

MINUTES OF THE MEETING OF MARCH 30, 2009

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. With a quorum being present, the chair calls the meeting of Canton City Council to order. Roll call please, Madame Clerk..

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

ELEVEN COUNCIL MEMBERS PRESENT, ONE ABSENT (JOE CARBENIA)

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

PRESIDENT SCHULMAN: Thank you Madame Clerk, and tonight we are going to have our invocation given by Ward 2 Council Member Thomas West. If you'll all stand and please remain standing for the pledge of allegiance..

The regular meeting of Canton City Council was held on Monday, March 30, 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 Thomas West, the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN : Thank you Member West. 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 5 through and including 14. Leader Casar the Chair will recognize that motion.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ordinances 5 to and including 14 to this evening's agenda.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to second reading Ordinances 5 through and including 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.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: Thank you, Madame Clerk, Rule 22A is suspended and the Ordinances are a legal part of your agenda. We are now under Public Hearings. We have no Public Hearings this evening.

MINUTES OF THE MEETING OF MARCH 30, 2009**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 Resolutions and Member Casar I will recognize a motion to excuse Member Carbenia who I know is sick tonight and wishes he was here..

MEMBER CASAR: Mr. President. I move we excuse Member Carbenia 9th Ward Council from this evening's meeting.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Carbenia 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 Carbenia is excused from this evening's meetings. We are now under Informal Resolutions. Would you please read Resolution 23 by title.

#23. HAWK, G. WARD 1 CNCLMN: SUPPORTING THE STARK COUNTY COURT OF COMMON PLEAS RE-ENTRY PROGRAM. - ADOPTED

PRESIDENT SCHULMAN: Leader Casar

MEMBER CASAR: Mr. President, I move we adopt Resolution #23.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution #23. Are there any remarks? If not, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #23 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The Resolution and the motion carries. Resolution #24, please.

#24. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF JOHN P. NADER TO HOUSING ADVISORY BOARD EXPIRING TWO YEARS AFTER AUTHORIZATION. - ADOPTED

MINUTES OF THE MEETING OF MARCH 30, 2009

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President. I move we suspend, we adopt Resolution #24.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: Its' been moved and seconded that you adopt Resolution 24. Are there any remarks? If not, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #24 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion and the Resolution carries. We are now under Resolution 25 through 31.

MEMBER CASAR: Are you going to read by title or anything? Mr. President I move we adopt Resolutions #25 and through 31.

PRESIDENT SCHULMAN: Thank you and thank you Mr. Smuckler. Any remarks? If not by voice vote, all those in favor signify by saying yea, those opposed no.

(2009 CANTON JEWISH COMMUNITY CENTER AWARDS - RESOLUTIONS NOT READ ALOUD)

#25. SMUCKLER, W., CNCL-AT-LARGE: COMMENDING MATT REAVEN FOR RECEIVING 2009 GARY D. SHIFMAN AWARD. - ADOPTED

#26. SMUCKLER, W., CNCL-AT-LARGE: COMMENDING JEFF ROSENGARD FOR RECEIVING 2009 SANFORD-JACOB FURMAN AWARD. - ADOPTED

#27. SMUCKLER, W., CNCL-AT-LARGE: COMMENDING JEAN BERRY FOR RECEIVING 2009 SANFORD- JACOB FURMAN AWARD. - ADOPTED

#28. SMUCKLER, W., CNCL-AT-LARGE: COMMENDING LINDA POOLE FOR RECEIVING 2009 DR. H.L. GINSBURG VOLUNTEER AWARD. - ADOPTED

#29. SMUCKLER, W., CNCL-AT-LARGE: COMMENDING MARTY ORTMAN FOR RECEIVING 2009 DR. H.L. GINSBURG VOLUNTEER AWARD. - ADOPTED

#30. SMUCKLER, W., CNCL-AT-LARGE: COMMENDING GABRIELLE WEISER ZOLDAN FOR RECEIVING 2009 HOWARD FREEDMAN AWARD. - ADOPTED

#31. SMUCKLER, W., CNCL-AT-LARGE: COMMENDING MEREDITH SMUCKLER FOR RECEIVING 2009 HOWARD FREEDMAN AWARD. - ADOPTED

NO REMARKS

RESOLUTIONS #25 THROUGH 31 PASSED UNANIMOUSLY BY VOICE VOTE

MINUTES OF THE MEETING OF MARCH 30, 2009

PRESIDENT SCHULMAN: The motion carries. Resolutions 25 through 31 are adopted.

COMMUNICATIONS

PRESIDENT SCHULMAN: We're are now under Communications. Let the journal show that all communications are received and 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 MARCH 30, 2009.

153. COMPLIANCE DIRECTOR MINOR SMITH: ADVISING OF CDBG WEEK 4/13 - 4/18; INVITING TO SPEAK @ OPENING CEREMONY ON 4/13/09 @ 11:00 AM IN COUNCIL CHAMBER; PROVIDING SCHEDULED EVENTS. - RECEIVED & FILED
154. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR AND/OR SERV DIR TO SUBMIT PROPOSAL & ENTER INTO CONTRACT W/WORKFORCE INITIATIVE ASSOC TO PROVIDE FUNDING FOR YOUTH WORKFORCE DEV SVCS FOR SUMMER EMPLOYMENT PROG. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
155. LIQUOR CONTROL DIVISION (OHIO): ADVISING THAT HRG RE: LIQ PERMIT FOR MARK & FRANCES MILLS DBA MARK'S TAVERN @ 1652 BRYAN AVENUE, SW, 1ST FLOOR, FRONT SCHEDULED FOR 3/23/09 HAS BEEN CONTINUED. - RECEIVED & FILED
156. LIQUOR CONTROL DIVISION (OHIO): ADVISING THAT HRG RE: LIQ PERMIT FOR MARK & FRANCES MILLS DBA FRIENDLY KORNER TAVERN @ 1503 HARRISON AVENUE, SW, 1ST FLOOR SCHEDULED FOR 3/23/09 HAS BEEN CONTINUED. - RECEIVED & FILED
157. LIQUOR CONTROL DIVISION (OHIO): ADVISING THAT HRG RE: LIQ PERMIT FOR MARK & FRANCES MILLS DBA MILLS INN @ 1537 HARRISON AVENUE, SW SCHEDULED FOR 3/23/09 HAS BEEN CONTINUED. - RECEIVED & FILED
158. SAFETY DIRECTOR NESBITT: REC OF FEB 2009 RPT OF INMATES INCARCERATED PROVIDED BY STARK CTY SHERIFF TIMOTHY SWANSON. - RECEIVED & FILED
159. SERVICE DIRECTOR PRICE: REQ VARIOUS SUPP APPROPS NECESSARY FOR CONSTRUCTION OF PHASE 2 OF THE 25TH NE STORM SEWER PROJ. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
160. SERVICE DIRECTOR PRICE: REC OF UPDATED BUDGET NUMBERS ON THURMAN MUNSON STADIUM. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We are now under First Reading Ordinances. Let the journal show that all Ordinances are being given their reading as required by State Law. Madame Clerk would you please read the First Reading Ordinances by title.

MINUTES OF THE MEETING OF MARCH 30, 2009

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #4 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

- #1. (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR ALL MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel & Finance Committees
- #2. (1ST RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE CANTON HOTEL & RESTAURANT SUPPLY 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
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF LABOR, PLAY EQUIPMENT, AND SURFACING FOR THE NEW HORIZONS PARK OR TO ALTERNATIVELY ENTER INTO CONTRACT FOR THE PURCHASE OF LABOR, PLAY EQUIPMENT, AND SURFACING WITH THE US COMMUNITIES GOVERNMENT PURCHASING ALLIANCE OR THE STATE COOPERATIVE PURCHASING AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Parks & Recreation and Finance Committees
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING PARTICIPATION BY THE CITY OF CANTON IN THE U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Parks & Recreation and Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances for their Second Reading. Madame Clerk will read Ordinance #5 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #5 THROUGH #14 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

- #5. (2ND RDG) **ADOPTED AS ORDINANCE NO. 47/2009** A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF CANTON TO ACQUIRE AN EASEMENT IN PROPERTY OUTSIDE THE CITY'S CORPORATE LIMITS PURSUANT TO OHIO REVISED CODE CHAPTER 719 TO PROMOTE

MINUTES OF THE MEETING OF MARCH 30, 2009

DRAINAGE OF THE CITY OF CANTON’S PUBLIC ROADWAY AND STORM WATER SYSTEM IN AN ADJACENT PROPERTY OWNED BY CANTON COMMERCE DEVELOPMENT LLC; AND DECLARING THE SAME TO BE AN EMERGENCY (4020 FAIRCREST SW)

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: I move that statutory rules be suspended on Ordinance #5.

MEMBER CIRELLI: Seconded.

MEMBER SMUCKLER: Seconded

PRESIDENT SCHULMAN: Thank you. It has been moved and seconded twice to suspend the statutory rules on Ordinance #5. Are there any remarks? If not, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 1 NAYS
(MEMBER CIRELLI VOTED NAY)

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

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader Casar you’ve heard the three readings.

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

MEMBER SMUCKLER: Seconded.

PRESIDENT SCHULMAN: It’s been moved and seconded that you adopt Ordinance #5 Are there any remarks? If not, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 1 NAYS
(MEMBER CIRELLI VOTED NAY)

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

#5 ADOPTED AS ORDINANCE NO. 47/2009

PRESIDENT SCHULMAN: Thank you Madame Clerk Ordinance #5 is adopted. Ordinance #6 please.

#6. (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 (351 CORNELIA AVE NE)

PUB HRG 4/6/09 @ 7:30 P.M.

MINUTES OF THE MEETING OF MARCH 30, 2009

- #7. (2ND RDG) AN ORDINANCE VACATING TWO UNNAMED ALLEYS; APPROVING AND ACCEPTING THE REPLATTING OF LOTS NOS. 36949 THRU 36953, PART OF LOT NO. 36957, LOTS NOS. 36958 THRU 36962 AND THE TWO UNNAMED VACATED ALLEYS; AND DECLARING THE SAME TO BE AN EMERGENCY (DUMONT'S SEED CO) _____ **PUB HRG 4/6/09 @ 7:31 P.M.**
- #8. (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 (1460 SHRIVER AVE NE) **PUB HRG 4/6/09 @ 7:32 P.M.**
- #9. (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 (1521 15TH ST NE) **PUB HRG 4/6/09 @ 7:33 P.M.**
- #10. (2ND RDG) **ADOPTED AS ORDINANCE NO. 48/2009** A RESOLUTION CONSIDERING AND APPROVING THE PETITION FOR RENEWAL OF THE OPERATING ASSESSMENT OF THE DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move that statutory rules be suspended on Ordinance 10.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded that you suspend the statutory rules for 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.

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

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #10 Are there any remarks? I would just like to make one comment. Mr. Gill is in the audience and I want to commend him and the Board. Being a downtown property owner of your Special Improvement District is a fabulous addition to the City and we appreciate all your hard work. Thank you very much. Any other remarks? (APPLAUSE) If not, Madame Clerk roll call vote please.

MINUTES OF THE MEETING OF MARCH 30, 2009

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 48/2009

PRESIDENT SCHULMAN: Ordinance #10 is adopted. Ordinance #11, please.

#11. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 97/2007; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF A NEW NO. 4 FIRE STATION; AND DECLARING THE SAME TO BE AN EMERGENCY

#12. (2ND RDG) **ADOPTED AS ORDINANCE NO. 49/2009** AN ORDINANCE AUTHORIZING AND CONSENTING TO REDECKING OF THE STRUCTURE AT DUEBER AVENUE AND REDECKING AND PAINTING THE STRUCTURE UNDER CLEVELAND AVENUE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move that statutory rules be suspended on Ordinance #12.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded that you suspend the statutory rule on Ordinance #12. 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. Leader Casar you've heard the three readings.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you 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. 49/2009

PRESIDENT SCHULMAN: Ordinance #12 is adopted. Ordinance #13, please.

MINUTES OF THE MEETING OF MARCH 30, 2009

#13. (2ND RDG) **ADOPTED AS ORDINANCE NO. 50/2009** AN ORDINANCE AUTHORIZING AND CONSENTING TO REHABILITATION OF TEN MAINLINE STRUCTURES AND PAVING OF INTERSTATE 77 FROM THE STRUCTURE OVER NIMISHILLEN CREEK TO THE STRUCTURE OVER MARKET, CLEVELAND AND 15TH STREET; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move that statutory rules be suspended on Ordinance #13.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded that you suspend the statutory rule on Ordinance 13. 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. Member Casar you've heard the three readings.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #13.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #13 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.

#13 ADOPTED AS ORDINANCE NO. 50/2009

PRESIDENT SCHULMAN: Ordinance #13 is adopted. Ordinance #14, please.

#14. (2ND RDG) **ADOPTED AS ORDINANCE NO. 51/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO NINE LOCAL PUBLIC AGENCY AGREEMENTS WITH THE STATE OF OHIO DIRECTOR OF TRANSPORTATION FOR LOCAL INFRASTRUCTURE PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move that statutory rules be suspended on Ordinance #14.

MEMBER CIRELLI: Seconded.

MINUTES OF THE MEETING OF MARCH 30, 2009

PRESIDENT SCHULMAN: It has been moved and seconded that you suspend the statutory rule for Ordinance 14. 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. Leader Casar you've heard the three readings.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #14.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 14. Are there any remarks? If not, Madame Clerk roll call vote on Ordinance 14, please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#14 ADOPTED AS ORDINANCE NO. 51/2009

PRESIDENT SCHULMAN: Ordinance #14 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 would you please read Ordinance 15 by title.

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 52/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT DONATIONS TO FUND PORTIONS OF THE CANTON CONNECTION FOR FISCAL YEAR 2009; AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #15. Are there any remarks?

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Yes.

MINUTES OF THE MEETING OF MARCH 30, 2009

MEMBER CASAR: I move we amend Ordinance #15 as per the copy that all Councilpersons have received in Caucus this evening.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded that you Amend

CLERK TIMBERLAKE: 18.

PRESIDENT SCHULMAN: 18, I think, Don.

MEMBER CASAR: Mr. President, I'm sorry, that's 18.

PRESIDENT SCHULMAN: That's alright Leader Casar. Are there any other remarks? And I take it your motion is withdrawn.

MEMBER CASAR: I'll withdraw my motion. Go second.

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. 52/2009

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

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 53/2009** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY TWO MORAL OBLIGATIONS IN AMOUNTS NOT TO EXCEED \$5,000.00 AND \$5,600.00 TO COTTRILL WRECKING COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY (DEMOS OF 735 HIGH AVE & 1116 SHORB NW)

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER CIRELLI: Seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

MINUTES OF THE MEETING OF MARCH 30, 2009

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 53/2009

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

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 54/2009** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO JOB CREATION TAX INCENTIVE AND NET PROFITS INCENTIVE AGREEMENTS WITH PROFILE PLASTICS, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: 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. 54/2009

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

#18. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 55/2009** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008 TO APPROPRIATE ADDITIONAL MONEYS NEEDED FOR THE OPERATING EXPENSES OF THE CITY OF CANTON FOR THE REMAINDER OF FISCAL YEAR 2009; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM CASAR: It's been moved and seconded to adopt Ordinance #18. Leader Casar.

MEMBER CASAR: Mr. President. Sorry for that last mistake but we passed so many Ordinances under second reading today, I got a little lost, but.

PRESIDENT SCHULMAN: That's alright.

MINUTES OF THE MEETING OF MARCH 30, 2009

MEMBER CASAR: I move we amend Ordinance #18 as per the copy that all Members of Council received in Caucus this evening.

MEMBER CIRELLI: Seconded.

AMENDMENT:

Pursuant to Rule 36, I move to amend Agenda Item No. 18 by replacing Exhibits A, B, and C attached to the ordinance currently pending before Council with the attached Exhibits A, B and C.

PRESIDENT SCHULMAN: It's been moved and seconded therefore that you amend Ordinance #18 per the copy before each of you. Are there any remarks under this motion? If not by voice vote, all those in favor signify by saying yea, and those opposed no. The motion to amend the Ordinance has been passed. Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #18 as amended.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #18 as amended. Are there any remarks under Ordinance 18?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: I'd like to ask the Mayor a few questions for the record.

PRESIDENT SCHULMAN: Sure.

MEMBER SMUCKLER: Mr. Mayor the current budget contains no money or does not rely on any stimulus money for the General Fund. Is that correct?

MAYOR HEALY: Correct.

MEMBER SMUCKLER: As we begin, my understanding is we have approximately 164, 166 Policemen on board right now. Is that correct?

PRESIDENT SCHULMAN: Mayor.

MAYOR HEALY: Currently.

PRESIDENT SCHULMAN: What's the number?

MAYOR HEALY: I believe the current number is 164.

MEMBER SMUCKLER: And you've authorized in your budget to go to how many Policeman?

MINUTES OF THE MEETING OF MARCH 30, 2009

MAYOR HEALY: 175.

MEMBER SMUCKLER: Have you given the order to hire that many more Policeman more?

MAYOR HEALY: We have started the review process but we haven't given the hire go ahead until the budget is passed, so once the budget's passed then we'll know that we're set to go.

MEMBER SMUCKLER: And you, once we pass this budget you are going to hire the necessary 12 Police people, or 13 whatever the figure is?

MAYOR HEALY: Inaudible response.

MEMBER SMUCKLER: And we have seemed to have cut overtime with Fire and Police. Is that something that will continue throughout the year? We are not going to have as many Police and Fire people on overtime, is that correct?

MAYOR HEALY: Yes the budget is addressing the overtime numbers from Police and Fire which is how we were able to maintain the reductions that we were looking for.

MEMBER SMUCKLER: And my understanding also when we began your current term as Mayor, we had a number of tons of salt in the bins already. We bought a number of tons of salt and my understanding is will we be going into next year with actually less tons of salt than we went into the first year of your term? Is that correct?

MAYOR HEALY: I cannot answer that. Do you know?

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: I don't know how many tons he had in the first year of his term. I know what we have on hand now.

MEMBER SMUCKLER: How many tons do we have on hand now?

SERVICE DIRECTOR PRICE: Available for next year we have about 5,000 tons.

MEMBER SMUCKLER: 5,000 tons of salt.

SERVICE DIRECTOR PRICE: We have on hand, I think 3,800. We have the, according to Mr. Monroe, we will go into next year with 5,000.

MEMBER SMUCKLER: So we will go into next year with 5,000 tons of salt. And at the end of this year, your projecting what kind of carry over for next year.

PRESIDENT SCHULMAN: Is that directed to the Mayor, Member Smuckler?

MEMBER SMUCKLER: Yes, please.

MINUTES OF THE MEETING OF MARCH 30, 2009

MAYOR HEALY: The number that you have in front of you is \$139,000.00.

MEMBER SMUCKLER: I contacted the Law Director this week, who isn't here and I said to him, What if we don't pass this budget tonight? And the Law Director sent me an opinion basically saying that everything in this City comes to a grinding halt starting Wednesday. For the record, just for me, personally, I don't think there is enough money to sustain this budget based on what I've just heard. I don't have confidence in this budget. I will vote to pass this budget. The Mayor's budget, not City Council's budget as far as I'm concerned and I don't want my yes vote based on the Law Director's opinion to be mistaken as a vote of support or a vote of confidence for this budget. I don't know where the salt's going to come from. I don't know where the snow removals going to come from. I understand about hiring the police officers but I don't understand how we are not going to do it with the overtime. The grass cutting. I understand we are going to contract out. The money has to be spent by the end of July according to what was said at the last committee meeting but I know grass grows in August and September and I don't know what we're going to do to cut grass. I know we have a massive deficit coming in Sanitation that we are going to have to grapple with but Mayor you've burned through \$3,500,000.00 carry over and like I said, I'll support his tonight but it's not to be misconstrued any way, shape, or form that I'm for this budget. I'm not for halting the City, but what I am for is providing better day to day City services that we can provide and from what I'm hearing I knew the answer before I asked the question of the salt and we didn't start last year with the 5. We started with a lot more than that and I don't know where we're going to get the money for it, but I can tell you if anybody was happy with salting the streets last year, then you must not have lived where I lived. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Smuckler.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you, Mr. President. First of all, I wanted to thank the Law Director but he is not here tonight so Mr. Burns, please take that back for the research you'd done concerning the fact of what would happen if this budget should in fact not pass tonight, cause I also contacted him on that also. I also want to thank the various department heads whom have taken their time to address some of my questions. With the understanding this very perplexing financial status our country is facing, I've studied this budget line by line as I always do. I've questioned the proper authorities with some of my concerns. Some I got answers from, some I did not. I still have many reservations concerning the Mayor's ability to get this City through the entire year with this budget. I've heard from our Finance Director in Council that this is not a revenue driven budget. I've also have some concerns over that issue because I believe that is what This Honorable Body requested. With that in mind, I understand the Head of the Council's Financial Committee may not be in support of it and I respect his decision, however we have a City that depends on all of us to deliver the services that their tax dollars pay for. And as we all know, the cost of personnel is approximately 80% or more of the budget. We are also aware that as the government, the only product we have is service, and it is my understanding that we are not fully staffed from a safety standpoint as far as the Police and Fire Departments are concerned. And this issue is in the Mayor's lap. As he decides when he feels the need to hire in these departments, as well as in his administrative staff. I also understand the Mayor has instructed the Civil Service Department to possibly hire 11 new Police Officers. I have to admit Mayor, I thought maybe you were going to consider some of that stimulus money so I wrote a line out of there that since said not so. So I wrote that out. Mayor, as the administrator of this budget, it is his budget. A budget that he and his full time Financial Director have presented to Council. It is his responsibility to administer this budget accordingly. We as Council Members are placed in damned if you do, and damned if you don't position at

MINUTES OF THE MEETING OF MARCH 30, 2009

this time, however, I believe that at best we need to give the Mayor the opportunity to succeed or fail. In doing so, if he succeeds, that is a good thing. Should he in fact fail, this will be evident as the year progresses. I do not expect him to think he can come to Council and ask us to find a solution for any short comings that may occur in the future. I personally believe one should never spend more than they know they can afford to pay for. This budget was prepared by the Mayor and his administration and I can only hope he has the same mind set as myself, if not this budget may in fact sir, be your Waterloo. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli.

MEMBER KRAUS: Mr. President, Mr. President.

PRESIDENT SCHULMAN: Are there any other remarks? Yes Leader Casar, I'm sorry did you have something? Or Member Hawk?

MEMBER KRAUS: Over here.

PRESIDENT SCHULMAN: I'm sorry, Member Kraus.

MEMBER KRAUS: Mayor and Service Director. As Public Safety Chairman, Thoroughfares, and with 33 years on the Street and Sewer Department, it was very appalling last winter. And for us or anybody to not take into account whether the cost of salt, asphalt went up or not, that's a service that we present and provide to the citizen's of this town. I don't want my kids, my grandkids, nor I think anybody in this room wants their kids, grandkids, wives driving on those kinds of streets. We need to do is take into consideration the high cost of salt but another thing is look at some ulterior, alterations, brine, if we could've purchased some brine last year, brine would have helped on the side streets where that ice built up on those streets. We could have at least brined 'em and loosened 'em up and asphalt, I know asphalt is going up but I don't think you want to buy a car and have it in the alignment shop every other week when you hit a hole in the street. I mean those to me are as safety features, as closing the Fire Station and not have Police in the neighborhood. And believe me, I've been out there for 33 years in that traffic and again I think those are areas that we owe the people that live in this town. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Kraus. Are there any other remarks?

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: I would just like to say, yes this is not a revenue driven budget but if, which Council expected to have the Mayor brought to this Council, but you know we got to look around at this whole country. All cities, all school boards, all sub-divisions are having tough times just like the City of Canton. And I for one have to commend the Mayor and his administration for bringing a budget without having to lay anyone off. I mean this is, if you read the paper, every city in this country is laying Police Officers off by the hundreds. Chicago had, I think has laid off 300 and you could go all through all the cities and big cities and all the way down to the small cities, and like I said earlier, yes this is not a true revenue driven budget. I've been here for 27 years as budgets, some harder, some easier than this one, but I don't think in 27 years that we ever had to lay off anyone in the City of Canton, so I think that speaks for itself. I think this administration is trying to do what they can do now so maybe if the economy comes around and maybe if we get stimulus money, we will not have to lay off down the road cause as Assistant Auditor, Gary Young said last week in a

MINUTES OF THE MEETING OF MARCH 30, 2009

committee meeting, for every one it takes three to lay off to recoup that salary so I think this administration has done a pretty good job on this, yes it's not perfect, as Member Smuckler said, but I think we have to give him kudos because we're not laying anyone off and we will continue to provide service and safety to the citizens and hopefully with the stimulus money we may get later in the year, we could avert any lay offs and I think that's what we want to do, try to keep people working especially today when jobs are really hard to come by and I think the City should feel pretty good that we are going to make it hopefully through this year without laying anyone off and continue the services that the citizens of Canton deserve.

PRESIDENT SCHULMAN: Thank you, Leader Casar. Are there any other remarks? If not the question you are voting on now, is Ordinance #18 as amended. No other remarks, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 1 NAYS
(MEMBER HAWK VOTED NAY)

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

#18 ADOPTED AS AMENDED AS ORDINANCE NO. 55/2009

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

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 56/2009** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$1,521.66 TO EATON CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY (CROMER TOWER)

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER CIRELLI: Seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 56/2009

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

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 57/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT TO RELOCATE A WATER MAIN AS PART OF THE MCDOWELL RTA BRIDGE RELOCATION PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING

MINUTES OF THE MEETING OF MARCH 30, 2009

THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER CIRELLI: 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: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 57/2009

PRESIDENT SCHULMAN: Ordinance #20 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Finance Committee will meet next Monday, at 6:30. That would be Monday, let me look at the date here

CLERK TIMBERLAKE: 4/6

MEMBER HAWK: 4/6

MEMBER CASAR: Mr. President, the Park & Recreation Committee will meet also at the same time next Monday the 6th.

PRESIDENT SCHULMAN: Thank you.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet next Monday at 6:30.

MEMBER SMUCKLER: Mr. President

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Annexation will meet next week but I won't be a part of it.

MINUTES OF THE MEETING OF MARCH 30, 2009

PRESIDENT SCHULMAN: Any other committee announcements?

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We are now under Public Speaks open forum and tonight we have seven speakers and for those who have not had the opportunity to address City Council and the Administration and the Mayor, I would just remind you that City Council has a rule of keeping your remarks to three minutes and if you would be kind enough to do that we would appreciate it. I don't like to cut people off but unfortunately I will. So our first speaker is John Welch. Mr. Welch can you step forward and give us your name and your residential address and good evening sir.

JOHN P. WELCH: Good evening Council Members and Mayor. My name is John Patrick Welch. I reside at 194 Perry Drive NW Canton, Ohio. This is regards to the Fire Station #4. My grandfather E. J. Welch has the playground named after him and I just came into town four months ago and I need to know what's, what's going on with the project?

PRESIDENT SCHULMAN: We'll have an opportunity, we're here to listen to you at this point, so go ahead if you, if you have remarks, please go ahead and then we will be here afterwards to address any questions you might have..

JOHN P. WELCH: Well, I know for a fact my grandfather and grandmother would like to see the Fire Station/Training Center completed as planned. They did handle individuals from cradle to grave and we all know as fire fighters we come into that situation because I was one. Also I was up there the other week and I didn't see any plaque with his name on it and I was wondering if that could possibly happen?

PRESIDENT SCHULMAN: OK, you can take that up with the Mayor or the Service Director after tonight's meeting, Mr. Welch.

JOHN P. WELCH: That is all.

PRESIDENT SCHULMAN: Thank you, we appreciate your service. Thank you very much sir. Our next speaker is John Regula. Mr. Regula, good evening sir. If you'll give us your name and your residential address please.

JOHN REGULA: I'm John Regula, 2114 South 6th Street. And when I first come in to town, I wondered why there were no seats at the bus stops, and the rumor is that Council and the Mayor, which is not with us anymore didn't want 'em, but I don't know about another handicap people but they was awful handy to me in a lot of places. I've been wanting to talk about this for quite some time. Last week I forgot there was Council meeting and, but how much time have I got left. How much time have I got left?

PRESIDENT SCHULMAN: You have about 2 minutes sir.

JOHN REGULA: I believe in equal time. I have always believed in God and I'd like to offer a prayer to Satan. Satan please take your friends and depart from me away. God says he will never hurt us and I believe it, but he won't keep Satan from it, so hopefully Satan will take his friends and depart and thank you.

PRESIDENT SCHULMAN: Thank you, sir very much. Our next speaker is Nick Mussulin and Mike Johnson. Gentlemen if you will come forward and give us your names and your residential addresses and I know I spoke to, I believe Nick this morning. Welcome, thank you for coming.

MINUTES OF THE MEETING OF MARCH 30, 2009

NICK MUSSULIN: Thank you for your time Council People. My name is Nick Mussulin. I'm on the Board with Child & Adolescent Behavioral Health. We want to take about 2 minutes to talk about the agency. Let everyone know what we do and we'll be around later on to answer any questions you have. We have some brochures for you and I'll turn it over to Mike Johnson who is the Chief Executive Officer.

PRESIDENT SCHULMAN: Good evening Mr. Johnson.. If you'll give us your name and your residential address sir.

MIKE JOHNSON: My name is Mike Johnson, 3451 Market Avenue North, Canton. Good evening Mayor, President, and Council Members, and residents of Stark, Canton and Stark County. My name is Mike Johnson. I am the Chief Executive Officer of Child & Adolescent Behavioral Health and we are here tonight because we wanted to make sure that the leadership in our community is aware of the service that is available to the families in our community. Child & Adolescent Behavioral Health is a children's mental health agency that reduces the suffering of families and their children who suffer from emotional problems like anxiety, depression, or behavioral problems like attention deficit hyperactivity. Untreated these problems can lead to a problems, to a child's failure in school, separation from their families, delinquency, drug abuse, and even suicide. Unfortunately as you've debated tonight, your budget, many families are debating their budget. These are tough economic times. I don't have to tell people in this room about those stories, but those pressures put more pressures on our families and increase the likelihood that children will have emotional problems resulting from the stress and anxiety that their families are experiencing. In fact a recent study by the Institute of Mental Health says that when the economy declines the hardship in people's lives gets translated into stress, anxiety, depression, and frustration, and in fact the studies show that 57% of American's say they are under personal stress as a result of the economic crisis. There is, the studies so an increase in child abuse and domestic violence as a result of that. So, my point is that there are resources in our community. Child & Adolescent Behavioral Health is one of those resources and we would encourage any family and any child who may need help to get the help that they need. Thank you.

PRESIDENT SCHULMAN: Thank you, Mr. Johnson, very much. Thank you for the good work that you do for our community, we appreciate it. Did you want to pass out something?

MIKE JOHNSON: We can just leave these brochures.

CLERK TIMBERLAKE: That's fine.

PRESIDENT SCHULMAN: OK, If you'll just give them to Member Kraus here or Leader Casar one of the two. Thank you.

MIKE JOHNSON: Inaudible.

PRESIDENT SCHULMAN: Thank you very much. Our next speaker is Mr. Charles Killins. Would you step forward and give us your name and your residential address, please. And good evening.

CHARLES KILLINS: Mr. President my name is Charles Killins. I live at 1223 Market Avenue North and I am here cause last or a couple years I used to be here at Council very often regarding situations in the City. And today I was walking around and you run into a problem that if you don't take care of it right now, you gonna have a bigger problem on Mahoning Road on O'Jay's Boulevard over there by the Old Timers. They have a large tree that's blocking one half the sign. One side of the river and in April you know we have the large amount of rain and it's already back to the baseball field in and you don't need that to take care of if you

MINUTES OF THE MEETING OF MARCH 30, 2009

can take care of it now and that's all I have to say. Thank you.

PRESIDENT SCHULMAN: Thank you, very much and thanks for giving us that information sir. We appreciate it, and I'm sure the Service Director will take note of that. Our next speaker is Christina Pastore Buchee. Good evening. Bucher, I'm sorry. I'm having a lot of problems tonight. Good evening. If you'll give us your name and your residential address please.

CHRISTINA PASTORE BUCHER: Good evening. I am Christine Pastore Bucher and I am at 1962 Charolas in Uniontown. I am the CEO of Park Farms and I'm here tonight to talk about the outstanding issues that remain with our annexation. I'd like to thank Council and President Schulman and the Members for the opportunity to speak here tonight. Park Farms has been in business since 1946. We have 320 employees, 2 unions within our facility, one is the Teamsters Local 92, which is our delivery drivers and the other being United Food and Commercial Workers Union Local 880, which is our production workers in the plant. Park Farms hatches eggs at our hatchery located in Canton on Lesh Road and from there the chickens are sent to 14 farms and then they are processed at our facility located on 30th Street NE in Canton. In all we process about 330,000 chickens per week. Sometime ago, Park Farms was approached by the City of Canton about the possibility of being annexed from Plain Township into the City, numerous meetings took places and numerous promises and guarantees were made by the representatives, agents, and employees of the City of Canton. Acting upon those assurances and guarantees fully expecting that the City would be good to it's word, we agreed to annex into the City of Canton. Unfortunately those verbals agreements and written assurances have been breached. The very promises which were made in an effort to entice Park Farms to be annexed in the City of Canton have not come to culmination. We have reached out to the City and to it's present Administration on multiple occasions. Present City leaders have acknowledged that their very own assurances and representations have not been fulfilled. Apologies have been expressed but the thing which is greatest, doing what was promised has not occurred. Our previous discussions with City of Canton representations were amicable and gave cause for hope that we would be receiving the benefit of our agreement. Park Farms has done everything it agreed to do. Unfortunately in recent meetings with Mayor Healy, we have been told point blank that the City would not live up to it's past promises, guarantees, and representations. So, we regret now that we are now forced into this position. We've taken extensive and reasonable steps to fairly address the broken promises and sadly this matter must become public and we've retained counsel to explore our legal options against the City of Canton. Thank you for your opportunity tonight to be heard.

PRESIDENT SCHULMAN: Thank you, very much. Appreciate your comments, thank you. Our next speaker is Ruby Brogdon. Mrs. Brogdon, good evening, if you'll give us your name and your residential address please.

RUBY BROGDON: My name is Ruby Brogdon. I live at 1617 3rd Street NE. I was proud to see what was in the paper today about Sherrick Road because if something wasn't done about it, it was going to sink. Cave in. Now you talk about what the 4th Ward gets, what the other Wards get, that is not true. They took all the parks. They started at Jackson, they went to Allen, then they went on down in Riverside, they got it, so we have been a neglected Ward for a long time. We only got the street swept when it was an election. After that we never seen 'em again. Now let's don't say what this 4th Ward got. I'm probably the grandma in this Council meeting tonight. I been around here a long time. I always come to Council meeting and I know what's been happening in Canton. I worked, I drove all over Canton. All Wards need something but the Ward, 4th Ward, had been one of the most neglected Wards in Canton. (APPLAUSE) And you know what? We have got tired from you, know anybody got anything in the Ward, in 4th Ward was me cause I'd run my mouth and not gonna stop until it get done. And you know what, I think we should do something for all Wards, not just for one. We have been neglected so long until we are just gotten tired of it and now we going to speak up for ourselves

MINUTES OF THE MEETING OF MARCH 30, 2009

whether you like it or not. Thank you. (*APPLAUSE*)

PRESIDENT SCHULMAN: Thank you. Our last, thank you very much Mrs. Brogdon as always. And I know there's one Council Member that's very happy about Sherrick Road and has done an extraordinary job in getting that done. Our last speaker is Brian Hmidon. Hmidon sorry, thank you. If you'll give us your name Mr. Hmidon and your residential address please.

BRIAN HMIDON: My name is Brian Hmidon. I live at 1580 Trump Avenue NE, East Canton. I am the manager of the Hob Nob Tavern and I am here talk about the Hob Nob again. The last few weeks I've been hearing all kinds of things like I heard on the radio today. Too many people placing blame here, placing blame there, even a little bit on my behalf, you know. The thing is placing blame is easy. Doing something about it is the hard part. I'm here every week, you know, in an effort to save my job and other people's jobs. But to also place some blame here and there on the City, on the Police, on us, on neighbors, on you know patrons, but to actual do something about it. On the radio today I heard different things about you know, drug dealings in the parking lot and you know, prostitution and you know, I didn't catch every, you know, word of the, you know, broadcast you know just bits and pieces as I was working through the day. Closing the Hob Nob does nothing to fix any of those issues, the drug dealing, the prostitution, whatever else is going on. Part of what I wanted to say today is I bank at Huntington Bank, down the street on the corner of Mahoning and Harrisburg Road. And when I was in there a few days ago, I talked to one of the tellers, and the teller told me that she had heard bits and pieces about what's going on this the Hob Nob and she told me herself that she has witnessed what she perceived to be drug dealings in the parking lot of Huntington Bank during bank hours. What do we do? Do we close the bank down, or do we try to do something about it? You know, I can't say I was totally prepared for what happened at the Hob Nob as each issue came up, but what I did do is took a look at them, talked with my Aunt who owns the Hob Nob and decided what we could do to try to make it better, and as we made changes, people who are doing things to cause issues, they made changes, so then we made new ones, then they made new ones. So, you know, where were at now is we're holding out a lot of the problems at the Hob Nob Tavern, but as I said before, those problems are now moving away. Like I said last week there is an area bar just outside the City limits and you know the last two weeks, they've had major problems down there. People shooting off in the parking lot, big fights inside the bar, you know all the things that you know were Hob Nob problems are now moving out of the Hob Nob because we're doing something about it. So, basically, you know, it's not time to stop the fight and it's time to try to close a bar down, it's time to you know get more stringent, get more help and get these people off the street that's causing these issues and making it bad for everybody. You know the Northeast end problems aren't going to end when the Hob Nob ends. They were here before, they're going to be here after and you know, my request is to let's do something about it. Through me, through City officials, through Police, through whatever, let's do something about it and clean it up and you know make it nicer for other people. Thank you.

PRESIDENT SCHULMAN: Thank you very much sir. (*APPLAUSE*) Thank you for those remarks.

MISCELLANEOUS BUSINESS

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

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yes, first I'd like to thank Mike Johnson and Nick for coming down and presenting Child & Adolescent Service Center to this Council. Far too often, we are out there working with families every day

MINUTES OF THE MEETING OF MARCH 30, 2009

and often lack the resources, so we appreciate you coming down today and giving that information. Number two Charles. I wanted to address Charles. Last week we had a opportunity to meet with the Muskingum Water Shed and we met down there at O'Jays Parkway and talked about drudging the creek. I also met with Jesse Pitts and the neighborhood association to discuss those issues and right now Dan Moeglin and the Engineer Department is trying to address those issues for us. Thank you for coming down and letting us know that you care. And then also Brian. Brian I, you know I understand you keep coming down. I think one of the things that the neighbors there. They're very, very adamant at this point in time that they're tired of the people outside of their house at late hours at night. And I know that we have to work together to solve those issues so I think one of the things that you can do, and maybe that whole group can do is to form a neighborhood association to try to address all the social ills in that area. That would be a proactive approach to try and address that area. Thank you.

PRESIDENT SCHULMAN: Thank you Member West. Member Cirelli.

MEMBER CIRELLI: Thank you, Mr, President. I wanted to make some remarks (Inaudible)

PRESIDENT SCHULMAN: I think your microphone is not on.

MEMBER CIRELLI: I'm sorry, is it on now. OK, I will repeat. I wanted to address the Sherrick Road project and I was on the phone with Dan Moeglin today, Moeglin today because I read, you know, it was going to be stimulus monies, \$1,500,000.00 well naturally we've been talking about Sherrick Road for a number of years and I knew it was on the burner somewhere so I said to Dan what had been our plans had we not got the money, the stimulus money and naturally because of the budget I wanted to know what was going to happen to those monies and he said about \$500,000.00 was set aside but that would not necessarily have done the project that the way it's going to be done properly. Then he said that was going to be used out of Sanitary Sewer monies. Then my next question to Dan was well can we use that somewhere else in the budget? Which I knew the answer anyhow and it's no you can't. And as the article and as Dan both stated to me, this went clear back to the 1970 whenever a sewer project was put in there and the improper filling was done. And it's just been sinking and sinking. Dan had told me he was going to go down today into one of the manholes because a year and a half ago they had used this polyurethane or whatever, that they're going to put in there and they're going to go see how sustainable it is cause that has to be the catchy word I guess of the year I guess is sustainable. So they wanted to make sure that that will put a good foundation so that whenever this project is done, it will hold the road up because they could go in and blacktop and it's still going to sink 6 or more inches. So he works very hard at that and I'm glad that, you know, there going to get to the root of the problem and also my concerns were because some of the people down there called and says well if your going to shut the road down how are we going to get in and out. Well as Dan said, if this material is doable they won't have, it will be a less time than it will be shut down. They will be able to probably do it accordingly maybe one half at a time. He didn't explain that but I'm just using my own imagination cause what I'd seen, because they'll be doing a lot of drilling and pouring the stuff down in there and it will be expanding and make a firm base and then they'll be able to handle it, so I wanted the people to be aware that have called me that is not going to take them possibly, hopefully as long as they kinda fear because you know when you imagine a whole road is going to go, your going to say how are we gonna get back and forth and I even wondered myself cause there's a lot of activities going on to the center and we want to make sure that's still doable and useable, so I think this whole community and this whole Council will be grateful whenever Sherrick Road is done because it has been something that we've been, have had on the burner for how many years and thank God maybe now with the money coming we'll get it done and it'll be done right and done to stay for a who knows when maybe 30 or 40 years down the road. So I just wanted to comment on that and thank Dan for all the work that he did explaining it. Thanks,

MINUTES OF THE MEETING OF MARCH 30, 2009

PRESIDENT SCHULMAN: Thank you, Member Cirelli. Member Smith, I know you have something to say. If you don't I going to be very disappointed.

MEMBER SMITH: Oh, Thank you Mr. President. Mary excuse me, thank you for all of the things that you just said but I personally would like to thank as I did today. I started with President Obama calling him and thanking him and sending an email. Secondly I called and sent an email to Governor Strickland, to Mayor Healy, to Stephen Slesnick and definitely Boccieri. But first of all and last but not least, I'd like to thank the City of Canton, the Ward residents for all of your support on Sherrick Road and as I said in the paper, this is just our first step in revitalizing our neighborhood because that's what it means to us. It means a great deal, and I say us meaning the 4th Ward and the City of Canton. I thank everybody for their support along with City Council. Thank you very much. (*APPLAUSE*)

MEMBER KRAUS: Mr. President.

MEMBER KRAUS: Mr. President, I've got to thank Ruby for that nice statement about everybody in the City cause I have spent many years patching, sweeping Sherrick Road, Warner Road and them and you're right. It needs done and now I can get a couple of my projects done in Ward 8 that we have been waiting for and hopefully we'll be as vocal as you and get them done too. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Kraus.

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Thank you, Mr. President. First I'd like to thank Council for supporting the budget. I know that it was a difficult budget and we're working hard to continue on that and it will be a working project as we go throughout the year because we know next year is going to be just as challenging. I also want to let you know that we're going to do everything possible to ensure that the budget will meet the needs of this great City and it's residents. And again thank you for your support. In reference to the stimulus, again congratulations Chris on that particular project. We did receive several other projects. This is just one round and we were pleased to see that the City was rewarded with a few different projects. There are some other projects that were not funded that we're going to continue fighting for right Mr. Dougherty? With the Mahoning Road Corridor Project is still at the top of our list and we know there is more funding out there and we're going to continue fighting. We believe that the City has many needs and there is many pots out there that we're going to continue fighting for and some of those could actually benefit our budget in the long run but we can't count on those right now, but we're going to do everything we can to fight to get some of those dollars that will help relieve some of the stress that we're facing. But again thank you for that. One final thing that I'd like to bring up and this is something on even more serious note. We were informed earlier during this meeting, that there was a very severe fire and we have been notified that we suffered a casualty from a resident. I don't have any more details than that right now but it is something that I wanted to ask everybody here to take a moment of silence for this individual and their family and keep their family in thoughts and prayer. So please a moment. Thank you, I'd also like to say a quick prayer for all those Firemen and Safety Officers that are on the scene and pray for their safety as well. Thank you, Mr. President.

PRESIDENT SCHULMAN: Thank you, Mayor very much. Any other remarks?

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

MINUTES OF THE MEETING OF MARCH 30, 2009

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that we adjourn. 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. Meeting is adjourned. Thank you ladies and gentlemen. *(Gavel falls)*

ADJOURNMENT TIME: 8:31 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

DONALD E. CASAR
PRESIDENT PRO TEM