

MINUTES OF THE MEETING OF SEPTEMBER 21, 2009

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. Before we begin tonight, we...our leader complimented Member Dougherty on the incredible job that he has done over the years in feeding the hungry of Canton and I just want to publicly put that on the record tonight. I want to thank Council obviously and the Clerk of Council and her staff and Members of Council for the tremendous interest and participation in this very worthy event but most importantly, I want to really recognize Member Dougherty for his outstanding work.

(APPLAUSE)

PRESIDENT SCHULMAN: One of these days, Dave, no one will show up. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

TWELVE COUNCIL MEMBERS PRESENT

CLERK TIMBERLAKE: All present Mr. President.

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

The regular meeting of Canton City Council was held on Monday, September 21, 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 Ward 7 Council Member, Patrick Barton, the Pledge of Allegiance led by President Schulman.

PRESIDENT SCHULMAN: Thank you Member Barton.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We are 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 14 through 25. Leader Casar.

MEMBER CASAR: Mr. President, I move Rule 22A be suspended and add Ordinances 14 through and including 25 to this evening's agenda.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the Second Reading Ordinances 14 through 25. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

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're now under Public Hearings. There are no Public Hearings this 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're under Informal Resolutions and I would ask the Clerk to read please Informal Resolution 55.

#55. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF CESAR VANDERPOOL, JR. TO THE FAIR HOUSING COMMISSION COMMENCING 9/1/09 - 8/31/14. - ADOPTED

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #55.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 55. Are there any remarks? Hearing none, by voice vote on the motion, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #55 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries.

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 SEPTEMBER 21, 2009.

421. FINANCE DIRECTOR ALGER: REQ \$1,151,591.81 SUPP APPROP FROM UNAPP BAL OF 6017

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HEALTH & LIFE INS FUND TO 6017 20-10-01 SERV DIR ADMIN PERSONNEL SVC TO PAY FOR MED & PRES CLAIMS. - FINANCE COMMITTEE

422. HEALTH COMMISSIONER ADAMS: REQ \$370,000.00 SUPP APPROP FROM UNAPPROP 2328 PUBLIC HEALTH INFRASTRUCTURE FUND TO 2328 PUBLIC HEALTH INFRASTRUCTURE FUND. - FINANCE COMMITTEE
423. HEALTH COMMISSIONER ADAMS: REQ \$2,771.81 APPROP TRANSFER FROM 2354 SOLID WASTE - OTHER TO 2354 SOLID WASTE - PERSONNEL. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We're 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 #13 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

- #1. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY (AUDITOR)
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM SAMUEL J. MAZE (PARCEL #02-10421 ON GLENDALE PL NE)
Referred to Community & Economic Development Committee
- #3. (1ST RDG) **ADOPTED AS ORDINANCE NO. 163/2009** 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 (HEALTH DEPARTMENT)
Referred to Finance Committee

(COUNCIL RECESSED @ 7:38 PM FOR FINANCE COMMITTEE TO DISCUSS THE ADOPTION OF ORDINANCE #3; RECONVENED @ 7:39 PM)

PRESIDENT SCHULMAN: Council will than reconvene after its recess. Leader Casar.

MEMBER CASAR: Mr. President I move Rule 22A be suspended to place Ordinance #3 back on this evening's agenda.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance 3 back

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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: Thank you Madame Clerk. The motion carries. Leader Casar.

MEMBER CASAR: Mr. President, I move we suspend the Statutory Rules on Ordinance #3.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance #3. Are there any remarks? If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

MEMBER CASAR: Mr. President, I move we adopt Ordinance #3.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 3. Are there any remarks on this Ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#3 ADOPTED AS ORDINANCE NO. 163/2009

PRESIDENT SCHULMAN: Ordinance #3 is adopted. Ordinance #4 please.

#4. (1ST RDG) AN ORDINANCE VACATING LINDESMITH COURT S.W. AND A PORTION OF BORS COURT S.W.; APPROVING AND ACCEPTING THE REPLATTING OF LOTS NOS. 15757, 15759 - 15766, PART OF LOT NO. 15756 AND THE TWO VACATED PORTIONS; AND DECLARING THE SAME TO BE AN EMERGENCY (AULTMAN HOSPITAL) **PUB HRG 10/19/09 @ 7:30 P.M.**
Referred to Public Safety & Thoroughfares Committee

#5. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFER HEREIN

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DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
(FEDERAL FORFEITURE FUND)

Referred to Judiciary and Finance Committees

- #6. (1ST RDG) **ADOPTED AS ORDINANCE NO. 164/2009** AN ORDINANCE DECLARING 29 BUILDINGS TO BE PUBLIC NUISANCES; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE DEMOLITION OF SAID BUILDINGS; AUTHORIZING THE CLERK OF CANTON CITY COUNCIL TO CERTIFY THE COSTS OF DEMOLITION TO THE STARK COUNTY AUDITOR; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

(COUNCIL RECESSED @ 7:42PM FOR COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS THE ADOPTION OF ORDINANCE #6; RECONVENED @ 7:49PM)

PRESIDENT SCHULMAN: Council will reconvene after its recess. Leader Casar. Leader Casar.

MEMBER CASAR: Mr. President I move we suspend Rule 22A and place Ordinance #6 back on this evening's agenda.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance 6 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: Motion carries. Leader Casar.

MEMBER CASAR: Mr. President, I move we suspend the Statutory Rules on Ordinance #6.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 6. 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.

PRESIDENT SCHULMAN: Motion carries. You've heard the three readings, Leader.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #6.

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MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 6. 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.

#6 ADOPTED AS ORDINANCE NO. 164/2009

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and Ordinance 6 is adopted. Ordinance #7 please.

- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT FROM THE COPS HIRING RECOVERY PROGRAM IN AN AMOUNT NOT TO EXCEED \$1,412,392.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT FROM THE 2009 EDWARD BYRNE MEMORIAL RECOVERY ACT COMPETITIVE GRANT IN AN AMT NOT TO EXCEED \$112,500.50; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #9. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT FROM THE 2009 EDWARD BYRNE RECOVERY ACT GRANT LOCAL SOLICITATION IN AN AMOUNT NOT TO EXCEED \$233,999.20; AMENDING ORDINANCE NO. 193/2008; THE AUDITOR IS AUTHORIZED TO ESTABLISH THE 2774 BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT 2009 FUND; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #10. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT FROM THE 2009 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT REGULAR SOLICITATION IN AN AMOUNT NOT TO EXCEED \$157,112.20; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #11. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT FROM THE 2009 EDWARD BYRNE RECOVERY ACT JUSTICE ASSISTANCE GRANT IN AN AMOUNT NOT TO EXCEED \$166,111.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

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PRESIDENT SCHULMAN: I hope somebody tells me who Edward Byrne is eventually. *(Laughter)*
Ordinance #12 please.

#12. (1ST RDG) AN ORDINANCE AMENDING PART NINE - STREETS, UTILITIES AND PUBLIC SERVICES CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (COMPLY W/NAT'L POLLUTANT DISCHARGE ELIMINATION SYSTEM)
Referred to Environmental & Public Utilities Committee

#13. (1ST RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities Committee

PRESIDENT SCHULMAN: And that concludes Ordinances for their first reading.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for their second reading. Madame Clerk will you please read the first Ordinances by title. *(President Schulman meant second reading ordinances)*

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #14 THROUGH #25; FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#14. (2ND RDG) AN ORDINANCE AMENDING SECTION 975.07, LOCATION OF WASTE FOR PICKUP, OF CHAPTER 975, SOLID WASTE MANAGEMENT SYSTEM, OF THE CODIFIED ORDINANCES

#15. (2ND RDG) AN ORDINANCE AMENDING VARIOUS CHAPTERS OF PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (FEE CHANGES) PUB HRG 9/28/09 @ 7:31 P.M.

#16. (2ND RDG) AN ORDINANCE VACATING A PORTION OF SITES PLACE N.E.; APPROVING AND ACCEPTING THE REPLATTING OF LOTS NOS. 1836 - 1838 AND PART OF SITES PLACE N.E.; AND DECLARING THE SAME TO BE AN EMERGENCY (YWCA) PUB HRG 9/28/09 @ 7:30 P.M.

#17. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH JOHN PATRICK PICARD ARCHITECTS, INC. IN AN AMOUNT NOT TO EXCEED \$136,000.00 FOR ARCHITECTURAL AND ENGINEERING SERVICES AND TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF THE MUNICIPAL COURT EXPANSION PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #18. (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 #02-01642, BROWN AVE NW)
- #19. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 172/2008; AND DECLARING THE SAME TO BE AN EMERGENCY (CHANGE TO NEIGHBORHOOD STABILIZATION GRANT AWARD TO \$3,678,562.00)
- #20. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY (HUD NEIGHBORHOOD STAB 2009 STIMULUS FUND - \$520,000.00)
- #21. (2ND 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 (COMM DEV 2009 STIMULUS FUND - PERSONNEL - \$23,000.00)
- #22. (2ND 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 (COMPLIANCE ADMIN - PERSONNEL - \$3,000.00)
- #23. (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 (CIVIC CENTER - ADMIN - \$300,000.00)
- #24. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE APPROPRIATION REDUCTIONS, APPROPRIATION TRANSFERS; SUPPLEMENTAL APPROPRIATION AND INTERFUND TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #25. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (FED FORFEITURE FUND & LAW ENFORCEMENT TRUST FUND FOR POLICE DEPT)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We are now under Ordinances and Formal Resolutions for the third and final reading and vote. Would you please read Ordinance 26 by title.

- #26. (3RD RDG) **POSTPONED UNTIL 9/28/09** AN ORDINANCE SUSPENDING ALL TRAVEL

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PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #26.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #26. Are there any remarks? Leader Casar.

MEMBER CASAR: Mr. President, I move we amend Ordinance 26 per the attached amendment that all Council People... we spoke about last week and everyone has had a copy on their desk this evening.

MEMBER DOUGHERTY: Seconded.

AMENDMENT:

Pursuant to Rule 36, I move to amend Agenda Item No. 26 by substituting the attached amended ordinance for the current ordinance pending before Council.

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 26 per the copy before each of the Council Members. Are there any remarks?

MEMBER WEST: Yeah, Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Could I ask the Law Department to go over the amendment?

PRESIDENT SCHULMAN: Sure. Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Yes thank you. Mr. President, Member West and for Members of Council, this Ordinance was originally prepared and requested to suspend travel outside the City limits. Please let's understand first, it's a ban on travel outside the City limits and associated expenses, cars, gasoline, hotels, motels and meals. Initially, it banned outside travel unless and it still reads this way, unless it's related to mandatory certification and licensing and we added the phrase that is a direct requirement of the employees position, directly required by the position. For example, someone who may be a licensed filter operator in water pollution reclamation, water department perhaps may have to travel to Akron to get certified to get the next step up in their licenser class. That would be mandatory travel directly related to one's duties. The rest of it goes on to say "Or travel required to prosecute cases or defend the City in any legal proceedings" Obviously if we have to go to Cleveland to Federal Court, we have to go. Or you might enjoy seeing me locked up, you might enjoy seeing me locked up for awhile, so just tell me not to go. *(Laughter)*

MEMBER SMUCKLER: Aye.

(LAUGHTER)

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LAW DIRECTOR MARTUCCIO: The other part of the amendment, Mr. West, changes this from a freeze on anything outside of those requirements from the end of 2010 to the end of 2011, so this goes to the end of 2011. The other major change to amendment is in Section 2 and it reads "While this Ordinance is prospective", meaning from this date forward, "any future or disputed travel or travel expenses that were legally encumbered now", but not yet encumbered or incurred prior to this date this Ordinance is passed, anything like that, anything disputed has to go in front of a quorum of the Finance Committee, meaning the two out of the three people in the Finance Committee would have to prove it. If I can Mr. President, Member West, I'll anticipate the next question because I've been asked it coming into Council tonight. Some of you have asked me "Does this Ordinance as amended, or as originally written contain language that would allow non mandatory travel, in other words, discretionary travel for reasons outside of mandatory licensing, certification or legal proceedings?" And the answer is no it doesn't. Another Council Member asked me earlier today, "Isn't there a statute under the Ohio Revised Code that says it's the Mayor's duty to entertain any applications for travel outside the City for conferences?" This is specific to conferences and seminars. And the answer is yes, the State Law says it's a two step test, if one wants to leave the City for conferences, now I'm going outside of these mandatory licenses and certifications for a moment, anticipating your next question, under our Codified Ordinance, as it now exists and under State Law, if someone, anyone, any City employee presents the Mayor with an application to travel outside the City for a conference or a seminar of some kind, the Mayor could approve it provided that application is in writing and contains how much the estimated costs are. That's step one, step two is the Auditor's Office has to certify that the monies have been appropriated and that they are in fund and that they are available. So, coming back full circle, if this Ordinance passes as it's written tonight, with an emergency, from this day forward, the only allowed travel outside of the City limits, unless somebody wants to pay for it themselves, the only reimbursable travel outside the City, hotels, motels, buses, trains, gasoline, is for those specified reasons, mandatory licensing, mandatory certification and legal proceedings. If you were to give me the example that some of you did earlier tonight and last week, "what if a department wants to go Columbus in a hurry to make sure that something that's, that's about to come our way in terms of grants, what if they want to, you know, drive down to Columbus, is that reimbursable?" The way this is written, probably not. I suppose if one wanted to, they could go before the Finance Committee but the Finance Committee could say it doesn't fit one of these. So my legal opinion would be, something that's completely outside of this, it's not anticipated reasonably by this language, would probably would have to come by way of another Ordinance if this passes as is.

PRESIDENT SCHULMAN: Anything else Member West? On the amendment, any questions about the amendment? Okay. Any other remarks? Hearing none, you recall the...there is a motion and a second to amend Ordinance 26 by virtue of the copy before each of you. All those in favor of the amendment, signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED BY VOICE VOTE
(MEMBER WEST VOTED NAY)

PRESIDENT SCHULMAN: Motion carries and Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #26 as amended.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #26 as amended. So

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now the question you're now voting on is Ordinance 26, specifically per the amendment before each Council Member. Are there any remarks?

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: As we gave examples at the last Council Meeting of a number of types of circumstances that would require travel, this amended Ordinance would not give anyone the authority to even approve those types of travel, whether we have an economic opportunity, an economic crisis where we have to go and address those issues, whether there's stimulus issues where we need to provide training that is required by the Federal Government or by HUD in order to for us to receive stimulus or grant dollars that aren't certified programs but just training programs without a certificate. There's a number of types of things that could happen, most of the examples that I would give would be coming out of Economic Development or Community Development and those dollars are not general fund dollars and in many cases those are dollars that are brought in with stimulus or grant money for those specific purposes, which includes the training that goes along with them. Those training requirements for example, would not allow it to be taken place by City workers. I understand that if an elected official wants to challenge other elected officials to say "Hey, if you want to travel, take it out of your pocket." But I also understand that City employees that's trying to do their job and move the City forward, it's unrealistic for us to ask them to pay out of their pocket to do travel, which sometimes could be Columbus or Washington or elsewhere. In general, I will not support, or I will support a reasonable and well thought out travel restriction policy as we have one in the Administration right now. But as this is written, I don't believe that this is that policy. I want to make it very clear to all the Council Members in here, as they consider this particular language that they're going to vote on, they vote in favor of this Ordinance as written is a vote against future stimulus dollars, that comes with those requirements. It's a vote against spending current stimulus dollars that we have received, which would make us have to send those dollars back if we don't have the proper training. And it's a vote against economic development, this isn't just between now and the end of the year, this Ordinance goes through the end of next year and you are handcuffing our Economic Development Department, who is responsible to go out into the world and bring businesses and jobs into our City. So, I want to make sure you understand the...the impact that this has, not just on our economic...or our general fund but what it does to our economic development. A one size fits all approach never works in Government and this Ordinance is a prime example. I agree we need to put constraints on travel, I do not believe this is right document to do so. Thank you.

PRESIDENT SCHULMAN: Thank you Mayor Healy. Any other remarks? Member Hawk.

MEMBER HAWK: This is not unprecedented, we've done this before (*inaudible*) in 2002 (*inaudible*). Now let's point a couple of things here. We asked that the...the Members of the Finance Committee and received an accounting that the Administration informed us that we are going to be at least three million dollars down more next year. It was a very nice, very well done piece of information, I appreciated getting it. But what it points out in that document is the fact that we are going to decline 2.5 million dollars in income tax revenues. That 2.5 million dollars equates to one hundred and twenty five million dollars in lost jobs in this community. Our Community and Economic Development Department needs to stay home and find out why we lost one hundred and twenty five million dollars, why we're going to lose one hundred and twenty five million dollars next year. You couple that hundred and twenty five million dollars to the hundred and fifty million dollars we've already lost, it brings a total loss of payrolls in this City to two hundred and seventy five million dollars.

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That's the facts. We need to stay home and worry about what we're losing. If they want to travel, you can come down with a moral obligation and I'm certain this Council will in fact approve it, if it is in fact valid and we figured it can be done. But we can do it under moral obligation under this Ordinance if they so choose to travel but you need a justifiable real means of going and bringing some dollars back. Most of the stimulus dollars do require some training, I believe if I ask questions around I'm sometimes told that these stimulus dollars have training improved in them. But we've got to watch our money folks and this is one of the steps you have to take, it's not pleasant, it's not fun to do this but if we're going to get control of this budget, this is one of the things you're going to need to do, we're down fifteen firefighters, we're down fifteen policemen through retirement and just attrition and we're down nine other employees. This is serious, we have to figure out how to start saving money in this City and keeping people working.

PRESIDENT SCHULMAN: Thank you Member Hawk.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Law Director, could you explain the moral obligation, what Hawk just mentioned, in terms of travel being approved through moral obs. Would that be clear to do it under this Ordinance?

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Member West and Members of Council, Chairman...Finance Chairman Hawk is correct. I think that a request could be brought to this Council in the form of a moral obligation or perhaps even an Informal Resolution given the fact that the Finance Committee has some ascribed duties now in matters of disputed travel. But, I agree that it would take a separate action, a separate document to come here and present before you to get that authorization. We could streamline it to make it a moral ob or perhaps even a Resolution but it would be separate.

PRESIDENT SCHULMAN: Thank you Law Director.

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Yes, if you would indulge the Economic Development Director and Community Development Director are here and could explain the impact it would have directly on them and their ability to do their job, which is expected by every Member in this room.

PRESIDENT SCHULMAN: That's fine, without objection, Director Torres, thank you.

ROBERT TORRES: Thank you. My ah...first of all my apologies to Members of Council, I was not here several years ago when you had your economic crisis, so I cannot speak to the decisions that you made at that time to be able to address the crisis at hand. I will tell you that what's different about this Administration, our approach is that we're not hiding in a cocoon. We're not saying that times are tough and we're not going to do anything about it but stay home. There are many communities throughout this State that are suffering the

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same economic crisis that we're suffering the same economic crisis that we're suffering. This is not something that is unique to Canton though is that Canton has formulated an approach where were going to go out and we're going to get as many stimulus dollars, as many economic development dollars that's going to be able to support the functions of City Government. And we have take more than our share of economic development to be able to support that and we're able to do that because we've been aggressive about getting funds. I'll give you an example of what happens when you're allowed to go outside of the City. We received seven hundred and seventy three thousand in CDBG dollars, that's recovery dollars. We had to go to Columbus to advocate for those dollars. There's not many communities out there that can say that they receive this amount of funds or these funds and utilize them in the way that we've been using them. We received, we were one of only ten recipients and there was more than a hundred in this Country that applied for Brownfield job training grants. We received four hundred and forty four thousand and we had to go to Columbus to receive training on these dollars. One of ten throughout the Country, Canton, Ohio because they dared to go outside this City to get funds. We went to Independence, Ohio to get training to apply for forty one thousand of the Ohio and Erie Canal Way grant funds and we received that and we are recipients of that. When the Mayor and I traveled to Las Vegas, Nevada, we didn't just go there to the I.C.S.E. simply to go see what the experience was all about. We met with our developers locally, Steve Coon, Bob Timken, Tim Putman, Bob DeHoff. We met with all the developers and we got their plan for their business development site and we said "You know what, you're not alone in this game, we're going to go with you, we're going to advocate for you." The Canton Centre Mall is a good example of what happens when private and public partnership work together. And until this day, Mike Cisini and Morris Cisini and those folks, those developers from New York, know what this Administration is about when it comes to development. And you saw Deb, you see Deb out there, you see Hibbetts Sports, you see Sally Beauty Products, many of those were the same businesses that we approached when we were in Las Vegas to secure those projects for those developers. We are not sitting at home saying...you know, we're in tough economic crisis and we need to stay home and we need to worry about what's happening here. We're bringing investment into this City, we're bringing investment into Canton. I can could go on on the economic development side but I'm going to now have Carmen West step forward because, you know, the prospect of having more than twenty million dollars in stimulus funds into this community is unprecedented and it's happening because we dared to do something different than maybe has been part of the course.

CARMEN WEST: Mr. President and Members of Council, while we appreciate your concern in regards to travel being misused but we can say on our end, on community development that that doesn't happen. We've been successful in bringing over five million dollars to the City, trying to re develop our City and training is necessary to implement those grants. With these dollars being stimulus there's requirements that we can't get over the phone or we can't get on a web base. You have to actually go there and collaborate with individuals from Washington, DC, other communities to give us the best practices. In addition to community development being successful bringing in five million, I have a thirty five million dollar grant on the table and that's money we've never seen. This City has never seen a grant that large and I can tell you that my staff, along with myself, may not be capable of implementing that grant without the training. These are new stimulus dollars to the Country, no one knows how they work. And if you don't afford us the ability to go and learn about them than we loose those dollars. As part of my position is to again re develop our community. Every grant opportunity that we get, I'm after. I'm after another million dollars in foreclosure. Every millions of dollars that I bring in, I need to be trained. If you're asking us not to go after those dollars, that's fine, than we just won't go after them because we won't go after them because we can't have the training to implement them. Also, our department is 100% grant funded, it does not impact the general fund in any way. It's a requirement of our normal allocation that we receive training, including our staff. So, training is necessary for

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us to implement the current programs that you have in community and economic development as well as future programs with community and economic development. Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Just real quick, I don't want to loose the effort of this Ordinance, I think it was really clear that Member Hawk had presented this as a cost saving measure for the City and I think it...again....I think with some tweaking or some modifications, this could be a really strong proposal for all. And it may just include adding the word training in there or grants or economic development, some type of amendment that has those two clauses in it. I'm not certain that we'll put it in this amendment but I think if anyone would like to bring that forward, that's something that I would support. But right now, based on what was said and based on my beliefs as a grant writer myself, I know a lot of these criterias that come down with regards to grants, you have to go to these things, so I'm just saying it from my prospective, you know I can't support it as it is but would entertain something that would add training and economic development.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: As I sit around here and look at my fellow Council Members, we don't have a group of dummies here, we have some very intelligent people here. Now, they can come on a one on one proposal and I'm sure these people are going to find out that yes, if they need it than they will approve that. But I think that's how it should be handled, I'm mean to just give somebody carte blanche, I have a real problem with that because there could be abuses and what have you and none of us have got time to check up on every single issue. But I'm sure if it's brought down here and it makes sense that it will meet this Honorable bodies permission and allow it. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli.

MEMBER BARTON: Mr. President.

PRESIDENT SCHULMAN: Member Barton.

MEMBER BARTON: After sitting here and listening to both sides passionately argue their points, I think that both sides made very valid arguments and the way that we should go on this. However, I will say that from what I'm getting from this, we're not saying that you can't travel, we're saying that when you travel, we just want you to think that if it's that important to travel then you come down and you ask for the...the ...I'm lost for term here...but the appropriation for that travel, the reimbursement. Now I work in the private sector and that's how it works in the private sector. When we have to travel, we front that bill on our own and than we take that back to the company and get reimbursed. I don't think that's any different than what we're asking for here, and maybe I'm wrong on that but that's my point of view on it.

PRESIDENT SCHULMAN: Thank you Member Barton.

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MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Yeah, I would point out in the private sector that you report that back to your management, not to the Board of Directors. But in any case, I would also like to point out, not only did we have Robert and Carmen here to speak, Corey is...is also has the same circumstances in her department with her situation. We also have the same types of issues in the Health Department where much of their required training, in many cases is certified and many cases it's not. We also have the same situation in the Engineering Department, where they have HUD, not HUD but the ODOT training on grants and programs that they have and many certifications that are...training requirements that are not necessarily certifications, but they have requirements in following the processes and procedures and it goes on and on. You're requiring by this that every request for travel would be put in Ordinance form and brought to Council as a separate Ordinance because this Ordinance says that it's not allowed and we would have to recreate and reintroduce that to Council. We can claim there's exceptions but those exceptions would never meet this particular language and so it would always be by exception or by a separate Ordinance. I am asking you to let the Administration administrate and make those decisions, particularly when you're not even talking about general fund dollars or you're talking about money that was brought in by grants with part of that grant money being required for that training that goes with it. We're not talking about blowing up the general fund. This Council already has the authority by budgetary control to determine what those travel budgets are to eliminate those travel budgets in the general fund to zero and to not approve any changes in those general fund travels. But you also have the ability by budgetary controls to determine whether or not it makes sense for us to use the dollars that we brought in to make sure our people are trained to administer those programs. All's I am asking is for some flexibility, I agree we need to have travel constraints, we've put them in effect in the Administration months ago but this particular Ordinance, a one size fits all policy doesn't work in allowing us to do our job and go out there and move the City forward, this allows us to sit back and tie our hands and back us into a corner and tell us that we're gonna sit and wait for a year and a half for the recession to be over before you want this Council and this Administration and those workers out there for the City to go out there and move the City forward to do our best. We are not able to do that when you tie our hands and I don't support this.

PRESIDENT SCHULMAN: Mayor, may I ask you one question, what travel restrictions have you placed in the Administration? Maybe that would help Members of Council to understand what you have done Administratively.

MAYOR HEALY: Sure. The first thing we did was I banned, not banned but I eliminated my travel with the US Conference of Mayors. A very valuable training course, especially for a newer Mayor, we get an amazing amount of information and knowledge as you know when you go to those different conferences. We had one scheduled that I had budgeted for at the beginning of the year for this summer, I banned...I eliminated that and put that money back into the general fund. We have been very cautious and careful to not allow any general fund travel that didn't have strict requirements that had training or certification that went to it. That's something that we have already been implementing. But there is some training, an example, Karen, you had training coming up this week, would you want to explain what that training is and is there certification included in that?

PRESIDENT SCHULMAN: Director. Director.

KAREN ALGER: Yes, I have to go to the Ohio GFOA with the CPA, we have to have forty hours of training every year and I'm actually...I'm actually traveling with my husband who actually works for the State, so we

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do try in every way to cut costs, so it's a real minuet amount of time for me...or cost for me to go.

MAYOR HEALY: So for example, we're not paying for the room there because she has that already covered but there is some minor costs to travel for requirements that she has but not certification, okay. So that's just a simple example of something and again, I don't think that it's appropriate to just assume that every single employee of the City is going to take money out of their pocket to do what's part of their job requirement and also their responsibility to help move the City forward. If you, as President of Council or I as Mayor or a Council Member decide that we want to do that out of the goodness of our hearts because we're elected officials and we're trying to buy good will and do what's right for the City, you know, that's one thing but to the thousand other or nine hundred other employees of the City, I think it's inappropriate for us to do that, expect them to take it out of their pocket. There's a tremendous amount of happenings that create opportunity for us. I think it's unreasonable that every one of those circumstances are going to have to be brought before Council as an Ordinance. I don't think it's unreasonable that we put constraints, I don't think it's unreasonable that we put some sort of check and balance system in place but a total ban by Ordinance, I think that that creates a lot of difficulties that Council and the Administration is going to be handcuffed and we're going to be spending a lot of time debating whether or not some of these travels that have to happen, happen. And more importantly, when you're talking about stimulus, and the way that that particular program works and as we've seen here these things come up within days or weeks of times where they tell ya one thing and three days later they come back and say "Hey, we got a new policy, this is changing, you got to get trained, you got to be down here tomorrow." Those things have happened and they continue to happen because it's a continuous movement and if we have to wait to meet with Council and have an exception and go through Council Meetings, I just think that you're handcuffing this Administration and you're not allowing us to go out there and do what we're here to do and that's move the City forward, bring as many dollars to this community, create as many jobs, save as many jobs, work on all the dollars we can in our neighborhoods, make our community safer like we did with the COPS grant that I lobbied my butt off and we were the only ones in the entire congressional district to get COPS money and I can tell ya, that wasn't an accident. We worked extremely hard lobbying that from Washington to Columbus and an unbelievable amount of work put into that. The stimulus team, that President, you actually requested, that we put an emphasis on stimulus. We put a team together, they are required to go do multiple trainings in order to keep up with how to process report and meet the Auditor's needs and the Federal dollars...Federal needs. You're telling us right now that without a separated Ordinance and exception by this Council, our stimulus team is not going to be able to go to training if they got a call tomorrow and say "Be there on Wednesday." That's millions of dollars that...that we put at risk because this Council wants to micro manage the budget. You control the budget, you can control my dollars and say "Hey, take all that money out of your...out of your travel budget, we're not going to let the Administration travel." But I believe that by budgetary manners, you have control of what we travel, you already have that control. This is a micro management, a one size fits all policy that I believe is bad management and it's bad legislation.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Thank you. Law Director, number two on the Ordinance, does that necessarily mean there has to be another ordinance created or can that be just waived verbally in some form of public meeting by the Finance Committee?

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President, Member Smuckler, I believe that it could be handled at a Caucus for example in front of the Finance Committee.

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MEMBER SMUCKLER: It doesn't necessarily, like the Mayor is saying, need to be created, is that correct?

LAW DIRECTOR MARTUCCIO: Well, yes and no. If it's something that fits within the purview of section one, it could be handled orally at the Finance Committee meeting. But if it's outside of what's written in section one, than I think it would take another document.

MEMBER SMUCKLER: Here's my concern, my concern is that, don't use the Health Department, they're a bad example, they're going to run out of money November 20th. And for God sakes, don't use the Water Department and the Sewer Department because you're raising their rates through the roof. And we won't even talk about the Garbage Department then. There isn't one solvent department in this City right now that isn't going to cost these tax payers more. Now, you can call it rate increases but it's a tax by another name. So my concern is, I want to fix this and I want you to be able to get every dollar you can from Washington. But don't condemn our concern for micro managing. Because if we would have been micro managing a long time ago, we would have stopped some of this other stuff a long time ago. Now, I want you to get stimulus dollars but I also when I asked, did we talk to Detroit Diesel a year ago, six months ago, three months ago, the best I got was being accused of grand standing on this floor a month later after I asked whether that was the case. Now, I'm all for willing to give help and if this means this needs a little bit of tweaking, I can tweak it. But don't sit here and talk to me about certifications for a department that's going to run out of money on November 20th. There isn't one solvent department in this City right now that you're not raising rates for. Now, I don't know how we go about fixing it but don't condemn this guy for trying to micro manage and fix it because at least somebody is. Now you want to postpone it one more week to come up with some better working....wording, that's fine. But it's not going to stand the way it is now, not for my vote. And don't throw this garbage against me that I'm against economic development. What I'm against is raising rates through the ceiling. I want to fix it and I want somebody watching travel a lot closer because you didn't answer the Council President's question, don't tell me you didn't go to the Mayor's conference, tell me in writing, in writing, what directives you sent down to these different departments to curb travel. Have you? In writing. Because that's what I want to see.

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Let Member Smuckler finish if you will.

MEMBER SMUCKLER: You can send them to me later but this Council for budgetary reasons hasn't seen them. And if you did, I want to see them. Send them down to us. Because that's why we're micro managing, nobody is sending us this stuff. Now, I want to get this done and I don't want to be here all night doing it.

MEMBER CASAR: Mr. President. No, he's approached his three minutes and I'd like to move on.

PRESIDENT SCHULMAN: Leader Casar. I'm sorry, do you have anything to say?

MEMBER CASAR: I would like to say something. Member Smuckler, that was a very eloquent political speech. We're discussing travel, not rate increases and whatever else is happening in the City of Canton. I wish you would have kept your remarks germane to what we we're discussing and it would have been fine to continue talking but you..you spoke over three minutes. I think you spoke thirty seconds about the issue, which was traveling.

PRESIDENT SCHULMAN: Any other remarks?

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MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I just want to say this is having its third reading. If everyone in the Administration felt this was so important, why did they wait to the last minute to bring it to us? Nobody has contacted me at my home, per email, per telephone and I don't know of any of these other Councilpersons have any...have had any contact from any of these departments about the stimulus dollars. But all of the sudden now that it's here for the third reading, we're hearing all this stuff that we should have heard several weeks back. So, I mean if they really were sincere about that, why did they wait until the last minute?

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Yes, we discussed this at the second reading when we have our formal discussion on these issues. Many of these topics were brought up, I gave the specific example of Detroit Diesel, when the call came in and Councilman Smuckler and I had a conversation and he said "Mayor, if you need to go to...to Portland, Oregon, I'll send ya out there." Ya know, "Do what ya got to do, get on it quickly." We had a team working on it, we were able to handle that one through a teleconference so we didn't need the travel, and there is an example of not just flying off the wing to go travel to travel. But again, it was an example of where you might have to make a quick reaction that wouldn't have the time to wait for the next Council Meeting to get that approval while you're waiting for jobs to leave town. These discussions were made at that last meeting. We had what I thought was an agreed upon amendment that was going to create an exception clause in this particular Ordinance. That exception clause was not included in the amendment, which we only saw when we walked into this room, into this Council Meeting, which is why you're getting more detailed information today. But the conversation we had at the last Council Meeting, did have conversation about the possibilities of urgency in community and economic development and we thought that that was going to be addressed in this Ordinance. It is not addressed in that Ordinance, therefore, as I said, I am not opposed to...to having restrictions to travel, I am opposed to the way this particular Ordinance is written and if this is what's being voted on today, again, you know my position. Thank you.

PRESIDENT SCHULMAN: Thank you Mayor. Any other remarks? I think that what we have before us is probably the opening salvo of a very serious debate you are all going to have in the next months about the financial condition of the City.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: I'm not....Member Hawk, yeah, go ahead.

MEMBER HAWK: Mr. Martuccio and I just had a very quick conversation here and it is Council's right to in fact manage the entire community & economic development budget if we so choose to folks. That is within our power. Alright, now in order to facilitate some of this stuff and show you that we really want...we want to get a hold of this travel budgeting and make sure it's done properly, Mr. Martuccio and I have come up with a possible solution. With the approval of a quorum, or majority of the Finance Committee, we can amend this thing to say "training" but that training must be approved by a quorum of the Finance Committee so we know it's valid training, so we know it's going to be done. I pointed out already, we have lost two hundred and seventy five million dollars in payroll in this City, two hundred and seventy five million dollars in payroll.

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Those aren't my numbers folks, those came to us from the Administration. That's a lot of job loss. So if you're going to work on this process and get some of these things done, I think it needs...we need to show something for our dollars, we're not getting it for our dollars, we're not getting it for our dollars right now. We can amend this fact to do this for our travel dollars then we can come....Mr. Martuccio, if you could write a quick amendment to it right now, we can vote on the amendment and pass it accordingly. Again, we gave it a week, we had no suggestions, no proposals from anyone.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER CASAR: I'd like to ask Member Hawk, the maker of this Resolution, or the other of it, would you be in agreement to postpone this one more week and work it out in final details and put it up for adoption next week?

MEMBER HAWK: I think with the amendment Mr. Martuccio just talked to me about and we just spoke about, I think we could include that in this amendment and bring it back next week and that should clarify the problem and clear it up. But understanding one thing that the Finance Committee will have some control over this travel all together.

MEMBER CASAR: Okay, so I'm going to make a motion that we postpone Ordinance #26 until, what is next week....

CLERK TIMBERLAKE: 9/28.

MEMBER CASAR: 9/28.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to postpone Ordinance #26 until the next scheduled meeting, September 28, 2009. All those in favor, signify by saying aye. Those opposed no.

NO REMARKS

ORDINANCE #26 POSTPONED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries and Ordinance 26 is continued. Before we move on to Ordinance 27, I just want to finish what I was starting and that is, I think it's important that these debates occur. I think, I commend all of you for your remarks and I know the ones that did not remark are listening intently. We're all on this ship together, either rise or fall together. So, I appreciate the Mayor's remarks, I appreciate the Directors' remarks, I think the debate was important and brought out many issues that I think are going to be remedied perhaps by this amendment. But you're all to be commended. We're going to have to work together, this is not...this will be the first of many questions about the expenditures of City money. Ordinance #27 please Madame Clerk.

MEMBER KRAUS: Mr. President. Before you move on I'd like to ask...

PRESIDENT SCHULMAN: Yes, Member Kraus.

MEMBER KRAUS: Just one question. Greg, the Finance Committee, we should be active, I mean we should

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be part of this amendment so that when it comes down next Monday, there's not another fight. We need to make sure that we're on page Sunday before we come here Monday night.

PRESIDENT SCHULMAN: Thank you Member Kraus. Alright, Ordinance #27 please.

CLERK TIMBERLAKE: My pleasure.

#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 165/2009** AN ORDINANCE AMENDING SECTION 139.01 OF TITLE FIVE - ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON OHIO (BOARDS & CMSN.)

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #27.

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 27. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#27 ADOPTED AS ORDINANCE NO. 165/2009

PRESIDENT SCHULMAN: Ordinance 27 is adopted. Ordinance #28 please.

#28. (3RD RDG) **ADOPTED AS ORDINANCE NO. 166/2009** AN ORDINANCE AMENDING SECTION 1701.01 OF PART SEVENTEEN - HEALTH CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (BOARDS & CMSN.)

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 28. 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.

#28 ADOPTED AS ORDINANCE NO. 166/2009

PRESIDENT SCHULMAN: Ordinance #28 is adopted. Ordinance #29.

#29. (3RD RDG) **ADOPTED AS ORDINANCE NO. 167/2009** AN ORDINANCE AUTHORIZING

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THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE YWCA OF CANTON TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$100,000.00 PER YEAR FOR THREE YEARS FOR THE FIRST PHASE OF THE GATEWAY HOUSE II PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 29. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#29 ADOPTED AS ORDINANCE NO. 167/2009

PRESIDENT SCHULMAN: Ordinance #29 is adopted. Ordinance 30 please.

#30. (3RD RDG) **ADOPTED AS ORDINANCE NO. 168/2009** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,900,000.00 FOR THE PURPOSE OF REFUNDING AT A LOWER INTEREST COST CERTAIN OF THE CITY'S OUTSTANDING VARIOUS PURPOSE IMPROVEMENT BONDS, SERIES 1999, DATED AS OF APRIL 1, 1999 AND STATED TO MATURE ON DECEMBER 1 IN THE YEARS 2009 THROUGH 2012, AND 2018, WHICH WERE ISSUED FOR THE PURPOSES DESCRIBED BELOW, AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 30. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#30 ADOPTED AS ORDINANCE NO. 168/2009

PRESIDENT SCHULMAN: Ordinance #30 is adopted. Ordinance #31.

#31. (3RD RDG) **ADOPTED AS ORDINANCE NO. 169/2009** AN ORDINANCE TO PROVIDE FOR

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THE ISSUANCE AND SALE OF BONDS IN THE MAXIMUM PRINCIPAL AMOUNT OF \$4,500,000.00 FOR THE PURPOSE OF REFUNDING AT A LOWER INTEREST COST CERTAIN OF THE CITY'S OUTSTANDING PENSION REFUNDING BONDS, SERIES 1998, DATED DECEMBER 1, 1998, AND STATED TO MATURE ON DECEMBER 1 IN THE YEARS 2009 THROUGH 2012, AND 2018, WHICH WERE ISSUED FOR THE PURPOSE OF REFUNDING THE OBLIGATION OF THE CITY OF CANTON, OHIO TO THE OHIO POLICE AND FIREMAN'S DISABILITY AND PENSION FUND FOR EMPLOYER'S ACCRUED LIABILITY, AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 31. 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.

#31 ADOPTED AS ORDINANCE NO. 169/2009

PRESIDENT SCHULMAN: Ordinance #31 is adopted. Ordinance 32 please.

#32. (3RD RDG) **ADOPTED AS ORDINANCE NO. 170/2009** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008 , AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY (COUNCIL TRAVEL)

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #32.

MEMBER DOUGHERTY: 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: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#32 ADOPTED AS ORDINANCE NO. 170/2009

PRESIDENT SCHULMAN: Ordinance #32 is adopted. Ordinance 33 please.

#33. (3RD RDG) **ADOPTED AS ORDINANCE NO. 171/2009** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LEASE

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AGREEMENT WITH STARK COUNTY EDUCATIONAL SERVICE CENTER; AND DECLARING THE SAME TO BE AN EMERGENCY (2 CLASSROOMS "PEEL" COLEMAN CNTR)

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 33. 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.

#33 ADOPTED AS ORDINANCE NO. 171/2009

PRESIDENT SCHULMAN: Ordinance #33 is adopted. Ordinance 34 please.

#34. (3RD RDG) **ADOPTED AS ORDINANCE NO. 172/2009** 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 (YOUTH DEV - \$749.23)

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 34. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#34 ADOPTED AS ORDINANCE NO. 172/2009

PRESIDENT SCHULMAN: Ordinance #34 is adopted. Ordinance #35 please.

#35. (3RD RDG) **ADOPTED AS ORDINANCE NO. 173/2009** 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 (LAW DEPT. - \$31,000.00)

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER DOUGHERTY: Seconded. _____

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#35 ADOPTED AS ORDINANCE NO. 173/2009

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

#36. (3RD RDG) **ADOPTED AS ORDINANCE NO. 174/2009** 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 (POLICE SETTLEMENT FUND - \$30,000.00)

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER DOUGHERTY: Seconded. _____

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#36 ADOPTED AS ORDINANCE NO. 174/2009

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

#37. (3RD RDG) **ADOPTED AS ORDINANCE NO. 175/2009** AN ORDINANCE WAIVING THE RESIDENCY REQUIREMENT OF SECTION 737.01 OF THE OHIO REVISED CODE FOR THE DIRECTOR OF PUBLIC SAFETY

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 37. Are there any remarks? Really, no remarks? No remarks? Give the Clerk a little breathing time too here. Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#37 ADOPTED AS ORDINANCE NO. 175/2009

PRESIDENT SCHULMAN: Ordinance 37 is adopted, congratulations Safety Director Ream. Ordinance 38.

#38. (3RD RDG) **ADOPTED AS ORDINANCE NO. 176/2009** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER DEPT)

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 38. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#38 ADOPTED AS ORDINANCE NO. 176/2009

PRESIDENT SCHULMAN: Ordinance 38 is adopted. Ordinance 39 please.

#39. (3RD RDG) **ADOPTED AS ORDINANCE NO. 177/2009** 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 (ENG DEPT. \$228,747.15)

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #39.

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 39. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#39 ADOPTED AS ORDINANCE NO. 177/2009

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance 39 is adopted. Ordinance #40 please.

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#40. (3RD RDG) **ADOPTED AS ORDINANCE NO. 178/2009** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE APPROPRIATION REDUCTIONS, APPROPRIATION TRANSFERS, SUPPLEMENTAL APPROPRIATION AND INTERFUND TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (DMV)

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #40.

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 40. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#40 ADOPTED AS ORDINANCE NO. 178/2009

PRESIDENT SCHULMAN: Ordinance 40 is adopted. Ordinance 41 please.

#41. (3RD RDG) **ADOPTED AS ORDINANCE NO. 179/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO CONDUCT AN APPRAISAL AND 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 (PARCEL #02-85878, 10TH ST NE)

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #41.

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 41. 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.

#41 ADOPTED AS ORDINANCE NO. 179/2009

PRESIDENT SCHULMAN: Thank you Madame Clerk, great job. I think this is the most Ordinances that I recall being read in one meeting, so thank you. Ordinance 41 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

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MEMBER HAWK: Mr. President.

MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Finance Committee will meet next Monday the 28th at 6:15 in the Caucus Room.

PRESIDENT SCHULMAN: Thank you.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Community & Economic Development Committee will also meet at that time.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: Public Safety and Thoroughfare will meet at 6 P.M. on the 28th.

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Member Griffin.

MEMBER GRIFFIN: Environmental and Public Utilities will meet on September 28th at 6:15.

PRESIDENT SCHULMAN: Thank you. Anyone else?

CLERK TIMBERLAKE: Thomas.

PRESIDENT SCHULMAN: Do you have one Council Member West? Okay, I always want to make sure.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're now under Public Speaks, Open Forum. We have two speakers signed up, one I recognize, the other one I don't. So, I'm pretty sure the person the person I don't recognize has been here before and will understand you're only allowed three minutes for public speaks. Our first speaker is Patricia Kirk. Ms. Kirk, good evening, if you'll give us your name and your residential address.

PATRICIA KIRK: Yes, hello good evening. My name is Patricia Kirk, I live at 131 5th St NE. And yes I am the President of Shake-A-Leaf and no, I'm not going to say anything about the tree ordinance except we did want it written, we rewrote a new one with the Law Department and it was not adopted, that's it. Another thing that I want to take all your minds on a break here, perhaps you've noticed all the rain we've had these past several years nonstop, late springs. There was an article in the Repository weeks ago that it's been proven that sections of the Country experience consistently more rain and flooding in any year if their weather has warmed. Global warming is here, it's not something for the future. Thursday evening at 6:30 at Church of the Savior, we will show the movie "An Inconvenient Truth a Global Warning". It's interesting to find out what we can do and the extent about this warming change that's on us right now. This is not a time to feel hopeless and there's a lot of this going around and I heard about it tonight too. Come and find out what you can do.

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Thank you very much.

PRESIDENT SCHULMAN: Thank you very much. Our last speaker is David Road....Rood, I'm sorry. Mr. Rood, I apologize. If you'll step forward and...I do know you...if you'll step forward and give us your name and your residential address please.

DAVID ROOD: My name is David Rood, I live at 2215 Tamarack Cir NE, Canton, Ohio. I have two subjects I want to talk about briefly. The first is the financial situation of the City. With layoffs pending, City employees being told that they will have to contribute more to their health care, furloughs and the very real possibility of City taxes going up, which will obviously affect all of us, I think that the Mayor should do everything he can to see that the City gets money that it's owed. The case in point is the Canton Legends and their owner, Joe Hoffman. It has been brought to the attention of the City and the Mayor that the Legends and Joe Hoffman pay no rent at the Civic Center for their office or storage spaces over the last year. And yet nothing has been done. When a tax exempt entity allows this to happen, and the City is a tax exempt entity, it becomes what's known as an inurement issue. An inurement issue can result in the loss of Canton's tax exempt status. That aside, why should the tax payers carry the financial burden. Could Joe Hoffman's alleged \$500.00 contribution to the Mayor's election fund have anything to do with it. Number two, some City employees, supervisors, department heads and such were told to attend classes on ethics by the Mayor's office. It seems that any person in a position of power should have and practice ethics before ordering anyone else to take classes on such a subject. Practice what you preach Mr. Mayor.

PRESIDENT SCHULMAN: Okay, thank you.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're on to Miscellaneous Business. Is there any Miscellaneous Business?

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Service Director Price.

SERVICE DIRECTOR PRICE: Thank you. I just want to say a real quick thing about the Canton Legends at the Civic Center. I don't know whether Joe Hoffman gave the Mayor \$500.00 but I'll tell you all something right now before this grows legs, the decision to keep the Legends at the Civic Center was mine and mine alone. The Mayor had nothing to do with it, I haven't even so much as talked to the Mayor about it. I've talked to the Development Department about it. I'll tell you that the...and Mr. Rood, who was a City employee worked out at the Civic Center, you can shake your head all you want, but the decision to keep the Legends at the Civic Center is mine and was mine alone. It's a service, that facility falls under the office of Public Service and I've explained to the media, I've explained to some Members of Council why I made that decision. It's not an easy decision but I inherited a contract that had no rent provision in it for the office space or for the facilities where they store their equipment. Okay, so they've never paid rent for that office space to the City of Canton, ever. However, there presence there and the games they played, they contributed about forty grand a year to the Civic Center coffers, that's about one laborer by the way. So they fall onto hard financial times, their attendance dwindled, they have....they told the Development Department, they've been telling me, they've been telling the Civic Center "We're looking for an investor, we're trying to fix this." And I made a judgment call, given the contract, it was an informed judgement call, given that contract to let them remain there to try to salvage a 2010 season, which they're telling me that they can do. But I can assure you, somebody comes to the door and wants to lease that space, if we had an opportunity there or if we had an opportunity to fill a date that they're holding right now with a paying customer, I would instruct SMG to cease

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on that opportunity. But the only reason they're still here is because I made a judgement call as the Service Director and I've tried to be open about this and discuss it with Members of Council but I made the judgement call as your Service Director that I'd give them that shot and I'd give them time unless some other better prospect comes up for that space before I drove the final nail in the coffin of professional sports in the City of Canton. So, just to clarify, I'll put it on the public record, I'll testify in any Court that no one ever came to me and said you know... as the inferences out there that was just made, "Hey Service Director, let the Legends stay there because they gave the Mayor 500 bucks." I mean, hopefully I can't be bought for that much and I'm quit certain that the Mayor is not going to screw around with a \$500.00 campaign donation and ask me to keep the Canton Legends in the Civic Center for that amount. Anybody that wants to talk about this in further detail, I'm happy to do that, happy to go through the contract with them. And unless there are any questions, that's all I got on that subject.

(Someone spoke from the audience)

PRESIDENT SCHULMAN: Thank you very much. Sir, I'm sorry you've had your opportunity to speak and that's all we need.

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Thank you very much. You know, it seems interesting that people want to throw out the...the...the constitutional rights of freedom of speech, which is what a campaign contribution is. And quite frankly, if every person in this room made a contribution to my campaign I'd be thrilled and I would take every dollar. But I can also tell you that campaign contributions, and there are very specific laws about what we can and can't do on campaign contributions, it does not fall into the ethics category, as our ethics trainer was here from the State of Ohio. Campaign contributions fall under campaign election laws and campaign contribution procedures. And there are very specific procedures in what we allowed and not allowed to take. And there are limits to what we're allowed to take for those who have contracts with the City. We follow those regulations and we track those regulations, we've reviewed them with the Law Director, we've reviewed them with the Purchasing Department. We have a monitoring system to make sure that there is no violations of those campaign contribution laws. And if you want to imply that it's an ethical violation for me to raise money to run a campaign, than I suggest you call the Secretary of State's Office and learn about what it means to be an elected official and how to raise money. Because it is not an ethical violation for me to take campaign contributions. And it is not an ethics violation for the City to do business with those who may or may not have given me contributions or my opponent contributions. And if you want to infer that, than I think you need to learn a little bit more about what the law is, because I think....I'm taking offense to the fact that you're implying that I am doing something inappropriate because somebody may or may not have given me a contribution and that decisions are being made based on that. Are you making that decision that you're accusing me of that or are you implying that? You don't have to answer because you're not on the stand but I want to make sure that you understand that that's the line you're crossing and anybody else wants to cross that line, you're going to have to talk to my attorney, because I am not going to stand by and be smacked around by insinuations. We are running the City appropriately, I'm proud of what we're doing, I'm proud of the decisions we're making and I'm also proud of all those people who want to stand by me and contribute to my campaign. Thank you.

MEMBER CIRELLI: Mr. President.

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PRESIDENT SCHULMAN: Member West, did you have anything to say? Oh, wait a minute....

MEMBER WEST: I do have something to say.....*(laughter)* I thought I said enough already. But no, actually Judiciary Committee does have a Committee that will happen.

PRESIDENT SCHULMAN: Our Clerk never forgets anything.

MEMBER WEST: I know she doesn't....on September 28th at 6:15. Thank you.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: End the evening on a positive note, I would like the Clerk of Council, for the record also to state to the general public and what have you, the good news that she told me about the fact that Ordinances are going to be put online. And so that will be on the record and I also wanted to ask her if that is going to be able to be accessed through the City's website so the general public can do that. So, Cindy if you would please explain that to the general public and it will be there for the record. I appreciate that because than I'll be off your back on that issue.

PRESIDENT SCHULMAN: Clerk Timberlake.

CLERK TIMBERLAKE: Thank you Member Cirelli. The Council Office is pleased to announce that we will no longer be making copies, standing at the copier, making copies for an hour, hour and a half, we have streamlined where they will be emailed to the various departments and we are open to the public to ask for any requests via email also. That is a convenience that we will offer to you, so we are going to go green as Mary would like to think that our future is and we hope to save money by eliminating the paper and labor costs in making the copies. So, with that being said, please feel free to contact the office anytime that you would like to have an Ordinance emailed to you or anybody that requests any. So thank you very much Member Cirelli.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. I wanted to bring up one matter of house keeping that I think we can deal with fairly quickly as opposed to coming back with an Ordinance. On Ordinance #28 tonight, that was the one amending the Health Code to establish requirements....a preference for requirements for residency and so on for the Board of Health. It's Ordinance #28, one of the words in it is a typo, it has an extra A in it, it should be preference instead of Preferenace. So, I believe that could be cured by a motion to reconsider and amend Ordinance #28 and correct the typo. It can be done orally according to your rules, it doesn't have to be a written amendment and then we don't have to come back and it's done.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Are you doing this for an "A" a vowel? *(Laughter)*

LAW DIRECTOR MARTUCCIO: Yes sir, one vowel.

