

MINUTES OF THE MEETING APRIL 18, 2011

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. Before we begin tonight's meeting, I want to take the opportunity to recognize a young man whose father I think the world of, Dan Moeglin. And Dan brought his son tonight, Joe who is here for Troop 16. I would not know that you were a boy scout. I...I...and um he's getting his citizenship in the community badge tonight. So, congratulations Joe. *(Applause)* Okay you can sit down now, there's no photographs and it's...

CLERK TIMBERLAKE: Just like his dad. *(Laughter)*

PRESIDENT SCHULMAN: Just like your father. Okay, with a quorum being present, the Chair calls this meeting of Canton City Council to order. And congratulations again Joe. Roll call vote please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

10 COUNCIL MEMBERS PRESENT: (DAVID DOUGHERTY, TERRY PRATER, MARY CIRELLI, JOE COLE, GREG HAWK, JIM GRIFFIN, CHRIS SMITH, PATRICK BARTON, MARK BUTTERWORTH & BRIAN HORNER)

TEN COUNCIL MEMBERS PRESENT. (MEMBER BILL SMUCKLER & MEMBER THOMAS WEST ABSENT)

CLERK TIMBERLAKE: Ten present, two absent Mr. President.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you Madame Clerk. I know that Member Smuckler is celebrating the Jewish holiday of Passover and Member West is under the weather I believe. So, I know they both wish they were here tonight. But, with that Leader. The Chair will recognize a motion to excuse Members Smuckler and West from this evening's meeting.

MEMBER DOUGHERTY: Mr. President, I make a motion to excuse Members Smuckler and West from tonight's meeting.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Members Smuckler and West from this evening's meeting. Any remarks? Member Cirelli, no remarks? Just kidding. *(Laughter)* If...hearing none at all...I'm just kidding *(Laughter)* Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk, the motion carries. Members Smuckler and West are excused from this evening's meeting. We'll have our invocation given tonight by Ward 4 Council Member Chris Smith. Will you please all remain stand and remain standing for our Pledge of Alliance.

The regular meeting of Canton City Council was held on April 18, 2011 at 7:30 P.M. in the Canton City

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Council Chamber. The roll call was taken (see above) by Clerk of Council Cynthia Timberlake. The invocation was given by Ward 4 Council Member Chris Smith. The Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you very much Member Smith. We're now under Agenda Corrections and Changes. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to add 2nd Reading Ordinances 11 and 12. Also, Communication #129 from the 4/11 Agenda....

CLERK TIMBERLAKE: Excuse me, Communication 143.

MEMBER DOUGHERTY: Okay, Communication 143 from the 4/11 Agenda, referral change from Public Safety and Thoroughfares Committee to Received and filed, as no action is required.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2nd Reading Ordinances 11 and 12 and to add Communication 143 to this evening's agenda. Are there any remarks? Hearing none Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

PRESIDENT SCHULMAN: The motion carries, Rule 22A is suspended and the Ordinances and Communication are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We are now under Public Hearings. We have no Public Hearings this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: Turning to Old Business. We're now under Old Business and I'll turn it over to the Mayor's Chief. And there is no Old Business.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're on Public Speaks. We have six speakers signed up this evening. I would remind all the speakers that we have a limit of three minutes for your presentation, try not to go over it. We're not that difficult or hard but we do have a number of speakers this evening. So we would like to move the meeting along. Our first speaker is Mr. Charles Killins. Mr. Killins, good evening, if you'll step forward and give us your name and your residential address and again, good evening sir.

CHARLES KILLINS: My name is...can you hear me?

PRESIDENT SCHULMAN: Yes sir.

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CHARLES KILLINS: I think something wrong with this mic. My name is Charles Killins, I live at 1223 Market Ave North. I was the...the meeting that the Mayor had up at the Palace Theater and I wish all of City Council would have been there so they could see the malfunctioning took place in regarding to the speaking system, which is similar the same here in City Hall. And I was wondering, when they finish this construction out here, will you get a new system in so people can hear you and understand what you're saying. You don't have to come. Timken has a very good set up over there at their school and I wish Mr. West was here because I had something to say to him regarding his Ward in the buildings all through the City that need tore down are still standing. And other than that, all I can say is I would recommend all you Members read Revelations. And that's about it. Thank you.

PRESIDENT SCHULMAN: Thank you sir very much. We actually...Mr. Killins, we did change the system, I think sometimes it's a matter of the acoustics in the room. So I...if you can't hear us, you let us know, alright? Did you hear what I said? *(Laughter)* Okay. Our next speaker is Pastor David Morgan. Pastor Morgan, good evening, if you'll give us your name and your residential address please.

DAVID MORGAN: David Morgan, I live at 922 27th Street in the City and I'm here just again to ask you in the name of what I believe to be right to not vote for Tifs. They are, I think an abridgment of a previous vote of the people. And I think in the long haul, will do us great harm when we ask our citizens to trust our Government and we have done such things that aren't completely forthright. I would urge you to vote these down and do the oblivion where I believe they belong rather than trying to do economic development on the backs of libraries, the developmentally disabled, mental health and recovery, parks and children services. Thank you.

PRESIDENT SCHULMAN: Thank you Pastor Morgan. Our next speaker is Patricia Kirk. Ms. Kirk, good evening. You're no stranger either. So, if you'll step forward and give us your name and your residential address please.

PATRICIA KIRK: Yes hi, good evening everybody. I think there is something wrong with this sound. My name is Patricia Kirk, I live at 131 5th Street NE. Shake A Leaf and Downtown Central Neighborhood Association. April 14th was our Tree Ordinance meeting with our licensing technician, parks, our Law Director, Ohio Department of Natural Resources Regional Urban Forester and myself. It was two hours of sharing ideas, different perspectives and going over it paragraph by paragraph, line by line. Different emails were also taken into account. Different people had different objections or ideas. Topic #2, have you ever considered how much time and work is donated to the City through neighborhood associations? For each grant application project, clean up, fund raiser, you have hundreds of hours by unpaid volunteers and projects that benefit the neighborhood and benefit the Cities...City. They actually know why things happen. If you really want to know the City, get to know the different neighborhood associations. I don't mean a quick drive by, if you really want to get a neighborhood....get to know a neighborhood association, take the bus, take the long route. You will see the abandoned houses, you will see the projects, you will see the actual people that live in the neighborhoods. The neighborhoods can actually tell you why things happen, why things are the way they are. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much. Our next speaker is Pete DiGiacomo. Mr. DiGiacomo, good evening, if you'll step forward and give us your name and residential address.

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PETE DIGIACOMO: My name is Pete DiGiacomo, I live at 600 Dent Place SW, here in the City of Canton. Real short, if you drive around the City like I say, there's a lot of things you can complain about, you can find problems. I'm here tonight to thank the Street Department, thanks to the scrappers that come through the neighborhood, they stole part of a drain cover sewer and I'm going to say within 48 hours, the City had people down there repaired it, cleaned out and looks like they did a really good job. Like I say, I come up here from time to time to complain about things, I also believe if there's good to be said, that's what you do. Thank you.

PRESIDENT SCHULMAN: Thank you very much. It's always nice now and then to hear some good things. Our next speaker is Mark Adams. Mr. Adams, good evening, if you'll step forward and give us your...I know...Good evening sir, if you'll step forward and give us your name and residential address please.

MARK ADAMS: My name is Mark Adams and I live at 937 Cleveland Avenue SW. Hi, Americans rank 36 at longevity worldwide. Sodium fluoride is mined out of phosphate which is used for fertilizer. It is also the byproduct of industrial waste shipped from China. We pay to have it put in our water. It causes a 70% increase in bone cancer in men and a 30% increase in women. It is now being mined from uranium mines containing radioactive isotopes. Uranium, plutonium, strontium, which goes into your water. Google Texas covered up radiation and water. Sodium fluoride causes infertility and low sperm count. Birth rates in the United States are down and by...it is estimated by the year of 2025, 90% of males will be sterile. Many of us filter our water but most of these chemicals are absorbed through the skin by bathing and showering. Fluoride is the main ingredient in rat poison. Warning labels on toothpaste will tell you to contact poison control immediately if it is swallowed. Fluoride causes dental fluorosis, which is plaques in the enamel and black spots on the teeth and has been decreased or eliminated in many US Cities. Read the Fluoride Deception, unfortunately I didn't write down the author. In Nazi concentration camps, it was used in the water to sedate prisoners and to keep them from rebelling. Many drank the condensation from rocks to avoid it. The White House Science Czar, the present White House Science Czar, John C. Holdren wrote a book in 1977 detailing a program to reduce the population by poisoning the air, the water and adding cancer cells to the vaccine, this is all being done now. Now, you would wonder why would we have this in our water. It sounds crazy and it is crazy but there was a program started over 100 years ago called Eugenics started by the Rockefeller Foundation and their main core belief was to reduce population by 80%. Now it sounds crazy and it is crazy but...I guess I'll go back to my notes here, I'm a little nervous, excuse me.

PRESIDENT SCHULMAN: That's okay, you have about 15 seconds more sir.

MARK ADAMS: Okay, basically this was started and their core...some of the famous American, Walter Cronkite spoke publically, saying so many people had to die everyday, Ted Turner of the Warner...Turner, he believes in population reduction, a one child policy, even though he has six children. Yeah, and they call...he calls us useless eaters, Jacque Cousteau spoke publically about this. And eugenic, if you would look that up or google it, it's being done, they're poisoning our air with the chemicals. But anyhow, we need to get this out of our water...it should...dental fluorosis, it does nothing for your teeth, it...it's a deception that's been perpetrated on the American people and it's time to get this poison out of our water while we still have the will to fight it because it's calming people down and making us all pass, I'm guilty of that, I did not want to come tonight, I just thought I had better things to do. I did not want to come because I'm lazy.

PRESIDENT SCHULMAN: Okay, thank you.

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MARK ADAMS: So, I'm here now to warn everybody. Thank you very much. We need to get this out of our water.

PRESIDENT SCHULMAN: Thank you very much Mr. Adams for your comments. I don't know if Chip Conde really wants to come up now but....*(Laughter)* Our next speaker is... thank you Mr. Adams, I appreciate your remarks. Our next speaker is A.R. Chip Conde. Mr Conde, if you'll step forward and give us your name and your residential address please and welcome.

A.R. CHIP CONDE: Yes, I am A.R. Conde and I live at 318 23rd Street in Canton. And I'm here tonight with a concern over the unlawful placement of political signs. Under City Ordinances, any types of signs cannot be placed in the right of ways, on public property, entrances and exits to interstates, vacant lots without the owners permissions, unoccupied lots without the owners permissions, or in the tree lines or devil strips of streets. The reason is two fold, first because you can't put a sign on a property without someone's permission, that's trespassing. And secondly, those signs can and will obstruct the vision of drivers and result in auto accidents occur. In a typical day of conducting my business, I travel throughout the City and this is what I've observed. And please understand that this not been done systematically or scientifically it's just driving around. Fulton Road at the entrance and exits to the interstate, there's political signs. Cleveland Avenue at 30th Street in the public right of way, there are signs there. The 1600 block of Fulton Road NW in the devil strip, there are political signs there. The 3100 block of Cleveland Avenue in the vacant lot, there are political signs there. Cleveland Avenue at the Spitzer lot, there are signs on the fence. Cherry Avenue at 9th Street, which is City property, there are political signs there. Now, I would like you all to drive around and see these and see what candidates have put their signs up. At the intersection of Fulton and 25th, as you well know, there's a plethora of signs there. I called the owner...owner's office and asked if I could put a sign there. The person I talked to laughed and said that I could and that I was the first person to ask permission. Go down there and look at all the signs at 25th and Fulton. I will admit that I have some very enthusiastic volunteers who have placed my signs *(inaudible)* and after I've given them specific instructions but when I see a violation, I immediately and I remove my sign. And if anyone sees any of my signs please call me and I'll go right out and remove them. Early on there was a push for everyone to sign a clean campaign petition. Well a clean campaign is not only sticking to the issues and not making personal attacks on a candidates family or alleged indiscretions but it also means that you do not do anything unlawful. President Schulman can attest that ignorance of the law is not a defense that in most cases, these are incumbents who are violating the City Ordinances and they have taken an oath of office to uphold those Ordinances. And obviously they should know better but obviously they've also decided that they are above the law. As Director Price stated in his email to me that although...that he had City crews who have been instructed to remove those signs that are in violation of the law. But now we're asking to waste more taxpayer's money for these City crews to do that job instead of what they should be, like paving streets and conducting other real City business. So, I would like to finally commend several people, one is Director Price for my email, he is the only person that responded, and I thank you for that. Also, this is unscientific but the other candidates that I would like to commend are candidates Griffin, Hawk, Kraus and Morgan because I never saw...I have not seen one of their signs in violation. Although this situation seems inconsequential, this is symptomatic how some candidates conduct themselves and I think it's time we got away from that line of thinking. Thank you all very much.

PRESIDENT SCHULMAN: Thank you very much.

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PRESIDENT SCHULMAN: Turning now to Informal Resolutions. We have two this evening, we'll begin with Resolution 14. Madame Clerk.

#14. COUNCIL-AS-A-WHOLE: COMMENDING JIM LINDESMITH FOR HIS DEDICATION ON THE CANTON JOINT RECREATION BOARD. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Resolution 14.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution #14. Any remarks?

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER GRIFFIN: Could we have it read in its entirety?

PRESIDENT SCHULMAN: Sure, Madame Clerk.

CLERK TIMBERLAKE: **WHEREAS**, Jim Lindesmith served as a member of the Canton Joint Recreation Board for the past 18 years; and **WHEREAS**, Jim retired from Ohio Power Company in 1995 after 41 years of service. During his employment there he was one of the initial members of the Ohio Power Company Corporate Cup and served as the company's Co-Chairman; and **WHEREAS**, Jim was honored for being an outstanding amateur athlete for baseball, basketball and fumbleball by being inducted into the Greater Canton Amateur Sports Hall of Fame. He has been the manager and coach for various youth baseball leagues for the last four decades; and **WHEREAS**, Jim has always been very active in the community; he is a longtime member of the Community Board of the Downtown YMCA, a past Chairman of the YMCA Membership Drive, a member of the Canton Ex-Newsboys Association and was inducted into its Hall of Fame in 2009. Jim is also the secretary and past President of the Pro Football Hall of Fame Luncheon Club; and **WHEREAS**, Jim is very active in his Church, St. Paul's United Methodist. He has held virtually every lay position of responsibility there. He even supervised the construction of a new addition to the church. Jim also coached a church youth basketball program for over 20 years. **NOW THEREFORE BE IT RESOLVED:** that we, the Members of Canton City Council, do hereby go on public record commending Jim Lindesmith for his dedication on the Canton Joint Recreation Board and for making a difference in the lives of the youth in his community.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Any other remarks? Member Griffin? Okay, any other remarks, it's been moved and seconded that you pass Resolution 14. All those in favor signify by saying aye. Those opposed no.

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NO REMARKS

RESOLUTION #14 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Congratulations to Jim Lindesmith.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader?

MEMBER DOUGHERTY: Member Griffin, are you going to present? It's up to you, how ever you want to do it.

MEMBER GRIFFIN: *(Inaudible)*

PRESIDENT SCHULMAN: Okay, we'll do the next Resolution and then they can come up.

CLERK TIMBERLAKE: Okay, #15, **WHEREAS**, Ron Lemmo served as a member of the Canton Joint Recreation Board for the past 20 years; and **WHEREAS**, Ron was a partner in the Buckeye Trophy business for 35 years after graduating from Youngstown with degrees in Marketing and Management; and **WHEREAS**, Ron has been involved in baseball his entire life playing in the Canton Mitey Mites, the Hot Stove League and McKinley High School where he was a three year letterman. Ron also attended Ashland College to play baseball. He went on to play Class "A" Baseball for 10 years, later becoming the Commissioner of the League for 3 years; and **WHEREAS**, Ron is a current Board Member of the Amateur Sports Hall of Fame and a past inductee of the Amateur Baseball Hall of Fame. He has coached bowling to inter-city youth for 10 years, and has been involved in recreation in Canton for 54 years; and **WHEREAS**, Ron is very active at St. John's Catholic Church and has spent 10 years involved with the Youth Ministries at the church. He also is a member of Canton Ex-Newsboys. **NOW THEREFORE BE IT RESOLVED:** that we, the Members of Canton City Council, do hereby go on public record commending Ron Lemmo for his dedication on the Canton Joint Recreation Board and for making a difference in the lives of the youth in his community.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Any other remarks?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader.

MEMBER DOUGHERTY: I move we adopt Resolution 15.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 15. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #15 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries. Member Griffin.

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(APPLAUSE)

MEMBER GRIFFIN: Gentlemen, I'd just like to say that, you old buddy....we just on behalf of City Council would like to thank you and your father for giving your time and talent to the Rec Board.

RON LEMMO: I'd just like to thank the City, I'm a proud product of the Canton City School system. I believe in Canton and I'll always be here to support them. Thank you.

(APPLAUSE)

JEFF LINDESMITH: On behalf of my father I would like to also thank everybody here. As you mentioned, hours and hours and days and days of volunteer service. He is out in a baseball diamond volunteering his time right now. Thank you very much.

PRESIDENT SCHULMAN: Congratulations again.

COMMUNICATIONS

PRESIDENT SCHULMAN: Turning now to Communications. We're 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 APRIL 18, 2011.

134. APPLICANT, MARY ALICE JONES: REQ FOR ZONE CHANGE @ 3625 WEST TUSCARAWAS ST FROM PB-1 (PLANNED GENERAL BUSINESS) TO PB-2 (PLANNED NEIGHBORHOOD BUSINESS). - PLANNING COMMISSION
135. APPLICANT, RANDY PARSONS: REQ FOR ZONE CHANGE @ 3120 PARKWAY STREET NW FROM R-1 (RESIDENTIAL) TO PB-1 (PLANNED OFFICE BUSINESS). - PLANNING COMMISSION
136. CANTON PARK COMMISSION: ADVISING COUNCIL THAT THE PARK SYSTEM WILL NO LONGER HAVE POLICE PRESENCE ON A FULL TIME BASIS. - RECEIVED & FILED
137. COMMUNITY DEV DIRECTOR WILLIAMS: REQ TRANSFER OF FUNDS OF \$50,000.00 FROM 2211 501601 COMMUNITY DEV YOUTH DEV ADMIN FUND - PERSONNEL TO 2211 501601 COMMUNITY DEV YOUTH DEV ADMIN FUND - OTHER. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
138. COMMUNITY DEV DIRECTOR WILLIAMS: REQ \$700,000.00 SUPP APPROP FROM UNAPPROP 2214 506001 HOME FUND TO 2214 506001 HOME FUND - OTHER. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
139. COURT ADMIN KOCHERA: 2010 CANTON MUNICIPAL COURT ANNUAL REPORT. - RECEIVED & FILED

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140. COURT ADMIN KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT W/STATE OF OHIO, DEPT OF REHAB & CORRECTION (ODR&C) FOR RECEIPT OF FY 2012 COMMUNITY CORRECTIONS ACT (CCA) GRANT IN THE AMT OF \$170,601.00 FOR PERIOD OF 7/1/11 - 6/30/12. - FINANCE COMMITTEE
141. ECONOMIC DEV DIRECTOR TORRES: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO COOP ECONOMIC DEV AGMT (JOBS 4 US) W/AMERIDIAL, INC. PROVIDING INCENTIVES FOR EMPLOYMENT OF CANTON RESIDENTS AT OTHER AMERIDIAL LOCATIONS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
142. SERVICE DIRECTOR PRICE: AUTHORIZE AUDITOR TO ENTER INTO ANY ADDTL CONTRACTS NECESSARY TO FACILITATE \$1,700,000.00 REPAYMENT OF NOTE ISSUANCE AUTHORIZED IN O#111/2010. - FINANCE COMMITTEE
143. ECONOMIC DEV DIRECTOR TORRES: AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO AN ECONOMIC GROWTH INITIATIVE AGMT W/PROJECT VENUS AS AUTHORIZED BY COUNCIL UNDER O#2/2006. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: Turning to First Reading Ordinances and Formal Resolutions for their first reading. Let the Journal show that all Ordinances are being given their reading as required by State Law. Madame Clerk would you please begin with the First Reading Ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #10 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH EO2GO, LLC IN AN AMOUNT NOT TO EXCEED \$38,124.00 FOR THE PURCHASE OF EOC2GO EMBOHX PRO; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #2. (1ST RD) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO, 245/2010, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (WIC - HEALTH \$6,250.00)
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE YWCA OF CANTON, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$100,000.00 FOR THE TRANSITIONAL HOUSING PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

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- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH STARK COUNTY OUT OF POVERTY PARTNERSHIP, INC. TO PROVIDE A GRANT UTILIZING HOME FUNDS IN AN AMOUNT NOT TO EXCEED \$500,000.00 FOR HOUSING PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH FREED HOUSING TO PROVIDE A GRANT IN A TOTAL AMOUNT NOT TO EXCEED \$500,000.00 FOR HOUSING PROJECTS TO BENEFIT LOW AND MODERATE INCOME FAMILIES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #6. (1ST RDG) AN ORDINANCE APPROVING CONTRACT AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND LOCAL 3449 AND OHIO COUNCIL 8; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel and Finance Committees
- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL ENGINEERING AGREEMENT WITH M-E COMPANIES IN AN AMOUNT NOT TO EXCEED \$65,415.00; AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVED BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF THE HARTVILLE/LAKE TOWNSHIP WATER MAIN EXTENSION PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental and Public Utilities & Finance Committees
- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE VILLAGE OF HARTVILLE TO EXTEND WATER LINES INTO THE VILLAGE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental and Public Utilities Committees
- #9. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE TOWNSHIP OF LAKE TO EXTEND WATER LINES INTO THE TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental and Public Utilities Committees
- #10. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH HRM ENTERPRISES, INC. DBA HARTVILLE HARDWARD (HRM) TO PROVIDE CANTON CITY WATER FOR DOMESTIC

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AND SPRINKLER USE FOR HRM; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Environmental and Public Utilities Committees

PRESIDENT SCHULMAN: Thank you Madame Clerk.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for the Second Reading. Will you please begin with Ordinance #11.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #11 AND #12 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #11. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (ENERGY EFFICIENCY FUND, ROAD FUND, STREET MAINTENANCE FUND)
- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR ONE (1) 2011 HEAVY DUTY CREW TRUCK CHASSIS IN AN AMOUNT NOT TO EXCEED \$40,000.00 FOR THE WATER DEPARTMENT; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE PURCHASE OF VARIOUS VEHICLES PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT FOR THE WATER DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. Turning now to Ordinances and Formal Resolutions for the Third and Final Reading and vote. Will you please give us Ordinance #13.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #13 THROUGH #18 FOR THE THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 55/2011** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE BROAD AVENUE 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.

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

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MEMBER PRATER: 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 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#13 ADOPTED AS ORDINANCE NO. 55/2011

PRESIDENT SCHULMAN: Ordinance 13 is adopted. Ordinance 14 please.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 56/2011** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO AMEND THE GEORGETOWN ROAD COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENT (CEDA) TO INCLUDE THE ARMORY ANNEXATION AREA; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 14.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #14. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#14 ADOPTED AS ORDINANCE NO. 56/2011

PRESIDENT SCHULMAN: Ordinance 14 is adopted. Ordinance 15 please.

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 57/2011** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH STARK COMMUNITY FOUNDATION TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$50,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 15.

MEMBER PRATER: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #15. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 57/2011

PRESIDENT SCHULMAN: Ordinance 15 is adopted. Ordinance 16 please.

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 58/2011** AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF CANTON TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING THE 2181 GERVASI 1700 LLC TIF FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 16.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #16. Any remarks under this Ordinance? Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. I'm not sure who wants to answer this question...excuse me...but I have some concerns over what I had heard Pastor Morgan tell us last week that when in fact...and I guess maybe the Law Director would be the one probably that would answer this. Excuse me...what I heard him say is that the tax is structured such now for unimproved property and even after it is improved, the tax will remain....the tax that is paid on the property tax....excuse me...on the property tax will remain as unimproved property. Is that correct?

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Yes Director.

SERVICE DIRECTOR PRICE: Thank you. The...in the case of Mills Industrial Park and The Gervasi Winery, the auditor's appraisal has not yet caught up with improvements to that property. So, the current property tax is based on an unimproved value of all of those properties. If you authorize this TIF legislation, see the schools, this is a non school TIF, so to the maximum degree possible, we've exempted who we could and that's the school system. These other entities that rely on property tax income will continue to receive the property tax that they receive today. However, once the appraisal catches up with the improvements on those

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properties then it is true that while the City of Canton will benefit from those improvements for the duration of the TIF, those other entities, as an example, MRDD, the tax that they obtain...the income they obtain from the property tax would be at that...the rate that exists under the current appraisal. So, they won't lose any money but they won't gain from the improvement appraisal.

MEMBER CIRELLI: Ah...excuse me... Mr. President and Mr. Price, what are the other entities that also, aside from MRDD that will not gain any new monies from the improvements?

SERVICE DIRECTOR PRICE: The easiest way to put it would be any entity that relies in anyway on property tax aside from the schools.

MEMBER CIRELLI: So thank you...Mr. President. I have a...I guess I have a moral issue with that because whenever levies are held, it's not...anytime I vote for a levy, I'm voting for the levy and for whatever improvements would come to bring more dollars to keep those levies sustainable. So what I see in essence...and I'm looking..I'm trying to look at the big picture, the fact that we're all going to take a hit from State dollars and Federal dollars as well as I think all these other organizations will be taking cuts also. Morally, I guess I really can't live with that and so therefore, I will not support either TIF.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Mr. President. Yes, if I may. And I...certainly knowing Council Woman Cirelli and I know she's sincere in her opinion on this, I do feel though compelled to point out an alternative point of view. In terms of whether you're morally right in doing the TIF or not, in terms of the policy decision you need to make, this Council without any objection from anyone, not the public, from any member of this Council, already in the case of the Mills Industrial Park and the...the businesses that now exist there, we granted...we being the City of Canton, granted them already a 75% tax abatement to get them here. And trust me, had we not done that, they would not be here because every other community is able to offer those incentives as well. In the case of the Mills Industrial Park, we also offered, as any other community would...as every community has to today, an income tax incentive, not to mention we invested other City grant and other funds into the Mills Industrial Park to make that project happen. In the case of Gervasi, while it is a gem and...and...an certainly by anybody's estimate, a true asset to this community, the fact remains that right now to deal with the additional burden on our infrastructure in that area, additional traffic, additional storm water issues, we're going to be engaging in the 55th Street storm water project as well as re-paving and curbing 55 Street. And so I would ask you, in today's economy as we continue to pay on bond issuances 2006 and before, there were bonds issued under the Watkins Administration and those were different times, the economy collapsed in 2008 so I'm not casting stones on the way the City went about financing these projects in the past. But the reality is, that as our resources dwindle, we're facing 25% cut through the local Government Fund this year followed by another 25% next year, I know that affects everybody. However, given that in these specific cases the tax rate for those entities that would lose on the improved value stays the same, by voting no, you are going to be giving up, in the case of the Mills Industrial Park, Medline alone, a potential 1.3 million dollars over the next 30 years that can only be devoted to infrastructure and capital improvements associated with that development or in the area, same thing with Gervasi. And so, what you're doing by voting yes, is you are...are finding a revenue stream to make up for that...the ever dwindling Capital we have and as we play catch up, I know that we have...have diverted Capital to operations but we've been doing that for twenty years. We've had to do it to a degree that I don't think any of us are comfortable with in the past few years due to the economic situation we face. The economic situation we're facing while we've gotten through these tough

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times the State's not making it any easier on us, it's still not good for people out there and given all that, how you give up 1.3 million dollars in income over the next 30 years, I keep hearing the word and I don't know....I don't know who it's aimed at or...or exactly how to narrow down the implication but the word "forthright" was used. Now, in terms of what we've done, this Council...this City has never implemented successfully a TIF until now. And the TIF that was already voted on and was passed by this Council years ago, also with no objection...ah...not like this, that TIF will be implemented and we're going to recapture the revenue on that if you vote for that TIF on 62 and Harmont. There are plenty of improvements that need to be made there as well. But how you can give up that revenue stream that will allow us to maintain these streets and infrastructure that surrounds these developments, given the need and our inability to, under our current finance stream maintain the infrastructure we have now. To give up that revenue stream and that ability to maintain the infrastructure in and around these developments that bring jobs to this community, bring people into this community, that's morally or philosophically or from a policy standpoint, to be honest, I don't know how you could turn that down. Thank you.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Thank you Director. Member Cirelli.

MEMBER CIRELLI: I notice on the Gervasi's it is and I am reading it, it says "used for construction of water and sewer lines." Is that correct sir?

SERVICE DIRECTOR PRICE: In the case of Gervasi, there's a...the scope is in the Ordinance and I think it goes beyond water and sewer lines.

MEMBER CIRELLI: Well let's just...Mr. President and Mr. Safety Dir...or Service Director Price, lets just deal with the water issue because when it comes to Tyler Converse, he said we have plenty of cash in our Water Department. So, I don't know why that would even considered we could already use the monies that we have there.

SERVICE DIRECTOR PRICE: The TIF legislation under the Revised Code allows us to utilize TIF proceeds for certain public improvements. We basically are listing the boiler plate language that lists all of the sorts of improvements we're able to pay for out of TIF dollars. If that answers the...the question. I mean that's just one of the many improvements that are listed within the scope of what you are able to do with the funds received from the TIF. Frankly, in the case of Gervasi, I mean the prime thing I think the TIF would be used to recoup our costs for are the 55th Street improvements where we are either under contract now or soon to be under contract to the tune of well over...I mean it's well into the six figures.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: (*Inaudible*)...Oh, I'm sorry. I believe I was the only Council person that voted in the negative on that one there. And I wasn't here when you talked about another TIF that was done in the past. So, I have no recollection of that.

SERVICE DIRECTOR PRICE: Mr. President.

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PRESIDENT SCHULMAN: Yes Director.

SERVICE DIRECTOR PRICE: That TIF I think was done...that legislation was passed in 2006 or so.

MEMBER CIRELLI: Oh, I don't want to touch that. What property was that for? Was that for...

SERVICE DIRECTOR PRICE: That was for Harmont, near 62, near the Walmart area.

MEMBER CIRELLI: Okay, alright I understand that. Can you explain... Mr. President and Service Director, can you explain to me what is the public purpose.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Part of what we declare in our Whereas clauses, when a..when a TIF is passed is that there is a public improvement and that you're benefitting the, you know, general safety, health and welfare of the City. That, while not typically associated with a private development, the..the policy goal of the TIF program is passed by the State of Ohio and has been in use since the mid to late '90s. The idea is that private development impacts public infrastructure and so the public purpose is to capture property tax dollars from improved value to keep pace and this is where the public purpose comes in, with the burden on our roads, the burden on our storm sewer, in the case of Gervasi because of the increased traffic, there's a need to run curbs along 55th, improve storm drainage in that area. We...the jest of the...the jest of it is, we wouldn't have to do that if it weren't for the development. So, the development is tied to the public purpose or need to improve the infrastructure in the area to deal with the additional traffic and the additional burden on us.

MEMBER CIRELLI: And Mr. President and Mr. Price, I recall when Mr...and I don't know the owner of Gervasi's, when he came for his zone changing issue and at that time he stated he is not asking for anything else. So, I am...can only then assume that we, being the City, on our own went and offered this whole package.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Thank you Mr. President. Yes because the owner of Gervasi is not benefitting in any way from this TIF. These are funds that will be recaptured by the City of Canton and be used for our own purposes, infrastructure improvement purposes.

MEMBER CIRELLI: Then ah... Mr. President and Mr. Price, in the issue of Mills Park do you believe that if this would not pass that they would literally go away?

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Yes.

SERVICE DIRECTOR PRICE: No, Mills Industrial Park is already there and we benefitted from...well the bulk of the investment was from the Chamber's Foundation and DeHoff Foundation. But the City invested substantially to the tune of about \$400,000.00 plus the income tax incentives that come with it. And so, Mills would have happened anyway. Gervasi would have happened anyway but as we move forward and our

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Capital dollars that are available to us become less and less, we're going to reach a point where just like Alliance in the late '90s when Walmart came to Alliance and said "We want to build." And we didn't have the infrastructure, we didn't have the roads, we didn't have the gas lines and the water and sewer lines. We didn't have the money to do it. We were able to issue revenue bonds based on the anticipated TIF income to build that infrastructure. And we're about at the point here as a City of Canton where we're just not going to, on our own without generating some revenue to cover these costs, we're not just...we're not in a position where we can just issue bonds anymore, general obligation bonds to cover these costs associated with the infrastructure improvements that are required to attract jobs. And...and this means through tax increment financing of recouping some of our investment is the only, one of the only statutory mechanisms that permits the City to do.

PRESIDENT SCHULMAN: And Member Cirelli, I think it's important that everyone understand that Gervasi's is not being given anything. They're not being paid to do anything. So it's not, it's not a situation where Gervasi's is coming out, you know, like a bandit and taking money from the taxpayers. That's not the situation here. I think the pro...I think you raise some very, very good points, as did Pastor Morgan but as the Director says, the problem is the pot is getting smaller and smaller and it's a devil's bargain, there's not question about that because you're really taking money, as Pastor Morgan says, you vote for a levy and people that vote for a levy assume that certain things are going to come to pass and their not. And I understand his position and your position but the fact of the matter is if this policy does work, you create the infrastructure, which attracts jobs, which attracts people, which attracts builders, which attracts schools, which builds up the community's population and therefore property taxes eventually go up. That's the concept. It sounds to me a lot better than George Bush's concept and the Republican's concept of this trickle down idea. At least we're actually doing something that the public can see and we hope that in passing something like this, it does exactly effectuate what we're trying to do. So, any other...

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: I appreciate your comments as well as I appreciate Service Director Price's comments and I know Gervasi's did not come and ask for any of this. I just know that in the trickle down, as you're saying, effect what's going to occur is that if all these different entities, MRDD, mental health, children's services, libraries, if they all receive cuts, then they'll be coming back to the taxpayer to ask to keep their functions going. Or...as I was approached last week one gentlemen told me that the Eastgate, and some people here don't even know what Eastgate is, but it's a facility for MRDD to go and have it...spend the day there, get educated and help them to be more than they are and the best that they can be. I will see...I really believe we are going to belabor those organizations to have to put more and more levies out to the general public.

PRESIDENT SCHULMAN: And I think you've raised an excellent counter argument. It's a policy question and they're no good policy choices, that's the problem. Are there....

MEMBER CIRELLI: Thank you.

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

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Yes, Law Director Martuccio.

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LAW DIRECTOR MARTUCCIO: Thank you. Briefly, I hope in response to Member Cirelli's earlier question, obviously Mr. Price is very articulate and much more familiar with the details of these particular projects but generally speaking, this..these devices have been outlined by the General Assembly in Columbus and you may take issue with what they do and how they do it but they are legal and they offer choices and they do so according to Chapter 5709 of the Revised Code. One of the things I thought Council might be interested in knowing is that the...our Department of Development, should this Ordinance pass, is required to deliver annually a report to the Ohio Department of Development, a progress report as to how these are working. It is again, something that has been done in other communities with a whole lot of success. The earlier TIFs that were used in Cleveland led to some very large moderate upscale shopping centers and I believe the Eaton Facility in Columbus is one of them as well. So these tools have been used very effectively. I understand there is a moral or philosophical concern with cutting off the amount of monies that are delivered to certain non profits that are dependant upon property taxes. SARTA for example has a sales or use tax...

MEMBER CIRELLI: Right.

LAW DIRECTOR MARTUCCIO: ...but again, the issue I guess is with the General Assembly for having created those tools and if you don't like it, you don't have to utilize it but I believe this has been vetted pretty thoroughly and when Mr. Meeks was here last week, it would have been great to have had an opportunity to ask him about the legislative history behind TIFs had that come up. They have been very successful in other places. Thank you.

PRESIDENT SCHULMAN: Thank you Law Director. Any other remarks? Hearing none, Madame Clerk roll call vote please on, by the way, we're on Ordinance 16.

NO REMARKS

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

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

#16 ADOPTED AS ORDINANCE NO. 58/2011

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance 16 is adopted. Ordinance 17 please.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 59/2011** AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF CANTON TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING THE 2180 MILLS INDUSTRIAL PARK TIF FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

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

MEMBER PRATER: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #17. Any remarks? I take it Member Cirelli you...you're remarks would be the same as they were on 16.

MEMBER CIRELLI: Yes sir and I appreciate that. I have to add a little bit here. I guess being a former member of...is the Majority Leader taken back by that?

MEMBER DOUGHERTY: *(Inaudible)*

MEMBER CIRELLI: Thank you sir. Being a former legislator and I know how the legislation down there doesn't work and at times they don't know what they do create and as well as seeing the turnover in the Governorships and the Ohio Department of Development how they read and do not read and how they will accept some things and sometimes in their total ignorance they completely miss an awful lot whenever they do check things. So, my insecurities are there and in all honesty I think there's also some lawsuits pending on the Mills issue. So, I definitely will vote no on that one.

PRESIDENT SCHULMAN: Okay, thank you Member Cirelli. Any other remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

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

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

#17 ADOPTED AS ORDINANCE NO. 59/2011

PRESIDENT SCHULMAN: Ordinance 17 is adopted. Ordinance 18 please.

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 60/2011** AN ORDINANCE APPROVING CONTRACT AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND LOCAL 2937 AND OHIO COUNCIL 8; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #18. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 60/2011

PRESIDENT SCHULMAN: Ordinance #18 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you good sir. The Finance Committee will meet on Monday, April 25, 2011 promptly at 6:00 P.M. right here in Council Chambers.

PRESIDENT SCHULMAN: Thank you Member Hawk.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Yeah. Public..thank you sir. Environmental and Public Utilities Committee will meet also I think 6:00, I hope, yeah that should be enough time for it. Thank you sir.

PRESIDENT SCHULMAN: Okay. Thank you.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet Monday, April 25th at 6:00 PM.

PRESIDENT SCHULMAN: Thank you.

MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Member Cole.

MEMBER COLE: Community and Economic Development will meet same time, same place.

PRESIDENT SCHULMAN: Thank you. Any other announcements?

MISCELLANEOUS BUSINESS

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

MEMBER BARTON: Mr. President.

PRESIDENT SCHULMAN: Member Barton.

MEMBER BARTON: In light of Mr. Conde's comments this evening. I just want to state for the record that immediately following tonight's meeting, I will be removing the ten or so signs that were recently placed in these areas so as to not burden the Street Department on my part. Thank you.

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PRESIDENT SCHULMAN: Thank you Member Barton. Wow, that was a wowsing round of applause you had there. *(Laughter)*

(APPLAUSE)

PRESIDENT SCHULMAN: See how easy it is, all you got to do is take down signs. Any other Miscellaneous Business? Leader.

MEMBER DOUGHERTY: I move we adjourn.

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL: 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President..

PRESIDENT SCHULMAN: Thank you the motion carries. Meeting is adjourned. Everybody have a safe trip home. Thank you for coming. *(Gavel falls)*

ADJOURNMENT TIME: 8:29 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT