than 60 days. I think you'll be very...ah...satisfied with our Commission. And secondly, I'd like to commend...ah...the Service Director...ah...the Safety Director and I played golf against him yesterday and all I can tell you is ah....Leader Casar, he started number 10 with a birdy, he had...ah...11, he had a birdy and then he...ah...basically, this Service Director pared out, this is the...ah...second time in three days that I've played with somebody who just shot lights out and I lost a fortune. But I do want to congratulate him, he really played well. And um...apparently, he either is working too or he's not working at all. Okay. Thank you. Director Bernabei, did you have anything you wanted to add?

SERVICE DIRECTOR BERNABEI: On...on a serious note...ah... Mr. President, yes, I wanted to announce to City Council Members that not later than two weeks and hopefully even beginning next week, so that you are not taken by surprise by phone calls from Constituents that we will begin distributing the recycling bins in various neighborhoods. The..ah...determination as to what routes we will do first or the areas that we will distribute first is...is really going to be decided by the...ah...operating personnel in the Sanitation Department, so I cannot announce that at this time. But just to let you know that the blue recycling bins will be...ah...ah...distribution of them will be initiated within the next one to two week period of time. Thank you.

PRESIDENT SCHULMAN: Thank you on that serious note. Member Casar.

MEMBER CASAR: Mr President. I move we adjourn.

MEMBER CARBENIA: Seconded.

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

NO REMARKS ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President. .

PRESIDENT SCHULMAN: (*Gavel falls*) The meeting is adjourned.

ADJOURNMENT TIME: 8:30 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT