

**MINUTES OF THE MEETING OF FEBRUARY 12, 2009**

PRESIDENT SCHULMAN: Welcome to the special meeting of Canton City Council. 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:*

8 COUNCILMEMBERS PRESENT: (JOE CARBENIA, BILL SMUCKLER, GREG HAWK, THOMAS WEST, CHRIS SMITH, DAVID DOUGHERTY, PATRICK BARTON, & KARL "BUTCH" KRAUS)

EIGHT MEMBERS PRESENT, FOUR ABSENT (DON CASAR, MARY CIRELLI, JAMES GRIFFIN AND TERRY PRATER)

CLERK TIMBERLAKE: Eight present, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. We'll have the invocation given by Ward 7 Council Member Patrick Barton. If you'll all remain standing for the pledge of allegiance thereafter.

*The special meeting of Canton City Council was held on Monday, February 12, 2009 at 5:00 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 Patrick Barton, the Pledge of Allegiance led by President Schulman.*

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: Now according to my agenda, we're 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 Resolutions and Member Carbenia, as Assistant Majority Leader, I will recognize a Motion to excuse Members Casar, Griffin and Prater from this evening's meeting.

MEMBER CARBENIA: Mr. President. I move we excuse Members Casar, Griffin, Prater and Cirelli from tonight's meeting.

MEMBER SMUCKLER: Seconded.

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

NO REMARKS

ROLL CALL: 8 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eight yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk and the Motion carries and Members Casar, Griffin, Prater and Cirelli are excused from this evening's meeting, although for the record, it's our understanding that Member Cirelli is on her from Alliance and maybe here in time for the Annexation issue.

**MINUTES OF THE MEETING OF FEBRUARY 12, 2009****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 12, 2009.***

77. ANNEXATION DIRECTOR SLIMAN: REQ SPECIAL MTG FOR CONSENT OF R M INVESTMENTS/METRO RTA ANNEXATION. - ANNEXATION COMMITTEE

**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 Ordinance by title.

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

#1. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 22/2009** AN ORDINANCE CONSENTING TO THE ANNEXATION OF THE RM INVESTMENTS/METRO RTA ANNEXATION AREA; 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 #1 on your agenda this evening, we are now in recess.

*(COUNCIL RECESSED @ 5:14 PM FOR ANNEXATION COMMITTEE TO DISCUSS THE ADOPTION OF ORDINANCE #1; RECONVENED @ 5:17 PM)*

PRESIDENT SCHULMAN: Council is now therefore reconvening after the recess. Member Carbenia.

MEMBER CARBENIA: Mr. President, I move Rule 22A be suspended and add #1 Ordinance back to the...tonight's agenda.

MEMBER SMUCKLER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance 1 back on this evening's agenda. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 8 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eight yeas, Mr. President.

**MINUTES OF THE MEETING OF FEBRUARY 12, 2009**

PRESIDENT SCHULMAN: The motion carries. Ordinance 1 is therefore, a legal part of your agenda. Member Carbenia.

MEMBER CARBENIA: Mr. President, I move we suspend the Statutory rules on Ordinance #1.

MEMBER SMUCKLER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory rules on Ordinance #1. Are there any remarks? If not, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL: 8 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eight yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk, the Motion carries. Member Carbenia, you've heard the three readings.

MEMBER CARBENIA: Yes, Mr. President, I move we adopt Ordinance #1.

MEMBER SMUCKLER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #1. Are there any remarks on this Ordinance? If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 8 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eight yeas, Mr. President.

PRESIDENT SCHULMAN: Ordinance #1 is unanimously adopted.

**#1 ADOPTED AS ORDINANCE NO. 22/2009**

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: We're now under Miscellaneous Business. Is there any Miscellaneous Business? If not, the Chair will recognize a Motion to adjourn.

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

MEMBER SMUCKLER: Seconded.

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

NO REMARKS

ROLL CALL: 8 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eight yeas, Mr. President.

**MINUTES OF THE MEETING OF FEBRUARY 12, 2009**

PRESIDENT SCHULMAN: Meeting is adjourned, thank you everybody. (*Gavel falls*)

ADJOURNMENT TIME: 5:19 PM

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

ALLEN SCHULMAN  
PRESIDENT