

MINUTES OF THE MEETING OF MAY 11, 2009

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

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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)

ELEVEN COUNCIL MEMBERS PRESENT (JOE CARBENIA ABSENT)

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

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

The regular meeting of Canton City Council was held on Monday, May 11, 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 Patrick Barton, the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We're now under agenda corrections and changes and Members of Council your going to be asked to suspend Rule 22A to add Communication #223, 1st Reading Ordinance 4a and the 2nd Reading of Ordinances 5 and 6, Leader Casar.

MEMBER CASAR: Mr. President, I move 22A be suspended to add Communication #223, Ordinances #4a and Ordinance #5 and 6 for the 2nd Reading.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend Rule 22A to add Communication 223, 1st Reading Ordinance #4a and 2nd reading Ordinance 5 and 6. Are there any remarks? If not Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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

PUBLIC HEARINGS

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

MINUTES OF THE MEETING OF MAY 11, 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. Member Casar.

MEMBER CASAR: Mr. President, I move that Joseph Carbenia, the 9th Ward Councilman be excused from this evening's meeting.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that Member Carbenia be excused from this evening's agenda...or meeting. Are there any remarks? If not, roll call vote please Madame Clerk.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

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

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and Member Carbenia is excused from this evening's meetings. And Madame Clerk, we are now under Resolutions and would you please Resolution 34 by title.

#34. CIRELLI, M., CNCL-AT-LRG: REQ US CONGRESS TO IMPLEMENT HOMEOWNERS & BANK PROTECTION ACT OF 2007. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: I move we adopt Resolution #34.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 34. Are there any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. After the vote, I would just ask that our ladies see that it goes to our respected members in Congress. Thank you very much.

PRESIDENT SCHULMAN: Very good, the Clerk will certainly do that, thank you. Any other remarks? If

MINUTES OF THE MEETING OF MAY 11, 2009

not than on Resolution 34. All those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #34 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it and Informal Resolution 34 is adopted. Resolution 35 please.

#35. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF CHET WARREN TO STARK COUNTY REGIONAL TRANSIT AUTHORITY FR 4/1/09 - 3/31/12. - ADOPTED

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #35.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 35. Are there any remarks? If not, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #35 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it and Resolution 35 is adopted.

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED MAY 11, 2009.

205. AUDITOR MALLONN (CITY): MONTHLY RPT BY FUND 4/1/09 - 4/30/09. - RECEIVED & FILED

206. AUDITOR MALLONN (CITY): YEARLY RPT BY FUND 1/1/09 - 4/30/09. - RECEIVED & FILED

207. AUDITOR MALLONN (CITY): CERT OF TOTAL AMT FROM ALL SOURCES FOR 2009. - RECEIVED & FILED

208. COMMUNICATION DIRECTOR HERMAN: REQ AMEND CHAP 150, TO ENABLE THE SYSTEM PLANNING BOARD TO CREATE, MAINTAIN, & ENFORCE A CITY-WIDE INFORMATION TECHNOLOGY PURCHASING POLICY. - JUDICIARY & FINANCE COMMITTEES

209. COURT ADMIN KOCHERA: REQ SUPP APPROP & INTER FUND TRANSFER FOR MISC SUPPLIES PURSUANT TO COMM DEV GRANT FR: OH DEPT OF NATURAL RESOURCES

MINUTES OF THE MEETING OF MAY 11, 2009

FOR US BY COMM SERV PROG. - FINANCE & COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES

210. DEVELOPMENT DIRECTOR TORRES: REQ TO ESTABLISH FAIR MKT VALUE OF PARCEL #02-01928 (SIXTH ST SW - LINDA WILLIAMS). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
211. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR TO SUBMIT APP W/US DEPT OF HUD, EXECUTE GRANT AGMTS, & ACCEPT \$250,000.00 IN HOME CHDO FUNDS; ENTER INTO CONTRACT W/FREED HOUSING CORP IN AMT NOT TO EXCEED \$500,000.00; AUTHORIZE AUDITOR TO ESTABLISH SEPARATE FUND FOR RECEIPT & DISTRIBUTION OF SAME. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
212. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE TRANSFER OF PROP FROM CCIC TO CITY OF CANTON (FORMER RIVERSIDE PARK ON WARNER RD NE). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
213. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/STARK CNTY BRD OF COMMISSIONERS FOR 39,770 PARCELS OF VISRE STREET LEVEL IMAGERY IN AMT NOT TO EXCEED \$39,770.00. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
214. HEALTH COMMISSIONER ADAMS: REQ APPROP FROM 2328 PUBLIC HEALTH INFRASTRUCTURE FOR 2009 TO 2328 PUBLIC HEALTH INFRASTRUCTURE FUND FOR \$5,085.02. - FINANCE COMMITTEE
215. LAW DIRECTOR MARTUCCIO: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO NON-DISTURBANCE & ESTOPPEL AGMT WITH/& BETWEEN OHIO CULTURAL FACILITIES COMMISSION & NATIONAL FOOTBALL MUSEUM INC. - FINANCE COMMITTEE
216. LIQUOR CONTROL DIVISION (OHIO): ADVISING THAT RENEWAL OF C1 LIQ PERMIT FOR ROBERT E SCHLUNEKER SR DBA MAGGIORE'S DRIVE THRU 11 @ 2057-2059 E TUSCARAWAS ST HAS BEEN DENIED FOR 2009-2010 APPLICATION YEAR. - RECEIVED & FILED
217. MAYOR WILLIAM HEALY: REQ RE-APPT OF JAMES REINHARD TO SARTA FOR 3 YR TERM FROM 4/1/09 - 3/31/12. - PERSONNEL COMMITTEE
218. SAFETY DIRECTOR NESBITT: REC OF MARCH 2009 RPT OF INMATES INCARCERATED PROVIDED BY STARK CTY SHERIFF TIMOTHY SWANSON. - RECEIVED & FILED
219. SAFETY DIRECTOR NESBITT: REQ SAF DIR TO ADVERTISE, REC BIDS, & ENTER INTO CONTRACT FOR REPLACEMENT OF THE K9 TRAINING BLDG THAT WAS DESTROYED BY FIRE; FUNDS EXIST IN 2760-102001-75803. - PUBLIC PROPERTY CAPITAL

MINUTES OF THE MEETING OF MAY 11, 2009

IMPROVEMENT & FINANCE COMMITTEES

220. SAFETY DIRECTOR NESBITT: NOTIFYING THAT CITY & FOP HAVE REACHED A 3 YR TENTATIVE AGMT. - FINANCE & PERSONNEL COMMITTEES
221. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS, & ENTER INTO CONSTRUCTION CONTRACT FOR 49TH & GARDENDALE NE STORM SEWER & BASIN PROJ, PHASE II, GP 1074; AUTHORIZE APPROP TRANSFERS & SUPP APPROP FOR SAME. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
222. SERVICE DIRECTOR PRICE: AUTHORIZE SER DIR TO ACCEPT APPROX 440 TONS OF ROCK SALT DONATION FROM THE MAGGIORES COMPANY. - FINANCE COMMITTEE
223. PLANNING COMMISSION: RECOMMEND APPROV OF ZONE CHG @ 2512 12TH ST NW FROM R-1a (SINGLE FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS) (WESTBROOK PARK UNITED METHODIST CHURCH). - JUDICIARY COMMITTEE

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 #4a FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

- #1. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS AND APPROPRIATION TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ANGELA CAVANAUGH TO SERVE AS THE CITY'S CHIEF BUILDING OFFICIAL IN AN AMOUNT NOT TO EXCEED \$65,500.00; AMENDING APPROPRIATION ORDINANCE NO. 193/2008; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel & Finance Committees
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #1 WITH CENTRAL-ALLIED ENTERPRISES, INC. IN AN AMOUNT NOT TO EXCEED \$136,512.35 FOR ADDITIONAL COSTS RELATED TO THE 30TH STREET NE STORM SEWER, ROADWAY RECONSTRUCTION AND STORM WATER BASIN PROJECT, GP 1083; AND

MINUTES OF THE MEETING OF MAY 11, 2009

DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

- #4. (1ST RDG) **ADOPTED AS ORDINANCE NO. 75/2009** AN ORDINANCE APPROVING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND THE FOP; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance & Personnel Committee

PRESIDENT SCHULMAN: And at this time the Chair, for Ordinance 4, will declare an in house recess for Finance & Personnel Committees to meet in regard to that Ordinance on your agenda this evening. You are now in recess.

(COUNCIL RECESSED @ 7:40 PM FOR FINANCE & PERSONNEL COMMITTEES TO DISCUSS THE ADOPTION OF ORDINANCE #4; RECONVENED @ 7:50 PM)

PRESIDENT SCHULMAN: Thank you Member Hawk. Council will reconvene than after the recess, Leader Casar.

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

MEMBER CIRELLI: 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, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries and Ordinance 4 is a legal part of your agenda. Leader Casar.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Statutory rules on Ordinance #4. 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.

MINUTES OF THE MEETING OF MAY 11, 2009

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

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #4. Are there any remarks under this Ordinance? I would like to just say briefly, you know, I appreciate Captain Angelo coming up and all the words that Member Hawk and certainly a great deal of credit goes to our Mayor and Safety Director in regard to this Ordinance. But, you know, this County had a..has a great middle class, it built this Country and the middle class was stocked with union workers. And we need strong unions in this Country and there is a segment of our society, which constantly complains about unions and the fact that they don't do anything for this Country. They built this Country and they should be congratulated and Captain Angelo and your union, thank you for all your hard work, aside from the fact that each and everyone of you risk your lives everyday that you go out to patrol our streets. So thank you again for your service. (*Applause*) Are there any other remarks? If not, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#4 ADOPTED AS ORDINANCE NO.75/2009

PRESIDENT SCHULMAN: Ordinance #4 has been adopted. Ordinance #4a Madame Clerk.

#4a (1ST RDG) **ADOPTED AS ORDINANCE NO. 76/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT A DONATION OF APPROXIMATELY 440 TONS OF ROCK SALT FROM THE MAGGORIES COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

PRESIDENT SCHULMAN: The Chair will declare an in house recess for the Finance Committee to meet in regard to Ordinance #4a, on this evening's agenda. You are now in recess.

(COUNCIL RECESSED @ 7:53 PM FOR FINANCE & PERSONNEL COMMITTEES TO DISCUSS THE ADOPTION OF ORDINANCE #4a; RECONVENED @ 7:54 PM)

PRESIDENT SCHULMAN: Thank you Member Hawk. Council will therefore convene after its recess and Leader Casar.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A. Are there any remarks? If not, Madame Clerk roll call vote please.

MINUTES OF THE MEETING OF MAY 11, 2009

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: The motion carries and Ordinance 4a is a legal part of your agenda. Leader Casar.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Statutory rules on Ordinance #4a. 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. Leader Casar, you've heard the three readings.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #4a. Are there any other 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.

#4a ADOPTED AS ORDINANCE NO.76/2009

PRESIDENT SCHULMAN: Ordinance 4a is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

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

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #5 AND #6 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #5. (2ND RDG) AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO APPROPRIATE A PERMANENT EASEMENT AND A TEMPORARY CONSTRUCTION EASEMENT IN REAL PROPERTY OUTSIDE THE CITY'S CORPORATE LIMITS; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING OF MAY 11, 2009

- #6. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 105, CONTRACTS, OF TITLE ONE - GENERAL PROVISIONS OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're under Ordinances for the third and final reading. Madame Clerk would you please read Ordinance 7 by title.

- #7. (3RD RDG) **ADOPTED AS ORDINANCE NO. 77/2009** A RESOLUTION ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECOMMENDATIONS REGARDING ENTERPRISE ZONE TAX ABATEMENT AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #7. 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.

#7 ADOPTED AS ORDINANCE 77/2009

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance #7 is adopted. Ordinance #8 please.

- #8. (3RD RDG) **ADOPTED AS ORDINANCE NO. 78/2009** 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

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER CIRELLI: Seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

MINUTES OF THE MEETING OF MAY 11, 2009

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#8 ADOPTED AS ORDINANCE 78/2009

PRESIDENT SCHULMAN: Ordinance #8 is adopted. Ordinance #9 please.

#9. (3RD RDG) **ADOPTED AS ORDINANCE NO. 79/2009** AN ORDINANCE REPEALING CHAPTER 159, ANNEXATION, OF THE CODIFIED ORDINANCES

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER CIRELLI: Seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#9 ADOPTED AS ORDINANCE 79/2009

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

#10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 80/2009** AN ORDINANCE AMENDING 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 #10.

MEMBER CIRELLI: Seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#10 ADOPTED AS ORDINANCE 80/2009

PRESIDENT SCHULMAN: Ordinance #10 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

MINUTES OF THE MEETING OF MAY 11, 2009

PRESIDENT SCHULMAN: We're now under Announcement of Committee meetings. Are there any announcements?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you sir. Finance Committee will meet at 6:30 on Monday the 18th.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet at 6:30 May 18th.

PRESIDENT SCHULMAN: Thank you. That's it.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We are now under Public Speaks, Open Forum. We have four speakers signed up this evening. I'm gonna take them somewhat out of order, using my prerogative here. Our first speaker is Bruce Tague and I've mispronounced your name, sir, I apologize. Would you stand up and give us your name and your address and let me just caution you if I might, Council has a rule that public speaks is only three minutes and I will hold you to that. So, if you can confine your remarks to that amount of time, we'd appreciate it. Good evening.

BRUCE TAGUE: Yes, my name is Bruce Tague, my address is 9730 Hoose Road, Concord Township, Ohio. I've provided you all with a folder with a quick slide show, I understand I have the three minutes and if everyone could follow me, I will go through this as quickly as possible and than answer any questions anyone may have.

PRESIDENT SCHULMAN: Now you have two minutes and forty nine seconds.

(LAUGHTER)

BRUCE TAGUE: I am with the Ohio Job and Growth Plan, we are looking to bring four first class casinos here to the State of Ohio. Backers would be Dan Gilbert, Quicken Loans Arena and owner of Cavaliers, the other interest is Penn National Gaming, Inc., nationally traded casino gaming company here in the United States of America. Twenty thousand new jobs when the Ohio unemployment rate is at 10%. Minimum one billion dollars, private investment, two hundred million guaranteed upstate...up front fees to the State of Ohio. Guaranteed the 33% tax written into the amendment. A couple slides here to show you the location of the casinos in Cleveland, Cincinnati, Columbus and Toledo. Where the tax dollars will go, 1.97 billion dollars estimated in gross casino revenues, which would go thirteen million to the State Law Enforcement Training, thirteen million to a problem gambling program, three hundred and thirty two million dollars to all eighty eight Counties, thirty two million to the host Cities, nineteen million dollars to Ohio Casino Control Commission, nineteen million to the Ohio State Racing Commission and two hundred twenty one million dollars to the school districts here in the State of Ohio. Next page, verifying the numbers, one billion dollars currently being

MINUTES OF THE MEETING OF MAY 11, 2009

spent on gaming in other States would stay here in Ohio. 1.97 billion dollars, estimated revenue of the gross gaming receipts, as you can see, 2013, 2014, 2015 and so on, the estimates grow even higher, which makes the amount of money that would come to the Counties and schools greater. Most important to Stark County, tax revenues, of that thirty three percent, 18.6 million dollars per year. Stark County Government will receive 5.5 million, City of Canton would receive 5.5 million, revenue for Stark County schools will be 7.6 million dollars annually. How am I doing on time sir?

PRESIDENT SCHULMAN: You have about forty seconds.

BRUCE TAGUE: Forty seconds, okay.

PRESIDENT SCHULMAN: Forty three, forty two, forty one.

(LAUGHTER)

BRUCE TAGUE: Forty one. General Assembly must pass within six months of the amendment to create that commission that would control the casinos here in the State of Ohio, regulating the casinos, they would do that also. Summary, one billion minimum mandated private investment, two hundred and fifty per casino. Twenty thousand new jobs, one billion currently being spent from people leaving the State of Ohio, staying here in Ohio. Four largest Cities, six hundred and fifty one million in tax revenues for the Counties, Cities, Schools, State programs in just the first year alone. Two hundred million in guaranteed up front license fees for the State Training and Jobs Program. I am done.

PRESIDENT SCHULMAN: Thank you.

BRUCE TAGUE: Does anyone have any questions.

PRESIDENT SCHULMAN: We'll get to that, you can stick around afterwards and ask whether anybody has any questions but thank you very much sir.

BRUCE TAGUE: Your welcome. I do have to leave sir, so Mr. President, Mr. Mayor, Council, thank you again. I left you my card if anyone has any questions or if you would like me to come back to address Council, I'd be more than happy. Have a great evening.

PRESIDENT SCHULMAN: Thank you sir.

BRUCE TAGUE: Thank you.

PRESIDENT SCHULMAN: Our next speaker is Patricia Kirk, Ms. Kirk. Good evening.

PATRICIA KIRK: This will also be very short.

PRESIDENT SCHULMAN: Good. *(Laughter)*

PRESIDENT SCHULMAN: Leader Casar loves short public speaks. *(Laughter)*

MINUTES OF THE MEETING OF MAY 11, 2009

PATRICIA KIRK: Alrighty, alrighty sir. Thank you very much. My name is Patricia Kirk, I live at 131 5th Street, NE. Canton is a great City, it always has been and it can even be greater through awareness. All that's needed is education to bring us up to speed and empower us. In addition to Shake-a-Leaf's regular fourth Thursday night meetings, we are holding a two part mini series on Tuesday, June 2nd and Friday, June 5th, they both start at 6:30 P.M. and are held at 120 Cleveland Avenue at Church of the Savior across the street. Part One, on June 2nd would be titled Green Space 101, The Big Picture with a panel of Pam Fegler of Earth Action Partnership and Bill Hahn, Urban Forrester with Akron City Engineering and an overview information from Ohio Greenways in Cleveland. Part Two on June 5th will be water quality benefits of green space, Eric Aiken of Nefco, the Watershed Coordinator will give a presentation and the overview information will be from Ohio Greenways. This information is geared for the public, it's opened to the public and it's especially for City planners. After a little seminar test, all seminars....got to have those little multiple choice little tests, City representatives will be given a certificate of attendance, it's open to the public, it's free, it's after work, it's informative. You know way in advance and you're free to ask questions and just relax, what more can you ask. We'll even have a little lottery for you. There is parking around the building at 6:30 on Tuesday, June 2nd and 6:30 on Friday, June 5th at Church of the Savior. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much. You know Patricia, Law Director Martuccio and I were just commenting, we really appreciate you being here. You know, I wish every citizen in the City had your spirit. Thank you, despite what the Leader says. (*Laughter*) But you know, we do have our new, Council-at-Large, Member here, Joe Cole, so you know....(*Applause*) I knew I'd get that in there. Our next two speakers, not that the previous two were not significant or important but I would like you to pay close attention to because I invited them. The first speaker is M.J. Albacete. And Mr. Albacete, if you'll step forward, I don't think I have to give you an introduction but if you'll give us your name and your residential address please.

M.J. ALBACETE: Yes, thank you. M.J. Albacete, I reside at 515 Glenwood SW in North Canton and I'm Executive Director of the Canton Museum of Art. I was born and raised in Canton in the neighborhood known as the corn center around the Belden School District and I am a graduate of Regional Colleges. I went to Kent State, Walsh and Akron University. And in all the years of my life here, I've witnessed it close hands, the ups and downs of our community and for the past thirty four years of my professional career at the Canton Museum of Art, our museum has grown and thrived in partnership with the other major cultural forces in the community such as the Canton Symphony, the Canton Ballet, the Players' Guild of Canton and Vochie. Many of you will remember our architecture in Canton projects, our Norman Rockwell and Andrew Wythe exhibitions and most recently, our historic Clyde Singers America exhibition and publication, which I might mention is a finalist in the Ohioana Library Association Competition. And so, as many of you already know, the Canton Museum of Art just closed the largest most impressive, most important exhibition in its 75 year history. Kimono is our landscapes of Itchiku Kubota. Thanks to a generous grant from the Timken Foundation of Stark County. Kimono's art came to the United States for a limited two museum venue in San Diego, California and Canton, Ohio. The impact of a highly successful and broadly based marketing strategy resulted in attendance figures over the eleven week exhibition period of more than fifty six thousand gallery visitors. These people came from all over Ohio and from many other regions of the United States as well just to come to Canton to see Kimono as art. They ate in our regional restaurants, they slept in our hotels, they bought fuel at our gas stations and they shopped in our stores. More to the point, we demonstrated that the modest staff of the Canton Museum of Art was fully capable of handing an exhibition of major consequence in our spacious galleries. We were the envy of some of the biggest museums in the State of Ohio. Visitors from Cleveland, Akron, Columbus, Dayton and Toledo all asking us the same question, "How did you get this exhibition and we didn't?" Kimono is art served as the hub around which a long list of related activities fill the community

MINUTES OF THE MEETING OF MAY 11, 2009

calendar thanks to the planning efforts of Arts in Stark. In addition to more than nine thousand students who toured the Kimono Exhibition in the company of our docents, outreach programs to the schools resulted in thrilling projects that demonstrated through the arts that a world of cultural enrichment was readily accessible to all of our children. The Ohio Arts Council is watching us very carefully. We talk about putting Canton on the map or keeping Canton on the map but that is not enough. It is within our power now to make Canton a viable arts destination and with this exhibition we proved that we could do it. And we can do it again and again because there are so many other exciting exhibitions which we can bring to the Canton Museum of Art. The major investment has already been made through the Timken Foundation and they have set the example. Building on the financial reserve of Kimono is art and with the aid of Canton City Council we can begin a new era of arts activity. All that remains to be determined is what comes next and how soon. Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you very much. Thank you Al very much. Our last speaker, last but not least is Robb Hankins. Mr. Hankins would you step up and give us your name and your residential address please.

ROBB HANKINS: My name is Robb Hankins, I live at 3968 Ashford St, NW. In my three minutes, I'm going to give you a three year arts update in the City of Canton. The last three years in our downtown, we've taken four vacant or for sale buildings and turned them into four art galleries, Second April, Acme Artists, Anderson Creative and the Joseph Saxton Gallery of Photography. The last four we've taken twenty two vacant store fronts or offices and transformed them into twenty two artist studios. The last three years, we've installed thirty new pieces of public art and as of next month, we will have hosted twenty two First Fridays. The arts are transforming our downtown. In the last three years in our schools, we've introduced ten thousand kids in thirty two schools to the new SMARTS Program, which super charges learning through the arts. The arts are transforming our schools. In the last three years in our neighborhoods, we've given out two and a half million dollars in grants, totally raised from the private sector to arts groups to schools to churches to boys and girls clubs, to YWCAs. The arts are transforming our neighborhoods. Arts funding in the last three years, we've grown private sector arts funding by fifty percent. We've made go every year for the last three years, we've done it in twelve weeks as I stand here tonight, we're at 92% of this years one million, four hundred thousand dollars goal with ten days left to make it. Some of our workers are inviting City Council Members to make private donations, we encourage you to do so because we're going to beat the odds and on Wednesday, May 20th in the middle of a recession, the arts are going to make goal for the fourth year in a row. And finally Kimono, fifty six thousand people walked through the doors of the Canton Museum of Art. Forty six thousand more participated with the eighty Kimono related events for a total economic impact of six million dollars. We thank the City for its support. We invite you to join us in even bigger and better collaborations for the future. And finally, we invite you and the citizens of Canton to believe in the power of the arts.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you very much.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We've now under Miscellaneous Business. Is there any Miscellaneous Business? No? Well before you adjourn I just want to follow up if I might. And I know that...and I'm interrupting you Leader because you were in a spearhead on this public arts Ordinance that we talked about and I think you just

MINUTES OF THE MEETING OF MAY 11, 2009

heard the economic benefit and I'm preaching to the choir here. And I know the Mayor feels the same way. This City needs it's....in the State of Ohio, it would be the first arts Ordinance, ever. And you know, it used to be, well when Don and I talked, when the Leader and I talked about this, and with Greg Hawk and others, you know, it was, "Well, now we're in a recession and the City's budget is tight." What you just heard from these two gentlemen and what was witnessed over the course of the last two years with Kimono, fifty six thousand attended, eighty thousand people participated, and economic....and I frankly think Robb is wrong, I think the economic benefit is greater than six million dollars. I think the Mayor would probably agree with me. But we need an arts Ordinance for this City. We need at least a modest amount going to the arts district and our artists in this community. They're as important as a sports team, they're as important as a hotel, they are as important as any economic shop in our area. And they contribute and they bring in, if you look at finally, you have Government, if we passed an arts Ordinance, you have private sector, Robb Hankins is going to raise 1.4 million dollars in the depths of this recession from this community and he will do it by the way and you have education. You have ten thousand children participating in this exhibit. I don't know what more you could ask for as a community. It's not just the....they're the arts, you know the arts always help, kind of for some people a negative view. This is economics folks, this is big money and at a time when this City desperately needs it. So, I would just encourage my Leader to think about that and all of you to think about to spite the tough times, maybe we can find some resources in our budget to support, not just the arts but to support the vibrant economy of this area and to help everyone in the community. So with that, anyone else? Leader.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adjourn. Roll call vote please Madame Clerk.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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

ADJOURNMENT TIME: 8:15 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT