

MINUTES OF THE MEETING OF JUNE 8, 2009

PRESIDENT SCHULMAN: We were in Executive Session, so we apologize for starting late tonight. Before we begin, the City of Canton today and the Mammone family, in particular, suffered a horrific, horrific loss. And our thoughts and our prayers go out to that family tonight, I know most of us who heard the news were shocked to say the least at the brutality of that incident. I don't know, some things have no explanation in life but certainly we are thinking of the family and they are going to be in our thoughts and prayers. In addition, we suffered a terrible loss at the death of Captain Marty Hall and for both of those reasons tonight I'd like to, before begin the meeting, have a moment of silence please.

MOMENT OF SILENT

PRESIDENT SCHULMAN: Thank you very much. With a quorum being present the Chair calls the 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)

TWELVE COUNCIL MEMBERS PRESENT

CLERK TIMBERLAKE: All present, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight we'll have our invocation given by our Majority Leader, Don Casar. If you'll all please remain standing for the pledge of allegiance.

The regular meeting of Canton City Council was held on Monday, June 8, 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-at-Large, Don Casar, 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 you're being asked to suspend Rule 22A to add the 2nd Reading of Ordinances 8 through 15, Majority Leader.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A to add Ordinances 8 through and including 15 to this evening's agenda.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend Rule 22A. Are there any remarks? 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.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries. Rule 22A is suspended and the 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.

PUBLIC SPEAKS

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

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We are now under Informal Resolutions. Madame Clerk would you please read Resolution 38 by title.

#38. COUNCIL AS A WHOLE: COMMENDING OFFICERS JOE PILEGGI AND STEVEN FOWLER FOR THE HEROISM AND RESCUE OF RESIDENTS FROM THEIR BURNING HOME. - ADOPTED

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President I move we adopt Resolution #38.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 38. Are there any remarks? Member Prater.

MEMBER PRATER: Yes, could I have the Resolution read please.

PRESIDENT SCHULMAN: Yes, absolutely, Madame Clerk.

CLERK TIMBERLAKE: **Whereas**, On Monday, May 18, 2009 responding to a report of a burglary in progress K-9 Police Officer, **Joe Pileggi** and Police Officer, **Steven Fowler** of the Canton City Police Department arrived at 329 Harrison Avenue NW to find the house on fire. Upon arrival, the officers heard the fire alarm in the residence and saw smoke coming out through the seams of the door and an air conditioning unit. The two Police Officers entered through an unlocked side door and rescued a woman and her two children who were left trapped in the basement by two burglars; and **Whereas**, The officers saved their lives. Without hesitation **Joe Pileggi** and **Steven Fowler** risked their lives by going into a burning house to search for people; and **Whereas**, We commend **Joe Pileggi** and **Steven Fowler** for their quick, selfless actions and heroism for saving the lives of a mother and her two small children from a burning home; and **Now, Therefore, Be It Resolved**: That we, the Members of the Council of the City of Canton, Ohio, do hereby go on record as commending **JOE PILEGGI AND STEVEN FOWLER** for their quick thinking,

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impulsive reactions and unselfish heroism. You truly are our "CANTON HEROES"!

(APPLAUSE)

PRESIDENT SCHULMAN: Well we'll vote first and then you can present the award. Any other remarks? If not all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #38 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries. The Resolution is adopted. Member Prater.

MEMBER PRATER: Yes, I'd like to have Officer Pileggi and the Chief come up please. Hardly a day goes by that one of our safety forces, police officer or firefighter doesn't do something heroic or out of the ordinary. But I think there is those rare occasions where something happens that is so extraordinary that they risk their lives to save someone else. So we owe them a debt of gratitude and a very big thanks. So having said that, as a Member of City Council, I would like, on behalf of all of City Council, the Mayor and his Administration and all of you to say a very big thank you to these two officers. Had they not been there and done what they did the outcome on that day could have been much different. Thank you very much.

(APPLAUSE)

MEMBER PRATER: Chief, will you accept this for the other officer?

CHIEF MCKIMM: I certainly will.

MEMBER PRATER: And I commend you for having these two fine officers in your command.

CHIEF MCKIMM: Couldn't be better.

MEMBER PRATER: Chief, if either one of you would like to speak, please do.

CHIEF MCKIMM: Councilman Prater and Members of Council, I just want to say how proud and pleased I am that you would see fit to recognize the fine service of these two officers in this instance. It's so good to see some public visible signs of appreciation for the Police Officers when they do something good like this. All too often we see the negative put out in the public of what the officers do and what happens within the Police Department. So, it's really gratifying to see the positive being so publically displayed. Officer Pileggi and I'm very proud to accept this award on behalf of Officer Fowler who couldn't be here tonight. I couldn't be more proud of these two Officers for the heroism they displayed in this situation and resulting in the saving of three lives actually, children and their mother. It was a great effort and had a great outcome. And I thank you once again.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you Officers very much, we're now under Resolution 39 please.

MEMBER PRATER: Mr. President.

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PRESIDENT SCHULMAN: Yes, Member Prater.

MEMBER PRATER: Even though they didn't want to be publically acknowledged this evening, I would like to say that the family is in attendance this evening.

PRESIDENT SCHULMAN: Great, if you'd like to stand up and be recognized.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you. Thank you Member Prater very much. Resolution 39 please.

#39. COUNCIL AS A WHOLE: RECOGNITION OF NICK PALLOTTA FOR PUBLIC TO SERV TO THE CANTON COMMUNITY. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Majority Leader.

MEMBER CASAR: I move we adopt Resolution #39.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 39. Are there any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #39 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries. The Resolution is adopted. Resolution 40 please.

#40. WEST, T., WARD 2 CNCLMN: SUPPORTING HOUSE BILL 176. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: I move we adopt Resolution #40.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 40. Are there any remarks under this Ordinance?

MEMBER WEST: Mr. President.

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PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: Yes, this is an anti discrimination bill. This was brought to us by one of our constituents that come here every week. It's Eric Resnick, Corey Minor Smith, the EEO Officer and also, I'd like to thank the Law Director for doing some quick work on it and letting us know what that was in Caucus, so we appreciate that. So I appreciate your support on this.

PRESIDENT SCHULMAN: Great, thank you Member West, thank you for bringing it forward. Any other remarks? If not than, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #40 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it and the motion carries and Resolution 40 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 JUNE 8, 2009.

240. AGENT, ROBERT MAURER: REQ ZONE CHANGE FROM I-1(LIGHT INDUSTRIAL) TO PR-1a (PLANNED RESIDENTIAL SINGLE FAMILY) FOR NEW HOME CONSTRUCTION @ 622 7TH ST NE. - PLANNING COMMISSION
241. AUDITOR MALLONN (CITY): CERT FROM ALL SOURCES FOR 2009. - RECEIVED & FILED
242. AUDITOR MALLONN (CITY): MONTHLY RPT BY FUND 5/1/09 - 5/29/09. - RECEIVED & FILED
243. AUDITOR MALLONN (CITY): YEARLY RPT BY FUND 1/1/09 - 5/29/09. - RECEIVED & FILED
244. AUDITOR MALLONN (CITY): AUTHORIZE AUDITOR TO REFINANCE TWO OUTSTANDING BOND ISSUES; AUTHORIZE APPROP REDUCTION OF AUDITOR LEGAL OBLIGATION; AMEND O#38/2004 DIRECTING AUDITOR TO REDUCE COMPAB PREMIUM; AUTHORIZE SUPP APPROP, APPROP TRANSFER & REDUCTION IN STREET DEPT; AUTHORIZE REDUCTION OF AUDITOR'S BUDGET. - FINANCE COMMITTEE
245. COURT ADMIN KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT W/STATE OF OHIO, DEPT OF REHAB & CORRECTION (ODR&C) FOR 2010 COMMUNITY CORRECTIONS ACT (CCA) GRANT IN AMT \$81,465.00 FOR PERIOD COMMENCING 7/1/09 - 6/30/10 TO FUND ONE FULL-TIME POSITION IN COMM SERV & ONE-HALF POSITION IN PROBATION DEPT. - FINANCE COMMITTEE
246. COURT OF COMMON PLEAS: ORDER GRANTING STAY PENDING APPEAL (RM

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INVESTMENTS/RTA METRO ANNEXATION). - RECEIVED & FILED

247. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR TO ENTER INTO AGMT W/STARK COUNTY OUT OF POVERTY PARTNERSHIP TO PROVIDE HOME FUNDS IN AMT OF \$35,000.00 TO ADMINISTER CANTON'S HOUSING PROG FOR LOW & MODERATE INCOME FAMILIES FOR RETRO PERIOD 1/1/09 - 12/31/09. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
248. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/CCIC TO PROVIDE GRANT UTILIZING CDBG-R FUNDS IN AMT NOT TO EXCEED \$421,783.00 FOR GRANTS, LOANS, & ADMIN COSTS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
249. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR TO SUBMIT APPLICATION TO HUD TO REC FUNDS FROM NEIGHBORHOOD STABILIZATION PROG 2 UNDER AMERICAN RECOVERY & REINVESTMENT ACT OF 2009; AUTHORIZE CITY TO ISSUE RFP, ACCEPT & EVALUATE PROPOSALS, SELECT, & ENTER INTO CONTRACT W/QUALIFIED AGENCIES TO PERFORM & ACHIEVE GOALS OF RECOVERY ACT; AUTHORIZE AUDITOR TO ESTABLISH NSP2 FUND FOR RECEIPT & DISBURSEMENT OF FUNDS & DRAW WARRANTS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
250. LIQUOR CONTROL DIVISION (OHIO): ADVISING THAT RENEWAL APPLICATION FOR MARK & FRANCES MILLS DBA MILL INN @ 1537 HARRISON AVE SW WILL BE PROCESSED FOR D2, 2X, 3 PERMIT. - RECEIVED & FILED
251. LIQUOR CONTROL DIVISION (OHIO): ADVISING THAT RENEWAL APPLICATION FOR MARK & FRANCES MILLS DBA MARK'S TAVERN @ 1652 BRYAN AVE SW, 1ST FL, FRONT WILL BE PROCESSED FOR D2, 2X, 3 PERMIT. - RECEIVED & FILED
252. LIQUOR CONTROL DIVISION (OHIO): REQ STOCKHOLDER CHANGE ON C1 C2 PERMIT FROM KMKP INC DBA PHILS WINE BOUTIQUE @ 201-203 12TH ST NW & BSMT FROM KULWINDER SINGH SANDHU AND PARDEEP GILL TO KULWINDER SINGH SANDHU AND KULMEET SINGH BHULLAR. - RECEIVED & FILED
253. MAYOR WILLIAM HEALY: AUTHORIZE MAYOR TO ENTER INTO PROF SVC CONTRACT W/BLACK, MCCUSKEY, SOUERS & ARBAUGH IN AMT NOT TO EXCEED \$25,000.00 TO ASSIST DEFENSE IN LITIGATION OF SEVERAL WORKERS' COMP CLAIMS; REQ SUPP APPROP TO FUND ABOVE. - FINANCE COMMITTEE
254. OHIO INDUSTRIAL COMMISSION: ANNOUNCING THE CLOSING OF CANTON OFFICE TO CONSOLIDATE W/AKRON OFFICE & THE RELOCATION OF 12 EMPLOYEES. - RECEIVED & FILED
255. SAFETY DIRECTOR NESBITT: NOTIFYING OF COOP AGMT BETWEEN THE CITY AND SMHA FOR PROCUREMENT & INSTALLATION OF SECURITY CAMERAS AT REFURBISHED SMHA

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- SITES IN AN AMOUNT NOT TO EXCEED \$40,000.00 OF CDBG FUNDS. - FINANCE COMMITTEE
256. SAFETY DIRECTOR NESBITT: REC OF APRIL 2009 RPT OF INMATES INCARCERATED PROVIDED BY STARK CTY SHERIFF TIMOTHY SWANSON. - RECEIVED & FILED
257. SAFETY DIRECTOR NESBITT: DEMO LIST OF 7 PROPERTIES DETERMINED UNSAFE & HAZARDOUS IN VARIOUS WARDS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
258. SAFETY DIRECTOR NESBITT: DEMO LIST OF 5 PROPERTIES DETERMINED UNSAFE & HAZARDOUS IN VARIOUS WARDS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
259. SAFETY DIRECTOR NESBITT: AUTHORIZE SAF DIR TO ENTER INTO CONTRACT W/FEDERAL SIGNAL CORP IN AMT NOT TO EXCEED \$23,538.00 FOR PURCHASE & INSTALLATION OF ONE WARNING SIREN TO BE INSTALLED IN THE AREA OF "THE QUARRY". - FINANCE COMMITTEE
260. SAFETY DIRECTOR NESBITT: AMEND O#40/2000, CLASSIFICATION PLAN FOR BARGAINING UNIT EMPLOYEES WITHIN POLICE DEPT TO REDUCE LIEUTENANT CLASS FROM 17 TO 15 AND SERGEANT CLASS FROM 22 TO 20 IN AGMT BETWEEN FOP & CITY OF CANTON. - PERSONNEL & FINANCE COMMITTEES
261. SAFETY DIRECTOR NESBITT & SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR OR SAF DIR TO ADVERTISE, REC BIDS, & ENTER INTO CONTRACT FOR PURCHASE &/OR LEASE OF VEHICLES &/OR EQUIPMENT; REQ SUPP APPROP FOR SAID. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
262. SERVICE DIRECTOR PRICE: APPROVE WATER MAIN EXT FOR SMHA ON JASPER ST & ZIRCON AVE NE OF 820' OF 8 INCH PIPE TO SERVICE 4 DUPLEXES APPROX 14,700 FT OUTSIDE CORP LIMITS. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
263. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS, ENTER INTO CONTRACT FOR DETENTION BASIN ASSOCIATED W/30TH ST NE/FAIRHOPE NATURE PRESERVE PROJ. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
264. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO SEND NOTICE OF TERMINATION OF MGMT CONTRACT OF CANTON MEMORIAL CIVIC CTR W/SMG MGMT. - FINANCE COMMITTEE
265. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ENTER INTO CONTRACT W/CANTON SYMPHONY ORCHESTRA ASSOC FOR 2009 "CONCERT IN THE PARK" HELD AT MONUMENT PARK ON 7/2/09 IN AMT OF \$31,100.00. - FINANCE COMMITTEE
266. TREASURER SCHIRACK: APRIL 2009 DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED

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267. TREASURER SCHIRACK: APRIL 2009 PARKING METER REVENUE. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We are now under 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 #7 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE, IN COLLABORATION WITH STARK COUNTY REGIONAL PLANNING, TO ISSUE A JOINT REQUEST FOR PROPOSAL, ACCEPT AND EVALUATE PROPOSALS, AND SELECT AND ENTER INTO CONTRACT WITH LOCAL AGENCIES QUALIFIED TO PROVIDE THE NECESSARY OVERSIGHT AND SERVICES REQUIRED TO PERFORM AND ACHIEVE THE GOALS OF THE HOMELESS PREVENTION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #2. (1ST 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 (LOT NOS. 42976 & 42978 & PART OF OUT LOT 1317 - DUMONT'S SEED CO)
Referred to Judiciary Committee
- #3. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PARTS OF OUT LOTS NOS. 397 AND 398; AND DECLARING THE SAME TO BE AN EMERGENCY (13TH ST NE)
Referred to Public Safety & Thoroughfares Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE CENTRAL ALLIED ANNEXATION AREA CONTAINING APPROXIMATELY 19.075 ACRES; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS I-1 (LIGHT INDUSTRIAL) AND R-1A (SINGLE FAMILY RESIDENTIAL); AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Annexation Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A COOPERATION AGREEMENT WITH THE BOARD OF STARK COUNTY COMMISSIONERS FOR THE REPLACEMENT OF THE MILL STREET BRIDGE IN AN AMOUNT NOT TO EXCEED \$200,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety & Thoroughfares Committee

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#6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ANNEXATION AGREEMENT WITH PLAIN TOWNSHIP ON PROPERTY LOCATED IN THE PARK FARMS ANNEXATION AREA;
Referred to Annexation Committee

#7. (1ST RDG) **ADOPTED AS ORDINANCE NO. 87/2009** A RESOLUTION AUTHORIZING AND DIRECTING THE DIRECTOR OF PUBLIC SERVICE TO NOTIFY SMG THE CITY WILL NOT BE RENEWING THE PROFESSIONAL SERVICE AGREEMENT FOR THE MANAGEMENT OF THE CIVIC CENTER; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

PRESIDENT SCHULMAN: And with regard to Ordinance 7, at this time the Chair would declare an in house recess for the Finance Committee to meet. You are now in recess.

(COUNCIL RECESSED @ 7:55 PM FOR FINANCE COMMITTEE TO DISCUSS THE ADOPTION OF ORDINANCE #7; RECONVENED @ 7:56 PM)

PRESIDENT SCHULMAN: Council is reconvening after the recess, Leader Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule 22A in regard to Ordinance 7 to place it back on this evening's agenda. 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 and Ordinance 7 is a legal part of your agenda. Leader Casar.

MEMBER CASAR: Mr. President, I move we suspend the Statutory Rules on Ordinance #7.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 7. 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.

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PRESIDENT SCHULMAN: The motion carries, the Statutory Rules are suspended. You've heard the three readings.

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

MEMBER CARBENIA: Seconded.

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

#7 ADOPTED AS ORDINANCE NO. 87/2009

PRESIDENT SCHULMAN: Ordinance #7 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We are now under Ordinances and Formal Resolutions for their second reading. Madame Clerk.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #8 THROUGH #15 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #8. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 150, SYSTEMS PLANNING BOARD, OF THE CODIFIED ORDINANCES
- #9. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, ADVANCE AND ADVANCE REPAYMENT HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (COMMUNITY SERVICE)
- #10. (2ND RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-01928, SIXTH ST SW, LINDA WILLIAMS)
- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH THE STARK COUNTY BOARD OF COMMISSIONERS FOR VISRE STREET LEVEL IMAGERY SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND

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DECLARING THE SAME TO BE AN EMERGENCY

#13. (2ND RDG) **ADOPTED AS ORDINANCE NO. 88/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF A NEW K9 TRAINING BUILDING; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: I move we suspend Statutory Rules on Ordinance #13.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance #13. Are there any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. I'd like Director Nesbitt to explain, perhaps, the question that I had asked him in the Caucus Room concerning the fact that it's all in perception and we all know this City is in a tight financial bind and some people will wonder how we are being able to put up another new building here. So, if you could explain what happened there, I'd appreciate that sir, for the general public.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR NESBITT: Thank you. Some months ago, the K9 building, at our K9 training facility burnt down due to some electrical issues. We're in the process, our grounds out there, we train our K9s plus we do training of other K9s from other departments as well. And we are in need of building the new building. The Chief is authorized the utilization of forfeiture funds that have been taken from drug dealers and others to build this facility and I support it completely and I think it's very good for the community.

MEMBER CIRELLI: Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli, any other remarks? If not, Madame Clerk, roll call vote please. I think we're on a motion to suspend the Statutory Rules, is that correct? So roll call vote.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: The motion carries and the Statutory Rules are suspended for Ordinance 13. Leader Casar, you've heard the three readings.

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

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MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #13. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#13 ADOPTED AS ORDINANCE NO. 88/2009

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and Ordinance #13 is adopted. Ordinance #14 please.

#14. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 89/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF THE 49TH & GARDENDALE NE STORM SEWER AND BASIN PROJECT, PHASE II, GP 1074; AMENDING APPROPRIATION ORDINANCE NO. 193/2008; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: I move we suspend Statutory Rules on Ordinance #14.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinance 14. Are there any remarks under this Ordinance? Hearing none, Madame Clerk.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: The motion carries, the Statutory Rule is suspended for Ordinance #14. Leader Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #14. Are there any remarks under this Ordinance? Leader Casar.

MEMBER CASAR: Mr. President, I move we amend Ordinance 14 per the copy that all Council Persons have in front of them and that Joe Martuccio, the Law Director explained to us at Caucus this evening.

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MEMBER CARBENIA: Seconded.

AMENDMENT:

Pursuant to Rule 36, I move to amend Agenda Item No. 14 as follows:

(a) *Add a new Section 2 which shall read as follows:*

Section2. The Director of Public Service, on behalf of the City of Canton, is further authorized to negotiate and enter into the storm sewer easement agreements necessary to complete the project.

(b) *Renumbering currently existing Sections 2, 3, 4 and 5 as Sections 3, 4, 5 and 6.*

PRESIDENT SCHULMAN: It's been moved to amend Ordinance #14 per the copy before each Member of Council. Are there any remarks? If not by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED WITH UNANIMOUS VOTE

PRESIDENT SCHULMAN: The motion carries, Leader Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #14 as amended. So the question you are now voting is Ordinance 14 as amended. 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.

#14 ADOPTED AS AMENDED AS ORDINANCE 89/2009

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance #14 is adopted and Ordinance #15 please.

#15. (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 (WESTBROOK PK CHURCH-2521 12TH ST NW)

PUB HRG. 6/22/09 @ 7:30 P.M.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We're under Ordinances and Formal Resolutions for the third and final reading and vote. Madame Clerk, would you please read Ordinance 16.

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 90/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #1 WITH

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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 DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #16. Are there any remarks under this Ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 90/2009

PRESIDENT SCHULMAN: Ordinance #16 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER WEST: Mr. President.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Mr. President, Judiciary will meet on the 22nd at 6:00 PM

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Mr. President, Community and Economic Development Committee will be meeting on 6/22/09 at 6:00 PM.

PRESIDENT SCHULMAN: Thank you.

MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: Public Safety and Thoroughfares will meet on 6/22 at 6:00 PM.

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PRESIDENT SCHULMAN: Thank you. Member Smuckler.

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

PRESIDENT SCHULMAN: Thank you very much, any other announcements?

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're now under Public Speaks. We have a number of public speakers tonight. I would just ask each of you who has not every had the opportunity to speak to the Administration and the Mayor and City Council, Council has a rule of restricting your remarks to three minutes, I will hold you to that tonight because we have a number of speakers. So, our first speaker is Jason Scaglione. And good evening.

JASON SCAGLIONE: Good evening Council, Mayor. My name is Jason Scaglione, I reside at 3027 Glen Place NW here in Canton, Ohio. The reason I come here is just, I think is all we've all seen what's been going on in the City. We've done a lot in our small area to try to combat some of this. I applaud Safety Director Nesbitt for all the help he's given us but it just seems like you can never do enough. I don't...I don't what has to happen but I think laws have to get tougher on these individuals that are committing these crimes. Triple murders that have happened, the individual had like twenty prior convictions. What does it take to stop the revolving door with these criminals going in and out of jail. With what happened today, I can't even hardly speak. You know, we can sit out and watch juveniles, 16, 17 year old kids at 3 and 4:00 in the evening, A.M. Last I knew, I thought we had a curfew law, we've got to do some....we've got to step up and start enforcing stuff and getting this stuff off the streets. This has got to stop.

PRESIDENT SCHULMAN: Thank you very much sir. Our next speaker if Faye Heston. Good evening, I think I recall your name and your voice at (*inaudible*). Good evening, if you'll give us your name and your residential address please.

FAYE HESTON: I am Faye Heston, I live at 2735 Brentwood Rd NW, Canton, Ohio. Thank you for giving me the opportunity to speak to each of you, I speak as Chair of the Children's Garden Committee, which is located at the Canton Garden Center, the land which was donated by the Timken Family and has been cared for over these many years by the Canton Park Commission. I speak personally because as a volunteer I've given almost, well it took us over five years to raise the money, design the garden, involve the children from Timken High School and other children, companies and foundations that supported us in the construction of a children's garden, which is located at the Canton Garden Center. I commend the Canton Park Commission and their employees for their support as we did this for the children. I share with you, this morning we had about sixty children, preschool, primary elementary, they are at a program. These programs are educational programs provided so that they may earn the inter relativeness of foods they eat and plants that grow. The Park Commission has been totally supportive of this effort, they have done a wonderful job. Their employees are to be commended, the Commission is to be commended and I am here to ask the support of the Park Commission and the continuation as the Commission is presently is organized so that we can be assured that the monies raised, and I include monies raised that are in the Stark Community Foundation in the Arms Around the Children Fund for the maintenance of the garden and because we have been successful with the educational programs, there is a fund in the Stark Community Foundation which we raised to take care of the education of these children so that families do not have to pay. It's a very precious project to me personally, I have a fellow past President with me and I do ask that you support the ongoing continuance of the Canton Park Commission as it presently is. Thank you.

PRESIDENT SCHULMAN: Thank you very much, thank you for coming down and thank you for all your public service, we really appreciate it. Our next speaker is Patricia Kirk. Ms. Kirk, good evening, if you'll give us your name and your residential address.

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PATRICIA KIRK: My name is Patricia Kirk, I live at 131 5th St NE and I'm President of Shake a Leaf and Downtown Central. I'd like to ask you, do you notice how Kresge lot sparkles ever since Color Downtown. There is a lady, Brenda Kimbrough of CANDO Neighborhood Association, myself and T.J. Dutton, a certified ISA Arborist, we spent from 8:00 until 12:00. T.J. vertically mulched the trees, he donated his own material, his own work, he and his wife worked together as a team, they didn't do as much as he would in the yard with someone that has a tree needing this work because the ground there is hard as cement. It even started to wear down his metal two inch auger. Brenda and I worked until 12:00. That lot has been planted, thank goodness for the Hall of Fame girls with young joints and also, we weeded, we pruned trees. It's beautiful there, please take a look at it. The Green Mini Series at Church of Savior, green space 101 and water quality benefits, it place the 2nd and the 5th. There were only three people from the City to represent the City. They were Mary Cirelli, Richard Hart and Brenda Watkins. The speakers, Pam McWarder from Zoar, Bill Hahn from Akron, Eric Aiken, the Watershed Coordinator plus Ohio Green Ways Presentation gave excellent presentations and was judged excellent by Ohio Department of Natural Resources. The problem is, there was no one there from the City, I mean, there were a few people. Until you start to care about this, nobody else in the City is going to care about this and believe it or not, this is very important. We even talked about the geese problem. We talked about having smaller sewer piping. We talked about the problems that we bring on ourselves. So I would urge you as Mr. Bill Hahn says, when it comes to the people of the City you must educate, educate, educate. The opportunities are out there, please take advantage of them. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much. And thank you for your hard work Patricia. Our next speaker is Richard Deitrick. Good evening, if you'll give us your name and your residential address please sir.

RICHARD DEITRICK: My name is Richard Deitrick, I live at 144 Park SW, Canton. And ah, I can tell you what to do with the geese, let people eat them. *(Laughter)* Anyway, I wanted to say some things about the YMCA, I'm so upset about it. They want to tear the building down, probably a bunch of people from Jackson Township or somewhere, I don't know who wants to tear it down. We got a world class swimming pool there, we got a great facility there. I don't know who the genius was that said that we got to do away with this place. I know the building cost money to renovate, maybe we got asbestos, I don't know what's going on but I know we need that Y and there's a lot of kids in this town that really, really need that Y. Not any particular color of kids, just poor kids that don't have anything else to do and they need it. And another thing I wanted to say is you guys are all democrats and I've heard good things about ya and I've heard a lot of bad things about ya and I don't care, it don't matter to me one way or another. But you're all democrats and if we can't all get together and do something about the Y and have them fix it, put it back together, do something so we got our Y back. We need the Y in Canton. Thank you very much.

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

BOB BREAZEAL: My name is Bob Breazeal, I live at 148 Fawcett Court NW, Canton, Ohio. It's hard to follow somebody talking about the Y. I did spend ten years of my life at that YMCA, we didn't have a lot of money but we did spend a lot of time there, so that is a great place. Um...I'm following my neighbor here, Jason, with the same concern. As far as anytime that we have any of the fairs and everything, everything has been going wonderful. We've had police presence all over the place, we've had bicycles, we've had people swearing and the things that they're caring, cops come by, they're not putting up with it. It's wonderful. But all the rest of the time, I'm sure, there's...our area isn't the only one but there is a lot of concern because, I mean all the incidents that has been going on lately, ten blocks away from the bar where people got slaughtered, we had a public beating, that was not even half a block, that was one house away from me. We had, well Poplar is only three blocks up the street from us all. So, the main concern is the same thing it's always been is that more police presence. I mean

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I know the funds are hard and it's hard to get what we need but police presence, I mean, you want to talk about comfort, when you see the police officers walking up and down the street and you see somebody about to start something and they go (*makes a gesture with his hand*), that's all it takes, that's it. We need it, we need them here, however it needs to get done, we need to have the police officers here to watch over our backs and our neighborhoods do all that we can possibly do but we need them. Thank you.

PRESIDENT SCHULMAN: Thank you very much sir. Thank both of you for your neighborhood association. Our next speaker is John Regula, I think I saw Mr. Regula leave, so I'm going to skip ahead, if he comes back than he can speak. Our next speaker is Ruby Brogdon. Ms. 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 St NE, Canton, Ohio. I'm back about this house next door to me. We have had people that come down, look, don't do anything, stay ten minutes and go on. The place has never been cleaned up. I don't live like that and this place is not going to be beside of me looking like it is. I'm tired of people drawing checks, whoever comes down there, they should have a supervisor. And I think the supervisor should come down and see that the place is cleaned up. In front of me, is growed up again. I been talking about this place and I'm tired of talking about it and I think something should be done, I don't care who it is. And anyone want to see what I'm talking about, come down and look, you'll see it. And then on top of that, I got a dog I got to smell, I don't live like that, I never lived like that and I'm tired of living like that. And I'm talking about whoever the supervisor is over cleaning up the neighborhood, he need to be fired or she if you ain't gonna do nothing and check on people. You have to bring, you don't have to bring no rakes down there, you got...there's trees, need to be cut and hauled away, (*inaudible*) over there, come down there and stayed a few days, left all the trees on the lot. I am sick and tired of this house. I'm sick of talking about it, I've been talking about it ever since Creighton, and the same problem is still there. If you gonna do anything, you should do it and see that it's done right. Cause when I was a kid if you did anything and you didn't do it right, they sent you back till you did it right. And if you didn't do it right you got a whipping. Thank you. (*Laughter*)

PRESIDENT SCHULMAN: Our next speaker is Bettie Bell. Ms. Bell, good evening. How are you tonight? If you'll give us your name and your residential address please.

BETTIE BELL: My name is Bettie Bell and I live at 1613 2nd St NE. You have to excuse my voice.

PRESIDENT SCHULMAN: That's okay.

BETTIE BELL: I'm here tonight, next door to me where they tore the houses down last year, where the storm came last year and broke those trees down. They've came and cut the stumps down but all those branches are still there. Coincident, I have ground hogs under my front porch, which I don't like very much at all and I just wish they would do something. All they have to do is come down there and haul those branches away, they got the stumps out but the rest of it is still there. And I try to keep my property up and I feel that as long as I'm living next door to this, something should be done about it because it only take a little bit to come out and do it. They did do some of it but they didn't do enough and I'd appreciate it very much if they would come and just take a look and see what need to be done. And I thank you very much.

PRESIDENT SCHULMAN: Thank you very much. And our last speaker of this evening is Eric Resnick. Mr. Resnick, good evening and if you'll give us your name and your residential address please.

ERIC RESNICK: My name is Eric Resnick and the address is 1828 Grace Ave NE. Mr. President, Members of Council, tonight it's good to stand here to commend you and to say thank you. You did something very important

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this evening. It may seem small, I know that you've had difficult budget matters to deal with today, you've heard from residents that have a number of very serious concerns. But today you did something very important, something that Mayor Healy calls creating a Canton where people want to live. And it follows the US Constitution preamble, the section where it says "The Call to Form a More Perfect Union and Establish Justice" and I hope that when the City of Canton ever decides to take up a Charter, that in its preamble, it also contains a call to form a more perfect union and to establish justice. I want to thank Member Tom West, who carried the Resolution in favor of House Bill 176, which for those of you who don't know, is the Equal Housing and Employment Non-Discrimination Act, which is currently before the Ohio House. And just a few weeks ago, outside in a very informal conversation Tom was asked and he said "Of course I'll carry it through Council." And I want to thank Mayor Healy and his staff, especially Corey Minor, who...Corey Minor Smith, who even though she is hobbling around on a cast and wasn't able to come to work, handled all this at home. I want to thank Joe Martuccio, the Law Director and his staff for doing such a fine job on this. There was a time, as a gay man where I wasn't sure just how welcome I was in the City of Canton. And there have been times where I've stood here complaining about things. Well I'm not complaining tonight, I'm very happy. And I'm here to pat ya on the back and say thank you because it's always the right time, no matter what else is going on it's always the right time to form a more perfect union and establish justice and to raise your voices against discrimination because the people who are the victims of that discrimination. To them, what you did tonight was the most important thing in the world, it wasn't the last thing that you're going to be asked to do for the lesbian/gay/bisexual and transgender community. And I hope that you did it, feeling as good about it as I feel about you doing it. And again, your constituents this evening are all standing a little taller, smiling a little bigger and feeling a little prouder of you and of themselves as a City. So I applaud you. Thank you.

PRESIDENT SCHULMAN: Thank you very much Mr. Resnick.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We've now under Miscellaneous Business. Is there any? Member West.

MEMBER WEST: Yes, this would go to the Service Director. I'm getting a lot of calls, of course about high grass and weeds and getting repeated calls. So, after I address it the first time, can you speak to the community and...on record to let people know what's going on with the high grass and when we'll be addressing that. And then I got a couple other questions but, if you can respond to that real quick.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Thank you Mr. President. Councilman West, I know the Street Department is actively engaged in the program, the letters, first step, we need to provide some amount of due process to folks. And even if it's an absentee property owner, you know, we still have to send that notice. So, thousands of letters went out under my signature notifying property owners whose grass we had to mow last year that we would be doing that again and that they would be billed for. So, I know that process has begun and that we're mowing...we've already begun mowing lots. We do have seasonal help that I think just came in to do that so we should be seeing less of those calls, although you're, I think still going to get some, we do it, you know as quickly as possible but in these times we're not always fast as we hope to be but they are out there and we do have the seasonal assistance to help us do that.

MEMBER WEST: Okay, and than the second issue...um...and I do understand that but I wanted to make certain that the constituency knows what's going on and that we're putting out that information ahead of time so that people know and than maybe that will reduce some of the calls. I don't know if you guys are getting those same calls that I am. The other one is the parking signs, to the Mayor, I got a call in reference to the signs that we were

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going to put up in downtown Canton in reference to the times. Are we close to that yet or where are we at with the parking signs, notifying them of the hours and the times of the day?

PRESIDENT SCHULMAN: Mayor.

MAYOR HEALY: Mr. President and Member West, I don't have an answer for you today but we can look into that and get back to you this week.

PRESIDENT SCHULMAN: Anything else Member West? I'm sorry.

MEMBER WEST: One more statement.

PRESIDENT SCHULMAN: I was actually writing down a pizza number, I was gonna get a pizza after this.

MEMBER WEST: And this is to Deek. Deek, I have been involved in the YMCA process and we are continuing to meet about the YMCA and seeing if we can come up with a Resolution to be able to keep the YMCA, so we're working on the pretty diligently. And I know the Mayor's Administration also has had a meeting with them as well. Okay, thank you.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. I just wanted to apprise this Council that a week ago last Saturday, I went down to Henry Avenue, SW, where a group called COOL, and right now I don't know exactly what the acronym stands for. I was quite impressed with what I seen they did in that neighborhood. They literally built two porches on homes, they laid concrete down to make a driveway so somebody could park their, instead of on the street right next their home, they did a yeoman's job of 250 volunteers that just gave of their hearts, they asked for nothing. And I know Member Prater was down there earlier too. And I want to thank Mr. Nesbitt because, through him and Mr. Price both, we were able to get a, I believe it was a packer down there because they already had a big dumpster that was completely full and I've never seen a group work harder to do a clean up for people that they didn't even know who they were, it was something a challenge that they just brought to themselves and wanted to help out. And I was really impressed and I certainly hope that, I'm going to keep in contact with them and hopefully we can get them down here to say thank you and you can meet some of the people and maybe that they'll instill that get up and go in the other people to come and do the same thing cause it was really much needed. I was really impressed what we saw. So I just wanted to compliment them. Thank you.

PRESIDENT SCHULMAN: Great, thank you Member Cirelli. Member Smuckler.

MEMBER SMUCKLER: Mr. President. Due to a death in my family, I was unable to make the budget meeting this morning. But I'd like to quote the minutes of meeting of March 30, 2009, quoting myself "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 on the Law Director's opinion to be mistaken as a vote of support or a vote of confidence for this budget." My question to the Mayor is, when will a plan be announced to address your budget, Mr. Mayor, and the shortcomings of that budget?

PRESIDENT SCHULMAN: Mayor Healy.

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MAYOR HEALY: Thank you Mr. President. And to Councilman Smuckler, appreciate the question. Obviously, we had a meeting this morning and I'll fill you in briefly. The budget that we had prepared was based off of the certified documents that we had available at the time. The concern is the certification is being questioned and the Auditor's Office is indicating that they are going to decertify and reduce the amount that we would have available to spend based off their estimates. The budget that we had passed at the time, we were living within those means, in fact we were slightly below spending at this point in time from what we had indicated where we would be from that budget overall. So, the adjustments that we're making now and that we're all faced to address is really an economic sign of the times that revenue is less than anybody could have predicted, even just a few months ago. The proposal that we had this morning was to bring all the Elected Officials together, as many as we could yet at that time. We did have several Members from Council there, we're going to work on the options that we have available, share that information with the Auditor, the Auditor is going to continue to bring new information and more concrete information to us. As soon as we know what the amounts that are available with the new certification, we will be making the recommendations to Council to live within those means.

PRESIDENT SCHULMAN: Thank you Mayor. Member Smuckler.

MEMBER SMUCKLER: At this point in time, you don't have a deadline to actually present a plan to City Council do you?

MAYOR HEALY: Yeah, Mr. President. Yeah, the deadline is...is really waiting for the Auditor's office to come up with a change. Now, he's indicated that a new certification will be available a four to six week period of time. We are starting the process now to address every department and every office to determine what options we have and what recommendations are going to be out there. But until we have the numbers, the only thing we can do is speculate and start preparing for that. So, we'll have another meeting in two weeks. It will be prior to the next Council Meeting and there will information....more information gathered so that we can put more stuff on the table to move forward.

MEMBER SMUCKLER: You are certainly though not suggesting that we won't have a plan for four to six weeks is that correct?

PRESIDENT SCHULMAN: Mayor.

MAYOR HEALY: No sir, we're working on that right now.

MEMBER SMUCKLER: Thank you.

PRESIDENT SCHULMAN: Any other questions Member Smuckler? Any other Miscellaneous Business?

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Member Griffin.

MEMBER GRIFFIN: This afternoon, this is for the Safety Director, this afternoon I was with Mr. Eakin, he is the man who lost his wife and two grandchildren this morning. And he normally goes to work at a quarter after 6, he went to work at 5:30, he could have been home at 5:40 when the incident happened. And the neighbors sort of think that the man went there thinking that he would get the husband and the wife. But unfortunately, Jim, he wanted me to pass on that the family appreciates the tenderness that the police and the fire department gave his family today and he said they really appreciate the support. But just a tragedy that it happened.

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PRESIDENT SCHULMAN: Thank you Member Griffin. Any other Miscellaneous Business? Leader Casar.

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

MEMBER CARBENIA: Seconded.

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

ADJOURNMENT TIME: 8:30 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT