

MINUTES OF THE MEETING OF FEBRUARY 2, 2009

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. You'll have to forgive me for two things, one, I'm a little underdressed tonight but I just flew in and the plane was late so I didn't have a chance to change and I know that Rick Seneften was criticizing me for my attire, just as long as his wife doesn't criticize me on air. And secondly, I went to the inauguration and got real sick, so if I cough, I apologize. I'm not trying to be disrespectful of anyone but 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:

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

ELEVEN MEMBERS PRESENT, ONE ABSENT (DON CASAR)

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

PRESIDENT SCHULMAN: Thank you very much Madame Clerk. Tonight our invocation will be given by Council Member Terry Prater. Will you all remain standing for the pledge of allegiance please.

The regular meeting of Canton City Council was held on Monday, February 2, 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 Terry Prater, the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you Member Prater, those are very choice words. We're now under agenda corrections and changes and Members of Council, you're going to be asked to suspend Rule 22A to add the second reading of Ordinances 8, 9, 12, 13 and 14. 10 and 11 will be retained in Committee, Member Carbenia, the Chair will recognize that motion.

MEMBER CARBENIA: Mr. President, I move Rule 22A be suspended to add second reading Ordinances 8, 9, 12 and 13 and 14. And leaving 10 and 11 in Committee. I'm sorry

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: Thank you, that's fine. It's been moved and seconded therefore to suspend Rule 22A to add second reading Ordinances 8, 9, 12, 13 and 14 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 therefore suspended and the Ordinances are a legal part of your agenda. 10 and 11 being retained in Committee.

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PRESIDENT SCHULMAN: We're now under Public Hearings. And there are no Public Hearings this evening.

PUBLIC SPEAKS

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

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We are now under Informal Resolution. Member Carbenia, I'll recognize a motion to excuse Member Casar who just underwent surgery and I know certainly wishes he was here for tonight's meeting.

MEMBER CARBENIA: Mr. President. I move we excuse Majority Leader Don Casar from this evening's meeting.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse our Leader, Don Casar from this evening's meeting. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President

PRESIDENT SCHULMAN: Thank you, Madame Clerk, the motion carries and Member Casar is excused from this evening's meeting. We continue on with Informal Resolutions. Madame Clerk, will you please read Resolution 11.

#11. PERSONNEL COMMITTEE: REQ RE-APPT OF TERRY W. THOMAS TO ARCHITECTURAL REVIEW BOARD FROM 1/1/09 - 12/31/12. - ADOPTED

PRESIDENT SCHULMAN: Member Carbenia.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded to adopt Resolution #11. Are there any remarks under this Resolution? If not by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #11 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it and the Resolution carries. Resolution #12 please.

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- #12. SMUCKLER, B, CNL-AT-LRG: REQ TEMPORARY USAGE OF COUNCIL CAUCUS OR CHAMBER. - ADOPTED

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Mr. President, I move we adopt Resolution #12.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded to adopt Resolution 12. Are there any remarks under this particular Resolution? If not by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #12 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The Resolution is carries.

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 FEBRUARY 2, 2009.

51. AUDITOR MALLONN (CITY): CERT OF TOTAL AMT FROM ALL SOURCES. - RECEIVED & FILED
52. CANTON JOINT REC DISTRICT: 2008 ANNUAL REPORT. - RECEIVED & FILED
53. CHIEF MCKIMM: 2008 ANNUAL TRUST FUND REPORT. - RECEIVED & FILED
54. CLERK OF COUNCIL TIMBERLAKE: REQ REPLENISHMENT OF PETTY CASH FOR COUNCIL OFFICE. - FINANCE COMMITTEE
55. FINANCE CHAIRMAN HAWK: REQ 2009 OPERATING BUDGET BY 3/9/09. - RECEIVED & FILED
56. LAW DIRECTOR MARTUCCIO: REQ APPROVAL OF IRWIN PROP EASEMENT REAPPRAISED FAIR MKT VALUES OF \$5200.00 FOR PERPETUAL EASEMENT & \$300.00 FOR TEMP CONSTRUCTION EASEMENT; AUTHORIZE SERV DIR TO NEGOTIATE & PURCHASE PROPOSED PERPETUAL & TEMP EASEMENTS FROM OWNER IN AMT NOT TO EXCEED ESTABLISHED FAIR MKT VALUES; OR IN THE ALTERNATIVE, AUTHORIZE TO PREPARE NECESSARY SUBSEQUENT LEGISLATION. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
57. LIQUOR CONTROL DIV (OHIO): REQ TRANSFER D5 D6 LIQ PERMIT FROM PLW 2006 LLC TO

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- MIMI HMEIDAN DBA HOB NOB TAVERN @ 1604 HARRISBURG RD NE 1ST FL. - RECEIVED & FILED
58. LIQUOR CONTROL DIV (OHIO): NEW PERMIT HEARING FOR CLUB 330 LLC @ 1775 CLEVELAND AVE SW ON 2/25/09. - RECEIVED & FILED
59. MAYOR WILLIAM HEALY: AUTHORIZE MAYOR TO PAY MORAL OB TO COREY MINOR-SMITH FOR MILEAGE EXP IN THE AMT OF \$82.49. - FINANCE COMMITTEE
60. SAFETY DIRECTOR NESBITT: SCATS DETERMINE WHICH 2008 FED TRANSPORTATION GRANT APPS WILL BE FUNDED FOR TOTAL OF \$12,116,919.00 FOR RECONSTRUCTION & STREETScape PROJ. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
61. RAYNER SR., EDWARD H., APPLICANT: REQ ZONE CHG @ 1372 MARKET AVE S FROM B-3 TO PB-4. - PLANNING COMMISSION
62. SLIMAN, SAM AGENT FOR PETITIONER: ANNEXATION PETITION DOCUMENTS FOR AREA TO BE KNOWN AS "THE CENTRAL ALLIED ANNEXATION AREA". - RECEIVED & FILED
63. STREAMO, J., APPLICANT: REQ ALLEY VACATION BETWEEN LOTS 36960 - 36962 ON WEST & 36959 ON EAST ON 31ST ST NW (DUMONT'S SEED CO). - PLANNING COMMISSION
64. STREAMO, J., APPLICANT: REQ ALLEY VACATION BETWEEN LOTS 36957 & 36954 ON NORTH & 36948 ON SOUTH ON FRAZER AVE NW (DUMONT'S SEED CO). - PLANNING COMMISSION

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, would you'll please read the first reading Ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #7 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

- #1. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 174/2008; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development & Judiciary Committees
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$85.00 TO CLEVELAND SECTION OPC; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

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- #3. (1ST RDG) AN ORDINANCE RATIFYING A PROFESSIONAL SERVICES CONTRACT WITH HOLLAND & KNIGHT; AUTHORIZING ANY AMOUNT BILLED IN EXCESS OF \$15,000.00 BE PAID AS A MORAL OBLIGATION; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #4. (1ST RDG) AN ORDINANCE AMENDING SECTION 515.05, FAIR HOUSING COMMISSION, OF CODIFIED ORDINANCES OF THE CITY OF CANTON;
Referred to Personnel & Judiciary Committees
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO MAKE APPLICATION, EXECUTE GRANT AGREEMENTS AND ACCEPT FUNDS FOR VARIOUS GRANT PROGRAMS FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #6. (1ST RDG) **ADOPTED AS ORDINANCE NO. 10/2009** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE R M INVESTMENTS/METRO RTA RAILROAD 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
Referred to Annexation Committee

PRESIDENT SCHULMAN: At this time, the Chair would declare an in house recess for the Annexation Committee to meet in regard to Ordinance 6 on your agenda this evening, we are now in recess.

(COUNCIL RECESSED @ 7:48 PM FOR ANNEXATION COMMITTEE TO DISCUSS THE ADOPTION OF ORDINANCE #6; RECONVENED @ 7:49 PM)

PRESIDENT SCHULMAN: Thank you, Member Smuckler, Council is reconvening after the recess. Member Carbenia.

MEMBER CARBENIA: Mr. President, I move we Rule 22A be suspended to add first reading Ordinance #6 back to the agenda for this evening's agenda.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: Thank you, It's been moved and seconded to suspend Rule 22A to place Ordinance #6 back on 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.

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PRESIDENT SCHULMAN: The motion carries and Ordinance #6 is therefore, placed back on this evening's agenda. Ordinance #6 is therefore a legal part of your agenda. Member Carbenia.

MEMBER CARBENIA: Mr. President, I move that we suspend the Statutory rules on Ordinance #6.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Statutory rules on 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: Thank you Madame Clerk, the Statutory rules have been suspended. Member Carbenia, you've heard the three readings.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #6. Are there any remarks on this Ordinance? 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. 10/2009

PRESIDENT SCHULMAN: Ordinance #6 has been adopted. Ordinance #7 please.

#7. (1ST RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE DIANO ANNEXATION AREA CONTAINING APPROXIMATELY 51.228 ACRES; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS I-1 (LIGHT INDUSTRIAL); AND DECLARING THE SAME TO BE AN EMERGENCY

PUB HRG: 2/23/09 @ 7:30 P.M.

Referred to the Annexation Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances for their second reading. Madame Clerk will you please read Ordinance 8 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #8, #9, #12, #13, AND #14 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ORDINANCES #10 AND #11 ARE RETAINED IN COMMITTEE

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- #8. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 193/2008 BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #9. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH TRINITY GOSPEL TEMPLE TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$50,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
- #10. (2ND RDG) ***RETAINED IN COMMITTEE*** 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 (LAW DEPT)
- #11. (2ND RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH TAYLOR CHEVROLET FOR THE PURCHASE OF 12 IMPALA SEDANS FOR THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$292,692.00 AND TO PURCHASE ADDITIONAL SAFETY ACCESSORIES AND/OR EQUIPMENT FOR THESE VEHICLES IN AN AMOUNT NOT TO EXCEED \$58,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LEASE AGREEMENT WITH THE GREATER CANTON AMATEUR SPORTS HALL OF FAME ASSOCIATION FOR THE LEASE OF PROPERTY LOCATED AT 1414 MARKET AVENUE NORTH; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON JOINT RECREATIONAL DISTRICT FOR FIELD MAINTENANCE AT THURMAN MUNSON MEMORIAL STADIUM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO MAKE APPLICATION FOR, EXECUTE THE GRANT AGREEMENT, AND ACCEPT AND DISTRIBUTE FUNDS FOR A GRANT FROM THE INTERNATIONAL CITY/COUNTY MANAGEMENT ASSOCIATION; 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 will you please read Ordinance #8 by title, I'm sorry, Ordinance #15 by title.

- #15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 11/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH HYLANT ADMINISTRATIVE SERVICES, LLC IN AN AMOUNT NOT TO EXCEED

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\$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

PRESIDENT SCHULMAN: Member Carbenia.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #15. 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.

#15 ADOPTED AS ORDINANCE NO. 11/2009

PRESIDENT SCHULMAN: Ordinance #15 is adopted. Ordinance #16 please.

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 12/2009** 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

PRESIDENT SCHULMAN: Member Carbenia.

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

MEMBER CIRELLI: Seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 12/2009

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

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 13/2009** 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

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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

PRESIDENT SCHULMAN: Member Carbenia.

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

MEMBER CIRELLI: Seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 13/2009

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

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 14/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICE 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

PRESIDENT SCHULMAN: Member Carbenia.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #18. 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.

#18 ADOPTED AS ORDINANCE NO. 14/2009

PRESIDENT SCHULMAN: Ordinance #18 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

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MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you sir. Finance Committee will meet Monday, September, or excuse me, Monday, February 9th at 6:15.

PRESIDENT SCHULMAN: Thank you.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Annexation will meet same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER CARBENIA: Mr. President.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Community and Economic Development will meet same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel, same time, same place.

PRESIDENT SCHULMAN: Thank you. That's it.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're under Public Speaks and we have no speakers signed up this evening. Which is very unusual.

MISCELLANEOUS BUSINESS

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

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

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MEMBER DOUGHERTY: Yes, over the weekend I talked to the Safety Director about an issue with the fire hydrants throughout the City. When we have these bad snow storms, a lot of them get covered up and could cause, as you well know Joe, problem when you arrive on the scene and have to remove the snow from the fire hydrant before you could use it. Valuable time wasted. Now there's probably, I don't know how many fire hydrants are in the City but there's thousands of them. So, I talked to the Safety Director, I got a list of, over in my area, the locations of them and I'm sure that list can be produced. But I was just thinking over the weekend that we have a tremendous amount of wonderful neighborhood groups in our City and the neighborhood groups are always looking for projects to do and during January and February I don't know how many projects are going on with the neighborhood groups but maybe we could, if all of you Members know your groups, I know you're all in touch with them, maybe give them a call and see if there's, you know over the weekend or something, if we could get some volunteers to go out and kinda take a look at this and clear out these areas and maybe free up some of the snow and ice away from the fire hydrants so that, you know, we have a great Fire Department and they go out and do this from time to time. But they don't have the manpower to do it all the time. We all take care of our neighborhood, maybe make it a little safe. They're very busy and time is of the essence when they go out on these calls. And I appreciate any help with that and hopefully we can make a difference there.

PRESIDENT SCHULMAN: Thank you Member Dougherty.

MEMBER SMITH: Mr. President.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: Mr. President, I also would like to commend the Street Department, I didn't have any calls during the bad weather. I do have a concern that I addressed to the Safety Director about the Cherry Avenue Bridge. For some reason, it never gets plowed, residents are walking in the street to get across the bridge and I would like to see to it that some type of safety measure be taken to prevent any serious incidents.

PRESIDENT SCHULMAN: Thank you Member Smith. Member West.

MEMBER WEST: Also along that line, I guess Chris was talking about the sidewalks, downtown when it gets real bad the snow gets plowed and it gets plowed onto the sidewalk and I called Teri this week and asked her about how do we remove that. And more specifically around those meters, parking meters, they get piled up so thick, so heavy, so people can't actually get their coins in and some of them were frozen this week. So I don't know how we're handling that. If we're removing that snow or we're just leaving that up to the owners, in terms of responsibility, could you reply to that? I don't know who would, Service, Mayor, somebody.

SERVICE DIRECTOR PRICE: Yeah, Councilman West, I talked with our Street Superintendent, Kevin Monroe about that issue and in the downtown area, our Street Department is attempting to remove snow from the sidewalks and from around those meters. And I had personally called him about it and I can't recall which day but it was a day or two after the storm and he said as of Friday, they were still working alleys and you know, but had just started on the sidewalks and around the meters and so I'll certainly follow up with him to see where we're at with that or maybe you can, you know, you're welcome to contact me if you have specific areas of concern. I drove around and I saw some improvement but I think we've got some areas that they're still snow covered. But we are working on it.

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MEMBER KRAUS: Mr. President.

MEMBER WEST: My only (*inaudible*) was, I think some of the restaurant owners felt a little slighted because they called to try to get some assistance and then they felt that they were told that they were responsible and they did do the work but then they got it plowed right back up there and it was like ice and thick stuff so that they couldn't shovel it themselves and had to come in with a front end loader or something to remove it.

PRESIDENT SCHULMAN: Thank you Member West.

MEMBER KRAUS: Mr. President.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: Tom, I'm going to just help you out with this a little bit. Actually that's about a six man crew, usually done on midnights, there is no more midnight shift plus the Street Department is down a lot of men. They used to do that on midnights because I used to run that crew, come in around them and do it. You could only do it between eleven at night and six in the morning. Problem is, without the man power, you push it out on the street, the Street Department has got to come by and plow, they're gonna put it back up. We got this crazy law in this town about curbs belonging to the property owner. If it's going to belong to the property owner for snow or maintenance, you know, you gotta either look at changing that Ordinance on curbing. Because, you know, if you..on midnights we used to be able to do that because we had a twelve man crew but when it started snowing, you had to stop doing that. But it's going to be virtually impossible for them to do that on afternoons because people are still parked downtown. But I mean, if Warren is going to keep in contact with Kevin, he'll explain all that to them.

PRESIDENT SCHULMAN: Thank you Member Kraus. Member Carbenia.

MEMBER CARBENIA: Mr. President, one thing before I ask for adjournment, I want to make sure everybody knows that today is Groundhog Day, the groundhog seen his shadow. And also, I had to put up with my wife for 46 years as of today.

(*APPLAUSE*)

MEMBER CARBENIA: Of course, she had to put up with me. But I don't know which is worse. Otherwise, I move we adjourn.

PRESIDENT SCHULMAN: Well, let's hold on because there's going to be some comments made here Member Carbenia.

MEMBER CARBENIA: I should not have said it.

PRESIDENT SCHULMAN: The question I have is, did you say you had your shadow or didn't see your shadow this morning?

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(LAUGHTER)

PRESIDENT SCHULMAN: Member Hawk.

MEMBER CARBENIA: Didn't you stay on the plane?

(LAUGHTER)

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Well, I have a lot of sympathy for Mrs. Carbenia and she is the one who should sainthood out of this whole process.

PRESIDENT SCHULMAN: Let me just say before we...Member Carbenia moves for adjournment, I want to welcome Warren Price, our new Service Director, I know that you have, and you know, you have big shoes to fill and we wish you the very best of success in your new undertaking. We welcome you here, I know I speak for all of us that we are willing to work with you to do anything that is required of us to make sure that we move this City forward in a positive way for the Members of our community. So welcome and congratulations.

(APPLAUSE)

SERVICE DIRECTOR PRICE: Mr. President, if I may.

PRESIDENT SCHULMAN: Yes.

SERVICE DIRECTOR PRICE: I'd like to thank you for the warm welcome and I also want to take the opportunity to thank our Canton City family of employees and the Department Heads for their warm welcome. Between the snow storm and, you know, the challenges that we all face here in Canton. You know, it was the first week with a lot of challenges. But, you know, we...I think we met those head on. I'll tell you what, we've got the best resource here in Canton, is our people. We've got...we've got some great people working for the City, I'm sure you all know that, I found that out this week and I couldn't be happier than to be sitting right here. So, but I appreciate the welcome Mr. President. And I look forward to meeting with Members of Council personally and again hearing your concerns and working with you as well. So thank you very much.

PRESIDENT SCHULMAN: And let me just say one other thing if I might, Member Carbenia before we move to adjourn, when I left for the Inauguration, I certainly didn't expect all the turmoil that occurred in my absence. But I know this Administration and I know the Mayor and I know particularly, you Members of Council and I want to assure the public that is out in the audience and otherwise in our community that we will work together, I promise you that. This..this time that we're living in is so fought with peril, we have not seen an economy like this since the great depression. We cannot afford to be at odds. We cannot afford to dissension. We cannot afford not pulling together on behalf of this community and I know these Members of Council and I'm telling you that they will work with this Administration and we will try to carry this City through the storm that we're going...that we're in and I can tell you this storm is going to worsen. We are in troubling times and this Council will be there for this community as I know the Mayor and his Administration will too. So with that, Member Carbenia.

MINUTES OF THE MEETING OF FEBRUARY 2, 2009

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Meeting is adjourned. Thank you and congratulations Joe. (*Gavel falls*)

ADJOURNMENT TIME: 8:07 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT