

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. A nice crowd tonight despite the rainy, dreary end of Indian summer. 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 COUNCIL MEMBERS PRESENT: (DON CASAR, DAVID DOUGHERTY, MARY CIRELLI, BILL SMUCKLER, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, CHRIS SMITH, TERRY PRATER, PATRICK BARTON & BRIAN HORNER)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER KRAUS ABSENT)

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

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight we're going to have our invocation given by Council Member, Thomas West. Will you please all remain standing for the pledge of allegiance.

The regular meeting of Canton City Council was held on Monday, November 23, 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 Pastor Urie Hershberger. The Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Member West that was a good pass-off. Thank you very much Reverend. We're now under agenda corrections and changes. Members of Council, you're going to be asked as you always are, to suspend Rule 22A to add the 2nd Reading of Ordinance #5. Ordinance #6 will be retained in Committee. Leader Casar I want to publicly thank you again for Chairing the meeting last week. I'm sorry I was under the weather. I heard you did a great job, thank you.

MEMBER CASAR: Not as good as you Mr. President.

PRESIDENT SCHULMAN: Thank you and we will entertain that motion.

MEMBER CASAR: Mr. President, I move suspend Rule 22A and add Ordinance #5 back on this evening's agenda.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add 2nd Reading Ordinance #5 to this evening's agenda.. 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 Ordinance is a legal part

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

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 are now under Public Speaks on Ordinances and Resolutions for adoption. We have no speakers signed up this evening.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We are now under Informal Resolutions and Leader Casar I'll recognize a motion to excuse Council Member Kraus.

MEMBER CASAR: Mr. President. I move we excuse 8th Ward Council Member Kraus from this tonight's meeting.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse 8th Ward Council Member Butch Kraus from this evening's meeting. 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. The motion carries and Member Kraus is excused from this evening's meeting. Continuing on with Informal Resolution, Madame Clerk would you please read Resolution #58.

MEMBER CASAR: Mr. President I request that that Resolution be read please.

PRESIDENT SCHULMAN: Yes please, Madame Clerk would you please read Resolution 58 in total.

CLERK TIMBERLAKE: *WHEREAS* The City of Canton, Ohio desires to foster agreement and understanding between itself and compatible foreign cities and their institutions to intensify common efforts and to promote the exchange of experiences and common activities; and *WHEREAS* the City of Canton is a registered member of the Sister Cities International, a non-profit organization dedicated to promoting and fostering sister cities, especially between cities in the United States and cities in other countries; and *WHEREAS* Sister Cities commit themselves to develop cooperative projects specifically directed, but not limited to: education, promotion of business development, investments, commerce, sustainability, art and culture, sports and tourism; and *WHEREAS* the Sister Cities commit themselves to cooperation between public and private companies, between universities, schools, and cultural centers; and *WHEREAS* the Sister Cities commit themselves to cooperation referred to in Joint Agreements, in accordance to their respective facilities, subject to the political and economical laws and regulations of their respective Governments. *NOW THEREFORE BE*

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

IT RESOLVED: that the City of Canton, of the State of Ohio, of the United States of America encourages the development of Sister City agreements with compatible municipalities in, but not limit to the Akko, Israel, and Saltillo, Mexico.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #58.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution #58. Are there any remarks, Leader Casar?

MEMBER CASAR: Mr. President Robert Torres, Community and Economic Development Director would like to have a few words, say a few words and introduce a few individuals.

PRESIDENT SCHULMAN: Director Torres, thank you. If you'd step forward with your esteemed guests.

DIRECTOR TORRES: Thank you Mr. President and Members of Council. I have with me here three presenters in support of the Sister Cities Resolution. I will start with John Strauss who's the President of the Partnership with Israel committee. Followed by Mexican Council Becanta Sanchez and then completing with remarks by Dr. Gary Straight of Malone University. John. (*APPLAUSE*)

JOHN STRAUSS: Good evening Mr. President, Council Members. I'm just here to advocate for the Resolution and to tell you a little bit about what the Jewish Community Federation in Canton has been involved with for a number of years. Since approximately 1999, we've been involved with a partnership with Israel and we've been involved with the northern region of Israel that encompasses the city of Akko, which is in, on the Mediterranean Sea. It's in the very north of the city, of the country. What this partnership has been about has been encouraging exchanges of an educational nature. (Microphone problems) Do you want me to hold off? Sure.

PRESIDENT SCHULMAN: Yea, we're trying to figure out, we're getting a real bad feedback and I really would like to hear what you have to say, so.....

JOHN STRAUSS: Still hear it. I could just turn this off. How does that sound, still hearing a buzz.

PRESIDENT SCHULMAN: Not much better.

JOHN STRAUSS: Could we just shut this off.

CLERK TIMBERLAKE: This one has to be plugged in.

JOHN STRAUSS: Do you need me to have a microphone or not?

PRESIDENT SCHULMAN: You know we're really interested in hearing what you have to say. I would just forget the microphone. I think your projecting loudly enough. Thanks.

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

JOHN STRAUSS: OK, that would be great.

PRESIDENT SCHULMAN: We really need to develop relationships with countries that are under, able to communicate with one another. (*LAUGHTER*) I think that's....

JOHN STRAUSS: One of the things I was going to point out is that Israel has developed a number of our inventions we use every day, the cell phone, the Intel chip, so...I actually put some paperwork on the back tables that are some facts about Israel and there's a little bit of facts about the city of Akko. I was just saying the city of Akko is in the north part of the country. Our Jewish community in Canton and partnership with 14 or 15 other communities in the midwest have formed a consortium to partner with this region of Israel. We do economic, educational, cultural, medical and economic development types of exchanges with that area. We've been doing that for about ten years and these have touched institutions in this town such as Aultman Hospital, Malone, Walsh, Kent State, Stark, the Cultural Center, downtown. We've had a cultural art series here and we've also been very involved with the schools. The public schools, the schools in Canton as well as the colleges in the area. These have been things like exchanges of professors, teachers visits, doing workshops, having programs for kids where they read books in common with this area over in Israel, book sharing and it's been extremely fulfilling and wonderful experience for everyone that's been involved with that. So that's a little bit about our partnership. The City of Akko is a fascinating place because it has history going back about 3,000 or more years. It goes back to recorded history to about 1,500 B.C. It has the largest intact Crusader fortress in the world. It's been designated by the U.N. as a world historic site, a UNESCO site. It has a huge Bihigh garden complex that's a beautiful place to visit. It has a, in Israel one of the most diverse populations make-ups. It has a large percentage of Christians, Arab Muslims, Jews, and Bihigh so it's a fascinating little microcosm of the country and the one thing that Akko really is interested in doing is much like we have in Canton, it's interested in economic development. It's interested in taken a city that has really unlimited potential because of it's beautiful location on the Sea and its historic buildings and its scenery and doing something with a population that is economically downtroun and has need of development, economic development. The area around there has many companies who have developed technology and I think would be open to talking and being interested in the city, in terms of partnership opportunities. It certainly something I think is worth going and at some point talking and investigating. The other thing the city has, I believe to offer us is knowledge about how to run cities, how to manage cities, cause their experiences are very different from our in terms of population and they've developed things in terms of security and such that I think we could learn from and I'm sure we have things to teach them as well, so if you have any questions, I will be happy to answer them.

PRESIDENT SCHULMAN: Very good, thank you very much.

BENCANTA SANCHEZ: Good evening Mr. President, Members with all my respect. I'm here to explain how Saltillo the capital of the state of Quoreda. Quoreda's a northern state, it's neighbored with the United States, Texas. Historically Saltillo was the capital of Texas in certain time and they have the experience to deal with the issues between the two countries. Actually it's Saltillo is the biggest city in the state of Quoreda with almost 640,000 inhabitants and this city has the production and economically it is very important in our country. It's very close to Monteray in Mexico and both cities are very important cities economically speaking. Actually they have dedicated the economy in the automotive industry put products on chemicals. Many of them are with American companies that are exporting to another country or with the United States. The population is very young, it's almost half of them are males and half them are woman, but it's very young people that have opportunity to study in different universities and they have the experience to have Sister Cities with other cities in the world.

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

Personally I've had the experience to see how they are working with another city here in the United States when I was counseling Austin, Texas I see, I was having the experience how they are working intensively with the city of Austin and the city of Saltillo. They are actually 31 years working together and I'm sure that if Saltillo could be a Sister Cities, I wish the rest because countries we need much understanding more business, more culture. I think the presence of Mexico is very important because we are partners in the free trade agreement but we need to more about your neighbor. I think through this program we can learn more and more and well the Councilor of Mexico it's ready to help this important city. I'm the Councilor of Mexico for the State of Michigan and Northern Ohio. Continually I'm visiting this city and I establish very good friendships and I've learned in about Canton. Canton needs a good friend and Saltillo could be one of them. Thank you.

PRESIDENT SCHULMAN: Thank you, Council. (*APPLAUSE*)

GARY STRAIGHT: City Council. It's a delight for me to speak on behalf of concept of Sister Cities more globally. Marla and I had the delight of moving to Canton, Ohio two years ago and I will tell you that the last two years have indeed been years when we have learned over this very short period of time to understand that Canton is indeed a destination and has much, much, much to offer. There's a line from Robert Frost that says, "Something there is that does not love a wall" and at Malone University and I'm sure at every other college and university in this area and beyond we're about the business of educating the whole person and we're very much into the business of globalization and exposing our students to what this world (Microphone went out briefly inaudible). I think the Sister Cities project is indeed one of those ways that we as a community can showcase ourselves and give others an opportunity to participate beyond the walls of Stark County and of the City of Canton. Many, many opportunities to see other cultures and interact with those cultures. Marla and I have lived in Nashville, Tennessee, we have lived in Chicago, Illinois. We've lived in Winchester, Virginia. I've lived in Baltimore, Maryland and now in Canton, Ohio and each of those, each of those cities has a Sister City program and in three of those cities I've had the opportunity to participate in some way and in every case have found from an educational standpoint them to be very, very fulfilling and wonderful public relations for those communities so I wish us well as we undertake the Sister Cities project here in Canton.

PRESIDENT SCHULMAN: Thank you. (*APPLAUSE*) Robert do you have anything else you wish to add.

DIRECTOR TORRES: Thank you Members of Council and I look forward to working with each and all of you on this project and certainly will keep you informed on the development.

PRESIDENT SCHULMAN: Thank you very much. Gentlemen, thank you so much. We appreciate your being here. (*APPLAUSE*) Leader Casar, good Resolution and is there a motion on the floor?

MEMBER CASAR: There was a motion, it was seconded and now we have to vote on it.

PRESIDENT SCHULMAN: Is there any other discussion? By voice vote then, all those in favor of supporting Resolution 58 signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #58 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Resolution #58 has been adopted and thank you again very much gentlemen for your being here. It was inspirational and educational. Thank you. We now turn to Resolution 59. Madame Clerk.

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

#59. SMITH, C., WARD 4 CNCLMBR: URGING OH DEPT OF REHABILITATION & CORRECTIONS NOT TO PLACE A HALFWAY HOUSE AT THE OLD AMBASSADOR MOTEL. - ADOPTED

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution 59.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #59. Are there any comments from Members of Council? Member Smith.

MEMBER SMITH: Yes Mr. President although we understood today that Reverend Lancaster pulled his intentions of placing the rehabilitation correction at that particular site, we would like for it to still go on record and be voted on that we were opposing it.

PRESIDENT SCHULMAN: Fine, thank you Member Smith. Good job to you also. Are there any remarks? My understanding though it's not even in the City of Canton, right, it's in Canton Township or something?

MEMBER SMITH: Yes, it's in Canton Township but it is just so close to the residents of that particular area.

PRESIDENT SCHULMAN: Good, good Resolution. Hearing no further statements.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes, I'm sorry. Member Smuckler.

MEMBER SMUCKLER: There are a number of people that when I was back there questioning me what the Resolution said, could you please it read.

PRESIDENT SCHULMAN: Sure, I'll be happy to. Madame Clerk, if you would please.

CLERK TIMBERLAKE: Urging the Ohio Department of Correction and Rehabilitation Not to Place Former Inmates at the Old Ambassador Motel. The Old Ambassador Motel is located in the 2900 block of Lincoln Way East just outside the City of Canton Limits; and because of the close proximity to the boundary line of the City of Canton, it directly effects the residents of Canton; and *WHEREAS*: 10 to 16 residents will have the ability to come and go during their rehabilitation; and *WHEREAS*: The residents in the area already face tough challenges with the current number of registered criminal offenders already living in the area; and *WHEREAS*: The residents of Canton are concerned about the safety of their children in the area and the close proximity the Old Ambassador Motel is to schools and churches; and *WHEREAS*: Proven statistics show that incarcerated criminals tend to repeat offenses which land them bank in trouble with the law; and *WHEREAS*: Canton Twp. Board of Zoning Appeals has scheduled a public hearing December 16, 2009 at 7 pm to discuss the use of the Old Ambassador Hotel; and **NOW THEREFORE BE IT RESOLVED**: that Canton City Council go on public record opposing the Ohio Department of Correction and Rehabilitations Plan to use the Old Ambassador Motel as a half way house for a criminal population to be placed on Canton's Border.

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

PRESIDENT SCHULMAN: Thank you Madame Clerk. Any other remarks? Hearing none by voice vote then on Resolution 59, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #59 PASSED BY VOICE VOTE
(Member West Abstained)

PRESIDENT SCHULMAN: Member West abstains. With that abstention the motion still 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 NOVEMBER 23, 2009.

489. AUDITOR MALLONN: CERTIFICATE OF TOTAL AMT FROM ALL SOURCES FOR 2009. - RECEIVED & FILED
490. DEPARTMENT OF ENERGY: ACKNOWLEDGMENT OF RECEIPT OF RESOLUTION SUPPORTING THE AMERICAN CLEAN ENERGY SECURITY ACT OF 2009. - RECEIVED & FILED
491. LAW DIRECTOR MARTUCCIO: AUTHORIZE SERV DIR TO ENTER INTO CONTRACT FR: 1/1/10 - 12/31/10 W/STARK CNTY PUB DEFENDER COMM FOR LEGAL SVCS FOR INDIGENTS CHARGED W/CITY ORD VIOLATIONS IN MUNI CT. - FINANCE COMMITTEE
492. LAW DIRECTOR MARTUCCIO: ADVISING OF OPPORTUNITY TO SETTLE FEDERAL LAWSUIT *TROY PIROLOZZI v. ERIC STANBRO, ET AL.* - RECEIVED & FILED
493. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO REC & ENTER INTO AGMT W/OH ENVIR PROTECTION AGENCY & THE OH WATER DEV AUTHORITY FOR AMERICAN RECOVERY & REINVESTMENT ACT FUNDS & WATER POLLUTION CONTROL LOAN FUNDS IN FORM OF A LOAN W/PRINCIPAL FORGIVENESS & A STANDARD LOAN; DESIGNATE & DEDICATE THE LOAN REPAYMENT SOURCE WILL BE CANTON'S CAP IMPROV FUND; AUTHORIZE CITY TO AWARD A CONSTRUCTION CONTRACT & FOR MAYOR &/OR SERV DIR TO EXECUTE CONTRACT; MAKE \$125,000.00 SUPP APPROP FR: UNAPPROP BAL OF 4561 HARMONT SANITARY SEWER EXT FUND GP 1071 TO: 4561-202032 HARMONT SANITARY SEWER EXT FUND GP 1071; AUTHORIZE AUDITOR TO DRAW HIS WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES
494. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AGMT FOR PURCHASE OF A 12 ACRE TRACT OF LAND ADJACENT TO THE EXISTING MALLONN PARK; ESTABLISH FAIR MKT VALUE OF \$235,000.00 FOR PARCEL; ESTABLISH PURCHASE PRICE FOR PARCEL INCLUDING MINERAL RIGHTS OF \$246,750.00; ACKNOWLEDGE DONATION OF \$60,436.50 IN VALUE OF REAL PROP BY SELLER; ENTER INTO AGMT FOR

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

PURCHASE OF SAID PARCELS W/CURRENT OWNER; AUTHORIZE MAYOR &/OR SERV DIR TO REC FUNDS IN AMT OF \$186,313.50 FROM CLEAN OH CONSERVATION FUND; RESERVE PARCEL FOR PURPOSES INCLUDING THE PRESERVATION OF WATER, FORESTRY & OTHER NATURAL RESOURCES AS WELL AS PASSIVE RECREATIONAL & EDUCATION ACTIVITIES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - COMMUNITY & ECONOMIC DEVELOPMENT & FINANCE COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We are now under Ordinances and 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 Ordinance the 1st Reading Ordinances by title.

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

- #1. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (2015 E TUSCARAWAS - JOSEPH & DEBORAH LAW) **PUB HRG 12/7/09 @ 7:30 P.M.**
Referred to Judiciary Committee

PRESIDENT SCHULMAN: Leader Casar....never mind Leader Casar. I'm going to refer that to the Judiciary Committee in my infinite wisdom.

- #2. (1ST RDG) AN ORDINANCE AMENDING SECTION 1157.02, PERMITTED USES, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (TRUCK TERMINALS) **PUB HRG 12/7/09 @ 7:31 P.M.**
Referred to Judiciary Committee

- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$12,000.00 TO SQUIRE, SANDERS & DEMPSEY LLP; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

- #4. (1ST RDG) **ADOPTED AS ORDINANCE NO. 225/2009** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO LOCAL PUBLIC AGENCY AGREEMENTS WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION AND/OR OHIO RAIL DEVELOPMENT COMMISSION FOR LOCAL INFRASTRUCTURE PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

PRESIDENT SCHULMAN: At this time, the Chair would declare an in house recess for the Finance Committee to meet in regard to Ordinance 4 on your agenda.

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

*(COUNCIL RECESSED @ 7:59 P.M. FOR FINANCE COMMITTEE TO DISCUSS ADOPTION OF O#4;
RECONVENED @ 8:04 P.M.)*

PRESIDENT SCHULMAN: Thank you Member Hawk. Council will reconvene after it's recess. Leader Casar.

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

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance 4 back on the evening's agenda. 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: Motion carries, Ordinance 4 is a legal part of your agenda. Leader Casar.

MEMBER CASAR: Mr. President I wish to suspend Statutory Rules on Ordinance #4.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 4. Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries, Leader Casar you've heard the three Readings..

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

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 4. Are there any remarks under this Ordinance? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#4 ADOPTED AS ORDINANCE NO. 225/2009

PRESIDENT SCHULMAN: Ordinance 4 is adopted and I'd just like to add about Ordinance 4, I was

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

privileged to have a meeting with City Engineer, Dan Moeglin the other day and he does such spectacular work and he did a great job on this particular Ordinance that you just passed and I want to recognize his great work and dedication to our city.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances for their Second Reading. Madame Clerk could you please read Ordinance #5 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #5 (ORDINANCE #6 RETAINED IN COMMITTEE) FOR THE SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#5. (2ND RDG) **ADOPTED AS ORDINANCE NO. 226/2009** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFERS & SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (JUDGES)

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we suspend the Statutory Rules on Ordinance 5.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 5. 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: Motion carries, Leader Casar you've heard the three Readings.

MEMBER CASAR: Mr. President, I move we adopt Ordinance 5.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #5. Are there any remarks under this Ordinance?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I thought when we were in Caucus, that the Law Director said that he would get us some information that wasn't really clarified to us. Am I incorrect on that sir?

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President. No Member Cirelli you correct. You can take my assurances that these are legitimate needs that the Court needs this money for. I promise to give you an explanation next week as to precisely which accounts those are coming from and where they're going to. That's listed here. What I think you're entitled to is a civilian, lay person explanation about where those monies are going to.

MEMBER CIRELLI: So Mr. President, excuse me, am I correct Mr., Law Director Martuccio that you still want us to vote yes on it and you'll explain it next week.

LAW DIRECTOR MARTUCCIO: Yes, yes please.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: As Chairman of the Finance Committee, I would agree with that. I've had discussions with Gary Young from the Auditor's office and it's money well spent.

PRESIDENT SCHULMAN: And I think to be fair, Member Cirelli when Law Director Martuccio gives his professional assurance, I think we can pretty much, usually take that to the bank, so any other remarks? And I've completely forgotten where we are Leader.

CLERK TIMBERLAKE: Voting on adopting Ordinance 5.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#5 ADOPTED AS ORDINANCE NO. 226/2009

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #5 is adopted. Ordinance #6 please.

CLERK TIMBERLAKE: Ordinance #6 is retained in committee.

#6. (2ND RDG) ***RETAINED IN COMMITTEE AN ORDINANCE AMENDING TITLE SEVEN, HOUSING STANDARDS, OF PART THIRTEEN - BUILDING CODE OF THE CODIFIED ORDINANCES***

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: OK, thank you Madame Clerk. We're now under Ordinances and Formal Resolutions for their third and final reading and vote. Madame Clerk would you please read Ordinance 7.

#7. (3RD RDG) **ADOPTED AS ORDINANCE NO. 227/2009 AN ORDINANCE AMENDING**

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (CODE ENFORCEMENT ADMIN - \$15,000.00)

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #7. Are there any remarks Leader?

MEMBER CASAR: Mr. President, I move we amend Ordinance #7 per the brief discussion we had in Caucus this evening and all Council Members have a copy of it.

MEMBER DOUGHERTY: Seconded

Amendment:

Pursuant to Rule 36, I move to amend Agenda Item No. 7 by amending the "TO" section of section 1 to read as follow:

*TO: 2211 506002 Demolition
- Other*

\$15,000.00

PRESIDENT SCHULMAN: It's been moved and seconded therefore to amend Ordinance #7 per the discussion at Caucus and more importantly per the copy before each Member of Council. Are there any remarks? Hearing none by voice vote all those in favor signify by saying aye, to the motion, those opposed no

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion to amend carries. Leader Casar.

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

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #7 as amended. So the question you're now voting on is the Ordinance as amended. Are there any remarks under the Ordinance as amended? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#7 ADOPTED AS AMENDED AS ORDINANCE NO. 227/2009

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

PRESIDENT SCHULMAN: Ordinance #7 is adopted Ordinance #8 please.

#8. (3RD RDG) **ADOPTED AS ORDINANCE NO. 228/2009** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE ZBUKA ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: I move we adopt Ordinance #8.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #8. Are there any remarks under this Ordinance? Hearing none...

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Smuckler.

MEMBER SMUCKLER: Service Director are there any promises that this Council needs to be aware of for Ordinance #8 on annexation into the city?

SERVICE DIRECTOR PRICE: No, not to my knowledge.

PRESIDENT SCHULMAN: Any other questions, Member Smuckler? Any other remarks? Hearing none
Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#8 ADOPTED AS ORDINANCE NO. 228/2009

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #8 is adopted. Ordinance #9 please.

#9. (3RD RDG) **ADOPTED AS ORDINANCE NO. 229/2009** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE DELONG ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Casar.

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

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

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #9. Are there any remarks under this Ordinance?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: For the record, is there any statement of services that this Council had to be made aware of for Ordinance #9?

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Thank you. No there is nothing that I'm aware of nor have the water/sewer departments been contacted about any promises or promise of service.

MEMBER SMUCKLER: Thank you.

PRESIDENT SCHULMAN: Any other remarks? Hearing none, Madame Clerk roll call vote on Ordinance 9.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 229/2009

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

#10 (3RD RDG) **ADOPTED AS ORDINANCE NO. 230/2009** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 193/2008, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (YOUTH DEVELOPMENT)

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #10.

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 10. Are there any remarks under this Ordinance? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 230/2009

PRESIDENT SCHULMAN: Ordinance #10 is adopted. Ordinance #11 please.

#11 (3RD RDG) **ADOPTED AS ORDINANCE NO. 231/2009** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PART OF OUT LOT 391; AND DECLARING THE SAME TO BE AN EMERGENCY (1325 17TH ST NE)

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

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #11. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 231/2009

PRESIDENT SCHULMAN: Ordinance #11 is adopted. Ordinance #12 please.

#12 (3RD RDG) **ADOPTED AS ORDINANCE NO. 232/2009** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PART OF LOT 5339 AND ALL OF LOTS 5340, 5341 AND 5342; AND DECLARING THE SAME TO BE AN EMERGENCY (6TH ST SW EAST OF COOK AVE)

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance 12.

MEMBER DOUGHERTY: Seconded. _____

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #12. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#12 ADOPTED AS ORDINANCE NO. 232/2009

PRESIDENT SCHULMAN: Ordinance #12 is adopted. Ordinance #13 please.

#13 (3RD RDG) **ADOPTED AS ORDINANCE NO. 233/2009** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PART OF LOT 1505; AND DECLARING THE SAME TO BE AN EMERGENCY (900 BLOCK OF 10TH ST NE)

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

PRESIDENT SCHULMAN: Leader Casar.

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

MEMBER DOUGHERTY: Seconded. _____

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#13 ADOPTED AS ORDINANCE NO. 233/2009

PRESIDENT SCHULMAN: Ordinance #13 is adopted. That concludes the 3rd and final Reading Ordinances.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Judiciary will meet on November 23rd, no excuse me, sorry November 30th, 2009 at 6:30.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you sir. Finance Committee will meet Monday, November 30th at 6:30.

PRESIDENT SCHULMAN: Thank you. Any other announcements? Thanks good.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're now under Public Speaks. We have 4 speakers signed up and I think they've all provided their opinions previously so I'm not going to go through the three minute routine but first speaker is Jason Scaglione. Good evening Mr. Scaglione, welcome and if you could give us your name and your residential address please and....

JASON SCAGLIONE: Yes sir, my name is Jason Scaglione. I reside at 3027 Glen View Place here in the wonderful city of Canton. The reason I'm here tonight is to speak on an issue that you guys will be making another payment on here in the near future of \$106,000.00. This is for the county 9-1-1 system. I know you've all been able to read The Repository, all the wonderful papers out there that are talking about this issue. I urge that the city of Canton take a good close look at this issue. I am wondering why we cannot have the center built in the city of Canton and why the city of Canton is shelling out so much of the cost. Why are the townships within this area not shelling out some of the costs such as Perry and some of the other townships. In searching out some of this, I've also seen that Canton has made over \$200,000.00 in payments

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

toward this which is, has to be matched by Stark County and Stark County has not, has only made approximately \$116,000.00 payment. So my question is, you know what's going to happen if for some reason the county doesn't put that other money in with a 2.75 million dollar grant coming in from the federal government for this center? I really wish we'd look at seeing if we can't have this built in the city so that maybe we could see that it's managed correctly and I just ask that you take a very close look at this before your payments due in June of next year. Thank you.

PRESIDENT SCHULMAN: Thank you very much. Thanks. (*APPLAUSE*) Our next speaker is Ida Ross Freeman. Good evening if you'll step forward and give us your name and your residential address please, and good evening and Happy Thanksgiving by the way.

IDA ROSS FREEMAN: Thank you. Good evening. Respect to all of you, President of Council and Council People. Here I am again speaking in behalf of a community plan for the homeless. As you know winter is close upon us and the housing collaborative have not come up with a plan for the community of the homelessness so that they will have a place to go when we have those very cold days. I wouldn't know where to send them if I had a client that is really out in the cold, where would I send them? We don't have a community plan. We need one. Also I wanted to speak, that was the main thing I really wanted to speak on and then I found out about this Sister City thing. I think this is an awesome idea. Twenty-five years ago we had one started in Mansfield and I was a part of that and to see the culture it changed our Sister City in Mansfield was called Mansfield, England and we would visit there and then they would come here one year and we would go there one year. It was awesome so I think that's, we're on the right track. That's a good idea. And another thing I want to ask about, what about the Weed & Seed money. I see all the weeding and no seeding. Thank you.

PRESIDENT SCHULMAN: Thank you very much. (*APPLAUSE*) Our next speaker is Corey Minor Smith. Good evening. If you'll step forward. Although you need not give us your name, we know you, but never the less, your name and your residential address please.

COREY MINOR SMITH: Thank you very much. Corey Minor Smith proud resident. 349 Hamilton Ave NE proudly situated in the 4th Ward of the city of Canton. Good evening Mr. President, Majority Leader, Members of Council, Mayor, elected officials, fellow cabinet members and citizens. I come to you today not only as the Director of Compliance for the City of Canton, but also a taxpaying business owner, resident, and mother of children in the city of Canton. I come to you respectfully requesting a collaborative effort to help keep the community center branch of the Stark County District Library open at the Edward Peel Coleman center. The community center branch is invaluable. It provides specific services and resources to a specific area and it's value is just incomprehensible in the city of Canton. I voted for the tax increase to support the library system because I believe in the resources that it has, the needs that it serves, and the value of the library system. Like the city of Canton, the Stark County Board of Trustees for the library, as well as the library's administration, has tough decisions to make. A balanced budget to create and jobs to attempt to save. I ask that we collaboratively support other options besides the recommended closure of the Community Center Branch as well as the East Canton Branch. I ask that we work together to help address the tough decisions, to help save the jobs, and to help balance their budget by negotiating the lease at the Edward Peel Coleman center by reducing the hours if necessary at the Edward Peel Coleman center and most importantly to encourage you to all to provide your personal suggestions to the Board of Trustees on December 15th at 5:00 at the Main Branch of the Stark County District Library on Market Avenue North and I ultimately ask along with those who wish to stand or raise their hand in support at this time ask that you respectfully work together to help keep the Community Center Branch open at the Edward Peel Coleman center. Thank you. (*APPLAUSE*)

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

PRESIDENT SCHULMAN: Thank you Corey very much. We appreciate it. It's just another sign of the times. Our next speaker is Mike Rukavina. Mr. Rukavina good evening. If you'll give us sir your name and your residential address please.

MIKE RUKAVINA: Good evening. My name is Mike Rukavina. I live at 1706 Neimans Ave SE, in Osnaburg Township and I am here to speak tonight regarding the amendment to Title Seven Housing Standards. Mr. President and Member of Council, as a professional housing provider and as a representative of the Stark County Real Estate Investors Association, I was here last week to speak in opposition to the legislative draft as it was currently written enough though I was already in agreement with it in concept. A major concern of mine was that the industry experts had not been given the opportunity to adequately voice their concerns about this massive overhaul to the Housing Code Ordinance prior to that draft presentation. Since last Monday, a contingent of us have been included in the legislative process and we have participated in a series of intensive and thought provoking meetings to include a meeting earlier today with Mayor's staff. I am pleased to say that as we shared and debated the merits of our various ideas and viewpoints, we met on common ground in the vast majority of areas. We mutually agreed to reasonable compromise in other areas and ultimately we each gained a greater understanding of each other's respective positions and the rational supporting those positions on the areas we may not have agreed upon. And we've further been invited by the Law Department to finish the work that has been started over the next few days. In conclusion we are appreciative beyond words for this opportunity of inclusion. We wholeheartedly support the current and ongoing legislative process and we anticipate that night in the very near future when we expect to stand before you in resounding support of the final legislative proposal which will be to the benefit of not only the political subdivision known as Canton, but also to those who reside here, as well as all those who conduct business here. Thank you.

PRESIDENT SCHULMAN: Thank you very much, Mr. Rukavina. Appreciate it. (*APPLAUSE*) Ok, that concludes Public Speaks.

MISCELLANEOUS BUSINESS

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

MEMBER CIRELLI: Thank you Mr. President. I have a couple things. One of them is a forthcoming function that I am proud to be a member of and Council Member Griffins a member of also is the Ex-News Boys. All the monies that we garner in go to buy clothes. I want to thank yourself, President Schulman for what you did for the Stark County Hunger Task Force.

PRESIDENT SCHULMAN: Thank you.

MEMBER CIRELLI: And I want to thank Council Member Dougherty because he always has his program "Feed the Needy" but we in essence do is clothe the people out there. The kids that want to go to school and feel like they belong. They're not, they won't be ashamed to raise their hand because they have clothes maybe that aren't proper. I was a kid like that and I know what it feels and I haven't forgot where I came from, so I'm really proud to be the first female on the Ex-Newsies Board and of course, I'm hocking tickets. We're going to have their 50th dinner on December 9th and I want everyone to be aware that the organization has spent \$2,175,000.00 in coats, shoes, and other clothing to the needy children of all the schools in Stark County and in our highest one is in the city of Canton. This is something that we have to always remember a child not only needs to be fed but they need to be clothed to get the best out of them that we can, so I really appreciate everybody knowing there's no paid staff on this. Every cent of the money collected goes to clothe those children so it's a very good organization. The Repository had a nice article in there so I would like to see

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

everybody want to buy tickets to come and also their donations, cause this is, and especially in the economic times that we're having now. It's even rougher. We're seeing a greater need coming in for families for asking for their children to have clothes so they can go to school and feel good about themselves. So that's my main issue there.

PRESIDENT SCHULMAN: Thank you, Member Cirelli. (*APPLAUSE*)

MEMBER CIRELLI: Then Mr. President I have another issue that I'd like to bring up and this ought to be near and dear to your heart because I know you're big in recycling and green and what have you and I spoke with the Service Director and he has assured me that he's looking into the fact, personally myself, I put out in Sanitation close to 50 bags of leaves. Then whenever I called our employee to find out where these leaves are going to, there going to the landfill. I have a real problem with that. Because we're paying tipping fees to put leaves into the landfill and then next year we'll be buying possibly mulch and or topsoil. These are something we should be doing in the recycling efforts and I've been driving around and I've been seeing scads of leaves just like I had, they weren't all 50 at once but over the last three weeks. As a matter of fact I've got two more that's gonna go out tomorrow morning, but this is a resource that I think we need to be recycling and we can save money on the tipping fees and also on monies and Mayor you said anywhere we know we can save 50 bucks or anything to let you know so I think this is something we have to look at and make sure we implement this program somehow. Other cities and I thank Councilman Barton because he's looking into some of the other cities whenever they pick leaves up and sell so he and I have had some discussions on this issue and I think it's something that we need to do. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Member Smith.

MEMBER SMITH: Yes, Mr. President. In support of Miss Corey Minor Smith and what she said about the library. I'm going to work on a Informal Resolution and hope that Council will support us and that in keeping the library open at the Southeast Community Center.

PRESIDENT SCHULMAN: Thank you. Any other statements, any other Miscellaneous Business? Let me, if I might before we adjourn. We have a very sobering executive session tonight discussing the future of our city, literally the future of our city. When I said about Corey Minor Smith's comments and Member Smith's comments just now about the library, we're seeing a, we are seeing in my judgement a, an unraveling of our community which is not good. I'm a very hopeful person. I believe in the future. I believe that we can make things better here but we're not going to make them better if we're not informed. Mayor, number one as I indicated and number two we're not going to make things better if we don't take the initiative, every single one of us. Every one of us on Council. Member Cirelli talks about clothing the children and feeding the hungry and it's getting worse and it's time for us to step to the plate and start doing something folks. It's a discouraging time but the darkest hour is always before the dawn so they say. I want to reiterate and this is the last time I'm going to do it and I hope to get the answers. I met with Dan Moeglin the other day and as I said, he's doing an extraordinary job. I've asked for a spreadsheet. I think every Member of Council and more importantly the citizens of our community deserve to know if there is recovery and reinvestment money coming in, how many jobs is that creating and we have not gotten the answer yet. (*APPLAUSE*) And I would really ask that Carmen West if she would or Robert Torres, I know they're very busy but the blanks in my form, Mayor relate to a million, over a million dollars for homelessness prevention, the Community Development Block Grant, the Byrnes Grant, the CAD RMS Grant, and we're not getting any answers. What was shown at least I think most of you got this, what is shown is the grant money coming in under the President's American Recovery and Reinvestment Act is 13.8 million that's almost 14 million dollars and according to this, the new jobs that are created, 111 of which are youth summer programs which are important

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

but beyond that, beyond 111 you're talking about 79 jobs for 13.8 million dollars. That is not acceptable and we have to put our people back to work. *(APPLAUSE)* So I'm going to ask, I'm gonna ask every single Miscellaneous Business time that we have. I going to ask if we know where the jobs are and whether there being created. Please and if there are things that we can do to put our people to work then let's do it. But I'm just tired of getting no answers. We deserve answers as public officials and more importantly these citizens in our community deserve answers.

DIRECTOR TORRES: Mr. President.

PRESIDENT SCHULMAN: And Mr. Torres you're more than welcome to comment on what I just said.

DIRECTOR TORRES: I am more than, more than happy to do that Mr. President. You know we have been very, we have been very cooperative with Members of Council. I have had many of you come into my office and you've asked for a, for us to be able to utilize our programs to support many of the neighborhood organizations in your Wards. Many of the efforts that you move forward on and I believe in the last two years we've been very cooperative in doing that. I stand up here right now with mixed emotions because we provided the information on our CDBG RM Investment. Two of you as Members of Council sit on the CIC and you've seen those dollars that are allocated. We have demonstrated where we've taken those monies and we've leveraged. In the last two years \$1,800,000.00 we've leveraged \$11,000,000.00 just on CDBG alone and we've shown the numbers that have been created there. I'll give you this. I'll give you this. When you talk about HPRP and Homelessness dollars, those dollars go to vouchers to organizations that are, that are working with the homeless consortium. And so those dollars are for housing individuals. Not every dollar that we receive from C, from stimulus is going to go to job creation. Some of it actually goes to service and in many cases as you mentioned Councilwoman Cirelli, those needs for shelter, for housing, for clothing are dollars that are allocated by HUD and by our federal government and we need to use it in that way. When it comes to job creation, we'll give you those numbers and some of the stimulus are contracts that aren't even out there yet and so you're asking us to tell you today what those numbers are going to look like tomorrow. I'll give it to you in a prediction, I'll give it to you anticipating but then I ask you to understand that those numbers are just predictions. And so, I ask you to work cooperatively with us. I stand here ready to work with you. I've rolled up my sleeve when you've asked it and I will continue to do so. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Torres. *(APPLAUSE)* I appreciate that. You know, I it's not just us though with all do respect. This should be on the internet. It should be available to the public. The public should know every dollar that's being brought in from the federal government or state government and how many jobs you project are going to be created or how many jobs are going to be created. Let me just, and not trying to monopolize the conversation here. But let me just give you one example of what I heard the other day. We have a Project Labor Agreement in this city which is supposed to put local people to work. Well that's not happening. We're not, we're not incorporating these Project Labor Agreements. We're not incorporating on enormous amounts that are going to be spent on our roads for example. I'm talking about putting local people to work in our community and that's what I want to see. *(APPLAUSE)*

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: With regarding to the Project Labor Agreements the first two are going to be the Court expansion and Council expansion right with the plaza here at City Hall and the expansion of the 25th Street Fire Station. We're meeting tomorrow in the Law Department and some administrative folks and

MINUTES OF THE MEETING OF NOVEMBER 23, 2009

the union attorney to begin working on the specific project. Someone asked recently if there could be a master Project Labor Agreement for example and each project has to be negotiated. Each one by the Ordinance that was passed by this Council has to be negotiated per project. So we're going to work on a template of sorts but specifically to answer your question, tomorrow we're beginning to put the final touches on those two projects.

PRESIDENT SCHULMAN: OK, great.

LAW DIRECTOR MARTUCCIO: All the remainder, all the remaining projects will work from a template.

PRESIDENT SCHULMAN: Thank you. Leader Casar.

MEMBER CASAR: I move we adjourn.

MEMBER DOUGHERTY: Seconded.

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: The meeting is adjourned. Thank you ladies and gentlemen. *(Gavel falls)*

ADJOURNMENT TIME: 8:37 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT