

MINUTES OF THE MEETING OF JULY 14, 2008

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to ah...our meeting of the Canton City Council. We have a great crowd I see tonight and I know we're going to hear from the ah...Ulster Project students and Mary Cirelli. Member Casar before we begin the meeting, I know you have something you'd like to say to Council and the citizens here.

MEMBER CASAR: Mr. President, before we start the Council Meeting, I would ask for a moment of silence for ah...Earl Schoeneman...ah retired Canton City Policeman that...ah...tragically was killed this past weekend. And I wish that we would say...ah....have a moment of silence for him please.

PRESIDENT SCHULMAN: Thank you Leader. Let's have a moment of silence.

(MOMENT OF SILENCE FOR EARL SCHOENEMAN)

PRESIDENT SCHULMAN: Thank you very much. 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:

10 COUNCILMEMBERS PRESENT: (DON CASAR, JOE CARBENIA, MARY M. CIRELLI, BILL SMUCKLER, GREG HAWK, THOMAS E. WEST, JAMES GRIFFIN, DAVID R. DOUGHERTY, PATRICK BARTON & "BUTCH" KRAUS)

TEN COUNCILMEMBERS PRESENT (CHRIS SMITH AND TERRY PRATER ABSENT)

CLERK TIMBERLAKE: Eight yeas Mr. President....eight present. Ten, I'm sorry.

PRESIDENT SCHULMAN: Ten present, we have a quorum. We're going to have our invocation given tonight by Councilmember Pat Barton. Would you all please remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on Monday, July 14, 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 Patrick Barton, 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 #4 through and including #12 Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President. I move we suspend Rule 22A and add Ordinances 4 through and including 12 to this evening's agenda.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been so moved and seconded to suspend Rule 22A. Are there any remarks? If not, Madame Clerk roll call vote please.

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NO REMARKS ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk, the motion carries, Rule 22A is suspended and the Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. We have 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 are now under Informal Resolutions. Member Casar, I'll recognize a motion to excuse Member Smith and Member Prater.

MEMBER CASAR: Mr. President, I move we excuse ah...4th Ward Councilperson, Smith and 6th Ward...no...ah...5th Ward Councilman, Mr. Prater...Member Prater from this evening's meeting.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Smith and Member Prater, who I know both have emergencies tonight. Are there any ah...remarks? If not, roll call vote please Madame Clerk.

NO REMARKS ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

PRESIDENT SCHULMAN: Motion carries. Madame Clerk, would you please read Resolution 65 by title.

#65. COUNCIL AS A WHOLE: HONORING ERNEST MOLES FOR HIS BRAVERY & SELFLESS ACTS. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #65.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 65. Are there any remarks?

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MEMBER CARBENIA: Ah... Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Ah...I would like to have the Clerk read it in its entirety.

PRESIDENT SCHULMAN: Thank you. If the Clerk would do so.

CLERK TIMBERLAKE: **Whereas**, On June 22, 2008 Ernest Moles was shopping at the local Walmart. As it turned out he was in the right place at the right time; and **Whereas**, Canton City Police Officer, John Clark was being assaulted by a vagrant with a baseball bat. The Police Officer was blind sided and then hit again as he lay on the floor; and **Whereas**, Ernest did the right thing by getting the attention of the assailant and told him to stop. Ernest then picked up a cue stick and struck the assailant to defend himself and the injured policeman; and **Whereas**, The assailant ran out of the store and was captured by police after an organized manhunt. **Now, Therefore, Be It Resolved:** That we, the Members of the Council of the City of Canton, Ohio, do hereby go on record to honor **ERNEST MOLES** for his bravery and selflessness of his actions. Ernest chose to do the right thing by helping to insure that no further harm came to Canton City Police Officer John Clark. Ernest chose to help and has earned the respect and admiration of Canton City Council, all the Members of the Canton City Police Department and the Community. Thank you and God Bless you Ernest!

PRESIDENT SCHULMAN: It's been moved and seconded to adopt..ah...Resolution 65. Are there any other remarks? I think we'll make the ah...by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #65 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Member Carbenia.

MEMBER CARBENIA: I'd like to call Ernie up so I can present him with this plaque. Ernie, I'd like to present you with this plaque from City Council and the City of Canton for the deed that you...that you've done. You're bravery was above reproach. I know you for many years, see you at The Diner all the time, we have coffee together. Ah...I think that this is one of the bravest things that anybody that I know have ever done and I was a firefighter and I know they were brave people. But they say that you stopped this guy, you stopped him in his tracks or he'd a probably killed Officer Clark and I can't actually come up with the words on how I really feel about what you've done. All I know is, you're one great guy and I love ya.

(STANDING OVATION)

MEMBER CARBENIA: Do you have something you want to say Ernie?

ERNEST MOLES: I just want to thank everybody, I'm glad I was there to help.

MEMBER CARBENIA: I knew Ernie wouldn't have much to say, and I couldn't say much, I got a little choked up. Ernie is a good guy. Thank you.

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PRESIDENT SCHULMAN: Congratulations again Mr. Moles. Ah...Madame Clerk, would you please read Resolution 66 by title.

#66. COUNCIL AS A WHOLE: COMMENDING ALL INVOLVED IN THE ULSTER PROJECT. - ADOPTED

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #66.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 66. Are there any remarks under this Ordinance? Hearing none...ah..if by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #66 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. Mr. President, I'd like to have the Clerk of Courts...ah...Clerk of Council, excuse me, read the...ah...Resolution in its entirety.

CLERK TIMBERLAKE: My pleasure Mary. The Massillon/Canton Ulster Project is an inter-denominational organization working to promote peace in the turbulent region of Northern Ireland. Each year, the Ulster Project brings teenagers from the Greater Belfast area to Stark County to live, work and play with American counterparts for the month of July. This year, 12 teenagers have spent the month in the United States. Local families having a child of similar age, play host to these admirable children. Together, these teens spend a life-changing month learning to see beyond differences in nationality and religion; and **WHEREAS:** For the past 24 years, the Massillon/Canton Ulster Project has afforded the opportunity to hundreds of Northern Irish youth, the opportunity to make friends from the opposing sides of the existing conflict in their country. Through the generosity of Stark County citizens, these future leaders get a first-hand glimpse of America, the values of freedom, equality, and brotherhood that we, as Americans live by; and **WHEREAS:** The existing hope is that friendships made and lessons learned in America will make their way back to Northern Ireland, helping to bring harmony and healing to their people in a troubled land. It is our hope that together, we can change history. Ulster Project teens experience opposite faiths here in America in the hope that these experiences will help them relay to their people that hatred is so fruitless. **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 commending all those involved in **THE ULSTER PROJECT** including the Executive Committee, their American host families and the host teens for their endless hard work and dedicated efforts to help building an understanding and friendship between Catholic and Protestant teenagers from Northern Ireland. We further commend our Northern Irish guests for their vision of a peaceful and democratic nation.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

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MEMBER CIRELLI: I'd like to ask the Counselors to come forward so I may give this to them and they can say a few words.

PRESIDENT SCHULMAN: Absolutely. Thank you Member Cirelli.

MEMBER CIRELLI: It's my pleasure to be presenting this to the ah...Counselors and to all the young people here from Ireland and from our Country that are being the host families and all their families that are with them. And come surely, every July as there is a 4th of July, there's always follows as the Ulster Project. It's been going on for, I can't remember how many numbers of years. So we ah...are quite proud to welcome you to the United States and we know that you go home, you'll have wonderful memories, I'll be there the night before you leave to see you all off. And it's....it's...ah,,more than a privilege to be here to present this to all of you for hosting this. And please introduce yourself and...ah....if you have any words to say to our group we would appreciate it.

NIALL BOLE: Members of the Council, member of public, apologizes in advance for the strange accents you're about to hear. Um...just on behalf of ah...all the Counselors and the members of the project, I'd just like to say thank you very much. I'm Niall Bole, I'm one of the Irish Counselors over here. And I...I was a teenager on different Ulster Project when I was young and the difference it has made, I know personally, has been immense. And I'm just so glad that you all have afforded us the opportunity to come over and repeat the opportunities and advances that can be given to these teenagers. Thank you.

(APPLAUSE)

ELIZABETH CLEARY: Um...my name is Elizabeth Cleary, I'm one of the American Counselors, so you guys can understand what I'm saying. We...my family has been involved for six years I think and we're always very grateful you guys, for this....um...opportunity. Thank you.

MARY MCCAUGHLEY: I'm Mary McCaughley, I'm one of the Irish Counselors, I think Nialle has actually said enough for both of us and you probably won't understand me so, that's all I'll leave you with.
(Laughter)

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you Member Cirelli, thank you Counselors and thank you Counselors and thank you...ah....friends from Ireland. We appreciate you being here. We hope you enjoy our Country and I know you've made incredible progress and I only wish I that we could...ah...take a page out of your book. Uh...with that, Resolution 67 please Madame Clerk.

#67. HAWK, G., WARD 1 CNCLMN: URGING NAT'L CREDIT UNION ADMIN, FED RESERVE BD & OFFICE OF THRIFT SUPERVISION TO ADOPT REFORMS PROPOSED FOR FEDERAL TRADE COMMISSION ACT, TRUTH IN SAVINGS ACT & TRUTH IN LENDING ACT TO PROTECT CONSUMERS FROM UNFAIR & ABUSIVE PRACTICES BY CREDIT CARD INDUSTRY. - ADOPTED

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #67.

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MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 67. Are there any remarks?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: I will not ask that it be read in its entirety because it's been so well summed up in the...on the ah...agenda. But again, I ask for everyone to support this, it will protect our citizens from unfair practices by credit card industry. I urge all of us to support it. Thank you.

PRESIDENT SCHULMAN: Thank you Member Hawk. Thank you for bringing it to our attention. Are there any other remarks? If not by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #67 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Resolution 68 please.

#68 PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF MASSILLON MAYOR FRANCIS CICCHINELLI JR TO FILL "AT-LARGE" MAYOR'S POSITION ON 9-1-1 PLANNING COMMISSION. - ADOPTED

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #68.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 68. Are there any remarks under this Ordinance...or this Resolution? If not by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #68 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The Resolution carries. Ah...Resolution 69 please Madame Clerk.

#69 PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF JAMES REINHARD TO STARK AREA REGIONAL TRANSIT AUTHORITY EXPIRING 3/31/09. - ADOPTED

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #69.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #69. Are there any remarks under this Resolution? If not by voice vote, all those in favor signify by saying aye. Those opposed no.

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NO REMARKS RESOLUTION #69 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The Resolution carries.

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 JULY 14, 2008.

281. AUDITOR MALLONN (CITY): MONTHLY RPT BY FUND FOR 6/1/08 - 6/30/08. - RECEIVED & FILED

282. AUDITOR MALLONN (CITY): YEARLY RPT BY FUND FOR 1/1/08 - 6/30/08. - RECEIVED & FILED

283. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/CCIC TO PROVIDE A GRANT UTILIZING CDBG FUNDS IN AMT NOT TO EXCEED \$500,000.00 FOR GRANTS, LOANS & ADMIN COSTS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

284. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT FR: 1/1/08 - 12/31/08 W/ CANTON REG CHAMBER OF COMMERCE TO PROVIDE A GRANT UTILIZING COMM DEV BLOCK GRANT FUNDS IN AMT NOT TO EXCEED \$175,000.00 FOR COMPREHENSIVE ECONOMIC & DOWNTOWN DEV PROG. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

285. DEVELOPMENT DIRECTOR TORRES: REQ LEGISLATION TO AUTHORIZE FILING OF AN APP TO OHIO DEPT OF DEV FOR A CLEAN OH ASSIST FUND FOR BROWNFIELD REMEDIATION GRANT MONIES. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

286. DEVELOPMENT DIRECTOR TORRES: REQ LEGISLATION CONCERNING AN APP FOR BROWNFIELD REMEDIATION GRANT MONIES TO REMEDIATE THE SITE KNOWN AS HERCULES PROJ. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

287. DEVELOPMENT DIRECTOR TORRES: ACCEPT PARCEL OF REAL PROPERTY FR: HABITAT FOR HUMANITY THROUGH RIGHT OF REVERSION CLAUSE; AUTHORIZE ACQUISITION OF PROP LOCATED ON 5TH ST NE (PARCEL #02-48016). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

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

289. HEALTH COMMISSIONER ADAMS: REQ VARIOUS INTERDEPARTMENTAL APPROP

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TRANSFERS TO HEALTH DEPT'S EXPENSE ACCTS FOR 2008. - FINANCE COMMITTEE

290. LAW DIRECTOR MARTUCCIO: REQ APPROVAL OF THE EDITING & INCLUSIONS OF CERTAIN ORDINANCES ADOPTED FR: 6/30/07 TO 6/30/08 TO BE INCORP INTO THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AUTHORIZE LAW DIR TO DISTRIBUTE, FREE OF CHARGE, TO PUBLIC OFFICIALS & PUBLIC INSTITUTIONS, COPIES OF 2008 SUPPLEMENT TO CANTON CITY CODE & TO AFFIX THE PRICE FOR THE SALE OF 2008 SUPPLEMENT TO THOSE HOLDERS OF THE CANTON CITY CODE. - JUDICIARY COMMITTEE

291. MAYOR HEALY: REQ APPROVAL OF APPT OF MICHAEL ABBOTT TO CANTON CONSTRUCTION BD EXPIRING 12/31/08. - PERSONNEL COMMITTEE

292. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED AMENDING OF PB-4 ZONE CHANGE (O#226/2006) @ 1919 11TH ST SW TO ALLOW AN ICE CREAM STAND (WAYNE MARION). - JUDICIARY COMMITTEE

293. PLANNING COMMISSION: RECOMMENDS DENIAL OF PROPOSED REPLAT OF LT 14320 & PART OF LOT 14321, WEST OF ARNOLD AVE NW ON AUBURN PL NW (ROGER RAMBAUD). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

294. PLANNING COMMISSION: RECOMMENDS FIRST TEE ANNEXATION (25TH ST NE) BE DESIGNATED AS OPEN SPACE ZONING & THE AREA BE ASSIGNED TO WARD 6. - ANNEXATION COMMITTEE

295. PLANNING COMMISSION: RECOMMENDS APPROVAL OF REVISITED PROPOSED ZONE CHANGE OF LOTS 30871 - 30873 IN 3500 BLOCK OF W. TUSC ST ON NORTH SIDE TO CONSTRUCT A PHYSICIAN'S OFFICE (ASIF YOUNUS). - JUDICIARY COMMITTEE

296. SAFETY DIRECTOR NESBITT: AUTHORIZE SAF DIR ON BEHALF OF FIRE DEPT TO ACCEPT \$100.00 DONATION FR: MCKINLEY KENNEL CLUB, INC; AUTHORIZE SUPP APPROP TO 2783 FIRE DONATION FUND FOR SAME. - FINANCE COMMITTEE

297. SAFETY DIRECTOR NESBITT: AUTHORIZE SAF DIR ON BEHALF OF FIRE DEPT TO ACCEPT \$4,000.00 GRANT FR: OH DEPT OF PUB SAF FOR EMS TRAINING & EQUIPMENT FOR CITY'S FIRE DEPT; AUTHORIZE SUPP APPROP TO 2812 EMS TRAINING & EQUIPMENT FOR SAME. - FINANCE COMMITTEE

298. SAFETY DIRECTOR NESBITT: REQ PAYMENT OF \$600.00 MORAL OB INCURRED DURING FALL OF 2007 FOR DIVERSITY AWARENESS TRAINING W/FIRE DEPT. - FINANCE COMMITTEE

299. SERVICE DIRECTOR BERNABEI: AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR CONSTRUCTION OF TRAIL UNDERPASS AT NIMISHILLEN CREEK & TUSC ST EAST. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES

300. SERVICE DIRECTOR BERNABEI: AUTHORIZE LEASING OF SPACE @ EDWARD L. "PEEL" COLEMAN COMMUNITY CENTER TO NAACP. - FINANCE COMMITTEE

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301. STARK COUNTY COMMISSIONERS: RECEIPT OF PERTINENT DOCUMENTS REGARDING FIRST TEE ANNEXATION. - PLANNING COMMISSION

302. TREASURER SCHIRACK: JUNE 2008 PKING MTR REVENUE. - RECEIVED & FILED

303. TREASURER SCHIRACK: JUNE 2008 DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED

304. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 6/30/08. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: Before I go on to the First Reading Ordinance...ah...I don't know whether you and....ah the Irish students want to stay for the rest of City Council. You're more than welcome but don't feel as if you're disturbing us if you'd like to leave.

FROM THE AUDIENCE: Thank you.

PRESIDENT SCHULMAN: You're welcome. 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. In fact, why don't we all just go home. (*Laughter*) Let's just all go. In fact, I have a better idea, why don't we all go to Ireland. Safe trip, thank you very much.

FROM THE AUDIENCE: Thank you.

PRESIDENT SCHULMAN: Thank you.

(*APPLAUSE*)

PRESIDENT SCHULMAN: Madame Clerk would you please read the First Reading Ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #3 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

#1. (1ST RDG) AN ORDINANCE AMENDING CHAPTER 917, TREES, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
Referred Parks & Recreation Committee

#2. (1ST RDG) **ADOPTED AS ORDINANCE NO. 92/2008** AN ORDINANCE DECLARING THE BUILDING LOCATED AT 219 NEWTON AVENUE N.W. TO BE A PUBLIC NUISANCE; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE DEMOLITION OF SAID BUILDING; AUTHORIZING THE CLERK OF CANTON CITY COUNCIL TO CERTIFY THE COSTS OF DEMOLITION TO THE STARK COUNTY AUDITOR; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

PRESIDENT SCHULMAN: Member Casar.

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MEMBER CASAR: Mr. President...uh...I move that..ah... Ordinance #2...uh...we have a Committee Meeting on that...ah..right now. At the present time.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: At the time than, the Chair would declare an in house recess for Community & Economic Development Committee to meet in regard to Ordinance #2 on your Agenda. You're now in recess.

(COUNCIL RECESSED @ 7:52 PM AND RECONVENED @ 7:53 PM TO DISCUSS THE PASSAGE OF ORDINANCE #2)

PRESIDENT SCHULMAN: Thank you Member Carbenia. Council will therefore reconvene after the recess...ah...Member Casar.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and return Ordinance #2 to this evening's agenda.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to place Ordinance #2 back on this evening's agenda. Are there any remarks? If not, roll call vote please Madame Clerk.

NO REMARKS ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk, the motion carries and Ordinance 2 is a legal part of your agenda. Member Casar.

MEMBER CASAR: Mr. President, I move we suspend the Statutory Rules on Ordinance #2.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance #2. Are there any remarks? If not roll call vote please Madame Clerk.

NO REMARKS ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

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

MEMBER CASAR: Mr. President, I move we adopt Ordinance #2.

MEMBER CARBENIA: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #2. Are there any remarks under this Ordinance? If not, Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

#2 ADOPTED AS ORDINANCE NO. 92/2008

PRESIDENT SCHULMAN: Ordinance #2 has therefore been adopted. Ah Ordinance #3 Madame Clerk.

#3. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO FILE AN APPLICATION FOR AND ACCEPT A GRANT FROM THE FEDERAL COMMERCIAL EQUIPMENT DIRECT ASSISTANCE PROGRAM FOR THE SOLE PURPOSE OF THE PURCHASE OF FORENSIC VIDEO EQUIPMENT FOR THE POLICE DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement and Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances for their second reading. Madame Clerk, will you please read the Ordinances #4 through #12 by title please.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #4 THROUGH AND INCLUDING #12 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#4. (2ND RDG) AN ORDINANCE AUTHORIZING THE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM THE NILES H. BAUM ESTATE;

#5. (2ND RDG) AN ORDINANCE CONSENTING TO THE TRANSFER OF THE ROBERT J. GASSER COMMUNITY REINVESTMENT AREA AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

#6. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH BROWNSTONE DEVELOPERS, LLC; AND DECLARING THE SAME TO BE AN EMERGENCY

#7. (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: 7/28/08 @ 7:30 PM**

#8. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING AND RENUMBERING OF OUTLOT NO. 1220; AND DECLARING THE SAME TO BE AN EMERGENCY

#9. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO MAKE APPLICATION FOR AND ACCEPT A GRANT IN AN AMOUNT NOT TO EXCEED \$35,429.21 FROM THE STATE FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

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#10. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT AN OHIO DEPARTMENT OF NATURAL RESOURCES, DIVISION OF RECYCLING AND LITTER PREVENTION GRANT; AUTHORIZING A CASH MATCH FROM COURT FUNDS; AUTHORIZING THE AUDITOR TO ESTABLISH THE 2417 LITTER PREVENTION FUND; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY

#11. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, APPROPRIATION TRANSFERS AND APPROPRIATION REDUCTIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

#12. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NOS. 18/2008 AND 155/2007; 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 #13 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #13 THROUGH AND INCLUDING #22 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#13. (3RD RDG) **DEFEATED** 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

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. I don't think that I have to remind Council that this is what the Leader brought up earlier with Member Dougherty. Um...are there any remarks under this Ordinance? If not, Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 0 YEAS, 10 NAYS

CLERK TIMBERLAKE: Ten nos Mr. President.

#13 DEFEATED

PRESIDENT SCHULMAN: The Ordinance has not been adopted. Ordinance #14 please.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 93/2008** 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

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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

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 under this Ordinance? If not, Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 10 YEAS, 0 NAY

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#14 ADOPTED AS ORDINANCE NO. 93/2008

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance #14 is adopted. Ordinance #15 please.

#15. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 94/2008** 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

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? Member Casar.

MEMBER CASAR: Mr. President, I move we amend Ordinance #15 per the copy that all Councilmembers have in front of them and ah...which...ah...Service Director Bernabei...ah...so....ah...eloquently explained to us in ah...Committee this evening.

MEMBER CARBENIA: Seconded.

AMENDMENT

Pursuant to Rule 36, I move to amend Section 4 to Agenda Item No. 15 by amending the second

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appropriation transfer to read as follows:

<i>FROM:</i>	<i>4506 201001 Service Director Administration - Other</i>	<i>\$884,000.00</i>
<i>TO:</i>	<i>4506 202068 25th St N.E. Storm Sewer Project GP 1090 - Other</i>	<i>\$884,000.00</i>

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance #15 per the copy before each of you. Are there any remarks on...ah...either the amendment or Service Director Bernabei's eloquent statements to us previously? Hearing none, all those in favor signify by saying aye. Those opposed no.

NO REMARKS AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion to amend carries. Member Casar.

MEMBER CASAR: Mr. President I move we adopt Ordinance 15 as amended.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #15 as amended. Are there any remarks under this Ordinance as amended? Hearing none, roll call vote please Madame Clerk..

NO REMARKS ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

#15 ADOPTED AS AMENDED AS ORDINANCE NO. 94/2008

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

#16. (3RD RDG) ADOPTED AS ORDINANCE NO. 95/2008 AN ORDINANCE AUTHORIZING THE REPLACEMENT OF THE BRIDGE ON SR 172 (TUSCARAWAS) OVER NIMISHILLEN CREEK; 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.

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 vote please.

NO REMARKS ROLL CALL: 10 YEAS, 0 NAY

CLERK TIMBERLAKE: Ten yeas, Mr. President.

MINUTES OF THE MEETING OF JULY 14, 2008**#16 ADOPTED AS ORDINANCE NO. 95/2008**

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

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 96/2008** 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

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 under this Ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 10 YEAS, 0 NAY

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 96/2008

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

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 97/2008** AN ORDINANCE AMENDING ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (ONASBURG WATER MAIN EXTENSION)

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: 10 YEAS, 0 NAY

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 97/2008

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

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 98/2008** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT AND RECEIVE

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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

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #19.

MEMBER CARBENIA: Seconded.

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

NO REMARKS ROLL CALL: 10 YEAS, 0 NAY

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 98/2008

PRESIDENT SCHULMAN: Ordinance #19 is adopted. Ordinance #20 please.

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 99/2008** 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

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #20.

MEMBER CARBENIA: Seconded.

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

NO REMARKS ROLL CALL: 10 YEAS, 0 NAY

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 99/2008

PRESIDENT SCHULMAN: Ordinance #20 is adopted. Ordinance #21 please.

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 100/2008** AN ORDINANCE AUTHORIZING

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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

PRESIDENT SCHULMAN: Member Casar.

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 under that Ordinance? Hearing none...ah... Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 10 YEAS, 0 NAY

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 100/2008

PRESIDENT SCHULMAN: Ordinance #21 is adopted. Ordinance #22 please Member Casar.

#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 101/2008** 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

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. Any remarks under this Ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 10 YEAS, 0 NAY

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CLERK TIMBERLAKE: Ten yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 101/2008

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance #22 is adopted. Thank you Madame Clerk, those were ah...considerable number of Ordinances tonight.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Parks and Recreation Committee will meet...ah...July 28 at 6:45.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Finance Committee will meet Monday the 28th at 6:45.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet.

PRESIDENT SCHULMAN: Thank you. Anything else? That's it.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're now under...ah...Public Speaks, Open Forum. And tonight we have one speaker signed up. Ah...I would just say again as I do every week or every two weeks in the summer. Ah...City Council has limited your remarks...ah...Mr. Aston to three minutes. So if you would please stay within that time frame, I know you know that. Would you come up and give up and give us your name and your residential address sir and good evening.

WILLIAM ASTON: Good evening...ah...ah...thank you for...City Council for hearing me out, ah...Mayor, everyone thank you. Alright, my name is William Aston, I'm at 1924 Dennison NW, Mount Vernon Neighborhood Association. My topic tonight is...ah...Canton's sidewalk replacement program. Um...our area came into Plain Township...from Plain Township into the City forty some years ago. Um...this is my starting point, about two years ago at our neighborhood...ah...picnic that we have every year...um...some of our neighbors were discussing replacing our sidewalks. Uh...and at that time...uh...Richard Hart was our 7th Ward Councilman and he picked up the task and we started the ball rolling at that time. Uh...we did notice

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throughout our sidewalks, these sidewalks are very very old...um...a lot of them are cracked, the trees have lifted them up...uh...they're tipped, we have no curb, we have no...ah...our down spouts, comes out to the property, goes across the sidewalk, not under the sidewalk. Um...there's no catch basins, there's been no improvements made to our neighborhood since, as far as I know for over thirty years...or twenty five years that I've been there. Uh...about fourteen months ago I had a public meeting set up with Mr. Hart at that time and we had all our neighbors at a local establishment there on Cleveland Avenue and uh...we had about a third of our residents on our street on Dennison..ah...there in attendance. And Richard Hart and some City, other Engineers were there and explained how the sidewalk ah....replacement program works and...ah...in general terms. And everyone was very much in favor. The big question was the cost and uh...we're still working on that right now. We decided to hold that off until this year to do that and of course in meantime, we have new...ah...Councilmember at 7 here...ah...Mr. Barton. Uh...we are a mixed age neighborhood and we're a mixed ah...income neighborhood, some are on fixed incomes, others are...ah...ah...in a little...a little better off. So, what we would like to propose is that Akron, and Mr. Barton has done some research for us, has a law on their books and I would propose we would adopt a similar law where the payments of replacing our sidewalks could be spread over five or ten years, which then would go from maybe twenty percent of us being able to afford new sidewalks to maybe ninety to one hundred percent of our folks. Um...I think this would be a good time, we would like to have this done in 2008, it's getting, I know it's late in the year already. Thank you sir...um...and I see that...um...So I think it's time that we would consider adopting this, I would urge City Council to seriously consider this action.

PRESIDENT SCHULMAN: Thank you very much Mr. Aston. Excellent job, thank you. And I'm sure that'll be discussed. Um...we have no.....

MISCELLANEOUS BUSINESS

SERVICE DIRECTOR BERNABEI: Mr. President.

PRESIDENT SCHULMAN: Yes, Service Director Bernabei.

SERVICE DIRECTOR BERNABEI: I just wanted to comment to Mr. Aston that your...ah...Councilmember, ah...Mr. Barton has addressed the issue of...ah...of our looking into adopting legislation comparable to the Akron sidewalk program and that we are doing so. But I did want to advise you that your Councilman is working on this.

WILLIAM ASTON: (*FROM THE AUDIENCE*) Thank you, I just wanted to urge you as a concerned citizen.

PRESIDENT SCHULMAN: Great, thank you again, thank you Service Director Bernabei and I know that...ah...Leader Casar has been committed to this sidewalk improvement program for many years. And We're now under Miscellaneous Business. Do we have any Miscellaneous Business?

MEMBER CASAR: Mr President. I move we adjourn.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: There's a motion on the floor to adjourn, it's been seconded. Madame Clerk roll call vote please.

NO REMARKS ROLL CALL: 10 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Ten yeas Mr. President.

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

ADJOURNMENT TIME: 8:14 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT