

MINUTES OF THE MEETING OF JANUARY 12, 2009

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to City Council, Canton City Council. With a quorum being present, the Chair calls this meeting to order, roll call please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

11 COUNCILMEMBERS PRESENT: (DON CASAR, JOE CARBENIA, BILL SMUCKLER, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, CHRIS SMITH, TERRY PRATER, DAVID DOUGHERTY, PATRICK BARTON, & KARL "BUTCH" KRAUS)

ELEVEN MEMBERS PRESENT, ONE ABSENT (MARY CIRELLI)

CLERK TIMBERLAKE: Eleven present, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight's invocation will be given by Ward 3 Council Member Jim Griffin. If you'll all remain standing for the pledge of allegiance please.

The regular meeting of Canton City Council was held on Monday, January 12, 2009 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 Council Member Jim Griffin, 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 6 through 8. Leader Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President, I move that we suspend Rule 22A and add Ordinances 6, 7 and 8 back on this evening's agenda.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to second reading Ordinances 6, 7 and 8 to this evening's agenda. Are there any remarks, if not Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We are under Public Hearings. There are no Public Hearings this evening.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We are now under Public Speaks and Ordinances and Resolutions for adoption. And

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we have no speakers signed up this evening.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We are now under Informal Resolution. Leader Casar, I'll recognize a motion to excuse Member, Mary Cirelli and she apologizes obviously for not being here tonight, she's under the weather.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: I move we excuse Member Cirelli from this evening's meeting.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: Thank you. It's been moved and seconded to excuse Member Cirelli from this evening's meeting. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President

PRESIDENT SCHULMAN: Thank you, the motion carries and Member Cirelli is excused from this evening's meeting. Madame Clerk, if you'll read Resolution #3 by title.

#3. PERSONNEL COMMITTEE: **POSTPONED FROM 1/5/09** REQ APPT OF MONIQUE MOORE TO FAIR HSNB COMMISSION RETRO 8/1/08 - 7/31/13. - ADOPTED

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #3.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded to adopt Resolution #3. Are there any remarks? If not by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #3 PASSED BY VOICE VOTE
(DON CASAR, JOE CARBENIA & GREG HAWK VOTED NAY)

PRESIDENT SCHULMAN: The motion carries and the Resolution is adopted. Madame Clerk would you please read Resolution 4.

#4. PERSONNEL COMMITTEE: REQ APPT OF JOANNE PAULINO TO TAX INCENTIVE REVIEW

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BD FOR TERM 1/1/09 - 12/31/11. - ADOPTED

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #4.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded to adopt Resolution 4. Are there any remarks? If not by voice vote again, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #4 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The Resolution is adopted. Resolution #5 please.

#5. PERSONNEL COMMITTEE: REQ RE-APPT OF REV WARREN CHAVERS TO TAX INCENTIVE REVIEW BD FOR TERM 1/1/09 - 12/31/11. - ADOPTED

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #5.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded to adopt Resolution 5. Again, any remarks? Once again by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #5 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Motion carries, Resolution is adopted. Resolution #6 please.

#6. PERSONNEL COMMITTEE: REQ RE-APPT OF JACK BOLENDER JR TO INVESTMENT BOARD FOR TERM 1/1/09 - 12/31/11. - ADOPTED

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #6.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded to adopt Resolution 6. Are there any remarks? Again, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #6 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries, Resolution is adopted. Resolution 7 please.

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#7. PERSONNEL COMMITTEE: REQ RE-APPTS OF RON BERGER & MICHAEL ABBOTT FOR CANTON CONSTRUCTION BD FOR TERM 1/1/09 - 12/31/12.- ADOPTED
PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #7.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded to adopt Resolution #7. Are there any remarks? Once again by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #7 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Motion carries, Resolution 7 is adopted. Madame Clerk, Resolution 8 please.

#8. PERSONNEL COMMITTEE: REQ RE-APPTS OF DON TARVER, WILLIAM EUSTATHIOS, & JEFFREY LECHAK FOR BD OF BUILDING APPEALS FOR TERM 1/1/09 - 12/31/14. - ADOPTED

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #8.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded to adopt Resolution 8. Are there any remarks? If not once again by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #8 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries, the Resolution is adopted.

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JANUARY 12, 2009.

18. ASHMAN, BRYAN - APPLICANT: ALLEY VACATION FROM EAST LINE OF BEDFORD AVE SW TO WEST LINE OF MOSLEY COURT SW DIRECTLY NORTH OF LOT #14371 FOR AULTMAN HOSPITAL. - PLANNING COMMISSION

19. DEPUTY DIRECTOR, WEST: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO RETRO

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CONTRACT W/TRINITY GOSPEL TEMPLE TO PROVIDE GRANT W/CDBG FUNDS FOR FOOD VOUCHER PROG FR 1/1/09 - 12/31/09. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES

20. HEALTH BENEFITS ADMIN., BRESSON: DECEMBER 2008, MO COMPARATIVE RPT OF INSUR CLAIMS & JAN - DEC 2008 PAID CLAIMS & COMPARATIVE RPT. - RECEIVED & FILED
21. LAW DIRECTOR MARTUCCIO: REQ AUTHORIZATION TO AMEND ATTY CLASSIFICATIONS WITHIN LAW DEPT. - JUDICIARY COMMITTEE
22. LIQUOR CONTROL DIV (OHIO): REQ TRANSFER C1 C2 PERMIT FROM SPEED FOODS INC TO MANYSHA INC DBA S & K MINIMART @ 2019 HARRISBURG RD NE. - RECEIVED & FILED
23. SAFETY DIRECTOR NESBITT: AUTHORIZE SAF DIR TO ENTER INTO CONTRACT W/TAYLOR CHEVROLET FOR PURCHASE OF 12 IMPALA SEDANS FOR POLICE DEPT IN AMT NOT TO EXCEED \$292,692.00 & ACCESSORIES FOR \$58,000.00. - FINANCE COMMITTEE
24. SERVICE DIRECTOR BERNABEI: AUTHORIZE SERV DIR TO ENTER INTO LEASE AGMT W/GREATER CANTON AMATEUR SPORTS HALL OF FAME ASSOC FOR PROP @ 1414 MARKET AVE N RETRO FOR 1/1/09 - 12/31/11. - FINANCE COMMITTEE
25. SERVICE DIRECTOR BERNABEI: AUTHORIZE SERV DIR TO ENTER INTO AGMT W/CANTON JOINT RECREATIONAL DIST FOR GROUNDS SVC @ THURMAN MUNSON MEMORIAL STADIUM NOT TO EXCEED \$25,000.00 PER YR EFF 3/1/09, ONE YR TERM W/ONE YR EXTENSION. - FINANCE COMMITTEE
26. SERVICE DIRECTOR BERNABEI: AUTHORIZE MAYOR &/OR SERV DIR TO MAKE APPL, EXECUTE GRANT AGMT, ACCEPT & DISTRIBUTE FUNDS FOR GRANT FROM INTERNATL CITY/CNTY MGMT ASSOC FOR JOB TRNG & CAREER DEV W/STARK CNTY DISTRICT LIBRARY. - FINANCE COMMITTEE
27. STARK COUNTY COMMISSIONERS: RESOLUTION APPROVING ANNEXATION OF THE CANTON AUTO ANNEXATION. - PLANNING COMMISSION
28. TREASURER SCHIRACK: DECEMBER 2008 DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED
29. TREASURER SCHIRACK: DECEMBER 2008 PARKING METER REVENUE. - RECEIVED & FILED
30. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 12/31/08. - RECEIVED & FILED
31. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 12/31/08. - RECEIVED & FILED

MINUTES OF THE MEETING OF JANUARY 12, 2009**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

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

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

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH HYLANT ADMINISTRATIVE SERVICES, LLC IN AN AMOUNT NOT TO EXCEED \$134,022.00 FOR GENERAL LIABILITY, AUTOMOBILE LIABILITY, PUBLIC OFFICIALS LIABILITY, LAW ENFORCEMENT LIABILITY, EMPLOYER'S LIABILITY AND EMPLOYEE BENEFITS LIABILITY INSURANCE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO LEASE AGREEMENTS WITH VARIOUS ENTITIES FOR THE PURPOSE OF UTILIZING CITY OWNED PARKING SPACE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTORS OF PUBLIC SERVICE AND SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR SUPPLY ITEMS, MATERIALS AND PROFESSIONAL SERVICES FOR THE CITY OF CANTON'S OPERATIONS DURING THE 2009 CALENDAR YEAR; AUTHORIZING ALTERNATIVELY THE PURCHASE OF SAID ITEMS PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT AND/OR ODOT PURCHASING AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #4. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 193/2008 BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH CT CONSULTANTS, INC. FOR A PLANNING STUDY FOR PHOSPHORUS REMOVAL AND MISCELLANEOUS IMPROVEMENTS AT THE WATER RECLAMATION FACILITY; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

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PRESIDENT SCHULMAN: We're now under Resolutions...or we're now on Ordinances for their second reading. Madame Clerk will you please read Ordinance 6 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #6 THROUGH #8 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#6. (2ND RDG) **ADOPTED AS ORDINANCE NO. 3/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH DIVERSITY MATTERS TO CONDUCT DIVERSITY TRAINING FOR THE POLICE AND FIRE DEPARTMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move the Statutory rules be suspended on Ordinance #6.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory rule for Ordinance #6. Are there any remarks? If not, 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 and the Statutory Rule for Ordinance #6 is suspended. Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #6.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #6. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#6 ADOPTED AS ORDINANCE NO. 3/2009

PRESIDENT SCHULMAN: The motion carries and the Ordinance is adopted. Ordinance #7 please Madame Clerk.

#7. (2ND RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS ESLICH ANNEXATION AREA CONTAINING APPROXIMATELY 7.590 ACRES;

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ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY'S ZONING SAID TERRITORY AS I-1 (LIGHT INDUSTRIAL); AND DECLARING THE SAME TO BE AN EMERGENCY

- #8. (2ND RDG) **ADOPTED AS ORDINANCE NO. 4/2009** AN ORDINANCE AUTHORIZING DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, & ENTER INTO CONTRACT FOR UTILITY RELOCATION AND SITE DEMOLITION FOR THE CANTON FEDERAL CENTER PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move the Statutory rules be suspended on Ordinance #8.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Statutory rules on Ordinance #8. Are there any remarks? If not, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: The motion carries. Statutory Rule for Ordinance #8 is suspended, Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #8.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #8. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#8 ADOPTED AS ORDINANCE NO. 4/2009

PRESIDENT SCHULMAN: Motion carries and Ordinance #8 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We're now under Ordinances for their third and final reading. Madame Clerk will you please read Ordinance 9 by title.

- #9. (3RD RDG) **ADOPTED AS ORDINANCE NO. 5/2009** AN ORDINANCE APPROVING AND ACCEPTING DEDICATION PLAT OF A PORTION OF CLEVELAND AVENUE S; APPROVING AND ACCEPTING THE REPLATTING OF PARTS OF OUT LOTS 488

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AND 489; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #9.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #9. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 5/2009

PRESIDENT SCHULMAN: Ordinance #9 is adopted. Ordinance #10 please.

#10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 6/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH WARREN FIRE EQUIPMENT, INC. IN AN AMOUNT NOT TO EXCEED \$90,686.71 FOR THE PURCHASE OF TURNOUT GEAR PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER CARBENIA: Seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 6/2009

PRESIDENT SCHULMAN: Thank you Madame Clerk, the motion carries, Ordinance #10 is adopted. Ordinance #11 please.

#11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 7/2009** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$7,445.64 TO NORTHSTAR ASPHALT, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY

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PRESIDENT SCHULMAN: Leader 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 under this Ordinance? If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 7/2009

PRESIDENT SCHULMAN: Motion carries and Ordinance #11 is adopted. Ordinance #12 please.

#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 8/2009** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE CENTRAL ALLIED ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER CARBENIA: Seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#12 ADOPTED AS ORDINANCE NO. 8/2009

PRESIDENT SCHULMAN: Thank you Madame Clerk, the motion carries and Ordinance #12 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: Finance Committee will meet Monday, January 26th at 6:45.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're under Public Speaks open forum and tonight we have two speakers. Our first speaker is Robert Dunn, II. Mr. Dunn if you'll give us your name and your address please.

ROBERT DUNN, II: Good evening, my name is Robert Landers Dunn II. My address is 835 North Main Street in Akron Ohio.

PRESIDENT SCHULMAN: Good evening again.

ROBERT DUNN, II: Good evening. First of all I'd like to acknowledge you as the Council President.

PRESIDENT SCHULMAN: Thank you.

ROBERT DUNN, II: I would also like to acknowledge the Mayor. I would like to acknowledge the Council Members as well as other distinguished Members. As I mentioned, my name is Robert Landers Dunn, II. My company is Landers Real Estate Acquisitions. What we do, we improve communities and enhance lives and we basically restore residential properties, we provide quality housing at affordable prices. The reason why I'm here tonight is because I want to recognize Councilman Thomas West. I met Councilman Thomas West late last summer and I was really impressed with him because of what he is trying to do in the City of Canton. I noticed that he was very enthusiastic, we share some of the same vision as far developing the community, making a difference downtown and so I wanted to be a part of this. I want to thank Councilman West for giving me the vision to bring my company up in Canton, as a result, I'm a member of the MBE and I want to make a difference in the City of Canton. So, I want to recognize him with this award. We give out an award on an annual basis for my company and I would like to read it, it's a plaque.

PRESIDENT SCHULMAN: Sure.

ROBERT DUNN, II: "Presented to Councilman Thomas E. West by Landers Real Estate Acquisitions for your leadership, guidance and support in the Ward 2 district and beyond." So, I'm very appreciative, I look forward to doing business in Canton but it's because of you, the reason why I'm here tonight. Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: As always, Member West, congratulations. Mr. Dunn, thank you very much and keep up the good work, we appreciate you being in the community.

ROBERT DUNN, II: Thank you so much, I appreciate it.

PRESIDENT SCHULMAN: Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: Our next speaker is Kristi Ackerman. Ms. Ackerman, if you'll step forward and give us your name and your residential address please. And good evening to you.

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KRISTI ACKERMAN: Hello my name is Kristi Ackerman, my address is 1637 Monter Ave and that's Louisville, 44641.

PRESIDENT SCHULMAN: Good evening.

KRISTI ACKERMAN: What brings me here this evening is, in October, I am currently a Manager for First Merit Bank. In October, it was brought to my attention that First Merit has been considering closing the downtown office. At that time, I was the Manager and still am the Manager at the office on 62, out by Eastbury, near WalMart. I stuck my neck out and basically said, "If you give me six months, I can turn branch around." They gave me one year. I have one year to turn the branch around or First Merit unfortunately is going to have to close their doors downtown. First Merit is doing very well financially, they are a very stable company but we are not getting the flow of customers like we would like to see down there. Since I took over the branch in November, we have seen a significant amount of changes, I've extended the hours back to out to 9:00 in the morning instead of 10:00, I am currently working on trying to get them extended in the afternoon as well. We have done numerous things, got the carpet cleaned, cleaned the windows, got the heat working, things like that. We currently lease from the County, the City and the County both do bank with us. Basically, I'm just here, we need your help, we need some traffic flow, we need some customers. We need some new business. You know, I can't fight this alone. Basically, there is a tremendous amount of potential. My branch already hit their checking account goal by the 9th of this month, which has never happened at that branch. So there is a tremendous amount of potential. I have a wonderful staff that is working very hard. So, I'm asking the City to please, if you can, help me as much as you can get some traffic flow. Whatever you can do, basically to help us to make sure that we can continue to keep that branch open in our downtown location. We're working very hard to make Canton's downtown a little bit better and I really hate to see us leave this area. We are currently going to be having an open house on the 21st from 10:00 to 3:00 at the location. I'm asking as many Council People, the Mayor, whoever can, to show up. You know, show your support if you obviously can, just to show First Merit that this branch's location is worth keeping there.

PRESIDENT SCHULMAN: How much more time do you have left? You said a year.

KRISTI ACKERMAN: I started there in November, so I have until November 2009.

PRESIDENT SCHULMAN: Okay, well you're doing an outstanding job. We really appreciate it. Thank you very much.

KRISTI ACKERMAN: Thank you.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: I invited her down here this evening and part of the reason of making the pitch is, because I know more.....a lot of people have gone to online banking, a lot of people have gone to direct deposit. But the last thing we need is another empty building in downtown Canton. And we certainly don't need that the bank that the City of Canton does business with or the bank that the County does business with to close up in downtown Canton. And I would encourage all Councilmembers to please attend the open house and show your support for the bank that we do business with. Thank you.

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PRESIDENT SCHULMAN: Thank you Member Smuckler. Member West.

MEMBER WEST: Mr. President, would a Resolution from Council help?

KRISTI ACKERMAN: Anything, I'll take anything, anything will help, I mean, I just need....I need help. I just need new business, I need to show...I need the support from the City and from the County. Mr. Schirack has made it very clear that he's behind me 100%. I've got a lot of different people that have really been supporting me. People coming in to do transactions from 9:00 to 10:00 to prove that we need to be open for that extra hour. Just as much support as I can get, it would be appreciated.

PRESIDENT SCHULMAN: If you could stay around after the meeting, maybe you could give us some concrete ideas as to what you would like us to do and I'm sure we'll all pitch in and do it. Thank you very much.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Dougherty.

MEMBER DOUGHERTY: What's the time and date of that open house?

KRISTI ACKERMAN: From 10:00 to 3:00 on January 21st. I'm trying to get different members of different departments of First Merit to be there as well to see that there is a lot of support for that branch. You know, I said, as a whole, First Merit is doing very well. We're doing extremely well, we're showing profits, it's just this particular location, I really believe there is a need for it but I need the support from the City to keep it there.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, go ahead.

MEMBER DOUGHERTY: I have an account there and I'm excited about you opening earlier.

KRISTI ACKERMAN: I'm trying to get us open until 4:00, so.

PRESIDENT SCHULMAN: Great, well we really appreciate your hard work and wish you the best. And if you'll stick around and give us some ideas, we'll be listening.

KRISTI ACKERMANN: Thank you.

PRESIDENT SCHULMAN: Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: I do bank at First Merit, in fact I'm a shareholder in First Merit. And Service Director Bernabei said that if you could give us the combination of the safe, that might be a way to get people downtown. But he's a funny little man. Okay, that concludes Public Speaks.

MISCELLANEOUS BUSINESS

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PRESIDENT SCHULMAN: We are now under Miscellaneous Business. Is there any? Member West.

MEMBER WEST: Mr. President, I want to thank Landers for this award. I was a little chocked up by it. But I wanted also to say Corey Minor Smith and Carmen West really initiated it all because they were seeking out minority businesses in the City of Canton. We didn't have too many and luckily we connected and the next thing you know, we started pointing some jobs out and he does some great work. So, I appreciate this and accept it. I'm not too used to getting a pat on the back, it's usually the...you know, you get the problems and the concerns. But I thank you for this. But also I think Corey Minor Smith and Carmen definitely deserves the credit in terms of bringing more minority businesses to the City of Canton and Stark County of a whole. Thanks.

PRESIDENT SCHULMAN: Thank you Member West. And congratulations again. Any other remarks?

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I'd like to ask Jim Adams a question or two if I may please.

PRESIDENT SCHULMAN: Sure.

MEMBER CASAR: Mr. Adams, I've had quite a few calls and I live near the parks and I travel the City and I travel a lot of Cities in the State of Ohio and other States. And my main concern are the geese. I think it's time that the City of Canton, if they have not already, take the leadership and do something about the over abundance of the sheep that we have in this Country. I went by Cooks Park last....I think I was going to talk to you last week, you know with the ball game, I had to get out of here. But I went by Cooks the other day and there had to be about 150 geese there. On my way, I went by Stadium, the same thing. I think it's time, it's not only a nuisance around our parks, but I think it's getting to be a health hazard. I have 4 year old grandson, and we were down at the Parks on Thanksgiving Day and they were playing down there...football, or whatever and of course when they came home, they took their shoes and everything off and you scrub them and throw the kids right into the bathtub. And my grandson has been sick, and I'm not saying this is the cause of it but he's been in the hospital for, and they don't know what the problem is yet, they don't know if it's a virus, they don't know if it's a parasite, they don't know what it is. And I'm not saying it's from the geese, I'm saying that we have to take the initiative, we have to do something. And I'm wondering, in your capacity if you go to any seminars or anything if this has been taken up because it is getting to be a health hazard. We have some of the finest parks in the City of Canton and we cannot really utilize them because the geese have taken over and it is getting to be a health hazard. And I was wondering, and I appreciate you being here every week, Mr. Adams because this has been something that I wanted to bring up and I thought that maybe the City of Canton could take some initiative on this. Do you have any insight that you might be able to pass on to myself and this Council?

HEALTH COMMISSIONER JIM ADAMS: Sure, Mr. President and Member Casar, thanks for the comment and the opportunity to comment on it, but non-migratory geese are a problem in communities, I think we've all experienced trying to walk on walking paths and parks and other areas that we enjoy and we see the goose populations increasing over a period of time. There are things that can be done to try to reduce those populations. As we know, geese are a protected species, so lethal methods of control are very, very limited on what we can do. But there are many non-lethal methods that can be used to help control those. There are some potential health hazards for high populations of geese in urban areas. They fairly easily transmit salmonella. There's some

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parasites on birds that can be transmitted from birds to people and there is a concern of course of pandemic flu as migratory birds being a conduit of H5N1 virus being transmitted from long distances through migratory birds. So that...that is a potential reservoir for that virus too, which is a concern to us. Most communities that look at this, look at it on a very...on a community wide plan, so it can't be really be just one department looking at it, it really needs to be the Park Department, might be Public Safety a little bit, the Health Department trying to characterize the size of the problem and formulating a community plan on what's appropriate for the community to deal with that problem. So, yes it is a good comment. It is something that we could work on and, you know, I'm open to suggestions on where in the Administration it might be appropriate to start the process of at least looking at a control plan. I don't know of a comprehensive control plan in the community at this time. I know the Park System has rules in place to prohibit feeding and those kinds of things. I know they have some signs put up, I don't, you know, I don't know right now if there can be more done than that.

MEMBER CASAR: Mr. Adams, that's my point, I think in your capacity, I would like to see you take the leadership and tackle this as a...not the City of Canton, or not the State of Ohio, but a Nationwide epidemic, in my opinion, that we have. And I would think that the City of Canton should....would be a good place to start. And your meetings you go to, your seminars, or whatever, I think that we should look at this as a health issue and it is a health issue. Like I said, about my grandson, he was in the hospital for two weeks and he's...they still haven't determined what it is and I'm not...I...I just think we have to do something. If we want to utilize our parks and make our parks where people, where parks are for people, than we have to eliminate the geese or to cut them down to a fraction of what they are. Because every pair has six or seven every year and it doesn't take long to see why there are so many. And it's something we ought to do and I feel very sincere about that. Thank you.

HEALTH COMMISSIONER JIM ADAMS: I appreciate the comment and we'll see what we can do. I'd also, if I could, Mr. President to take the chance to thank City Council for the use of their Chambers this afternoon. We sponsored, at the suggestion of the Mayor, a Clinic for flu vaccinations for City employees and we had 26 individuals come down and we appreciated that. We appreciate the use of your facilities for that. Thank you very much.

PRESIDENT SCHULMAN: Thank you Director, very much. Any other Miscellaneous Business? Member Casar.

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

MEMBER CARBENIA: Seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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

ADJOURNMENT TIME: 8:06 P.M.

ATTEST:

APPROVED:

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CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT