

MINUTES OF THE MEETING OF JULY 20 2009

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. Before we begin tonight, and we apologize for being a little late in starting our meeting, we have a couple of things to bring up. First of all, our deepest condolences go to Dave Novelli our Director of Purchasing, his mom died today or over the weekend and unfortunately calling hours are this evening so our thoughts and prayers go out to Dave and his family and on a happier note, obviously, we have our Ulster students back this year and we are always excited to see them. You know peace is a very difficult thing to achieve in this world, and I know that peace was very difficult to achieve in Northern Ireland and it's a pleasure to have the young people from that part of the world joining us tonight. You are a beacon of great admiration from this side of the Atlantic and I know we have a Counselor in the audience tonight and I would ask that the Counselor come up and give us a little bit of background as to first who you are and what you're doing and how you're finding the City of Canton. Good evening.

SCOTT ROBINSON: Alright. The Ulster project is a cross community project where they bring kids from Northern Ireland over to America to see how America gets on and they've seen change happen over the years. So we try and see something like that happen in our country as well. The idea of the project is we bring, half of them are Protestant and half of them Catholic, half of them are boys and half of them are girls so we have a good mixer and getting to know each other. Spend the month doing service projects, going to different church services, seeing how some are similar rather than different and just doing fun gear, fun things having games, stuff like that, trying to get to know each other and learn more about each other. So it's a good idea. We've been here for three weeks now. We'll leave next week to go back and we've really enjoyed our time here. Felt quite welcome here in Canton and would like to thank you's all.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Could the young man state his name for our typist and so it will go on the record sir?

SCOTT ROBINSON: I'm Scott Robinson.

PRESIDENT SCHULMAN: Scott, thank you very much, and thank all of you for being here and thank you for all that you do for the world. (*APPLAUSE*) And with that and with a quorum being present the Chair calls the meeting of Canton City Council to order. Roll call please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

TEN COUNCIL MEMBERS PRESENT: (DON CASAR AND JOE CARBENIA ABSENT)

CLERK TIMBERLAKE: Ten present, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight we'll have our invocation given by Council Member, Greg Hawk. Would you all please remain standing for the pledge of allegiance.

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The regular meeting of Canton City Council was held on Monday, July 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 Greg Hawk, Ward 1 Council Member, the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: For the members of the Ulster Project, anytime you wish to leave, feel free. You don't have to stay, just leave quietly and when you leave do not ring the bell outside. *(Laughter)* I don't know who it was but that's the loudest bell I think I've ever heard. We're now under agenda corrections and changes and Members of Council you're going to be asked to suspend Rule 22A to add the 2nd Reading of Ordinances 11, 12, 13, 14, 15, 16, 17, 21, 22, 23, 24, 25, 26 & 27. Retaining Ordinance 20 in Committee and there probably was an easier way to say that but I couldn't figure that out. Member Smuckler.

MEMBER SMUCKLER: I so move.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to second readings what I said earlier to this evening's agenda. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

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

MEMBER HAWK: Do you have a motion?

PRESIDENT SCHULMAN: This is our government in action, by the way folks.

MEMBER HAWK: I would like to nominate Council at Large Bill Smuckler as our Majority Leader for tonight's meeting and tonight's meeting only.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to allow Member Smuckler to be our Majority Leader this evening. Are there any remarks? Hearing none, by voice vote, all those in favor signify by saying yeas. Those opposed no. It's amazing the yeas carry and Member Smuckler is the Leader this evening.

NO REMARKS

MOTION PASSED UNANIMOUSLY BY VOICE VOTE

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We are now under Public Hearings. And we have no public hearings this

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evening.

PUBLIC SPEAKS

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

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We are now under Informal Resolutions and Leader Casar or Leader Smuckler, I will recognize a motion to excuse Members Casar and Carbenia.

MEMBER SMUCKLER: Mr. President, I move we excuse Member Casar and Carbenia from tonight's meeting.

MEMBER CIRELLI: Seconded.

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

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: The motion carries and Leader Casar and Member Carbenia are excused from this evening's meeting. We're now under Informal Resolution #42 and Informal Resolution #43 and I believe in caucus, Member Cirelli who is the proponent of these Informal Resolutions has agreed to allow the Chair to refer those two Resolutions to the Judiciary Committee. Am I correct Member Cirelli?

MEMBER CIRELLI: You with the understanding that the will have some Ordinance to follow. Thank you.

PRESIDENT SCHULMAN: Thank you. So the Chair will so rule and transfer jurisdiction over these two Resolutions to the Judiciary Committee. Member West.

MEMBER WEST: That will be submitted to the Law Department first though.

PRESIDENT SCHULMAN: Very good. Thank you. Resolution 44.

#44 COUNCIL-AS-A-WHOLE: OPPOSING THE CLOSING OF DUEBER AVE SW POST OFFICE. -
ADOPTED

MEMBER SMUCKLER: Mr. President

PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: I move we adopt Resolution #44.

MEMBER CIRELLI: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 44. Are there any remarks under this Resolution? Hearing none, all those in favor signify by saying yea. Those opposed no.

NO REMARKS

RESOLUTION #44 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Resolution is adopted. Rule or Resolution 45 please.

#45 PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF SHARON JOHNSON, JOHANNES KICKEN, & TIMOTHY MILLER TO MAYOR'S COMMUNITY RELATIONS COMMISSION FROM 7/1/09 - 6/30/11. - ADOPTED

PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: Mr. President I move we adopt Resolution #45.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 45. Are there any remarks under this Resolution? Hearing none by voice vote, all those in favor signify by saying yea. Those opposed no.

NO REMARKS

RESOLUTION #45 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Resolution 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 JULY 20, 2009.

318. AUDITOR MALLONN (CITY): CERTIFICATE OF AMT FROM ALL SOURCES FOR 2009. - RECEIVED & FILED

319. LAW DIRECTOR MARTUCCIO: REQ PROF SERV CONTRACT W/JUDGE REINBOLD IN AMT NOT TO EXCEED \$15,184.97. - FINANCE COMMITTEE

320. LAW DIRECTOR MARTUCCIO: REQ ORDINANCE APPROVING THE EDITING & INCLUSION OF CERTAIN ORDINANCES ADOPTED FROM 6/1/08 - 6/30/09 TO BE INCORPORATED INTO CODIFIED ORDINANCES OF THE CITY OF CANTON; & RESOLUTION TO AUTHORIZE LAW DIRECTOR TO DISTRIBUTE, FREE OF CHARGE TO PUBLIC OFFICIALS & INSTITUTIONS COPIES OF 2009 SUPPLEMENT TO CANTON CITY CODE & TO AFFIX PRICE FOR SALE OF 2009 SUPPLEMENT TO HOLDERS OF CANTON CITY CODE. - JUDICIARY COMMITTEE

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321. LAW DIRECTOR MARTUCCIO: REQ ORDINANCE ADOPTING SCOG FUNDING AGMT FOR DECADE COVERING 2010 - 2019 UNDER CHAPTER 5747 O.R.C. - FINANCE COMMITTEE
322. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C1 C2 D6 LIQ PERMIT FOR WALGREEN CO DBA WALGREENS 04044 @ 1223 CLEVELAND AVE NW. - RECEIVED & FILED
323. PLANNING COMMISSION: RECOMMENDS APPROVAL OF ZONE CHANGE FOR CENTRAL ALLIED PROPERTY ON COLUMBUS RD NE, OUT LOTS 1318 & 1319 OF 20 ACRES FROM I-1 (LIGHT INDUSTRIAL) & R-1a (SINGLE FAMILY RESIDENTIAL) TO PI-2 (PLANNED HEAVY INDUSTRIAL). - JUDICIARY COMMITTEE
324. SERVICE DIRECTOR PRICE: REQ AGMTS TO RATIFY THE CITY'S & YMCA SUMMER YOUTH PROG. - FINANCE COMMITTEE
325. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 6/30/09. - RECEIVED & FILED
326. TREASURER SCHIRACK: RPT OF DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCT FOR JUNE, 2009. - RECEIVED & FILED
327. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR JUNE, 2009. - 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 #10 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

- #1. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 36333, 36328 AND 36329; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- #2. (1ST RDG). AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PARTS OF OUT LOTS 306, 307, 308, AND 309; AND DECLARING THE SAME TO BE AN EMERGENCY (GATEWAY BLVD SE)
Referred to Public Safety & Thoroughfares Committee
- #3. (1ST RDG). AN ORDINANCE AMENDING SECTION 105.10, PROFESSIONAL OR PERSONAL SERVICES CONTRACTS, OF THE CODIFIED ORDINANCES
Referred to Judiciary Committee

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- #4. (1ST RDG). AN ORDINANCE AMENDING SECTION 353.03, TIME LIMIT METERED ZONES; NOTICE; HOURS OF OPERATION OF PART THREE - TRAFFIC CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
Referred to Judiciary Committee
- #5. (1ST RDG). AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (LEAD ASSESSMENT FUND/HEALTH DEPT)
Referred to Finance Committee
- #6. (1ST RDG). AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (WORKERS' COMP RETRO FUND)
Referred to Finance Committee
- #7. (1ST RDG). AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH THE CITY OF NORTH CANTON TO REVISE THE COST SHARING PERCENTAGE FOR THE OPERATION, MAINTENANCE AND REPLACEMENT COSTS AT THE WATER RECLAMATION FACILITY; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #8. (1ST RDG). AN ORDINANCE ADOPTING THE CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2010; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #9. (1ST RDG). AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE LEASE OF SPACE LOCATED AT 215 WEST TUSCARAWAS STREET; AND DECLARING THE SAME TO BE EMERGENCY
Referred to Public Property Capital Improvement & Finance Committees
- #10. (1ST RDG). AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH JACK DOHENY SUPPLIES OHIO, INC./VACTOR MANUFACTURING IN AN AMOUNT NOT TO EXCEED \$299,464.29 FOR THE PURCHASE OF ONE VACTOR MANUFACTURING MODEL 2110 COMBINATION SEWER CLEANING TRUCK PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement Committee

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PRESIDENT SCHULMAN: We are now under Ordinances for their second reading. Madame Clerk, would you please read Ordinance #11 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #11 THROUGH #27 (EXCEPT O#20 RETAINED IN CMTE) FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#11. (2ND RDG) **ADOPTED AS ORDINANCE #113/2009** A RESOLUTION DETERMINING THE NECESSITY TO PROCEED WITH THE IMPLEMENTATION OF THE PUBLIC SERVICE PLAN ADOPTED BY THE DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; DECLARING THE NECESSITY TO PROCEED WITH A SPECIAL ASSESSMENT FOR THE FUNDING OF SAID PLAN FOR THE PERIOD OF FOUR YEARS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: Mr. President. I move we suspend Statutory three readings of Ordinance #11.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved to suspend the Statutory Rule for Ordinance #11. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries. Leader Smuckler you've heard the three readings.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #11.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #11. Are there any remarks? If not Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 113/2009

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PRESIDENT SCHULMAN: Motion carries and the Ordinance is adopted. Ordinance #12 please, Madame Clerk.

#12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO FILE AN APPLICATION WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT FOR HOME CHDO FUNDS, TO EXECUTE GRANT AGREEMENTS AND TO ACCEPT \$250,000.00 IN HOME CHDO FUNDS TO EXPAND THE SUPPLY OF ENERGY EFFICIENT AND ENVIRONMENTALLY FRIENDLY (GREEN) HOUSING; AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH FREED HOUSING CORPORATION IN AMOUNT NOT TO EXCEED \$500,000.00 TO IMPLEMENT THE GREEN HOMES PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

#13. (2ND RDG) **ADOPTED AS ORDINANCE #114/2009** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$175,000.00 FOR A COMPREHENSIVE ECONOMIC AND DOWNTOWN DEVELOPMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory three readings of Ordinance #13.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule for Ordinance #13. Are there any remarks? If not, Madame

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: I'll catch it on the next one.

PRESIDENT SCHULMAN: That's OK. Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries. You've heard the three readings, Leader Smuckler.

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

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MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #13. Are there any remarks? Member Cirelli.

MEMBER CIRELLI: Thank you, Mr. President. Mr. President, I'm delightful to say I'm going to be in support of this and I was looking for the Mayor to see if his presence was here, and I don't.

PRESIDENT SCHULMAN: He's right back there.

MEMBER CIRELLI: Oh, he is here. OK. And I just want to call his attention to the fact that I seem to do a lot of research and what have you, and on economic development and all the issues and I was quite impressed with a Economic Development Specialist north of us. He was known as the \$10,000,000 man, in North Canton. He has one person and two assistants staff people that he works with for the City of North Canton and has garnered in a large amount of money and moving forward on a large projects with some, many numerous jobs. With that I would like to have some talks with you sir with our in house Economic Development Department because I think we need to do more potentially with less and spread those dollars further to get some other things done for the city. So thank you very much. Thanks for being here.

PRESIDENT SCHULMAN: Are there any other remarks? I just have one thing I'd like to say, I obviously don't work with the Regional Chamber of Commerce as much as the Mayor and some of the Council Members here, but I work enough with them to know what a great, great asset this Chamber is to our community and we are fortunate to have the people at the helm that really make it possible. It's, you know, every organization relies upon great leadership and we have great leadership in the Chamber and I just want to recognize three of the them who are in the back room. The Executive Director, Denny Saunier, Steve Katz, and Mike Gill and you all deserve a great round of applause. (*APPLAUSE*) Now go out there and bring some jobs back here. OK, now any other remarks? If not, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#13 ADOPTED AS ORDINANCE NO. 114/2009

PRESIDENT SCHULMAN: Motion carries and the Ordinance #13 is adopted. Ordinance #14 please.

#14. (2ND 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 (FORFEITURE FUND, CITY PARKING DECK, COMM DEV)

#15. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (MINORITY HEALTH)

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- #16. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE A LICENSE AGREEMENT AND EASEMENT AGREEMENT ON CITY-OWNED LAND IN PIKE TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY
- #17. (2ND RDG) AN ORDINANCE CREATING CHAPTER 1128, WINDMILLS AND WIND TURBINES, OF PART ELEVEN - PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
PUB HRG: 8/3/09 @ 7:30 P.M.
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- #18. (2ND RDG) AN ORDINANCE AMENDING SECTION 1123.30, FAMILY, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON **PUB HRG: 8/3/09 @ 7:31 P.M.**
- #19. (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 (PARTS OF LOTS NOS. 2028 & 2029 @ 622 7TH ST NE) **PUB HRG: 8/3/09 @ 7:32 P.M.**
- #20. (2ND RDG) **RETAINED IN COMMITTEE** 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 (PARTS OF LOTS NOS 827, 828, 829 @ 1372 MARKET AVE S) **PUB HRG: 8/3/09 @ 7:33 P.M.**
- #21. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY \$106,894.78 TO MOTOROLA, INC. FOR THE 2009 SERVICE AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #22. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND SELL A PROPERTY OWNED BY THE CITY OF CANTON PURSUANT TO O.R.C. SECTION 721.03; AND DECLARING THE SAME TO BE AN EMERGENCY (1251 GRENADA DR NE)
- #23. (2ND RDG) **ADOPTED AS ORDINANCE #115/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO A SUPPLEMENTAL SEWER AGREEMENT WITH STARK COUNTY; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: I move we suspend Statutory three readings of Ordinance #23.

MEMBER CIRELLI: Seconded.

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PRESIDENT SCHULMAN: It's been moved to suspend the Statutory Rule for Ordinance 23. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. You've heard the three readings, Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #23.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #23. Are there any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Just wanted to have on the record that this honorable body was informed at Committee meetings that we will bringing in approximately \$2,500.00 per month with this issue, so we need all the monies we can get. Thank you sir.

PRESIDENT SCHULMAN: Thank you, Member Cirelli. Any other remarks? If not, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 115/2009

PRESIDENT SCHULMAN: Ordinance #23 is adopted. Ordinance 24 please.

#24. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO APPLY FOR ENTER INTO AGREEMENT AND ACCEPT FUNDS FOR THE 2010 PROGRAM YEAR FROM THE OHIO PUBLIC WORKS COMMISSION; AND DECLARING THE SAME TO BE AN EMERGENCY

#25. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, ENTER INTO AGREEMENT AND ACCEPT FUNDS FOR THE 2010 PROGRAM YEAR FROM THE CLEAN OHIO CONSERVATION FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #26. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO SUPPLEMENTAL AGREEMENTS WITH THE CITY OF NORTH CANTON AND STARK COUNTY FOR CAPITAL IMPROVEMENTS ASSOCIATED WITH THE WEST SIDE INTERCEPTOR; AND DECLARING THE SAME TO BE AN EMERGENCY
- #27. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY (JUDGES ADMIN, CLERK OF COURTS)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: And we're now under Ordinances and Formal Resolutions for the third and final reading. Madame Clerk, would you please read Ordinance 28 by title.

- #28. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 116/2009** AN ORDINANCE AMENDING VARIOUS SECTIONS IN PART THIRTEEN - BUILDING CODE OF THE CODIFIED ORDINANCES (CHANGE TO FEE STRUCTURE)

PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #28.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #28. Are there any remarks? Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #28 by the amendment before every Council Member

MEMBER CIRELLI: Seconded.

AMENDMENT:

Pursuant to Rule 36, I move to amend Agenda Item No. 28 as follows:

Amend paragraph (1) in Section 8 under the heading Commercial to read:

<i>(1)</i>	<i>All permits</i>	<i>\$2.00 per 100 sq. ft. of area served.</i>
		<i>Minimum fee \$100.00</i>

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance #28 by the copy that each Council Member has in front of him or her. By voice vote. Are there any remarks? 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 Smuckler.

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MEMBER SMUCKLER: Mr. President I move we adopt Ordinance #28 as amended.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: And the question you are now voting on then is the Ordinance as amended. Are there any remarks?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I understand that these, by raising these fees, is actually being consistent with Stark County fees is that correct.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Mr. President. Thank you, Mr. President. Councilman West, that is correct.

MEMBER WEST: And I also understand that by raising the fees it is not going to do any harm to businesses or development in this area.

PRESIDENT SCHULMAN: Director Price.

SERVICE DIRECTOR PRICE: Thank you Mr. President. Yea, our Chief Building Official has, she's recommended the fee increase and does not believe it will harm, you know, our businesses.

MEMBER WEST: Thank you.

PRESIDENT SCHULMAN: Any other remarks? OK, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#28 ADOPTED AS AMENDED AS ORDINANCE NO. 116/2009

PRESIDENT SCHULMAN: Thank you, Madame Clerk and Ordinance #28, as amended is adopted. Ordinance #29, please.

#29. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 117/2009** AN ORDINANCE AUTHORIZING A HIRING FREEZE FOR MANAGEMENT AND NON-BARGAINING UNIT POSITIONS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Smuckler.

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MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #29.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #29. Are there any remarks? Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #29 by the amendment before every Council Member.

MEMBER CIRELLI: Seconded.

AMENDMENT:

Pursuant to Rule 36, I move to amend Agenda Item No. 29 substituting the ordinance attached to this Amendment for the one currently pending before Council.

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance #29 by the copy before each of you. 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 Smuckler.

MEMBER SMUCKLER: Mr. President I move we adopt Ordinance #29 as amended.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: And the question you are now voting on, is Ordinance 29 as amended. Are there any remarks under this Ordinance as amended? Hearing none, Madame Clerk roll call vote, please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#29 ADOPTED AS AMENDED AS ORDINANCE NO. 117/2009

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance #29 as amended is adopted. Ordinance #30, please.

#30. (3RD RDG) **ADOPTED AS ORDINANCE NO. 118/2009** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH HABITAT FOR HUMANITY OF GREATER STARK AND CARROLL COUNTIES, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$480,000.00 FOR DEVELOPMENT AND CONSTRUCTION OF HOUSING UNDER

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THE NEIGHBORHOOD STABILIZATION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #30.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #30. Are there any remarks? Member Cirelli.

MEMBER CIRELLI: Mr. President. Thank you Mr. President. Question to either Warren Price, the Service Director or the Mayor himself. In here, we're getting \$480,000.00 for development and construction of housing under the neighborhood stabilization for Habitat for Humanity. I happened to catch a program the other night that Habitat in some areas are now purchasing homes instead of just empty lots and they're refurbishing the homes. Some of the homes they're purchasing were up to like \$30,000.00 and then they are actually restoring those homes and then turning around and selling them for a good price, so is that possible that we could be looking into that under this Ordinance sir.

PRESIDENT SCHULMAN: Mayor Healy. I'm sorry

MAYOR HEALY: Member Cirelli, yea you're absolutely right. We have actually had conversations with them many months ago in reference to just doing that in addition to the new construction as looking at existing properties and I believe that's part of the plan and part of the future with Habitat in the City of Canton.

MEMBER CIRELLI: Thank you very much and thank you, Mr. President.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yea, Member West.

MEMBER WEST: Members of Council, I would ask for your support for this. This is going into an area where we have torn down a lot of houses and left a lot of empty lots and I think as me and the building department, I think, you also went out. We put 111 houses on the demolition list just in Ward 2. But as we are tearing those houses down, we also need to be committed to building em back up and making our population grow, so I'd appreciate your support on this. This is actually going in an area that's gonna be greatly improved. Thank you.

PRESIDENT SCHULMAN: Thank you, Member West. Habitat for Humanity, Mayor is that, are these volunteer builders. OK.

MAYOR HEALY: In short, they have some employees but what they do is they get families who are going to be contracting the properties that come in and volunteer and then other families will come in and help and you get volunteer organizations, The Timken Company and others have sponsored them and so there is a combination of volunteers, future homeowners that have to put sweat equity into their properties and some others, so it's a combination.

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PRESIDENT SCHULMAN: OK, I think it's a great idea and I think Habitat for Humanity does wonderful things, I'm just, with the unemployment that we have, I hope we're going to start, and Member West I agree with you, this is a terrific proposal but I hope with some of this federal money that we're getting. I hope to see investment where we actually hire people and pay them, because we have so many trades out of work and it, perhaps you can comment on that.

MAYOR HEALY: Yea, Mr. President, thank you. The skilled type of projects, the electrical, heating and plumbing, and some of the foundation work stuff. Those have to be trades.

PRESIDENT SCHULMAN: Alright.

MAYOR HEALY: But the other supporters, they can do some basic hammer and nails, roofing, painting, siding, things like that. They do what they can.

PRESIDENT SCHULMAN: But you understand what I'm saying, that's OK. Great, OK. Any other remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#30 ADOPTED AS ORDINANCE NO. 118/2009

PRESIDENT SCHULMAN: Thank you, Ordinance #30 is adopted. Ordinance #31, please, Madame Clerk.

#31. (3RD RDG) **ADOPTED AS ORDINANCE NO. 119/2009** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FUNDING AGREEMENT WITH STARK COUNTY OUT OF POVERTY PARTNERSHIP, INC. TO PROVIDE HOME FUNDS IN THE AMOUNT OF \$35,000.00 FOR THE ADMINISTRATION OF THE CITY'S HOUSING PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #31.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 31. Are there any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you, sir. I would like to ask the Administration, I've had some people out in the community that last year they were told that they would pay SCOP (Stark County Out of Poverty) would pay for like their highest utility bill, like in the winter time, their gas bill or what have you and then possibly their electric bill. I've had a lot of people calling me telling me that they're telling em now that they're not going to

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pay any of those, so to vote on this, I don't want to stop the program but I need to know exactly what is going to be provided for our citizens, is there someone here that could maybe speak on that, sir.

PRESIDENT SCHULMAN: Director Price.

SERVICE DIRECTOR PRICE: Thank you, Mr. President. I'm going to ask Carmen West from Economic Development to handle that one.

PRESIDENT SCHULMAN: Miss West, good evening.

DEPUTY DIRECTOR WEST: Good evening, please excuse my voice. Councilwoman Cirelli, that's not a program that's funded by the City of Canton that's a separate program that they facilitate outside of our funds.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Mr. President and Miss West, then if it's as you say it's not our funding, but it is taxpayer's money.

DEPUTY DIRECTOR WEST: That program is facilitated by the, a separate source of fundings that's not in collaboration with the City of Canton, so if they're going to end that program, that's not a program that we facilitate. Our funds will be used for a down payment assistance to create home buyers for the homes that we purchase. SCOP provides financial literacy counseling and that's what our dollars go towards.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: And Miss West, you say, and I assume you have a sore throat, it sounds like, you're saying that those dollars provide

DEPUTY DIRECTOR WEST: Financial literacy counseling for the purchase of homes in the City of Canton. Our programs that we create that provide home ownership, SCOP is a home buyer inventory organization, so they provide financial literacy for those who are interested in becoming homeowners. So they provide counseling.

MEMBER CIRELLI: OK. Thank you Mr. President.

PRESIDENT SCHULMAN: Thank you, Member Cirelli and thank you Miss West and I hope your voice gets better.

MEMBER HAWK: I've got one quick question in regards to that....

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Some of the guests, and I always get a little attitude from Council. That's one of the things that may happen in the process and an important one is finding if this is a duplication of services because as we approach this, Habitat for Humanity has one of the highest success rates in the country. They had less than a 3% failure rate when they have completed their rules and training on their finance program. It may be as high as 5%

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now because of the advance programs but it is a very well run and well done process. Are we in fact duplicating services and spending money on another program when we could in fact be racking into the other process and program and help them with a program we know is successful.

DEPUTY DIRECTOR WEST: We are not. Actually, Habitat for Humanity works with a specific sub group. That sub group the income guidelines is below 50% of median. Stark County Out of Poverty has the prestigious designation of being a HUD certified counseling agency which means that they are authorized to counsel for HUD's funds. Habitat for Humanity is not. SCOP has the opportunity to work with all individuals no matter what the income level is and assist with home ownership outside of the volunteer basis that Habitat for Humanity provides. So Habitat's program is very good for their own structure, for their own program but not for other programs.

PRESIDENT SCHULMAN: And Member Hawk, Mayor Healy had something to comment upon that too.

MAYOR HEALY: Yea, if you don't mind, thank you, Mr. President. In reference to one of the things that Habitat does that's different, is Habitat has zero interest loans or extremely low, I think they're zero interest, but one of the things they do is they prevent their homeowners from refinancing, because they sit on and control that. And that's one of the biggest things that gets people in trouble is the refinance portion and without them being able to refinance out of the loan, into something else and pay extra fees and higher numbers, that's one of the things that's kept their buyers clean and that's something that they can control because of their program.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: *Beginning is inaudible - microphone not in use.* Unfortunately that we are at a point where somebody came in and talked them into buying into a loan where they had equity and that's the unfortunate part and that's what we need to stop. Thank you for that explanation.

DEPUTY DIRECTOR WEST: Habitat also does self financing so they finance their own loans, so it's their own money.

PRESIDENT SCHULMAN: OK, any other remarks? Just to remind you, your voting on Ordinance 31, so with that, hearing no further remarks, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#31 ADOPTED AS ORDINANCE NO. 119/2009

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance #31 is adopted. Ordinance #32.

#32. (3RD RDG) **ADOPTED AS ORDINANCE NO. 120/2009** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION TO PROVIDE A GRANT UTILIZING COMMUNITY DEVELOPMENT BLOCK GRANT AMERICAN RECOVERY ACT FUNDS IN AN AMOUNT NOT TO EXCEED \$421,783.00 FOR GRANTS, LOANS AND ADMINISTRATIVE COSTS; AND DECLARING THE SAME TO BE AN EMERGENCY

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PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: I move we adopt Ordinance #32.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #32. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#32 ADOPTED AS ORDINANCE NO. 120/2009

PRESIDENT SCHULMAN: Thank you, Madame Clerk Ordinance #32 is adopted. Ordinance #33 please.

#33. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 121/2009** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH BLACK, MCCUSKEY, SOUERS & ARBAUGH IN AN AMOUNT NOT TO EXCEED \$25,000.00 TO PROVIDE SPECIALIZED LEGAL ASSISTANCE WITH WORKERS' COMPENSATION CASES: AMENDING APPROPRIATION ORDINANCE NO. 193/2008; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #33.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #33. Are there any remarks? Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #33 by the amendment before every Member of Council.

MEMBER CIRELLI: Seconded.

AMENDMENT:

Pursuant to Rule 36, I move to amend Agenda Item No. 33 by changing the amount contained in the caption and Section 1 from \$25,000.00 to \$15,000.00 and the amount contained in Section 2 from \$45,000.00 to \$15,000.00.

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance #33 by virtue of the copy before each of the Members 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

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PRESIDENT SCHULMAN: The motion carries, Leader Smuckler.

MEMBER SMUCKLER: Mr. President I move we adopt Ordinance #33 as amended.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 33 as amended. Are there any remarks? Hearing none, Madame Clerk roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 1 NAYS
(MEMBER CIRELLI VOTED NAY)

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

#33 ADOPTED AS AMENDED AS ORDINANCE NO. 121/2009

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance #33 as amended is adopted. Ordinance #34, please.

#34. (3RD RDG) **ADOPTED AS ORDINANCE NO. 122/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A COOPERATIVE AGREEMENT BETWEEN THE CITY OF CANTON AND THE STARK METROPOLITAN HOUSING AUTHORITY (SMHA) IN AN AMOUNT NOT TO EXCEED \$40,000.00 FOR THE PURCHASE AND INSTALLATION OF SECURITY CAMERAS AT REFURBISHED SMHA SITES THROUGHOUT THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #34.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #34. Are there any remarks under this Ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#34 ADOPTED AS ORDINANCE NO. 122/2009

PRESIDENT SCHULMAN: Thank you, Madame Clerk, Ordinance #34 is adopted. Ordinance #35 please.

#35. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 123/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH FEDERAL SIGNAL CORPORATION FOR THE PURCHASE AND INSTALLATION OF ONE WARNING SIREN PURSUANT TO O.R.C.

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SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY (THE QUARRY)

PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #35.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #35. Are there any remarks? Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #35 by the amendment before every Councilman.

MEMBER CIRELLI: Seconded.

AMENDMENT:

Pursuant to Rule 36, I move to amend Agenda Item No. 35 by adding the language "and/or the Director of Public Service" after the words "Director of Public Safety" in the caption and Section 1.

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance #35 by virtue of the copy before each of you. Are there any remarks? Hearing none, 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 Smuckler.

MEMBER SMUCKLER: Mr. President I move we adopt Ordinance #35 as amended.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 35 as amended. Any remarks? Hearing none, Madame Clerk roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#35 ADOPTED AS AMENDED AS ORDINANCE NO. 123/2009

PRESIDENT SCHULMAN: Ordinance #35 is adopted. Ordinance #36, please.

#36. (3RD RDG) **ADOPTED AS ORDINANCE NO. 124/2009** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED

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BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (POLICE DEPT. REDUCTION)

PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #36.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #36. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#36 ADOPTED AS ORDINANCE NO. 124/2009

PRESIDENT SCHULMAN: Ordinance #36 is adopted. Ordinance 37 please.

#37. (3RD RDG) **ADOPTED AS ORDINANCE NO. 125/2009** AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PLAIN TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY (JASPER ST & ZIRCON AVE NE)

PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #37.

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #37. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#37 ADOPTED AS ORDINANCE NO. 125/2009

PRESIDENT SCHULMAN: Ordinance #37 is adopted and thank you, Madame Clerk, those were quite a few Ordinances you had to read tonight.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We now have Announcement of Committee meetings.

MEMBER SMUCKLER: Mr. President.

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PRESIDENT SCHULMAN: Leader Smuckler.

MEMBER SMUCKLER: August 3rd, 2009, 6 P.M. Annexation will meet.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Monday, August 3rd, 6 PM Finance Committee will meet.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Judiciary will meet the same time and the place.

PRESIDENT SCHULMAN: Thank you.

MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: Public Safety & Thoroughfares same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet the 3rd at 6.

PRESIDENT SCHULMAN: Thank you.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We are now under Public Speaks. And we have a number of speakers signed up this evening and a number of them are addressing the same issue so I would just ask, and we appreciate you being here but, if your remarks could be differentiated that would be helpful. Our first speaker is Patricia Kirk. Miss Kirk, good evening. State your name and your residential address please.

PATRICIA KIRK: My name is Patricia Kirk and I live at 131 5th St NE. This is very light-hearted. I have a solution for the baggy pants problem that was brought up in the newspaper but I ride the bus very frequently and I see these young people struggling to make the steps and they can't and the gyrations that must be done to keep their dignity and this is offensive. They are not offensive, young people are not offensive but one thing

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that we can do is have like members of the Police or whatever, hand out simple belts and make sure that they are used because anything that is said to be a fad but shows 2" of underwear and originated in prison is not, is not good for the rest of the teens that are very good. Alright, second thing. I have a concern. Who decides where the festivals are held downtown? I've been in that area for about 14 years. We used to have it down Market Avenue and people enjoyed it and the streets were blocked off. Now the streets are blocked off and Kresge lot is used and it's not Joyfest's fault. Joyfest is good and personally I hope they made a lot of inroad with the teens. But I have some pictures. I want to pass them around to show you the results of putting heavy equipment on the grass area of Kresge lot.

PRESIDENT SCHULMAN: And you had one more issue.

PATRICIA KIRK: Well yes. If you treat, I do want to say, if you treat Kresge lot and it gets trashed people trash it. When it is kept as a park, it is one thing to keep it weeded. It is one thing to keep it neat but if you keep it neat, people will keep it neat and treat it with respect. But who actually makes the decision of where the festivals are held. Would that be Chamber or who? OK, that's it.

PRESIDENT SCHULMAN: Ok, that's a rhetorical question.

PATRICIA KIRK: Yes it is.

PRESIDENT SCHULMAN: We'll get to that in a moment.

PATRICIA KIRK: Thank you very much.

PRESIDENT SCHULMAN: Thank you very much. Good to see you, again. Our next speaker is Michael Swintosky and I apologize if I'm having trouble with your name. Mr. Swintosky if you'd come up and gives us your name and your residential address and we welcome you. Thank you for coming this evening.

MICHAEL SWINTOSKY: You did very good on the pronunciation.

PRESIDENT SCHULMAN: Thank you.

MICHAEL SWINTOSKY: My name is Michael Swintosky. I'm at 1804 Walden Ave NW. I'm a member of the North Lehman Neighborhood Alliance and at last count we've got 21 of us here from our neighborhood talking about, who have concerns about the north Lehman High School issue. You'll hear that this is not a recent issue. We've had concerns about this for many years, the neglect of the building, which if it had been any one of us as a homeowner we believe the city would have been on us in no time at all, yet the problems with the old Lehman High School continue. We have great concerns for safety and property values. The unlawful elements that have encroached in the area. You only need to look at the number of vacant homes in the area to see the migration out of the neighborhood. You can look in the paper to see what homes sell for. One of our members left the neighborhood last year selling their home at auction for \$7,000.00. This was not a trashy house, it was what has been labeled as "Market Rate Housing". A lot of money was put into that house, yet that is all that it would bring. We've tried to be, we try to be cordial in talking about this but you will, you may hear that there is a little, more than a little animosity that's been growing. Hopefully we'll keep this cordial. Hopefully we will start to see some progress being made here, but it's a problem that's been going on a long time and we'd appreciate a little more attention than we've gotten in the past. Thank you.

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PRESIDENT SCHULMAN: Thank you sir, very much. Appreciate it. (*APPLAUSE*) And our next speaker is Cindy Hall. Miss Hall, good evening. If you'll come up and give us your name and residential address. And by the way, we are delighted to have you hear from your neighborhood organizations. We very much appreciate that. All though some of you may be thinking well if your so happy to see us, why haven't you done anything for us, so. Miss Hall, good evening. If you'll give us your name and residential address.

CINDY HALL: Certainly. My name is Cindy Hall. I live at 1018 14th NW and I too came here to speak about the school and I'm gonna try to get this, through this very briefly on this written note that I have here. I live catty corner to the football field and I would like to thank the Canton Safety Director for the prompt board up of the East and West basement doors of Lehman and also Canton Police for issuing a work order for periodic checks on the property until this could be accomplished. Canton residents supported the school levy and wish that Canton City Schools would support the area by monitoring the school closely for break-ins and securing it promptly. Their inattention has left the building vandalized and in very poor condition. I have seen men leaving the grounds very early in the am and the talk among teenagers is that the school is a place they use for sex. Our area has poor perception and sale ability with the vacant boarded up building. Also the combination of eight registered sex offenders living within a quarter mile and one being just two blocks away. The unsecure building and the unsupervised kids hanging out is a terrible situation. And also our Police calls have increased because of the children that hang around and that sort of thing. Canton City Schools has also shut off the power to the building and I believe they have a responsibility to keep the school secure and also provide lighting for the safety of everyone involved. I will also be speaking at the next Board of Education meeting on August 10th at Timken High School on this issue as well. Thank you.

PRESIDENT SCHULMAN: Thank you, very much, ma'am. (*APPLAUSE*) Our next speaker is Richard F. Jones. Mr. Jones, if you'll come up and give us your name and your residential address please and good evening.

RICHARD F. JONES: I don't need a microphone, my voice carries. My name is Richard Jones. I live at 1138 Auburn Pl NW. I live on the corner of Arnold and Auburn. I am not originally from Canton. I wasn't born here. I didn't go to Lehman Jr. High School, I didn't go to any school here in Ohio. I graduated from a private school in Pennsylvania and I migrated to Ohio approximately 14 years ago and I've lived in the City of Canton for almost 12 years. During that time, I've lived in the North Lehman neighborhood area and I take great concern with everything that goes on there. I got involved with the Crime Watch Program many years ago. I am the only one in the neighborhood right now that continues to march on with the Crime Watch Program. I go out and I go through the neighborhood walking and like my colleagues, my neighborhood colleagues, will all tell you, there's a great deal of activity that goes on around Lehman Jr. High School and I am so gravely concerned about it that the neglect, like Mr. Swintosky said, yes there is a great deal of animosity mostly in me. And you probably would expect it more from a resident or a native of the area but not from a transplanted individual. I care about Lehman Jr. High School very much because unlike Cindy Hall who wakes up every morning rolls up her window shade and sees it right there in front of her I have to literally get out of my place of residence and walk a block to see it. But I went down there today, I have been asked to document all the sites, all the violations in regards to this facility. I took my video camera and I actually made a video tape I would like to submit to City Council, you're welcome to all watch it. There is some animosity in it, but it's strictly in my opinion and not necessary the regards of my colleagues in North Lehman. The only thing I will tell you this when I was down on the football field I was thinking about what are the three principals that the Board of Education whether it's here in Canton, my hometown of Pittsburgh or whether I've been all over the globe, I was in the Air Force, and I traveled to distant lands but we've often, so often heard that the three principles in our public education system is the 3 R's - reading, righting, rithmetic. Well I'm sorry, when you call the Canton City School Board administration office two weeks before

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Thanksgiving 2008 to report a broken window, and this is now July 20th and that same window is still broken. The only thing that differentiates between now and then is the shade that's been pulled down. So, I was thinking to myself, our Board of Education raises and teaches our children to get A's reading, A's in writing, A's in arithmetic but our Board of Education gets an F in responsibility. Thank you.

PRESIDENT SCHULMAN: Thank you very much, sir. (*APPLAUSE*) Our next speaker is Kris Krisanda. I hope I pronounced that name correctly sir, and if you'll step up and give me your name and your residential address and good evening.

KRIS KRISANDA: My first name is Kris and last name is Krisanda. I live at 1554 Fulton Rd NW. I'm actually fairly new to the Canton area. I moved from Akron, Ohio and the reason I moved from Akron, Ohio was because of the neighborhood and the way it ran into the ground. And I can almost, pretty sure say if this problem is avoided, prolonged your going to have the same problem Akron has. The things are just going to get worse. People are going to move out. You're going to lose tax money. OK, there's no, don't beat around the bush. You need, something needs to be done about it, you know, you're creating crime, other vulgar issues I guess, you could say. Like I say, I am here in support for a friend that I came with because I support the issue of getting something done with it. I do know that there are actual legitimate people that enjoy that football field there and play soccer and football. Issues that could be made, make it into a park, OK. You can't afford to make it a park, there's plenty of people in the neighborhood that would be willing to participate and even help construct a park, if something can be done about the building. Whether it be tear it down or to rehab it and get it properly dealt with to become a school again. You know and I have a second issue. The Police Department. Being ignored by the Police Department is not something I enjoy especially when there is a danger to children that play in the area. There was a report, a call made about a disturbance on 16th Street where there was people, vulgar language at 5:00 in the morning and this person was hung up on by the Police Department. There should be no need whatsoever for anything of the sort. Thank you for your time and I enjoy the city very much and it is a lot cleaner than Akron, Ohio.

PRESIDENT SCHULMAN: Thank you sir very much. (*APPLAUSE*) Our next speaker is Deloris Angeli. An I apologize if I mispronounced your name.

DELORIS ANGELI: And you did. (*Laughter*)

PRESIDENT SCHULMAN: OK, well I'm sorry.

DELORIS ANGELI: No, that's alright.

PRESIDENT SCHULMAN: No, how do you pronounce your last name.

DELORIS ANGELI: Angeli.

PRESIDENT SCHULMAN: OK, if you'll give us your name and your residential address.

DELORIS ANGELI: Deloris Angeli, 1524 Fulton Rd NW. I live there and I work there. I own Plant et Art which has been in business in the City of Canton for over 15 years. I am a huge supporter of my community and the arts. I know as a building owner and a former landlord that the city did come down pretty hard on individuals such as I. Canton City Schools are one of the largest land owners in the City of Canton and they have been neglecting their duties for a long time. Please, ladies and gentlemen, now is the time for us to start dealing with this. I could go back to a newspaper article that I made a copy of from 1975, Ralph Spencer,

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Around Town, for any of those of you who remember to cut to the quick, we have April 27, 1975, "Lehman High the worst school. Grounds and area we saw piles of rubbish on the athletic field, bushes of paper around the fence, dozens of containers in the gutters, and the shrubbery and in front surrounding the houses. Maybe an all morning clean up would do it." We've done that! Five, six, seven times. It's now time for the city to come down hard on this homeowner on this land owner in the City of Canton and make them accountable. Now is the time (holding a clock). (*APPLAUSE*) Thank you for your time.

PRESIDENT SCHULMAN: And before, well maybe our next speaker is going to speak to this also. Linda Tuttle, is that correct ma'am. Well don't yell at me like Doris, Deloris please. Good evening if you'll give us your name and your residential address please.

LINDA TUTTLE: OK, I'm Linda Tuttle. I live at 1106 18th St NW here in the City of Canton. Like all of us have said tonight, we are very concerned about the Lehman issue. I know City Council has been concerned. We've been here several times in the past. The concern that we have and the reason that we are here with you guys is we've been asked before when we've come, why are we addressing City Council. We're addressing City Council, we've been to the Board of Education meetings but we're here before you because you guys have the power to enforce the codes. You have the power to enforce the Ordinances that you already have on the books. We're not asking for a new Ordinance, but we're asking for you guys to hold them to the same accountability that you hold all of us. I've had inspectors at my own door before, asking me, I have a duplex in the neighborhood and they've come and knocked at my door for very, very minor repairs that have needed done like chipping paint. I've asked, they've asked me before for onsite inspections inside of my duplex just in the past three years that has happened and my duplex is one of the nicest ones in the neighborhood. Come and take a look at it. So, I look at this and I say, what are you guys doing to enforce Lehman High School. What are you doing to enforce the city, the Board of Education to take care of this property. We've got kids all over our neighborhood that play here. Teenagers, you know everybody's mentioned, we've call the Police so many times it is ridiculous. They boarded up and a day later, they've broke right back into it. Whatever boarding up they're doing, it's not securing people to stay out of it. So we're really asking you to take the stance, I know you're working on some type of plans to try to get something to happen with this building. I know in the last four years that I've been a part of this issue, nothing's come about yet, so we're asking you to at least secure this property. Make sure that it is maintained, it is cleaned up on a regular basis. Thank you.

PRESIDENT SCHULMAN: Thank you very much. (*APPLAUSE*) That concludes Public Speaks. Before we move on, Director Price has asked to answer Ms. Kirk's inquiry because he would like to go to Dave Novelli's Mom's funeral, so, director.

SERVICE DIRECTOR PRICE: Thank you, Mr. President, Members of Council. I wanted to first advise you as to how these sites are selected. I mean the city, although we certainly have input, these sites are selected at the organizations request, so they basically tell us where they'd like to have it and we try to accommodate those. And then of course, it's primarily the Safety Department but the various department heads are contacted and they would voice any concerns they'd have about an area and try to identify the best place to close those areas off, so that's kind of a cooperative effort among the departments and we seek their input to do that but it's basically the Safety Director that authorizes the closing off of streets for these events. In terms of the Kresge lot specifically, a number of you have contacted me about the downtown area and the Kresge lot but in particular most recently, Councilwoman Cirelli contacted me regarding that so we have a, I've assembled a youth development crew. We've got the workers available so we have those folks weeding and doing as much work as possible in the downtown area including the Kresge lot. I'm looking at Ms. Kirk's pictures. One of the issues there is it certainly looks like it could use watered and so we will see what we can do in that regard but the pictures show so issues so we'll certainly try to address those.

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PRESIDENT SCHULMAN: Thank you, director. Mayor Healy.

MAYOR HEALY: Thank you Mr. President. I'd like to, first of all thank and want to recognize the North Lehman Alliance and all the residents that are here. I can't say thank you enough for participating and being a part of helping us turn the city around. And we can't do it without you, so thank you for being here and sharing with us. A couple of points I'll address that were brought up, one of them was in reference to the policing or safety issues. Behind you is Deputy Police Chief Thomas Ream who is going to be our incoming Safety Director and he is at this meeting to make sure if there's any questions or needs he can answer those, so when the meetings over, I'm sure he'll be happy to answer any questions or take any notes from you and we'll all be here for that as well. Also, I'd like to mention that I have been attending a lot of the neighborhood association meetings and I would like to join you at your next one if possible but I've also been going to the N.A.V.E. meetings where the leaders of all the associations meet and I had offered to all those leaders that I would be willing to come to your neighborhood and do a walk through with not just myself, but with the Councilman from your Ward, I believe it is representative Hawk, or Councilman Hawk and Prater, Barton, whoever would be the Councilman for there and also we would bring somebody from Code, Zoning, Health Department, Police and we would make sure we document everything as we walk through there to put it on the list to see if we could help improve your area as quickly as possible. In reference to the Canton City Schools, I know this is one of several buildings that they have that are extremely difficult for them to manage as a site that there is nobody maintaining or at, at any given time. I have been on that site and inside that building 8 or 10 times in the last year. We have been doing everything we can to partner with the City Schools to try to find a tenant, somebody to buy that building, come in and create an active, positive investment into the community. We've come very close. The economy has slowed down some of those talks but we're doing everything we can to help as well and we'll make sure we keep communication with the schools to let them know they're going to have to pick up the pace there and keep that property in better shape, but again, I will be more than happy to meet with you after the meeting and try to schedule a date to do a walk through in your neighborhood. Thank you.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Thank you Mayor and we are in Miscellaneous Business. Is there any other? Member Cirelli.

MEMBER CIRELLI: Thank you, Mr. President. Question to Mayor Healy, Member Patrick Barton has been working very hard on getting a sidewalk Ordinance. Our question is can you see that there are some dollars. At one time there was \$65,000.00 in that fund. I'm not sure where it came from. Now I know we could probably use some monies in the Community & Economic Development dollars in that district in the CD district but, I believe Member Barton told me that not even less than \$10,000.00 or maybe \$13,000.00 of the \$65,000.00 was used but we would like to know if you can find out from us where the rest of the money went, I'd appreciate that sir. Thank you.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yes, I would just wanted to add a few comments to the Kresge lot. When they did the Kresge lot, I remember all that was backfilled. I mean the dirt was hard from the beginning, the grass was hideous and I'm just wondering is there something we could do to add some topsoil and put some more stronger grass, I mean cause we have a lot of festivals that go on down there each and every year and I know anybody can actually request to utilize that lot because it's a city lot. So, I wondering if we can get a little bit more attention to that. Would that be the Park Department?

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MAYOR HEALY: I will check on that.

MEMBER WEST: OK, thank you.

PRESIDENT SCHULMAN: Any other Miscellaneous Business? Member Hawk.

MEMBER HAWK: Thank you sir. I've been noticing a very disturbing trend in the last several weeks. July 3rd, I got a call at 12:30 in the afternoon. There were two gentlemen walking down the middle of 9th St and one of them took it upon himself to reach into his back pocket, pull out a gun, and fire off four rounds, 12:30 on a nice, sunny Friday afternoon. Read the next day in the paper that we in fact had a house on 10th or 11th St, I forget the exactly street, where six shots were fired into that home. The trend continues, over the weekend, we've had shots fired into residence, or into a house on 11th St and we've had shots fired into a building on 12th St. We're down to 163 policeman. Our police do a tremendous job with the limited forces they have at this current time. My question is, oh and by the way, this weekend's paper, I also noticed that several people were shot, wounded in the calves in two separate locations and more houses were in fact fired into. I think we need a more police on the streets. My question is, when are we going to begin replacing the Police Officers we have lost?

PRESIDENT SCHULMAN: It that a....Mayor, Mayor Healy.

MAYOR HEALY: Thank you, Mr. President and Councilman Hawk. It's a great question. We have been working on hiring Police Officers and we kind of delayed that when the Auditor decertified our budget and told us that we were somewhere between 1 and \$2,000,000.00 less than what we expected. That kinda put the brakes on our expansion of Police Officers. We have been notified from Washington that the funding for the cops program will be brought us by the end of this month. Once we have that confirmation, we'll be able to evaluate that and make decisions to move forward and with how many Police Officers, but as you know, the budget and dollars are driving every decision that's being made at this point in time, and we're trying to make Police a high priority, the highest priority in safety. The highest priority in our decision making process, but until we have a little more information, and we're expecting some within the next 10 days, then we'll be able to answer that question for you.

MEMBER HAWK: Thank you.

PRESIDENT SCHULMAN: Thank you, Member Hawk. Any other Miscellaneous Business?

MEMBER WEST: Mr. President, I got one more thing.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I know that Vince Watts with the Urban League is, this Saturday I believe it is, they're having a community talk around violence and to address some of these community issues and coming up with a neighborhood plan or a community plan to address some of this violence that's going on so if anybody's interested, I believe that's at 10:00 to 2:00 at the Southeast Community Center so I just wanted to bring that to our, to your guys attention.

PRESIDENT SCHULMAN: Thank you. Last of all, I think we all want to thank the Lehman Association for coming down. I would ask, and I think we all would, whether we live in your area or not, if you don't get any satisfaction, come down again. And if you don't get any satisfaction, come down again. You'll get the, we're

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going to do something for you folks. It's, it's not right and of course the Mayor is trying to do everything humanly possible as are your Council People to try to remedy this mess, but you know, unfortunately, the Board of Education is not doing it's job and that's no excuse. That is just wrong. It's their building, it's their property, they should be doing something and you know maybe it's time for the public to get all over the board on them. But in any case, Leader Smuckler. (*APPLAUSE*)

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

MEMBER CIRELLI: Seconded.

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

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

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

ADJOURNMENT TIME: 8:46 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT