

**MINUTES OF THE MEETING OF NOVEMBER 30, 2009**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen thank you for all of you being here tonight. I have to say it's kind of difficult day and it's made more difficult looking at the Firefighters and the Police Officers who may not have jobs. Our hearts go out to you and your family. I wish there was something I could say or do and I'm sure all of us wish that. But, with a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please Madame Clerk.

*ROLL CALL TAKEN BY CLERK TIMBERLAKE:*

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present Mr. President.

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

*The regular meeting of Canton City Council was held on Monday, November 30, 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 3 Council Member, Jim Griffin. The Pledge of Allegiance led by President Schulman.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: We're now under agenda corrections and changes and Members of Council, you're going to be asked to suspend Rule 22A to add the 2<sup>nd</sup> Reading of Ordinances 4, 5 and 6. Leader Casar.

MEMBER CASAR: Mr. President, I move suspend Rule 22A and place Ordinances 4, 5 and 6 back on this evening's agenda.

MEMBER DOUGHERTY: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinances 4, 5 and 6 to this evening's agenda. Are there any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: We're now under Public Hearings. There are no Public Hearings this evening.

**MINUTES OF THE MEETING OF NOVEMBER 30, 2009****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 have no informal resolutions.

**COMMUNICATIONS**

PRESIDENT SCHULMAN: And 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 30, 2009.***

495. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D5 LIQ PERMIT FOR WILLIAM H THEISS @ 601 CLEVELAND AVE N. - RECEIVED & FILED
496. LIQUOR CONTROL DIVISION (OHIO): NOTIFY EXPIRATION OF ALL LIQ PERMITS 2/1/10; MUST RCV OBJECTIONS BY 1/4/10. - RECEIVED & FILED
497. SAFETY DIRECTOR REAM: DEMO LIST OF VARIOUS PROPERTIES DETERMINED UNSAFE & HAZARDOUS THROUGHOUT THE CITY. - COMMUNITY & ECONOMIC DEVELOPMENT
498. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO AWARD & EXECUTE CONTRACT FOR SHERRICK RD IMPROVEMENT PROJ; AUTHORIZE MAYOR &/OR SERV DIR TO EXECUTE PROF SVCS CONTRACT FOR CONSTRUCTION ENGINEERING W/OMNI PRO SERVICES LLC; AUTHORIZE RECEIPT OF AMERICAN RECOVERY & REINVESTMENT ACT (ARRA) FUND IN THE AMT OF \$1,500,000.00 FOR PROJ THROUGH ODOT; MAKE SUPPLEMENTAL APPROP FROM UNAPPROP BAL 4559 SHERRICK RD IMPROVE FUND GP 1121 TO 4559-202031 SHERRICK RD IMPROVE FUND, GP 1121; AUTHORIZE AUDITOR TO DRAW WARRANTS ON RECEIPT OF VOUCHERS. - FINANCE & PUBLIC SAFETY & THOROUGHFARES COMMITTEES
499. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AGMTS W/US DEPT OF ENERGY & AEP TO RECEIVE GRANTS; AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO PROF SVCS CONTRACT W/URS CORP TO COMPLETE DETAILED ENERGY AUDIT NOT TO EXCEED \$75,000.00 FUNDED BY EEC DG FUNDS; AUTHORIZE MAYOR &/OR SERV DIR TO AWARD & ENTER INTO VARIOUS CONTRACTS NEEDED TO CONSTRUCT IMPROVEMENT PROJ; MAKE SUPPLEMENTAL APPROP OF \$803,000.00 FROM UNAPPROP BAL 2236 ENERGY EFFICIENCY & CONSERVATION GRANT FUND TO 2236-202030 ENERGY EFFICIENCY & CONSERVATION GRANT FUND - CANTON SUSTAINABILITY PROJ, GP 1134; AUTHORIZE AUDITOR TO DRAW WARRANTS ON RECEIPT OF VOUCHERS. - FINANCE & ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES

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**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 1<sup>st</sup> 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. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE STARK COUNTY PUBLIC DEFENDER COMMISSION FOR THE PROVISION OF LEGAL SERVICES TO INDIGENTS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO ENTER INTO AN AGREEMENT WITH THE OHIO EPA AND THE OHIO WATER DEVELOPMENT AUTHORITY FOR AMERICAN RECOVERY AND REINVESTMENT ACT FUNDS IN THE FORM OF A STANDARD LOAN WITH PRINCIPAL FORGIVENESS; DESIGNATING THE 4501 CAPITAL IMPROVEMENT FUND AS THE LOAN REPAYMENT SOURCE; AUTHORIZING THE AWARD OF A CONSTRUCTION CONTRACT AND THE MAYOR AND/OR SERVICE DIRECTOR TO EXECUTE SAID CONTRACT; AMENDING APPROPRIATION ORDINANCE NO. 193/2008; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement & Finance Committees
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE: TO PURCHASE A 12 ACRE TRACT OF LAND INCLUDING MINERAL RIGHTS IN AN AMOUNT NOT TO EXCEED \$186,313.50; ACCEPT DONATION OF REAL PROPERTY IN THE AMOUNT OF \$60,436.50; ENTER INTO AGREEMENT TO PURCHASE SAID PARCEL; RECEIVE FUNDS IN THE AMOUNT OF \$186,313.50 FROM THE CLEAN OHIO CONSERVATION FUND FOR THE PURCHASE OF SAID PARCEL; RESERVE THE PARCELS FOR PRESERVATION PURPOSES AND PASSIVE RECREATIONAL AND EDUCATION ACTIVITIES; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development & Finance Committees

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We're now under Second Reading Ordinances. Madame Clerk could you please read Ordinance #4 by title.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #4 THROUGH #6 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS***

**MINUTES OF THE MEETING OF NOVEMBER 30, 2009*****FOLLOWS:***

- #4. (2<sup>ND</sup> 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. TUSC - JOSEPH & DEBORAH LAW)  
**PUB HRG 12/7/09 @ 7:30 P.M.**
- #5. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING SECTION 1157.02, PERMITTED USES, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (TRUCK TERMINAL)  
**PUB HRG 12/7/09 @ 7:31 P.M.**
- #6. (2<sup>ND</sup> 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

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SCHULMAN: Now under Ordinances for their Third and Final reading and we have none scheduled tonight.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: We're now under announcement of Committee Meetings.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk

MEMBER HAWK: Thank you sir. Finance Committee will meet at 6:45 P.M. on 12/7/2009.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet that evening at 6:45.

PRESIDENT SCHULMAN: Thank you.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Leader Casar.

MEMBER CASAR: Community & Economic Development will also meet.

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PRESIDENT SCHULMAN: Thank you.

**PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)**

PRESIDENT SCHULMAN: And now we're under Public Speaks, Open Forum and we have three speakers signed up this evening. Our first speaker is Rosario Carcione. Rosario, good evening. Mr. President, if you'll give us your name and your residential address please and welcome and thanks for being here.

ROSARIO CARCIONE: Thank you. My name is Rosario Salvatore Carcione, I'm the President of the Canton Professional Firefighter's Association, Local 249 and a resident of the City of Canton. I reside at 5205 Giacomo Ct. NW in Canton. I'm speaking here tonight because today 28 firefighters received layoff notices from the Mayor's Office. These layoffs will produce a devastating outcome to the safety of the City's residence and firefighters. Citizens will die and firefighters will be injured. Children will suffer as they wait for ambulances to arrive from surrounding communities. Mayor, you ran on a platform to make Canton a safer City and today with your actions, you have once again taken steps to ensure that the safety of our residents are tossed aside and overlooked. During the March 23<sup>rd</sup> Council Meeting, I spoke in this forum about the City deficit spending on the Civic Center and Thurman Munson Stadium before making sure the residents are provided with the basic necessities of safety and service. To my knowledge, no actions have been taken to correct that problem. I've requested that the City be more aggressive in our attempt to annex property into the City but I'm told that we would generate more money selling water than we would collecting taxes. The money you generate selling water cannot be used to pay for police or firefighters. You have raised the rates 24% on sanitation to solve a budget crisis in the Sanitation Department, a department that you Mayor, transferred \$300,000.00 to from the General Fund on your first day in office. When might that money be repaid to the General Fund to help keep our City safe? I've requested the City temporarily change the tax Ordinance to allow more funds from Capital to be used to keep police and firefighters working. A 3% adjustment to the distribution of the income tax would save every firefighters job. I am told that "We'll have to look into that and see if it can be done." With nearly a million dollars carry over in Capital, not only can it be done but it should be done. On September 14, 2009, I presented an Ordinance change to Council that was rejected. The change would have guaranteed EMS services for its residents. The change was cast aside while more important issues were ironed out such as travel expenses. Come December 19<sup>th</sup>, without these 28 firefighters, the City will be unable to provide EMS services to its residents. A move that will cost this City nearly two million dollars in revenue. I believe the actions of this Mayor are in retaliation to a letter signed in February by myself and the President of the Canton Patrolmen's Association, Bill Adams, that requested all donations from any labor organizations to Mayor Healy's campaign cease. His time in office has provided nothing but confrontation and confusion for our labor organizations. Mayor, on August 14, 2009 you laid off 15 firefighters improperly. On that evening, as I waited in line to pay my respects to a great member of this City, Council Member Carbenia, you approached me in line, took my hand and said "Sorry things didn't work out better for you today" and you walked away. Mayor, your time is coming, a time when I will be able to take your hand and say "Sorry things didn't work out for you today." The City of Canton needs a true leader, one that will not be afraid to think outside the box on how to generate more revenue for the City without dipping into the pockets of its residents or employees. One that truly cares about the safety of its residents. The men and women of the Canton Professional Firefighter's Association took an oath to protect the residents of Canton and we will not sit by and watch you destroy it. Thank you.

PRESIDENT SCHULMAN: Thank you President, I'm...our next speaker is Antoine Hodge. Antoine, I hope I pronounced that correctly. Good evening sir, if you'll give us your name and residential address please sir.

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ANTOINE HODGE: Good evening, my name is Antoine Perry Hodge and I'm speaking on behalf of green energy. I have to get concept on the problems that he was just discussing about on the concept of the City and the world. I was trying to get in touch with a gentleman named Kenneth Lancaster because he had a petition against him and his Ambassador half way house and would like to get into with him but that's...get in contact. So, by that, I went on and did what I had to do and took another step further, that's why I'm here speaking because I was going to release the concept to the City. So, if anybody would like to speak with me after the meeting, I'll take any questions that you have for me. Thank you for your time.

PRESIDENT SCHULMAN: Very good, thank you sir, very much. Our last speaker tonight is Pete DiGiacomo. Mr. DiGiacomo, good evening. If you'll give us your name and your residential address please and welcome.

PETE DIGIACOMO: My name is Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. What I want to say, or, I don't know exactly how the negotiations, or if there are any or any talks between the Mayor and his staff and the Unions, being the Fire and the Police Department but I know that nobody wants to see anyone anybody lose their jobs, get laid off, anything like that. Everybody wants to get their services, residents of the City of Canton, you know, we all want to get their services given to us, you know, paying taxes and so. Want to get your trash picked up, winter time, you definitely want to get your streets plowed, you know and all the other services that the City provides. Two of the services for the...and that's for the safety, you want to go to the phone, you want to be able to call, dial the police, dial the fire, dial 911 and you're hoping, or I should say you're expecting to get service at a reasonable amount of time. Laying off fire workers, firemen, police officers, EMS, I hope it does not come down to where somebody is waiting and waiting and something tragic happens. Doesn't have a lot to do with it, I worked at Timken's for 30 years, I retired. In the 30 years, I was laid off three separate times, it's not fun being laid off, you don't know when or if you're going to get called back but I would just hope that somehow the Mayor and his staff, the union folks, could somehow get together, even though you don't agree with one another and save some jobs or whatever it takes to help this City's...citizens here in the City of Canton. Thank you.

PRESIDENT SCHULMAN: Thank you sir very much. That concludes our Public Speaks, Open Forum. Thank you to all the speakers.

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: We're now under Miscellaneous Business. Is there any Miscellaneous Business?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. In caucus, I approached you Mayor and I know you didn't appreciate what I had to say and that was the fact that I brought up the fact that your department, the 8<sup>th</sup> floor Administration, on Wednesday, before Thanksgiving, was virtually, completely closed down. Now Safety Director Ream said he was there for eleven hours. I must have had....the person I had check the 8<sup>th</sup> floor must have missed you. Maybe you went to the men's room or something, Safety Director Ream. But I felt it was not a prudent act of an Administration. I've worked out in the public sector and I know we are furloughing people and it's possible some of these people were furloughed. I don't know how you furlough a whole

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department. Furloughs should be staggered out. I want the general public to understand that we in City Council, we don't hire, fire or lay off anyone but our own Council staff, that's the Mayor's prerogative to do that and I think the general public needs to know that. You told me that you felt it was the right thing to do because your people had worked many hours overtime on different days and what have you. But you know, that's what comes with salaried people, that's part of the job. You don't quit until the job is done and your people are paid quite well. But there is a bit of me that pondered and I thought all those people are off and I have a list of all the people where I called and all the messages and voice mails I got and what have you. And where it referred me back and it....as I told you in caucus, only one actually said they would be off from I think the 25<sup>th</sup> until the 30<sup>th</sup>, so that was your PR person, Adam Herman, which I have to wonder why we have a PR person in the first place when we're having such financial straights. I'm not sure the other Administrations, I can't recall them having a PR person, so was that necessary. *(The audience cheers)* Please don't do that ladies and gentlemen, I appreciate it. These are just facts that I'm saying, what I'm hearing from the general public and the general public is saying, you know, you have people up there working, no disrespect, we have a Financial Director, but I really don't know what the Financial Director does because I hadn't been able to get any really good answers, I have to go around to the Auditor's Office to get the answers that I need. And then there's a part of me that says if a department can be all off on that particular day, maybe we have people that only should be there on a part time basis and we could be saving a whole lot of money on pensions and benefits. So you said, "Think outside the box" I'm trying to think outside the box, my thoughts and your minds are, well there's two different thoughts or minds going here. But I'm telling it the way I see it. None of us want to see the police and fire, none of us, none of us want to know that a life is put at risk. I'm a nurse, I understand every second counts whenever somebody calls for an ambulance and what have you. And I know they also are the largest paid group of any of our unions that we have. By that, I mean it's like 65 to 75% of our budget goes to police and fire, so I understand that. But by the same token, there's got to be a better way and some other ways of looking at things. And you know, Mayor, you made fun and I...I seen the show, cause I wasn't there of the last Mayor because she balanced the budget. Well, you haven't done a very good job of balancing the budget and I for one Council Member don't feel that you've asked us enough if we could help you do that. So that's my comments.

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

MAYOR HEALY: Thank you Mr. President. To the Councilperson asking the question about where our staff was, the one thing that our staff was, the one thing that our staff has done, and I'm very proud of this, is our entire staff, the cabinet and employees that work for me, for the Safety Director, the Service Director, all of them have agreed to voluntarily take furlough time to reduce spending in the General Fund to be able to keep others working. I know that other departments have done the same thing, the Law Department has done the same thing, they shut down for a day, Columbus Day or something and other days the Treasures' Office has offered furloughs, the Auditor's Office has done the same thing in reference to allowing furlough time. These are things that the Administration, not just the Mayor's Administration but the other elected official and their employees have done to reduce spending and spread out the pain that we're all feeling right and this is not a fun time for anybody in the City, especially those people that are going to have to go home tonight and share with their families, you know, the situation. But I think that it's unfair to criticize these people up here who have volunteered their time and their money to help the general fund because they took a day off to help people across the City. I'm proud of them for doing that, they didn't have to do that, it was voluntary and I think that shows the commitment that they have in reference to trying to help the City's efforts. In reference to Mr. Carcione, Rosario...I'm sorry, Rosario, I appreciate your comments, I understand there's a lot of frustration and with you and your position and the people that you represent, not just with the fire but also, the

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police officers that are affected as well. I know that they felt for all of them and I appreciate that. I also just want to share with the members here that we have been in communication, I know the Directors have been working very closely with union members, constant communication. We have a meeting scheduled, I believe later this week, Rosario, is that correct? With myself and the Safety Director and, you know, I know that there's a lot of difficult things that we have to do in the next few weeks. But we do have a few weeks to look for options and alternatives and we will continue to do that up until and even beyond the day that layoffs have to occur in actuality. So I want to make sure that all the members know that we're doing everything we can. We need you to work with us and together we may be able to lessen the situation but we're going to continue fighting. And in reference to a comment made again by a Council Person about balancing the budget, the one thing that we did do in 2009 is we worked this budget, week by week month by month and massaged this thing throughout the point where we had to cut a couple of million dollars in March and a couple more million dollars in the summertime for a total of about 4.5 million dollars that were reduced, we looked at the 15 fireman because of the timing of that thing, they came back with pay, so technically there were no layoffs. We made it through 2009 without a single layoff in the end. Now there's not a whole lot of Cities in Ohio that have been able to do that or say that and nor around the Country. This is not something that we just arbitrarily say "Hey, ya know, take the fireman, take the policeman." This is a very very challenging financial time. Everybody knows the financial conditions that we're under. We are looking for every option and alternative to layoffs. We were able to do through 2009 and get through without layoffs. We are not going to be able to do that through 2010, not at this point with what we have on the table. If the unions come back with alternatives, we will absolutely sit down and talk to you, work with you and encourage you to help us try to find ways to look for other areas. We're going to be doing that with other options as well. But I just want you to know that the police and the fire representatives in this room and representing the City from top to bottom have been nothing short of spectacular. And I can't tell you, how much I appreciate the work that you do and the results that you have gotten for the last two years since I've been Mayor. And it is with a saddened heart that we have to pass these notices out today because there is no money. We are looking for alternatives and we will do everything we can to get all of you back as soon as possible but we are faced with the economic reality that we are in a great recession and it did not bypass the City of Canton. Thank you for being here and we'll keep working with you.

PRESIDENT SCHULMAN: Any other remarks under Miscellaneous Business?

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Director Price.

SERVICE DIRECTOR PRICE: Just...I wanted to mention a couple of things. The Sanitation Department deficit, my understanding was when the Mayor did take office, Sanitation owed Central Services about \$300,000.00. As we shared with Council sometime ago, just so everybody is on the same page, the 24% rate increase, and we can thank the people of the City of Canton for digging Sanitation out. But as a result, as I think you're aware, the Sanitation Department will have made the General Fund whole at the end of 2009 and going into 2010 we carried over some money to make our first payroll. However, the General Fund, Central Services will be made whole by Sanitation and again, that's on the backs of our rate payers and our City residents. Thurman Munson Stadium, the actual operating deficit of that facility is about \$14,000.00 and we are...we have kind of mounted a last ditch effort to try to make that facility self funding or have somebody take it over. But, given the financial situation, that facility very well could be shut down. In terms of the Civic Center, we've done a couple of things, not the least of which is we...I did serve layoff notices on I think three

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folks over there. That's down to a skeleton crew and that should save us about \$150,000.00 next year. In addition, we did notice our termination of the contract with SMG and we're bidding that out in hopes that we are able to shave additional funds...you know, save some additional money at the Civic Center, which the operating deficit had gone from about 900 some thousand dollars as of 1999 to about half million dollars today. Just to let you know, that although there's some truth to be had there that the Civic Center does cost the City money, we have taken efforts and I've not heard anybody willing, at this point, whose given me the green light to explore shutting the Civic Center down, which would result in the elimination of the union labor we have there now and would also of course present real challenges for the downtown area and for the Hall of Fame Festival, not to say the least. I just wanted to mention those couple of facts to you. Thank you.

PRESIDENT SCHULMAN: Thank you Director. Member Cirelli, I'm sorry, Member West.

MEMBER WEST: Yes, Service Director, did you say, let me be sure, Thurman Munson Stadium then is up for sale?

SERVICE DIRECTOR PRICE: No, no...no, that, I mean, that could possibly be down the road, all I'm saying is that it operates at a \$14,000.00 deficit. There is revenue coming, you look at the numbers, on the expense side we spend about 30 some thousand dollars in utilities and then we bring in 14 or 15,000 back in revenue because the facility is used. So it's...it's not formally up for sale, although we are exploring any...any option of that right now. And the other problem is, the stadium is in bad shape and it's going to need...it's going to need capital repairs that are...are going to be significant.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. Maybe I can direct this question to the Law Director and maybe some of the other gentlemen. I hope the T's were crossed and all the I's were dotted (*inaudible*) in any of the layoffs today because when the 15 firefighters or EMS were not...were laid off, that was not done and that turned around and it cost \$200,000.00 plus I believe that we had to pay out, even though the gentlemen were not working that time. And that was not a very prudent action taken. I want to make sure that if this was done, it was done correctly so that we're not faced with that coming back at us, you know with mediation and lawsuit and what have you. So, if somebody can answer that, I'd appreciate it.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Member Cirelli, the school of hard knocks is a good teacher. Unfortunately, we have not been in this situation, or I guess I should said fortunately we've not been in this situation in my time with the City where we had to do mass layoffs. The Civil Service Commission obviously had a different opinion about how that should have been handled. In that particular case, I think some of the kind wording was problematic. Much research has been done, one of our Assistant Directors worked pretty extensively with the Administration to try and make sure that this unpleasant duty was done according to law.

PRESIDENT SCHULMAN: Thank you. I just want to say that when I was talking to Member Cirelli a firefighter came up to us before the meeting and I want to echo what the Mayor said about the people that are here and the ones on the street. The bravery and the heroism and the accomplishments of our safety forces goes without saying. But this firefighter came up and said something that I thought was striking and he said

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“You know, I’m not here to ask for other layoffs so I can keep my job. I don’t want to see anybody laid off.” And that means something to us. However, I do want to also reflect of what Member Cirelli said, our duty, cause I think we all know it is to protect the safety and the welfare of our community. That’s our number one priority and I am not picking on our Communications Director necessarily but when it comes to PR and it comes to a police or fireman, or firefighter, then you have to balance that and the balance has got to be to protect the safety and the welfare of our community. So we’re going to have to make hard choices, some of these people that are, that we believe are necessary in good times, cannot be sustained in horrible economic times. And I’m hoping, Mayor and your Administration, I know you’re doing everything you can against incredible odds, that you’ll start looking at that. Because there are certain offices that we do not need and we do need these men and women on the streets protecting the safety and welfare of our community. So, with that, Leader Casar.

MEMBER CASAR: I move we adjourn.

MEMBER DOUGHERTY: Seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: The meeting is adjourned. Thank you. *(Gavel falls)*

ADJOURNMENT TIME: 8:02 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

ALLEN SCHULMAN  
PRESIDENT