

MINUTES OF THE MEETING OF APRIL 20, 2009

PRESIDENT SCHULMAN: 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:

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

ALL COUNCIL MEMBERS PRESENT

CLERK TIMBERLAKE: All present Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. We'll have our invocation given tonight by Ward 5 Council Member, Terry Prater. Will you also please remain standing for the pledge of allegiance.

The regular meeting of Canton City Council was held on Monday, April 20, 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. We're now under agenda corrections and changes and Members of Council, as you're always asked, your going to be asked to suspend Rule 22A and add the 2nd reading of Ordinances 7 and 8, Leader Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: Are there any remarks? If not Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Rule 22A is suspended and the Ordinances 7 and 8 are added to this evening's agenda..

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We are now under Public Hearings. We have 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.

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190. SAFETY DIRECTOR NESBITT: AUTHORIZE SERV DIR TO CHANGE FEE STRUCTURE FOR BLDG CODE DEPT PERMITS. - JUDICIARY COMMITTEE
191. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO INCREASE RESIDENTIAL SANITATION RATE FROM \$14.39/MONTH TO \$17.84/MONTH. - ENVIRONMENTAL & PUBLIC UTILITIES & FINANCE COMMITTEES
192. SMUCKLER, B, CNCL-AT-LARGE & PRATER, T, PERSONNEL CHAIRMAN: REQ MGMT & NON-BARG POSITIONS, INCLUDING CLASSIFIED CIVIL SERVANTS POSITIONS BE PUT ON HIRING FREEZE & NO NEW POSITIONS BE CREATED. - PERSONNEL COMMITTEE
193. STARK COUNTY COMMISSIONERS: RECEIPT OF PERTINENT DOCUMENTS REGARDING CENTRAL ALLIED ANNEXATION. - PLANNING COMMISSION
194. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 3/31/09. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We are now under first reading Ordinances & Formal Resolutions for the first reading. 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.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #6 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

- #1. (1ST RDG) A RESOLUTION ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECOMMENDATIONS REGARDING ENTERPRISE ZONE TAX ABATEMENT AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO SUBMIT A PROPOSAL AND ENTER INTO CONTRACT WITH THE WORKFORCE INITIATIVE ASSOCIATION (WIA); TO PROVIDE FUNDING FOR YEAR-ROUND YOUTH WORKFORCE DEVELOPMENT SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #3. (1ST RDG) AN ORDINANCE REPEALING CHAPTER 159, ANNEXATION, OF THE CODIFIED ORDINANCES
Referred to Judiciary Committee
- #4. (1ST RDG) AN ORDINANCE DECLARING 25 BUILDINGS TO BE PUBLIC NUISANCES; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE DEMOLITION OF SAID BUILDINGS; AUTHORIZING

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THE CLERK OF CANTON CITY COUNCIL TO CERTIFY THE COSTS OF DEMOLITION TO THE STARK COUNTY AUDITOR; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

PRESIDENT SCHULMAN: And with respect to Ordinance #4 the Chair will declare will declare an in house recess for Community & Economic Development Committee to meet in regard to Ordinance 4 on your agenda.

(COUNCIL RECESSED @ 7:38 PM FOR COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS THE ADOPTION OF ORDINANCE #4; RECONVENED @ 7:40 PM)

PRESIDENT SCHULMAN: Council then will reconvene after it's recess. Leader Casar.

MEMBER CASAR: Mr. President, I move that Rule 22A be suspended and we place Ordinance #4 back to this evening's agenda.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance 4 back on this evening's agenda.. Are there any remarks? If not, roll call vote please Madame Clerk.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #4 is a part of the agenda. Leader Casar.

MEMBER CASAR: Mr. President, I move we suspend the Statutory Rules on Ordinance #4.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: The motion to suspend statutory rules on Ordinance #4. Are there any remarks? If not, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve 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 #4.

MEMBER CARBENIA: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #4. Are there any remarks under this Ordinance? If not, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#4 ADOPTED AS ORDINANCE NO. 68/2009

PRESIDENT SCHULMAN: Ordinance #4 is adopted. Ordinance #5 please.

#5. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 193/2008. AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement & Finance Committees

#6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT/FILE WITH THE U.S DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AN AMENDED CONSOLIDATED PLAN OR OTHER APPLICATIONS HUD DETERMINES, EXECUTE GRANT AGREEMENTS WITH HUD AND ACCEPT THE CITY'S COMMUNITY DEVELOPMENT BLOCK GRANT, EMERGENCY SHELTER GRANT AND HOMELESS PREVENTION AND RAPID RE-HOUSING PROGRAM ALLOCATIONS FROM THE AMERICAN RECOVERY AND REINVESTMENT ACT; AUTHORIZING THE AUDITOR TO ESTABLISH THE 2220 HOMELESS PREVENTION FUND; AMENDING SUPPLEMENTAL APPROPRIATION ORDINANCE NO. 193/2008; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for their Second Reading. Madame Clerk will please read Ordinance #7.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #7 AND #8 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#7. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$23,480.00 TO MOTTER & MEADOWS ARCHITECTS; AND DECLARING THE SAME TO BE AN EMERGENCY

#8. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH PHILIP SEDLACKO FOR ANIMAL CONTROL SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY

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ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances & Formal Resolutions for their third and final reading and vote. Would you please read Ordinance 9 by title?

#9. (3RD RDG) **ADOPTED AS ORDINANCE 69/2009** AN ORDINANCE AMENDING ORDINANCE NO. 164/2001 AND EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (POLICE DEPT - RECORD ROOM SUPERVISOR)

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #9. Are there any remarks? I would like at least the record to show that I believe this Ordinance pertains to a city employee who is being represented by Brian Zimmerman who is in my office. So with that are there any other remarks? Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#9 ADOPTED AS ORDINANCE 69/2009

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #9 is adopted. Ordinance #10 please.

#10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 70/2009** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (25th ST NE, STORM SEWER PROJ)

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER CARBENIA: Seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 70/2009

PRESIDENT SCHULMAN: Ordinance #10 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We're now under Announcement of Committee meetings.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Judiciary will meet on April 27th at 6:00 P.M.

PRESIDENT SCHULMAN: Thank you.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Community & Economic Development will meet at 6 PM on 4/27.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk

MEMBER HAWK: Thank you sir. Finance Committee will meet Monday, April 27th at 6 PM.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet that night at 6.

PRESIDENT SCHULMAN: Thank you. Any other announcements?

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We are now under Public Speaks in our Open Forum. We have a number of speakers signed up this evening. Without belaboring the fact some of you may not have spoken before and whether you have or not, I just want to again remind our speakers that City Council has a rule to limit your remarks to three minutes. And since we have a number of speakers signed up tonight, I am going to hold each

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speaker to that three minute period. So with that said and I apologize if I mispronounce your name sometimes I can't read it or you can't write it. One of those two. Our first speaker is James Cardomone. Mr. Cardomone I, is he here. Mr. C A R D O M O N E or N O N E. OK, our next speaker is Daniel Fonte. Such please, go ahead. If you'll give us your name and your residential address, please and welcome and good evening.

DANIEL FONTE: Thank you, Mr. Chairman. My name is Dan Fonte and I reside at 4415 Dawnridge Circle NW. I want to speak on two things. First thing I want to speak on is the natural gas MCF rate that's negotiated by the City that I don't know if all the residents are in but I happen to be into. And I know we are at a rate locked in now as \$11.79 for a million cubic feet. And I'm involved in another facility and I just got the gas bill today and I got out of a contract and we're on a month to month and it's \$6, I think \$6.50 MCF's. Now I understand cause I called your office today Joe, that you're locked in to two more years. But I think what we ought to do, in my opinion what you ought to do, I should say is, try to negotiate with these people and just tell they hey, you know, you got to swing a little bit of clout, the rates are coming down and I think you ought to try to get them down for the city, the residents in the City of Canton. I mean everybody is negotiating today. I mean that's just the deal. You've got to go in and say, hey you got to do what you got to do man or we're going to go some place else. That's the first thing I want to talk about. The second thing, is since I'm a newly resident back into the city and I know this goes back many years and probably Council, Councilman Casar has been here long enough that he would remember this. Time Warner Cable and I can remember sitting here through the arguments that this Council used to go through them, but I'm here to tell you, they are the world's worst customer, for customer service (*APPLAUSE*). Service, delivery, and I think it's probably out of your realm but I'm telling ya, I cannot believe how bad they are. If I ever get to talk to a customer service rep in America, I'd probably have a heart attack. (*APPLAUSE*) I would think that this Council or City. The Mayor maybe, somebody ought to write a letter to em and tell them, you know what, you guys ought to go back to school and find out what customer service is all about, because they are absolutely terrible. So I would maybe like to see if the city could maybe send a letter to em or whatever because they are the world's worst. I just got back from California and they have Comcast out there and I've never seen a problem out there and I go out there about 4 or 5 times a year, and it is terrible here. So with that in mind, I'd like to see you do something about the gas rates. Please try to do something about Time Warner and maybe let's re-pave the whole city streets and I'll throw that in. Thank you.

(*APPLAUSE*)

PRESIDENT SCHULMAN: Thank you, Mr. Fonte and I can tell you that if you call the Canton Clerk's office or this City Council's office you will get three great Americans. Believe me.

CLERK TIMBERLAKE: Thank you.

PRESIDENT SCHULMAN: Who do understand service. Our next speaker is Marcia Zawacky. Ms. Zawacky, good evening. If you'll step forward and give us your name and your residential address please.

MARCIA ZAWACKY: Good evening. Pres, Council President and City Council, I appreciate being able to be here.

PRESIDENT SCHULMAN: We appreciate having you here. Thank you.

MARCIA ZAWACKY: I am Marcia' Zawacky and I live at 2831 Harrison Ave NW, Canton. And I've been,

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this is my 40th year there.

PRESIDENT SCHULMAN: Congratulations.

MARCIA ZAWACKY: Thank you. I am trying very, very hard to start a neighborhood association. We are acknowledged by the community foundation that we are a neighborhood. Our boundaries are 25th Street NW to 30th St NW and Cleveland Ave over to Harrison Ave. And, so I come tonight and you can see my T-shirt, OK, and one of the things, I heard it tonight and I was so happy and that's the voting to demolish houses. One of my things has been, my husband and I have done a lot of restoration on our neighborhood. We've actually demolished three houses, ourselves, OK. That's not with a demolition company. He and I've taken them down, OK. So that one of my things is, if Canton can keep up it's neighborhoods or bring it's neighborhoods up, OK, it's definitely going to be more attractive to anybody that might be interested in moving in, alright, so on that vain, OK, I want you guys to think about if it's possible just like tonight to demolish houses that are either sub-standard, at this point, I mean really sub-standard, or people have abandon them and they really have no interest in doing anything about them, alright. That gives somebody on each side of them maybe more green space. Alright it gives them a little bit bigger property that kind of thing, OK it, to me it can only make the city more pleasant, OK. But my other thing for coming here tonight is my great concern and I know this is somewhere down the road in the process, is the great concern about demolishing the fire station at Cleveland and 25th and I have asked the Mayor and I have asked several other people to please consider the idea instead of demolishing that fire station, that we would sell it or we would have some benefactor buy it and then we would buy the Seiple Complex and basically help that neighborhood look much better, OK. It's only two blocks,

PRESIDENT SCHULMAN: You have about 10 seconds.

MARCIA ZAWACKY: Oh, OK, well anyway I basically got in what I wanted to say. I appreciate the ability to be here to say it. If anyone wants to see pictures of Seiple Complex, I have them.

PRESIDENT SCHULMAN: Thank you, very much. We really appreciate you coming down.

(APPLAUSE)

PRESIDENT SCHULMAN: And I apologize for mispronouncing your name. You did have, I just thought it was Marcia. You spelled it perfectly. Our next speaker is Phil Palumbo who is no stranger to City Council. Mr. Palumbo could you step forward and give us your name and your residential address please and good evening.

PHIL PALUMBO: Thank you, sir. Phillip Palumbo. 1900 Edwards Ave NE, Canton, Ohio. I am the President of the NEAR Neighborhood Association and also the director of the Northeast Community Center. I come before you this evening, Mr. President, Mayor, elected officials, City Council to ask about a summer swim program this year. It's very important to all of our neighborhoods that we provide some type of recreation for these students during the summer. I want to bring you up to date that the, we all know that the downtown Y will not be operating this summer. That's one less player in the field. I've had conversations with Mr. Seiple at the Natatorium. We think there are ways to cut and reduce the amount of money that we ask for City Council last year. We would ask that the parent's of the students to pay for a reduced swim lessons if they want to go in that direction. We're simply asking for funding for open swim certain times of

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the day and I think we can do that for 60% of what we had certified last year. It's important to us, it's important to our neighborhood, it's important to the building and the area. We ask for your support and hopefully we can have some representation or a meeting to discuss the possibility. Thank you.

PRESIDENT SCHULMAN: Thank you very much Phil. Thanks for all your hard work.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you for your hard work and your public service. Our next speaker is Patricia Kirk. Miss Kirk would you step forward and give us your name and your residential address, please and good evening.

PATRICIA KIRK: My name is Patricia Kirk. I live at 131 5th St NE and I'm President of Downtown Central Neighborhood Association and I would like to introduce us to you. We're unique because we're both business and both residential and just like the rest of the City of Canton, we are hurting. But we're not helpless and one of the things we plan to do is in our adoption of Kresge lot. And I finally figured out what Kresge lot really is to the City of Canton. It's not only a first impression as you go down Market Avenue. It's Canton's green welcome mat. And we want to fight to keep it that way. We want to keep it looking well. And I want you to consider the fact that all green space is working. We're not, the green space is working in Canton and right now especially during these times, it's a sin to kill something working. A little experience that I had, but it wasn't in my neighborhood. There is a little park that was land, water conservation funded mini park is on Economy and I've never heard of Economy Court. Neither did anybody else in that neighborhood. I found the park, it was a slab of asphalt with a broken fence. Nobody knew the street but everybody knew the park. That gives you an idea of how important green space and parks are. Thank you very much.

PRESIDENT SCHULMAN: Thank you. *(APPLAUSE)* Our next speaker is John Stone. John would you come forward. Good evening. *(APPLAUSE)* And you get applause even before you have spoken.

JOHN STONE: How does that happen?

PRESIDENT SCHULMAN: I betcha the Mayor would've liked that tonight too. Would you give us your name and your residential address please.

JOHN STONE: Yes, my name is John Stone and I live at 2906 12th St NW.

PRESIDENT SCHULMAN: Welcome and good evening.

JOHN STONE: Thank you very much and I am here bringing smiles and love, OK, because this is the City of Love. Do you know that? Actually, you know I'm looking up here at these signs that says Growth Ave and Prosperity Street and that means a lot to me because I think that Canton actually has a place in the growth and prosperity of the entire world, and that's a bold statement, but if you look at Ohio it's shaped like a heart. And I think God has written a story and we just need to write, we need to learn how to read it. And if Ohio is the heart of the country, maybe the world, Canton would be the heart of the heart. I know I've been hear and talked a little bit about this before, but we are holding an event this Saturday in Nimisilla Park which happens to be bordered by four city Wards and a heart has four chambers, so Nimisilla Park seems to be our heart and we are going to defibulate that thing this weekend, OK and bring it back to life. We're going to bring some

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color back to the park. We're going to plant some flowers and trees and then we're going to have some entertainment and a big drum circle that everyone can join in and help us to defibulate that heart. It should also say O'Jays Parkway up there next to those other signs. Because I really believe this and this is, I'm gonna have a copy of this flyer and news release for everyone on the panel. I'll pass around but I want to read one line here, it says "Believing that the most important jump in the evolution of Canton will be it's collective realization that it is the heart of the heartland and the origin station of the O'Jay's Love Train. B-earthday is all about awakening to this idea, and so we invite you all to join us this Saturday and I'm mean, it's bordered by four city Wards but it's all of our heart, so we want everyone to be there and bring friends and family. We're going to have some art events for the kids and it's gonna be a great time, so I would appreciate your support for that and I also want to say that I'm happy that you start this meeting in prayer. Thank you.

PRESIDENT SCHULMAN: Thank you. *(APPLAUSE)* Thank you very much. Our next speaker is Mary Knozer. Mary would you step forward and give us your name and your residential address please.

MARY KNOZER: Yea, my name is Mary Knozer and I live at 1116 Clarendon Ave NW.

PRESIDENT SCHULMAN: And good evening and welcome.

MARY KNOZER: Good evening. I want to know how to join City Council. I got a mouth. I got an opinion and I got a lot of good ideas for this town, so you guys show me the ropes and I want to join. I read in the newspaper Sunday that you guys are looking for people. I didn't vote for anybody. I'm Independent. So how do you go about doing it? That's what I want to know and second of all, there's a lady that I turned in to you guys last time I was down here that I failed, feel is being held hostage in her own home. She's about 87 years old and I talked to her about two weeks ago, she was an elderly lady I was taking care of for awhile and I stepped away because too many bad things were going down. A man that lives in front of her actually ripped her off of \$3200.00 in a week right in front of my face, so I approached him. He threatened to kill me. Cops came, they asked me why I didn't leave, well I'm not going to run from anybody. If you want me dead, here I am. So now when I talk to her, she says I can't come around because their watching. I told her I'll sneak in the back door if I have to. They took her cigarettes from her. She can't smoke anymore. I mean come on now 87 years old. I feel bad for this woman. So I would like that checked into again, and also I want to start a company here in town and it will be something that we will talk about in closed quarters.

PRESIDENT SCHULMAN: Very good.

MARY KNOZER: OK, and Hi everybody.

PRESIDENT SCHULMAN: Thank you. *(APPLAUSE)* Thank you for coming down. Our next speaker is Veronical, Veronical, maybe we'll get Marcia Zawacky up again. Veronica Callahan. I'm sorry Veronica. If you'll step forward and give us your name and your residential address please and good evening and welcome.

VERONICA CALLAHAN: My name is Veronica Callahan. I reside at 3406 34th St NE, Canton 44705. To Mayor Healy and to President Schul, Schulman, cause I'm laughing and all of Council Members. First let me ask everyone from N.A.V.E. to stand up please. If you are here with the group or in a group, stand up please. *(APPLAUSE)* I'll have to this right now, this don't take away from my three minutes, OK y'all. OK ready, Boom. We bring you greetings. We're glad to be at a packed house tonight. We're grateful for the Neighborhood Associations for bringing people out and then those that are coming out to hear our Mayor

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speak tonight. We would like to first thank you for the work that you've been doing so far this year, it's not over yet. We've just begun. We wanna just make sure that those of you that RSVP for tomorrow awards dinner, we'd like to thank the Mayor and all of Council who allocated funds so that we can keep doing what we do in our communities so we'll be looking forward to seeing you tomorrow. For those that are already seated and I know that I just met a couple more people that are running for office, that are in the audience don't forget about April 28th at the Canton Negro Old Timers. Our meet and greet. This is our first primary event so we're excited about that. We just wanna, just let you guys know that we have seen a change in the City of Canton. We gonna keep it real. There's some really good positive things that are changing and that's great. But there's always some things that Neighborhood Associations like us, non-profits, churches, what have you, grass roots, we're still keeping our eyes on it. We'd also like to let you know, don't wait til election time to come out and visit us. Come out all the time and see about us. Don't just return our calls when you want us to get out to the ballot but we need your support. We need you to not only realize the Neighborhood Associations make this city but we're not as, we're only as strong as our weakest citizen. So just like the young lady that came up before me, and I commend you. It's people like her, it's people like me, it's people like these people behind me, that really make the difference in the City of Canton. So please don't take your jobs lightly. Please continue to be personal with us. It's a difficult thing when you're talking to voicemails and like the young man who talked about the overseas communications, I attest, I hate it and it's really bothersome when our city representatives who supposed to be the link between us and what's going on are unavailable and I sometimes feel like I am talking to one of these overseas people who can't understand English. So that being said, we appreciate you. We thank you for the support that you've lended out to us and we invite you to come out to some of the things that are going on in our community this summer and throughout the year and N.A.V.E. this if for you. If you're here, don't leave, I have the raffle tickets. Thank you.

PRESIDENT SCHULMAN: Thank you Veronica. (*APPLAUSE*) I know we are all looking forward to next, is it Wednesday?

FROM AUDIENCE: Tomorrow

PRESIDENT SCHULMAN: Well and next week

FROM AUDIENCE: That's on Tuesday.

PRESIDENT SCHULMAN: Tuesday. And great work, thank you to all N.A.V.E. members. We appreciate you being here. Our next speaker is Brenda Baylor. Miss Baylor, good evening, welcome, and if you'll give us your name and residential address please.

BRENDA BAYLOR: My name is Brenda Baylor and I live at 2722 Wood Owl St NE and I'm here to represent Georgeview Estates. I have been there since about 2001 and when I moved we, I was told that we had a three year tax abatement which is why I'm here to speak and somewhere in the interim it changed to ten. We have people that moved into the neighborhood who thought they were getting 10 who got three, and people who moved into the neighborhood who thought they were getting three and got 10. There is a tremendous disparity. We have been fighting this from the onset. We have had meeting with the past Mayor. We have people who we have met with in my home and we cannot seem to get answers because we have some people, approximately 30, who did not get the ten. We are not asking for the ten year tax abatements. All we are asking for is the remainder of the seven and the reason for that is, is because we feel that because

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we are an area that it should first of all be equal, secondly we have people who have moved out of the area and those who came in who got the three, because the abatement stays with the house, they no longer have the privilege because they moved early of leaving that abatement for the next person, so if I were moving into the area, even though there is, I know at least one very beautiful home in the area, I would not buy it because it would be easier for me to build a house so that I could get the 10 year tax abatement. When you live in the area, those of us who have been there, who have done everything we can to keep the area beautiful, even when the grass wasn't being cut, we called, we did everything. We had a house that was falling down because of a big problem, we called, we did everything we could to try to keep our area beautiful, and when you ride down the street and see signs everywhere that say "10 year tax abatement" and those of us who just unfortunately happen to be there first. We're not able to get that and even though we have talked to the city, we have talked to everyone, we can not seem to get an answer. So what I am here today is to go public and say that we would like to have an answer and if you cannot give us one, then please tell us who to contact in Columbus, because we will take a bus if necessary, and go to Columbus. We intend to fight this because there is a disparity. It is unfair. Thank you.

PRESIDENT SCHULMAN: Thank you. *(APPLAUSE)* Thank you very much Miss Baylor. Our last speaker is Gerry Radcliff. *(APPLAUSE)* You must be related to John Stone.

GERRY RADCLIFF: No but he seems like a really nice person.

PRESIDENT SCHULMAN: Good evening, welcome. If you'll give us your name and your residential address please.

GERRY RADCLIFF: Yes sir, my name is Gerry Radcliff and I live at 2707 Doe Skin NE in Georgeview Estates and I'm here tonight to, I guess I should follow up with what Brenda have said. We have been working on trying to get answers about the abatement in our area and you know everyday we look out at Republic Steel over there and we know Republic Steel has gotten a pretty good tax abatement to be there. The signs have gone up from the Evergreen Properties, "ten year tax abatement" all around us. There must be 20 or 30 signs out there and yes we are a little upset about it. We want some answers. We, I have spent time talking with Mr. Torres and Carmen West and Mr. Bruce Williams. Please someone, like Brenda says, if there is someplace we need to go, if the city can't give us an answer then maybe we need to go to Columbus or wherever. Just let us know what we need to do next and we're willing to do that because we just want to be, have what's fair for all of the homeowners out there. It's a beautiful allotment and we all want the same thing. It's just not fair. I'm a senior citizen and I have to pay the taxes and my neighbors next door, who just built a house can get 10 years, all the neighbors around me, so we're just asking for, where do we go next? What is our next step? How can we get some answers? I've been promised that we would get back to, I would be gotten back to with answers so that we could take it back to the Homeowners Association and this hasn't happened. We really need some answers to what we need to do about this problem. Thank you.

PRESIDENT SCHULMAN: Thank you very much. Thank you. *(APPLAUSE)* And for those of you who have questions, as I tell all the speakers, and anyone else in the audience, the Mayor and his administration and Council Members will be here after Council to address any questions you might have. So thank you all very much for speaking tonight.

MISCELLANEOUS BUSINESS

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

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Business?

MEMBER WEST: Mr. President

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Just wanted to quickly thank everybody for who came out this past week for CDBG week and helped clean up the Northeast section of town. One comment that I wanted to bring forth to you all that someone said, they said, you know after they got done, they said this area was not as bad as they thought it was and what they meant was and often times the Northeast get a bad rap of having trash and things of that nature, but it was relatively clean and we have a lot of limbs down from the weather but it was a really good activity and I'm glad a lot of people came out for that. But as John said, this week B-earthday. All the neighborhood associations in Ward 2 have committed to doing an activity and coming down to help John defibulate Nimisilla Park so we can move that forward and bring life back into Northeast. Thank you.

PRESIDENT SCHULMAN: Thank you, Member West. (*APPLAUSE*) Member Cirelli.

MEMBER CIRELLI: Thank you, Mr. President. My quest, first question is for Law Director Joe Martuccio and it has to do with what the gentleman has spoke about on Time Warner Cable. Mr. Martuccio is there not such a thing called a monopoly law?

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Member Cirelli. There were a number of federal laws designed to bust up trusts in the manufacturing sector. Technically Time Warner Cable doesn't have a monopoly because there are satellite services available. Some folks don't like dish. The General Assembly in the last year or two in Ohio, in Columbus, Ohio and many other states has passed legislation allowing fiber optic to come into communities and in Ohio they actually have an advantage that the General Assembly built in place for fiber optics so, pun intended, the road is paved for fiber optic to come in as well to provide some competition. We are no longer under contract with Time Warner. We exist as customers and business using the infrastructure that's here. The FCC regulates Time Warner and unfortunately the two things that most folks are most concerned about when it comes to cable are the two things we could not regulate as a City Council anyway. Fees and programming.

PRESIDENT SCHULMAN: Thank you, Law Director. Member Cirelli.

MEMBER CIRELLI: Thank you, Law Director Martuccio and thank you Mr. President. I do want to suggest and have everybody here know that we, this Honorable Body, I'm sure will come forward and write a letter in totality with our objections because I have the very same objections that I heard that lady speak tonight personally and I'm sure very many other people have the same thing. You say you can't hear? A man, excuse me. Then on the gas company, Vectron. As I spoke with you, Mr. Law Director, you know I'm not with Vectron and I did get a better price. Are our citizens locked in if they chose because a lot of them are not getting in the mail things about picking another company and were all hearing that the prices are going to be lower, so are the people that have locked in with the city, are they going to have to pay a penalty to get out of that sir because as I said not being on Vectron, a Vectron customer myself, I'm not really aware of that so I'd

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like that answer please.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President, Member Cirelli and Mr. Fonte. I had planned to address the issue. Thank you Member Cirelli for bringing that and Time Warner up as well. The quick answer is there is no penalty for leaving Vectron. One of the things that City Officials and you in Council asked us to negotiate was the ability to leave without a penalty cause previous contacts had, had a penalty. However approximately a month or more ago when several of us who have a committee together to represent the City's interest and SCOG's interest the Stark Council of Government's we represent public buildings as well, large public buildings, when we saw that the gas, natural gas market was easing up considerably over where had it been before, we got together with our broker who is a very knowledgeable person and discussed the falling prices. Unfortunately as most of us know, in life timing is everything and in our earlier contracts when we negotiated natural gas prices, timing was in our favor. Underground storage was in our favor, hurricanes and the lack of them were in our favor, so most years went well until Hurricane Katrina and then there was some bad times. Point of all that is, when we had a window to re-negotiate our natural gas prices this last time around they were in the stratosphere. They were places they'd never been before cause of the speculative bubble and we had to negotiate in that window so that the company Vectron that we bought from, had to buy massive amounts of natural gas at very high prices. We got a discount at that time because we bought in bulk, however, when we met with our consultant recently the question was posed can we do something to give our citizens relief? And the answer is yes. We're proposing following a sort of blend and extend route where we look at buying natural gas further out, taking those cheaper distant prices, averaging them in with current prices, there by bringing the whole price structure down. The benefit is it's a fixed price and it will take us through a couple of winters no matter what happens in the future. The risk shifts to the gas supplier as opposed to the gas buyer. And again, to answer your original question, if our citizens receive a solicitation and they feel they'd like to follow it on their own, they can and there's, if they find they like it. Be careful I would say, please, please, please read the small print on anyone else that solicits you, there may be penalties for leaving the new company as well, but they can leave without penalty.

MEMBER CIRELLI: Thank you, Mr. President.

PRESIDENT SCHULMAN: Thank you.

MEMBER CIRELLI: Thank you Law Director Martuccio. Now Mr. President last week when I brought the issue up about Stark County Parks and what have you and a lot of people here raised their eyebrows. I knew we had given them money and I got that fact from and I thank you Auditor Mallonn for seeing that was supplied to me. In 1999, 2007, and 2008 we gave a total of \$195,000.00 approximately the City of Canton so now you can appreciate maybe my concerns of why Canton was left out and not any of the activities that were included in the Stark Parks. So I just wanted to verify that. Secondly, Mr. President, on Saturday, and Mr. Adams is in the audience, I had an occasion from the Health Department to speak with him and he apprised me and I want to thank Member Dougherty because he asked the question about Capital Project monies being used for various things and I received that answer today from Mr. Adams stating that several Health Dept fundings, actually his state, his exact quote was "We did not know that the Capital 4501 Funds were being used to fund these General Revenue Fund items" and he got a explanation from Karen Algeri, so natural, and I hope I said that right Karen, naturally my concern is what other funding possibly of Capital Improvement monies are going to fund General Fund dollars that, do we know or do we not know of. I would appreciate if there's an answer for that, thank you.

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PRESIDENT SCHULMAN: Finance Director.

FINANCE DIRECTOR ALGER: Well upon doing the General Fund we were trying to find avenues to reduce some of that cost.

PRESIDENT SCHULMAN: Is your microphone on? Because it doesn't sound like it.

FINANCE DIRECTOR ALGER: It's on.

PRESIDENT SCHULMAN: You're gonna have to just speak up a little bit. We do not have the best sound system here as you know, unfortunately.

FINANCE DIRECTOR ALGER: OK. When we originally did the General Fund back on the temporary, we were trying to reduce some of the costs that was funding to General Fund and we tried to give some of the costs to the Capital and that was one of the suggestions by the Auditors office that we may shift some of that Capital line item to the actual Capital project. So, I'm not sure if I'm completely answering your question but...

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you, Mr. President. Miss Alger is that correct? Could you just kinda put a side note to and to all the Council Members as to what was funded by General refund, General Revenue Funds that are now being funded by Capital Improvement. That would be helpful. I appreciate that.

FINANCE DIRECTOR ALGER: Sure.

MEMBER CIRELLI: And last but not least, Mr. President.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader Casar.

MEMBER CASAR: I think it's something has to be said at this point. The audience gets three minutes to speak and so do Council Members and Mary, Mrs. Cirelli over exceeded her time.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: I'll let you at least finish up Mary, go ahead.

MEMBER CIRELLI: Thank you. I am sorry some Members of Council feel they're being put out by another Council Member asking questions which I think happen to be pertinent to this City. I have before me the lotteries, state lotteries that I happen to be a member of AARP and there are some cities or states, excuse me, like Alaska, Arkansas, Hawaii, Nevada, Wyoming, and Utah that have no lotteries. Ohio's lottery has taken in, if you'll bare with me, \$2,100,000,000.00. Now we were all told that this was going to help the schools but we've seen no decrease in our property taxes and I just wanted to apprise people of that, that there's a big discrepancy there. How the others states do it and we can't I have some real problems with that. Thank you and thank you, Mr. Casar for acknowledging me.

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PRESIDENT SCHULMAN: Thank you, Member Cirelli. Thank you, Member Cirelli.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I was just stating a Council rule that if the audience got to abide by three minutes, so should Members of Council.

PRESIDENT SCHULMAN: I understand.

MEMBER CASAR: That's all I was doing.

PRESIDENT SCHULMAN: No, I understand, Leader. Are there any other Miscellaneous remarks? Member Kraus.

MEMBER KRAUS: Thank you Mr. President. This is for the Service Director. Warren if you can do me a favor, bringing up Stark Parks, can you find out from Stark Parks or from our park system, who's maintaining that walking path along 48th on, around the railroad tracks and that creek. Apparently the people have called about they were promised a fence up there and the fence isn't been, hasn't been put up and also there's some debris in the creek that needs to be cleaned. Can you just find out who maintains it before I make my little call so I call the right one and get the right information. Thank you.

SERVICE DIRECTOR PRICE: Mr. President.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Service Director Price.

SERVICE DIRECTOR PRICE: Mr. President, Member Kraus. Thank you, I'll find that out for you.

PRESIDENT SCHULMAN: Thank you, any other Miscellaneous Business?

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Smith.

MEMBER SMITH: Maybe I should address this to Mr. Price also or just to piggy back on what Mr. Palumbo was saying regarding swimming for this summer. Will we have a program implemented like we did last year for the youth to swim and to have lessons?

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Mr. President, Member Smith. I'll have to find that out for you. I honestly don't know.

MEMBER SMITH: OK, thank you.

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PRESIDENT SCHULMAN: Are there any other remarks?

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you. Quickly to Ms. Baylor, we in the Law Department will be updating the current Administration on previous discussions about what was going on with that particular abatement. It's not a commercial abatement, it has to do with reality. We were in contact with the County Auditor's office at some point and with some folks in Columbus and we'll have to update the current Administration and try to figure out where that is for your benefit. Ms. Knozer the Board of Elections can tell someone how to run to City Council if one wants to run as a party affiliate, that time has passed, this particular year but the Board of Elections can provide that information. And lastly on a high note, I want to get on the record that one of our employees in the City, one of our Assistant Law Directors, Kevin L'Hommedieu ran his second Boston Marathon today. (APPLAUSE) His 13th marathon in the last 17 years and he applies that discipline to those questions and those briefs that he's filing. Thank you.

PRESIDENT SCHULMAN: Thank you Law Director. Member Smuckler.

MEMBER SMUCKLER: Mr. President. Regards to communication number 192 on the agenda. I received the Mayor's letter about a meeting next week. I'd love to meet with you, when Councilman Prater and Councilman Casar are available. I do have one question though, I got a call today by one of the union representatives that we hired another person on the 8th floor. Is that correct?

PRESIDENT SCHULMAN: Mayor.

MAYOR HEALY: Yea, Mr. President and to Councilman Smuckler, yes we moved Scott Henry, he's working on a neighborhood stabilization, I'm sorry he's working on the stimulus package with Dan Moeglin. He was spending half his time there, we put him full-time on that. He's paid for by development funds. As I mentioned we generated over \$28,000,000.00 for stimulus dollars. We need more manpower to be able to address that. We're going to need more manpower as those funds and projects come in to operate those things. In doing so, we brought somebody in to replace his position up there reporting to the Safety and Service Director as their main administrator.

MEMBER SMUCKLER: Thank you. I'll meet with you next week.

PRESIDENT SCHULMAN: Thank you, Member Smuckler. Are there any other remarks? I have one if I could address it to the Mayor. Mr. Mayor, I was intrigued and thank you for your State of the City address tonight by your ethics proposal, your ethics Ordinance. I would ask that because of what I understand to be a pretty voluminous ethics requirement, that at least you submit that to Law Director Martuccio if you have not, and also if you would be so kind as to give every Council Member and myself a copy of that, and in addition lastly and just briefly, I would also recommend in this age of paid political consultants, who seem to wheel tremendous influence over candidates and whether they're running for office or even after they are in office, I would hope that your ethics proposal would include any paid political consultants that any of us may hire, any paid political consultants that are used after assuming office, and that, that would be incorporated in your ethics Ordinance. But otherwise, I congratulate you on your State of the City remarks tonight. We appreciate it and we welcome you always to give any remarks you wish to Canton City Council and the citizens of our community. Is there anything else? Leader Casar.

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

MEMBER CARBENIA: Seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Meeting is adjourned. Thank you ladies and gentlemen very much.

CLERK TIMBERLAKE: Thank you.

ADJOURNMENT TIME: 8:27 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT