

MINUTES OF THE MEETING OF SEPTEMBER 28, 2009

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. We appreciate you all being here tonight and we will get started in just a moment. And with a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

ELEVEN COUNCIL MEMBERS PRESENT: ONE ABSENT BILL SMUCKLER

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

PRESIDENT SCHULMAN: Thank you Madame Clerk. We'll have the invocation tonight given by Council Member Butch Kraus. Will you please all remain standing for our pledge of allegiance.

The regular meeting of Canton City Council was held on Monday, September 28, 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 8 Council Member, Karl "Butch" Kraus, the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We are now under agenda corrections and changes and Members you're going to be asked to suspend Rule 22A to add the 2nd Reading of Ordinances 5, 6, 9 through 15. Ordinances 7 and 8 will be retained in committee. Leader Casar.

MEMBER CASAR: Mr. President, I move Rule 22A be suspended and add Ordinances 5, 6, 9, 10, 11, 12, 13, 14 and 15 to this evening's agenda.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: Thank you Leader, you said that much better than I did. It's been moved and seconded to suspend Rule 22A to add the Second Reading Ordinances 5, 6, 9 through 15. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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

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PRESIDENT SCHULMAN: We're now under Public Hearings and we have two Public Hearings tonight. Before we begin please make note on your agenda that the first one references Ordinances 20 not Ordinance 19 and the second one references Ordinance 19 not #20 on your agenda. The first Ordinance is, the first Public Hearing is scheduled for 7:30 and it is AN ORDINANCE VACATING A PORTION OF SITES PLACE NE; APPROVING AND ACCEPTING THE REPLATTING OF LOTS NOS. 1836 - 1838 AND PART OF SITES PLACE NE; AND DECLARING THE SAME TO BE AN EMERGENCY; THIS IS ASSIGNED TO WARD 2; THE PLANNING COMMISSION RECOMMENDED APPROVAL OF THIS ZONE CHANGE; (YWCA) Is there anyone in the audience wishing to speak for or against this vacation, please step forward. And I have to repeat this one more time. Is there anyone in the audience wishing to speak for or against this vacation, please come forward. No one has come forward so, the Chair declares this public hearing over in regard to this matter. The Ordinance is now in the hands of Council. Our next Ordinance is AN ORDINANCE AMENDING VARIOUS CHAPTERS OF PART ELEVEN PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; THE PLANNING COMMISSION HAS AGAIN RECOMMENDED APPROVAL OF THIS. Is there anyone in the audience wishing to speak for or against this amendment, would you please come forward. Is there anyone in the audience wishing to speak for or against this amendment, would you please step forward. Seeing no persons' step forward, the Chair declares this public hearing over and once again this will be in the hands of City Council.

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. Leader Casar I will recognize a motion to excuse Member Smuckler who is not here because of Yom Kippur.

MEMBER CASAR: Mr. President, I move that Councilman-at-Large Smuckler be excused from this evening's meeting.

MEMBER DOUGHERTY: Seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and Member Smuckler is excused from this evening's meeting as a result of the Jewish holiday.

COMMUNICATIONS

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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 28, 2009.

424. AUDITOR MALLONN: REQ SUPP APPROP REDUCTION & APPROP TRANSFER (BOND REFINANCE). - FINANCE COMMITTEE
425. AUDITOR MALLONN: CERTIFICATE OF TOTAL AMT FROM ALL SOURCES FOR 2009. - RECEIVED & FILED
426. DEVELOPMENT DIRECTOR TORRES: REQ \$8.01 SUPP APPROP FROM UNAPPROP 2232 108 GUARANTEED LOAN REPAYMENT FUND TO 2232 108 GUARANTEED LOAD REPAYMENT FUND - OTHER FOR FINAL PAYMENT FOR CONSTRUCTION OF CORNERSTONE OFFICE BLDG & PARKING DECK. - 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, if you'll read the first reading Ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #4 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO FILE AN APPLICATION WITH THE U.S. ENVIRONMENTAL PROTECTION AGENCY (EPA), EXECUTE A COOPERATION AGREEMENT WITH THE EPA AND ACCEPT \$444,004.00 IN BROWNFIELD STIMULUS FUNDS; AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH STARK STATE COLLEGE IN AN AMOUNT NOT TO EXCEED \$375,559.00 AND GOODWILL INDUSTRIES IN AN AMOUNT NOT TO EXCEED \$66,845.00 AS REQUIRED BY THE COOPERATION AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development and Finance Committees
- #2. (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 (HEALTH & LIFE INS FUND)
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN

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DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (PUBLIC HEALTH INFRASTRUCTURE FUND)

Referred to Finance Committee

- #4. (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 (SOLID WASTE)

Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances for their second reading. Madame Clerk will you begin with Ordinance 5.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #5, #6, #9 THROUGH #15, O#7 & O#8 RETAINED IN CMTE; FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #5. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY (AUDITOR)
- #6. (2ND 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)
- #7. (2ND RDG) ***RETAINED IN COMMITTEE*** 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.***
- #8. (2ND RDG) ***RETAINED IN COMMITTEE*** 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 (FEDERAL FORFEITURE FUND)
- #9. (2ND 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
- #10. (2ND 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

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- #11. (2ND 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
- #12. (2ND 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
- #13. (2ND 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
- #14. (2ND 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)
- #15. (2ND 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

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We are now under Ordinances and Formal Resolutions for their third and final reading and vote. Would you please read Ordinance 16.

- #16. (3RD RDG) **RECONSIDERED & ADOPTED AS AMENDED 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 reconsider Ordinance #179, 178/2009.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to reconsider Ordinance 178/2009 adopted on September 21, 2009. Are there any remarks? Hearing none Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion is carried. Leader Casar.

MEMBER CASAR: Mr. President, I move we amend Ordinance #16 as the copy that all Council person's received in Caucus this evening.

MEMBER DOUGHERTY: Seconded.

AMENDMENT:

Pursuant to Rule 41 and 36, I move to reconsider Ordinance No. 178/2009 and amend Exhibit A by substituting the original Exhibit A and B with the amended Exhibit attached hereto.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance #16 otherwise known as 178/2009 by virtue of the copy that is in front of all Council Members. Are there any remarks? If not, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk despite the fact that I created more work for you. The motion carries. Leader Casar.

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

MEMBER DOUGHERTY: Seconded.

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

NO REMARKS **# 16 RECONSIDERED & ADOPTED AS AMENDED AS ORDINANCE NO. 178/2009**

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries and Ordinance #16 as amended is adopted. Ordinance #17 please.

#17. (3RD RDG) **DEFEATED** AN ORDINANCE SUSPENDING ALL TRAVEL UNLESS RELATED TO MANDATORY CERTIFICATION, LICENSING OR LEGAL PROCEEDINGS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

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MEMBER CASAR: Mr. President, I move we adopt Ordinance #17.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #17. Are there any remarks? Leader Casar.

MEMBER CASAR: Mr. President, I move we amend Ordinance 17 per the copy that all Council Person's have in front of them.

MEMBER DOUGHERTY: Seconded.

AMENDMENT:

Pursuant to Rule 36, I move to amend Agenda Item No. 17 by substituting the original ordinance with the attached revised ordinance.

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance #17 by virtue of the copy before each Council Member. Are there any remarks? If not and hearing none, by voice vote all those in favor signify by saying aye, those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #17, as amended.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #17 as amended. Are there any remarks? Leader Casar.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Do you have any remarks?

MEMBER CASAR: Yes I do. I'm sorry.

PRESIDENT SCHULMAN: That's what I thought.

MEMBER CASAR: First of all, I'd like to commend Member Hawk the Finance Committee chairman for his diligent and hard work working on trying to get this budget back in a way we'd like to all see it but the economic times has a lot to do with that, but I still like to publicly thank him and his committee for the hard work they have done. However, I don't believe it's, that any committee of Council should have the authority or take the authority or ask for authority to do what I feel is a obligation of the administration and that is to either in this case to grant or not to grant travel. I feel that we should stay as status quo as we are. I know that

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we're under economic crisis. I realize that we must do what we can do to bring this crisis in check banning necessary travel in my opinion is not the way to go. If you recall the last administration, the Community Development Director was criticized for not leaving the office and not going out seeking new businesses and new jobs and grants and now we're saying just the opposite. I feel that first of all we have to have trust in our Mayor or whoever sits up there, or the department heads or elected officials to grant travel and if we do not do this, I think we are putting our city at a disadvantage to compete for new businesses, new jobs, and also for grants. So I, although, I like the concept of cutting down and I know we have to cut down on travel, I had an opportunity to go to Columbus tomorrow but I can't go because I have to see my surgeon but what will we do in that case, take it out of my own pocket I guess, but maybe everyone wouldn't be willing to do that. I think we're just putting on more work, spinning our wheels on things that I think we should be spending more time with instead of worrying about the few dollars that we might save in travel. Not that a few dollars wouldn't help, but ladies and gentlemen, we have bigger issues to worry about than saving a few dollars in travel. Necessary travel and I think the Mayor, this Mayor or future Mayors will hold that, must be held accountable to spend, to travel which is necessary and I have faith in our Mayor and I think he will do that. Thank you.

PRESIDENT SCHULMAN: Thank you, Leader Casar.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I too want to also congratulate Hawk. Anybody that knows Hawk, he's a pit bull and he looks at them bottom dollars and I want to commend him for this. However, I can't support this either because I believe it's handing, it's tying the hands of the city in moving forward so I will not be supporting this today. Again we've learned this week that the NSP dollars that was given \$50,000,000.00 for training and I know that Hawk's not saying don't go out and get training. We need training in this city in order for us to move ourselves to the next level so I'm not supporting this and I believe that we need to hold all of our departments accountable for all the dollars that they spend not just travel but monitoring it I think that's one of our duties as a legislator and this next year when it comes down to the budget we need to look at travel and say did they use it appropriately and if so then support it. If not, then cut it. Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you. I'd like to again thank both of my colleagues here for their praise and I appreciate that greatly but the longest journey starts with a single step. This is the first step in getting a hold of a budget. A budget that is in horrible condition. Now we've got lay offs. We're down to 159 Policeman. We've got 9 other folks laid off. We've just been fortunate enough to recall the Firefighters and I congratulate them on their efforts for that. The city's in bad financial shape folks and you have to look at every nickel and every dime and get control of it. Without that, we're going to be in serious trouble in years to come. We have not had a revenue driven balanced budget for the past two years. I voted no on the budget this year for that reason because this kind of debt will follow, will come back to bite us. We're going to be in deep trouble next year. The administration's projected a \$3,000,000.00 shortfall from this year alone. 3,000,000.00 more dollars that we won't have in our coffers. We're in big trouble. We better start looking at every nickel and every dime we can find and save it so we can keep our people working so we can keep our constituents safe. What

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are you going to do when you need a fireman? What are you going to do when you need a policeman? Yea, maybe we can go to Columbus and see if they got one for us.

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

MEMBER CIRELLI: Thank you, Mr. President. I'd like to compliment Member Hawk on his studious observing and watching the budget. I can appreciate Member Casar and Member West also their opinions on this and maybe some other Members but you know in the past we haven't held real close to watching the travel and what have you. And that being said, if we continue in that realm as it stands right now, what have we gotten for our money that they've traveled with anyhow? I don't see Canton flourishing with business and we've allowed them to travel freely and what have you. I don't see as how anybody's went and said "Oh great we're gonna go here and we're gonna go there and we're gonna bring back jobs." I was the first person with Mayor Purses administration suggested that he go to New Jersey and ask for Parent Firms to come here in Canton, Ohio because we have the greatest place to live as far as I'm concerned. Great infrastructure and what have you. But that didn't happen. I haven't seen that happen with any of the administrations. I don't think we're tying anybody's hands. I think this is simple checks and balances and yes, every penny counts. And I think that this behooves us being the Council Persons that are responsible we'll say "Well why didn't you do something." Well Member Hawk is trying to do something by this. And it's not tying their hands. If the Mayor should have to go like Mayor Healy, if you get a call tonight and says you need to be there tomorrow, and you'd have to go and you didn't get a chance to talk to people from the Council, from the Finance Committee, we have, we do have such a thing that's called moral obs and that can be brought back. Is that not correct Mr. Martuccio? I'll ask you that question sir.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President thank you. Member Cirelli yes that's correct.

MEMBER CIRELLI: So Mr. President again, thank you. Mr. Martuccio's put some credence in what I was saying there. I don't think we're tying anybody's hands. I think we're just trying to be very conscientious of every penny that is spent and when we see that A there was an error made and we're going to have to have 15 firefighters that were laid off and pay them for doing absolutely nothing. God bless them, I'm not saying that was their fault. They didn't have any choice in that but we've got to come up with monies to take care of that problem that somebody apparently didn't cross the T's and dot the I's, so I think we need to be as aware as we possibly can. And I'm supportive of this and I would hope my fellow Council Members would do it also because you know we, we're the ones that are read about on the online opinions, what are we doing folks and why aren't you questioning this and why aren't you questioning that. Of course I'm often told I question too much but that's alright. That's Mary. So I will support this and I would hope the rest of my fellow Council People would be in and Member Kraus, God bless him, he said I'm not going to go to jail for somebody's screw up. Well we all feel that way Member Kraus and I don't think we're hampering anything. I think we're doing this because it's the right thing to do. Because the monies are not there. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Any other remarks?

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mayor Healy.

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MAYOR HEALY: Thank you Mr. President and I'll echo the comments from Council Member's too in thanking Member Hawk for being concerned about the budget and taking efforts to try to reign in spending. I think that his concerns are equaled by every Council Member in this room and every employee here at this, this meeting. We're all very concerned about the budget and we're all doing what we can to make sure that we're spending the taxpayers monies wisely. But I do have a couple of concerns as I pointed out last week but before I do, I just want to point out what happened today. This morning I got a call from Congressman Boccieri. He had indicated that the Secretary of Energy under the Obama administration was going to be in the area. He had asked me if I would be there with him, which I was thrilled and honored to do. Again on short notice I went to this meeting. It was out of the city so technically that would be travel. I met with Stephen Wu, Dr. Stephen Wu who's the Energy Secretary. The reason that it was important to be there, obviously anytime you have a chance to meet with dignitaries from the federal government or from the state government, those are opportunities to network and build your relationships and help improve our status. As the Mayor I believe that's my responsibility and part of my job and the people expect me to do that. But most importantly, he was announcing a couple of things at this meeting. One that the state of Ohio received two grants from the Energy Department. We did do a press release on this earlier last week. Two grants went out to the State of Ohio. \$150,000.00 went to the City of Marion and \$800,000.00 went to the City of Canton, the only two cities in Ohio to receive the grants at this point in time. That was through lobbying and working this, filling out the grant process, and doing everything we can to bring money into the city. Initially that was exciting enough. That we received \$800,000.00, \$803,000.00 exactly. But the Secretary also announced that the State of Ohio was receiving this evening or this afternoon that 25 more million dollars was going to be sent to Columbus for the State of Ohio's Energy office to disburse throughout the state as needed. Now tomorrow morning I am going to be meeting with the Governor's Energy Advisor and lobbying for monies that we had put in a grant for a multi-million dollar grant for funding for the Waste Water Treatment facility that will allow us to upgrade that. It just so happens that the timing of this allows us to be sitting in their office the morning after they found out they got 25 more million dollars from the federal government. Tomorrow afternoon I'm going to be meeting with the Director of Agriculture who is for the State of Ohio, who is going to be deciding how the federal dollars are going to be spent in reference to agriculture dollars and we're working in partnership with the county and the Chamber and several others to bring the horse farm, the agriculture, horticulture exhibit to the Fair Grounds and we're asking for again a multi-million dollar stimulus money on that one. I believe that is part of my job responsibilities to go out there and represent and lobby. Now if you notice on the agenda today, we talked about in the first reading, Brownfield grant money for \$444,000.00. That's stimulus money that came to us because of the efforts that our Economic Development team and our lobbying efforts had. We had a second reading today in Council Chambers for COPS money for \$1,400,000.00 that's going to allow us to help our Police Department, our general fund and prevent lay off's. We also have additional \$670,000,000.00 or \$670,000.00 in the Edward Byrne Grant much of that's stimulus and others. So just those four items alone, we have \$3,329,000.00 that's brought into the City of Canton and that's from filling out grants, lobbying for those grants, working with the relationships that we have in Columbus and Washington and you asked for what results are we getting. There are four examples that are on the table today alone that's over \$3,000,000.00. So I believe that it's part of my responsibility as Mayor to be able to go out and represent the city outside our city walls and I believe as Mayor I ought to have the ability to make the decisions when it's important for me to go or not. Council still has the authority of budgetary control and always will. I'm not asking to take away from that but I am asking that the administration have the ability to make some of these decisions and make them on a quick notice when it's needed. Again being able to report to Council is not a problem, this is all public record. All of our travel will always be reported and in addition to that again I appreciate the efforts from Council in being concerned but I also would ask Council Members to consider this closely that you will be creating a situation where by Ordinance on this

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amendment, on this amended version that's coming tonight. By Ordinance it will require two votes from the three Members of the Finance Committee. In order for us to get two people to agree, that would be a decision that would happen therefore it would have to be a full meeting. It would have to be announced 24 hours ahead of time otherwise we would potentially be violating the Sunshine Law. So this isn't a situation, the way the Ordinance is written that we can just make a phone call and get approval. And if we do get approval by voice and we do it anyway, I'm violating a City Ordinance in order to go do it ahead of time and then come back for a moral obligation. So in order for me to come to you with a moral obligation I would have violated a City Ordinance. So you put me in a pickle that says, "Go break the law and then come back and ask for forgiveness." I can tell you right now that I don't believe there's been any administration that's been watched on every step of the way as closely as we have and rightly so in these economic times. But I also can tell you Mary and the rest of Council as you pointed out, I know you're watching. You should be watching and you know that everything we do is going to be available to you. And if we get out of control with this you have the ability to not only reign us in but certainly point it out over and over again. This particular year we have cut travel funding by nearly 50% over last year's spending in the accounts that I have control over because we have seen that the economy, economic situation is diminished but I can tell you this because we have economic challenges. We should not put ourselves in a corner and box ourselves in and say "Hey, let's wait it out and see what happens." This is the time that we need to be going out, bringing dollars to our city, fighting for every stimulus dollar, every state dollar, and every business that we have an opportunity to and we need to be aggressively bringing those in and quite frankly I was challenged by the President of Council earlier in the year, to bring in stimulus dollars, in order to do that I need to have the ability to go out there and fight for those dollars when the opportunities come and keep applying in the summertime when you guys meet every two weeks, it's not very opportune for us to schedule these meetings. So there are going to be circumstances where it's not so convenient. I appreciate the Council's concern. I know they're concerned. I'm just asking for you to allow the administration to make those decisions as we have in the past and control the budget as you have past. Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: When you traveled somewhere outside the city limits to meet with John Bocchieri, where was that at?

MAYOR HEALY: That was at Stark State College.

MEMBER HAWK: I rest my case folks. Stark State College is within the county and barely out of the city limits. That's stretching the thing about travel outside the city, that's really stretching it.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I was a County Commissioner, Mayor Healy. We didn't have a crisis like we're having now in the City of Canton but at the same time, we didn't have sales tax money and we didn't have any money to waste. Yea I went, I paid out of my own pocket. I still have all my receipts and everything. I kinda felt good public servants do that sorta thing. I could've turned it over to the county and asked, requested to have

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the money and I could have gotten it too, but there comes a time where I think we have to truly a public servant can say, "Hey the money that the people are paying me, I am gonna pay them back by using some of my own monies." Now to hear what you just said about having a meeting with Representative Bocchieri it's like a bait and switch. You didn't have, that didn't cost anything to go there. I hope to God you didn't even use a city car for gosh sakes to do that. I mean a little bit of gas. I thought you actually went somewhere perhaps like to Columbus to meet with him or what have you. I don't really think we're tying your hands. I think we're making a mountain out of a molehill. I think we have to look at the truth of the matter. We are in the worst financial straits that anybody in this room has ever seen and I would think that you would be overjoyed that we're watching the money that close, because I can show you some money that has been used by some of your departments. CD money that went to ABCD dinners. I have a real problem with that when we're working for tight money when members of your staff went there. I've got a whole thing here if you want to look at it all and I'm very displeased with how some of the monies have been spent, so therefore sir, I would think it would behoove you to, if you really cared about this city, as I cared about the county, I don't think it would hurt you a whole lot to take it out of your pocket and if it was something that was really an awful lot of money you could bring it back and again I am going to allude to our Law Director. I don't think this is asking him to break a law, when I asked about the moral ob, is it sir?

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Member Cirelli I believe the Mayor was referring to trying to get permission to go to Columbus for example or Washington DC on an urgent matter and not having, and the Finance Committee not having time to convene a meeting. My practical suggestion to that would be that either your suggestion of coming back with a moral ob and explaining it to Council or contacting the Finance Chairperson and indicating the extreme urgency of the matter that would forestall a meeting occurring within 24 hours and getting an opinion that then could be shared with the Finance Committee when it was able to convene with proper notice thereafter.

PRESIDENT SCHULMAN: Any other remarks? Member Kraus.

MEMBER KRAUS: Just one Mr. President and for the Law Director. Mr. Martuccio, coming to the end of the year, if this passes or it doesn't pass, but in the event that it does, if at any time we see that this is not doing what it is supposed to do, snagged or any other thing, can we not sit down and make it right by just rewriting it?

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. Member Kraus yes you can amend this Ordinance anytime you please. This is not a codified Ordinance, this is an Ordinance that is formal but not codified. You can amend it anytime you'd like and when the new Council convenes in January the new Council can revisit it if they please as well.

PRESIDENT SCHULMAN: Any other remarks? Hearing none and reminding you what you're voting on, you're voting on Ordinance #17 as amended and Madame Clerk roll call vote please.

NO REMARKS

#17 DEFEATED

(Members Casar, West, Griffin, Smith, & Horner voted Nay)

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CLERK TIMBERLAKE: Six yeas, four nays, Mr. President.

PRESIDENT SCHULMAN: And that means the Ordinance is rejected.

CLERK TIMBERLAKE: I'm sorry, six....

MEMBER DOUGHERTY: Point of order.

PRESIDENT SCHULMAN: Six and five.

CLERK TIMBERLAKE: Yes sir.

PRESIDENT SCHULMAN: Who said Point of Order. Leader?

MEMBER DOUGHERTY: I just wanted the right count.

PRESIDENT SCHULMAN: Six, five. So the motion to adopt the Ordinance does not carry. OK we're on to Ordinance #18 please.

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 180/2009** AN ORDINANCE AMENDING SECTION 975.07, LOCATION OF WASTE FOR PICKUP, OF CHAPTER 975, SOLID WASTE MANAGEMENT SYSTEM, OF THE CODIFIED ORDINANCES

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #18.

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 18. Are there any remarks?

MEMBER WEST: Yes Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yes this is the Ordinance that we worked on, I believe it was last year and it's an effort to try to help to clean up our neighborhoods. In so much as allowed, making it mandatory for people that are evicting individuals or moving out of their homes to use a container so that the trash doesn't spread throughout the neighborhood and the community. So this is an effort to try to help clean up our area, our neighborhoods so I appreciate the everybody will support for this.

PRESIDENT SCHULMAN: Thank you Member West. Any other remarks? Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 180/2009

PRESIDENT SCHULMAN: Ordinance 18 is adopted. Ordinance #19 please.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 181/2009** 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.

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #19.

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 19. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 181/2009

PRESIDENT SCHULMAN: Ordinance #19 is adopted. Ordinance #20 please.

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 182/2009** 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.

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #20.

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 20. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 182/2009

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PRESIDENT SCHULMAN: Ordinance #20 is adopted. Ordinance 21 please.

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 183/2009** 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

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #21.

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 21. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 183/2009

PRESIDENT SCHULMAN: Ordinance #21 is adopted. Ordinance #22 please.

#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 184/2009** 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)

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #22.

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 22. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 184/2009

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PRESIDENT SCHULMAN: Ordinance #22 is adopted. Ordinance 23 please.

#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 185/2009** 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)

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 23. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 185/2009

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

#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 186/2009** 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)

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #24.

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 24. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 186/2009

PRESIDENT SCHULMAN: Ordinance #24 is adopted. Ordinance 25 please.

#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 187/2009** 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 (COMM DEV 2009 STIMULUS FUND -

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PERSONNEL - \$23,000.00)

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #25.

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 25. Any remarks?
Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#25 ADOPTED AS ORDINANCE NO. 187/2009

PRESIDENT SCHULMAN: Ordinance #25 is adopted. Ordinance #26 please.

#26. (3RD RDG) **ADOPTED AS ORDINANCE NO. 188/2009** 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 (COMPLIANCE ADMIN - PERSONNEL -
\$3,000.00)

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 26. Are there any
remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#26 ADOPTED AS ORDINANCE NO. 188/2009

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance 26 is adopted. Ordinance 27 please.

#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 189/2009** 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 (CIVIC CENTER - ADMIN - \$300,000.00)

PRESIDENT SCHULMAN: Leader Casar.

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

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MEMBER DOUGHERTY: Seconded. _____

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#27 ADOPTED AS ORDINANCE NO. 189/2009

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

#28. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 190/2009** 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

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 that you adopt Ordinance 28. Are there any remarks? Leader Casar.

MEMBER CASAR: Mr. President, I move we amend Ordinance 28 per the copy that all Council Person's have in front of them.

MEMBER DOUGHERTY: Seconded.

AMENDMENT:

Pursuant to Rule 36, I move to amend Agenda Item No. 28 by replacing the original Exhibit A attached to the ordinance currently pending before Council with the attached amended Exhibit A.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance 28 by virtue of the copy before each Member of Council. Are there any remarks? By voice vote then all those in favor signify by saying aye, those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Leader Casar.

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

MEMBER DOUGHERTY: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 28 as amended. Are there any remarks? Hearing none Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#28 ADOPTED AS AMENDED AS ORDINANCE NO. 190/2009

PRESIDENT SCHULMAN: Ordinance 28 is adopted, Ordinance 29 Madame Clerk.

#29. (3RD RDG) **ADOPTED AS ORDINANCE NO. 191/2009** 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 (FED FORFEITURE FUND & LAW ENFORCEMENT TRUST FUND FOR POLICE DEPT)

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. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#29 ADOPTED AS ORDINANCE NO. 191/2009

PRESIDENT SCHULMAN: Ordinance 29 is adopted and thank you Madame Clerk those were a considerable number of Ordinances.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you sir. The Finance Committee will meet Monday, October 5th at 6:15.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

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

PRESIDENT SCHULMAN: Thank you.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Community & Economic Development Committee will meet at 6:15 also.

PRESIDENT SCHULMAN: Thank you. Member Kraus.

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

PRESIDENT SCHULMAN: Any other announcements?

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're now under Public Speaks and we have two speakers this evening. Our first speaker is Ida Ross Freeman. Good evening. If you'll step forward. I know you've spoken to the administration and Council before but would you give us your name and your residential address please.

IDA ROSS FREEMAN: First of all, I had thought I had signed up for Public Speak on the Ordinance before it was passed. That what I thought, I wanted to speak before that Ordinance was passed but, anyhow.

PRESIDENT SCHULMAN: Well, you know, I'm sorry. I think you're right and I didn't see that, I apologize. That was my fault.

IDA ROSS FREEMAN: Okay. Okay. My name is Ida Ross Freeman and I am a citizen of Canton, Ohio. I live at 1129 7th St NW in Canton, Ohio. To the Mayor, President of Council and Council. I can appreciate your concerns in balancing the budget, however, our city, the City of Canton is already behind many cities in progress as it is. Now you, the City Council does not seem to get it when it comes to bringing funds to our city. I do know as a grant writer and CEO, one have to abide by rules of the grantors who might or might not require that you attend conferences for training for the criteria of applying for their particular grant. I do know that sometime one have to politics for funds by being in specific venues to network and personally meet the grantor. Now I am sure those of you who have, have went to federal, went for federal dollars via the Weed & Seed know that you had to attend conferences and training to be able to know, know not only how to write the proposal but know how to answer the questions in the fashion or format that the grantor require for the funding. The Community Development Department most often then not have to travel to meet people and see what dollars are out there as far as those stimulus dollars are concerned. The internet is a good tool for gathering information of potential funds but when it comes to some grants especially, the federal government most of their RFP have requirements of your being present for funding opportunities. There, to restrict a, the Department of Development would encumber them from doing their job and for your Ordinance to state that this would last for two years is ridiculous. My question is are you really concerned about the traveling? I'm or are you really...wait a minute. Are you concerned about the traveling or are you concerned about who's doing the traveling? I'm sure that the people elected the Mayor because they trust him. Now Council People you know, you need to trust that he has hired cabinet members that you can trust to do their jobs and bringing monies to this community for further development of our city by any legal means necessary. Thanks to all of you who voted against the travel expense Ordinance. Thank you.

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PRESIDENT SCHULMAN: Thank you. *(APPLAUSE)* And again, Ms. Freeman I apologize that was my mistake and I'm sorry we didn't hear from you first. It, I'll try to make sure that doesn't happen again but you have my sincere apologies. Our next speaker is Pastor Morgan. Pastor Morgan if you'd come forward and give us your name and professional address and good evening.

C. DAVID MORGAN: Mr. President I'm David Morgan and I'm not using my professional address. I live at 922 27th St NE. I am a citizen of Canton. I come before the Council tonight to express publicly my thanks to you, Mr. Schulman for your recent remarks in Council and your opinion piece in The Repository in which you dared mention the T word. You spoke for many of us when you said in such times as these Council and the administration need to concern all the options available to the city including taxes. In order to formulate a plan for our city's economic stability and the security and safety of our neighbors and our city employees. Like you, I am not in favor of an automatic increase in taxes and I'm not certain that such an increase is warranted today but the larger issue is that neither our city leadership nor we as citizens can afford to automatically to remove anything from consideration that might help our community including taxes. I grow weary sir, of politicians and would be leaders who cower in the face of the shouting heads of the media airwaves and the mobocracy of tea baggers chanting slogans in the street. I want public servants who have the courage to have a real conversation with one another and I want people to put forth ideas that are bigger and better than four words on a bumper sticker. You Mr. President reminded us that taxes are the price we pay for a civilized society in which we come together as citizens for the common good of us all. Taxes and in particular income taxes which are assessed out of open deliberation and due consideration are the fairest and most just manner in which we the people fulfill our civic compact with one another imposed fees, fines for infractions, and gambling revenues as a means of funding our governmental services are inherently unjust targeted toward individual self interest and disingenuous because they hide the true cost of our civic society. Let me illustrate. I've lived in Canton for over 25 years. I live here by choice. In all those years, I have never had a personal need for the services of our Fire Department and if it's only about me I could complain that I've been paying for services I've not received, but when we, who are a part of this common wheel called a city consider the same thing, we willingly support our fire services because we recognize our common need for safety and security. We recognize that we are in the same boat figuratively, we are in the same burning house. When I look only at me, I find I do not use every street in the City of Canton. But we the people need them in order to live and move about with as much choice and safety and freedom as possible. To shirk our responsibilities as elected officials or as citizens because of political heckling or election challenges can only result in a government that is on the people by career politicians for the privileged few. We need to consider all the ways in which all of us equitably the cost of our government as well as it's benefits. In this, our life together, in our community because Mr. President, you know and I know that's what government of the people, by the people, and for the people is all about. I thank you sir for reminding us. *(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're now under Miscellaneous Business. Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. Law Director I had asked you some things about pit bulls and someone stopped at my house today. Remember the information you gave me. When you have a pit bull are to they when you walk them, are they to be muzzled sir and are they to be confined in a fence that has a top on that they cannot jump out or what have you. I just want that clarification sir.

PRESIDENT SCHULMAN: Law Director Martuccio.

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LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Member Cirelli we have Ordinances that mirror state law. State law requires I believe a pen with a top on it and when they are out in public they have to be under the control of the person walking them. I'm not sure if it involves a leash and a muzzle but they must not be at large. That much I do remember and I can look the rest up for you.

MEMBER CIRELLI: Thank you very much.

PRESIDENT SCHULMAN: Any other Miscellaneous Business? I'm sorry Member Cirelli were you done. I apologize.

MEMBER CIRELLI: No I had a question to...

PRESIDENT SCHULMAN: Please.

MEMBER CIRELLI: Well I guess it would fall under the Service Director's curfew. Do we have someone going around cleaning out the storm sewers sir because I've had another lady call me today and she was going to contact her Council Member which I spoke to her earlier but she called me on another reason and at one time I had requested that our crews would do that because they really get filled up and the water does not flow properly and it backs it up and what have you, so is that being done sir?

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Thank you Mr. President. Member Cirelli yes we do have a storm sewer cleaning program and if we have a particular situation and we're advised of that we'll certainly send a vector truck out and take care of it.

MEMBER CIRELLI: Thank you, Mr. President and thank you Mr. Price. I'll contact you, I'll talk to you later about that being done. One more question to the Mayor. In the furloughing that we had and what have you and if I'm not mistaken I thought at one Council meeting you had said you had gotten rid of an employee of the 8th floor. Is that correct sir?

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Yes that's correct.

MEMBER CIRELLI: Mr. President and Mr. Mayor.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Is that person let go, laid off, or what have you?

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Thank you, Member, Mr. President and Council Member for asking. The member from, the employee from the eighth floor that was transferred to a position in the Water Department as was several other positions transferred as we discussed in prior meetings. The Youth Development that was all under general fund those was all transferred to Economic Development funding as approved by HUD. We also had some folks from the Building Department that do inspections and cross over was transferred over to Economic

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Development. What we looked at was on Economic Development particularly where we brought in many grant dollars and stimulus dollars that we have a few more dollars to spend for salaries as well as the Water Department which had a vacancy rather than hiring somebody off the streets we transferred somebody over to eliminate the stress on the general fund and fill a need we had in the Water Department, so there was some of that going around in these transfers, yes.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Mr. President and Mayor Healy then nobody actually, I mean if they left the eighth floor they went somewhere else or to another department right and that was only one person, is that correct sir?

MAYOR HEALY: At this particular time, yes.

MEMBER CIRELLI: OK, thank you Mr. President and thank you Mayor Healy.

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

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Thank you Mr. President and to the Finance Chair and the Finance Committee and all of Council I also just want to follow up on the debate that we had last week and this week in reference to the travel. I want to let you know Councilman Hawk, I appreciate your concern. Your message was heard loud and clear as to all the Council Members and your vote and how close that was. We will be strengthening our travel policy which we did put some restrictions on about two months ago. I will actually look at potentially by this time next week we should have something to you that maybe even an executive order that will mirror many of the requests you have and put tighter constraints on that and also include Mr. Finance Chair in those processes so you can see exactly what's happening. This debate wasn't about whether or not we wanted Council to be engaged or involved, this was about having some flexibility but also constraining those dollars. We're going to do everything we can to continue constraining travel unless it's absolutely necessary and in those cases when we have the opportunity we will approach you before hand and if it happens after the case we'll come to you immediately. So we'll be working with you and I certainly want to let you know we appreciate your concern and have heard your message loud and clear. Thank you.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you for the concern on that but exactly what we did in this Ordinance is exactly what you said. We gave you all, we compromised we gave you all the flexibility you needed and asked for. You continued to change, we adjusted that three times. But I respect that and we can go forward and I thank you.

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

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

MEMBER DOUGHERTY: Seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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

ADJOURNMENT TIME: 8:32 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT