

**MINUTES OF THE MEETING JUNE 6, 2011**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. With a quorum 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: (DAVID DOUGHERTY, TERRY PRATER, MARY CIRELLI, JOE COLE, BILL SMUCKLER, GREG HAWK, THOMAS WEST, JIM GRIFFIN, CHRIS SMITH, PATRICK BARTON, MARK BUTTERWORTH & BRIAN HORNER)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Agenda Corrections and Changes. Leader Dougherty.

MEMBER DOUGHERTY: We're not under that yet, Mr. President.

PRESIDENT SCHULMAN: Oh, I'm sorry. I missed the invocation. Sorry Member Prater. I hope you're going to have something good to say. Our invocation tonight, and thank you Leader will be given by Ward 5 Council Member Terry Prater. If you will all please remain standing for our Pledge of Allegiance.

*The regular meeting of Canton City Council was held on June 6, 2011 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 5 Council Member Terry Prater. The Pledge of Allegiance led by President Schulman.*

PRESIDENT SCHULMAN: Thank you Member Prater. That wasn't purposeful.

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: Now Leader, we are under Agendas and Changes. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I'd like to move we suspend Rule 22A to add 2<sup>nd</sup> Readings Ordinances 8 through 19, wait hold on. 8, 9, 10, 11, 12, 13, 14, 17 and 19 to tonight's agenda.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to that you suspend Rule 22A to add the Ordinances the Leader just mentioned and I think 15, 16, 17 are Retained in Committee. Is that correct?

MEMBER DOUGHERTY: No not Retained. We didn't have a Committee Meeting. We didn't have time.

PRESIDENT SCHULMAN: So....

CLERK TIMBERLAKE: So what does that mean?

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MEMBER DOUGHERTY: That would be my Committee.

PRESIDENT SCHULMAN: Right. It's been moved and seconded to suspend Rule 22A. 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 Ordinances are a legal part of your agenda.

**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: We are now under Public Hearings. We have one Public Hearing this evening. It's AN ORDINANCE VACATING PORTIONS OF REX AVENUE NE; LODDY PLACE NE; AND AMERMAN PLACE NE AND ACCEPTING THE REPLAT OF NUMEROUS LOTS; AND DECLARING THE SAME TO BE AN EMERGENCY; THE PLANNING COMMISSION HAS RECOMMENDED APPROVAL OF THIS ORDINANCE FOR STANDARD PRINTING IN WARD 2. Is there anyone in the audience wishing to speak for or against this Vacation and Replat, please come forward. Is there anyone in the audience wishing to speak for or against this Vacation and Replat, please come forward. Seeing no one stepping forward the matter now rests in the hands of Council and the Ordinance will follow later this evening.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We're going to move in a little different direction and we're going to hold Public Speaks for a couple of minutes and the Old Business if there is any from the Mayor's Chief of Staff and we're going to turn to Informal Resolutions. We do have some people who I don't want to have to sit here all night so, let's start with Informal Resolution 18 please.

#18. COUNCIL-AS-A-WHOLE: CONGRATULATING SAND ROCK MINERAL WATER COMPANY FOR THEIR 100<sup>TH</sup> ANNIVERSARY - ADOPTED

PRESIDENT SCHULMAN: Leader.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #18. Any remarks under this Resolution?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader Dougherty.

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MEMBER DOUGHERTY: Yea, I'd like to have that read.

PRESIDENT SCHULMAN: Please.

CLERK TIMBERLAKE: **WHEREAS:** In 1911 the Sand Rock Mineral Water Company started hauling mineral water to Canton by horse and buggy; and **WHEREAS:** General Manager and Secretary George Weidman bought the land and deep well from which the first Sand Rock Mineral Water Company was obtained and in 1913 moved to their present location at 1312 East Tuscarawas Street; and **WHEREAS:** George Weidman's son-in-law George T. Zahler joined the business and served as President until his retirement in 1971. Thereafter, Tom, son of Mr. Zahler and grandson of Mr. Weidman succeeded him as President at that time; and **WHEREAS:** Sand Rock Mineral Water still continues to be a family owned business and currently represents four generations of service. At the helm is Jodine Zahler serving as President, Charles J. Zahler, Vice President, Kristine Zahler, Controller and Tom Zahler as Chairperson; and **WHEREAS:** Currently, there are 12 employees processing and delivering water throughout the Stark County area. Millions of gallons of pure bottled Artesian Spring water have been sold during their 100 years in business; and **WHEREAS:** Sand Rock Mineral Rock Company has given back to the community by donating free gallons of water for various functions such as Aultman Hospital's Angel Auction, American Heart Association, Toys for Tots, Cystic Fibrosis, Feed the Needy and many other organizations. **NOW THEREFORE BE IT RESOLVED:** that we, the members of Canton City Council do hereby go on record commending and congratulating Sand Rock Mineral Water Company for their 100<sup>th</sup> year anniversary in business. We appreciate your contribution to our community and wish you continued success. (APPLAUSE)

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: We'll go ahead and vote on it.

PRESIDENT SCHULMAN: And we have a motion and a second. All those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #18 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries. Leader Dougherty.

MEMBER DOUGHERTY: Wow, horse and buggy. Well you have a great history there and something to be very proud of. Making a positive impact continued to this day is, is, must be very rewarding. On behalf of all City Council we have this Resolution to give you and you always make donations to different events and one of them is ours, the Feed the Needy. You always donate all the water for that event which is great and every time I go down there to pick it up the staff is wonderful. Very polite and professional and we really appreciate that so do you have some pins...how many employees do you have? We going to get...before they leave OK. We have Canton City flag pins, I am sure that you and your family and all your employees get one and congratulations. (APPLAUSE)

CHARLES ZAHLER: To Mayor, distinguished Members of Council, on behalf of the four generations that have served the Sand Rock Water Company for our first 100 years, I humbly and proudly accept this beautiful award. I'd like to thank City Council for taking their time tonight to honor us in this manner which we never

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forget and in closing I would like to say the next time this happens, I hope you're all still in office and drinking Sand Rock Water. Thank you.

MEMBER SMITH: And excuse me Mr. President, Mr. President.

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: And before you leave sir, I would also like to thank you because you know, I'm Chris, Chris Talk of the Town. He said, "I know who you are." And I'd like to thank you for being a part of our community because you always donate to the 4<sup>th</sup> Ward whenever we have meetings and you also donated to the Sherrick Road extravaganza and you've also been servicing me with water in the beauty salon for over 40 years. I thank you first of all for that and for being a business in the 4<sup>th</sup> Ward. May God continue to bless you and your business. Thank you. *(APPLAUSE)*

PRESIDENT SCHULMAN: Congratulations again. We now turn to Resolution 19.

#19. COUNCIL-AT-LARGE SMUCKLER: ENCOURAGING THE DEVELOPMENT OF SISTER CITIES WITH COMPATIBLE MUNICIPALITIES - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Resolution 19.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 19. Are there any remarks? Hearing none, Madame ...or hearing none, jeez, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #19 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Resolution carries and it is adopted. We're now under Resolution 20.

#20. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF MARK KINDEL TO CANTON CONSTRUCTION BOARD FOR REMAINDER OF TERM VACATED BY MIKE MCELFRISH EXPIRING 2/29/12 - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Resolution 20.

MEMBER PRATER: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 20. Any remarks? Hearing none, by voice vote, all those in favor of the Resolution signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #20 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries and the Resolution is adopted. For you folks who are in the audience who just won recognition as Sand Rock did or our new confirmation on the Construction Board, you do not have to stay. If you wish to leave, you will not be rude. We have a long meeting tonight and we don't expect you to stay but thank you again. Thank you for your public service and that you for your public service. And I'm also a happy customer of yours.

**OLD BUSINESS**

PRESIDENT SCHULMAN: We're now under Old Business.

CHIEF OF STAFF PRICE: Mr. President, thank you. The first item of Old Business I wanted to address was Patricia Kirk spoke at the last Council meeting regarding the Kresge lot and had advised us that the Downtown Central Neighborhood Association had been approved for some neighborhood group funding this year and was hoping to do some work around the Kresge lot. We had been informed by another party that the city had some plans to make a butterfly garden. Kresge lot was concerned about cancelling those projects out and even for those of us in government, that doesn't make sense to duplicate work like that and so, I am looking into it. The, and we've stopped any activity on that before we can work this out. Kevin Monroe the Street Superintendent has been out with kind of an unexpected and sudden illness and so we aren't going to do anything just so you know and so that Patricia knows before we figure out what's going on there. In general we have been trying to find ways to install landscaping that while attractive is also less maintenance so as part of that general goal and authorization, I've given to the service department heads, my suspicion is that this would have been part of that but clearly if the Downtown Central Neighborhood Association wants to do some landscaping and take responsibility for that work, we're more than happy to accommodate them so I just wanted to update you on that. Brenda Kimbrough approached Council inquiring as to what youth can do in this city and while there is probably never enough that we can offer our youth, on the other hand, come next week, the third reading hopefully Council will be taking a step in that direction with the authorization to construct a spray park adjacent to the Southeast Community Center. In addition, I would remind folks that we have approximately 600 acres in the 62 parks in the city of Canton with playgrounds located throughout the city. We've also, the Fairhope Nature Preserve is certainly, was constructed with not only drainage but youth in mind. That gives an opportunity for inner city kids who may not have much opportunity otherwise to head to a nature preserve and head to the woods to do that right here within the corporate limits and so certainly I think that the city of Canton has been working on activities for youth. I think our commitment to that has been demonstrated by the administration and this Council's now multi year commitment to fund one of our last remaining community centers and that is the Southeast Community Center which the city does to the tune of 3 to \$400,000.00 a year and of course government is only part of the solution for programs for our youth but I think all in all Canton has demonstrated a commitment to that. The community can always do more but we're always trying to find ways to keep youth entertained and productive and you know, so we continue to work on that but just did want to share with you and remind you and I'm sure you could come up with other examples of the many things that the city of Canton itself, as a municipality has done to encourage youth activities. The final one here was from James Parker who commented regarding Jim Thorpe's upcoming

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birthday and requested that Council pass an Informal Resolution distinguishing Central Plaza as Jim Thorpe Plaza and creating an official Jim Thorpe Day. Of course he asked for Council to do that and that's probably a decision that you all can make however, I did want to state again that as late as last week I had lunch with Denny Saunier and Mike Gill of the Special Improvement District and trying to find ways to incorporate the Hall of Fame into the downtown, in the correct way and in a systematic way is part of our ongoing discussion and it's mentioned probably between us at least once a month. I know they're working on some things you know, but in terms of that relationship with the Hall of Fame that's important and you know we're the Hall of Fame city and more and we continue to work on ways to tie it in but of course that involves the Hall and that involves Council too if you would be so inclined but that's it for Old Business. Thank you.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: Thank you Director Price. We now move to Public Speaks. We have six speakers this evening. Our first is Rosario Carcione. Mr. President would you step forward and give us your name and your residential address please.

ROSARIO CARCIONE: My name is Rosario Salvatore Carcione and I reside at 5205 Giacomo Ct NW, Canton, Ohio. I am President of the Canton Professional Firefighters Association Local 249 and unfortunately once again I am here tonight to talk to you about the closing of the fire stations. Since 2009 I've expressed concern over the closing of fire stations and ambulance. Unfortunately through our latest negotiations Fact Finder took away the unions ability to negotiate for public safety. They took away our minimum manning. Since that time we've been closing fire stations and ambulance services. This year my concerns have begin to become realities. On May 5, 2011, The Repository reported about a structure fire that destroyed two vacant homes two blocks from a closed fire station on 10<sup>th</sup> and Mahoning. May 12, 2011 a resident died in a structure fire do to smoke inhalation. The nearest fire station again was closed due to lack of manpower. June 4, 2011 a child waited 28 minutes with a broken leg on a football field for an ambulance to arrive and a resident is stabbed to death one block from a closed fire station on Dueber Avenue SW. The Civil Service list for firefighters has finally been certified giving us the ability to hire new firefighters. The list should have been certified back in January but postponed by our administration. FEMA is ready to take back the grant that currently staffs 26 of our firefighters, pays for them, if we don't hire 11 firefighters by July 12<sup>th</sup>. The union has warned the Mayor that starting June 3<sup>rd</sup> the Fire Department would be so understaffed that we would be unable to provide ambulance services to our residents on most days. Now the last I heard, the city has turned the corner, has an extra \$1,200,000.00 in income tax revenue. I know that Council has recently approved raises for the Police Department, AFSCME union, you're working on some deal with the city managers. All the money can't be gone, can it? Did you keep any money back to provide for ambulance services? One firefighter on overtime June 4<sup>th</sup> would have provided 6 ambulances for the city of Canton. Somebody has to start becoming accountable for what's going on. Somebody needs to be accountable to the parent for the child who laid on the football field for 28 minutes with an open compound fracture waiting for an ambulance. Somebody needs to be accountable for the person who waits 45 minutes while having a stroke for an ambulance to arrive and somebody needs to be accountable for the relative of the person who was stabbed to death less than a block from a fire station. It's time to take responsibility. It's time to do the right thing. It's time to get these ambulances open consistently everyday. Thank you. (*APPLAUSE*)

PRESIDENT SCHULMAN: Thank you Mr. President. Since I believe our future Council Member Frank Morris is going to discuss that same issue, I'm going to ask Council Member to be to come up and give us

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your name and your residential address please and welcome. And before you do speak, our deepest condolences for your loss.

FRANK MORRIS: Thank you. Frank Morris. 1406 19<sup>th</sup> Street NE. Alright let's go right in to accountability. Thirty-three seconds it takes an engine to come out of the Dueber Fire Station to the site where Martin Dean Morris bled to death. Officer T. J. Hastings put Martin Dean Morris in the back of his cruiser after waiting 4 minutes to confirm that a EMS unit was not in route. I'm not making this personal Council and I'm not making it personal with the administration. I just want to bounce some things off of you. What if it would not have been a knife fight? What if it would have been a gun fight? What if there would have been four bodies laying on the ground and only one EMS unit available in the city? What if it would have been your child, your loved one? What if? What do we do? I don't want to hear we don't have money. I mean we've just resolved that we have a few extra dollars. We want to repeal a wage freeze on management at this time. Who are you going to manage? We have the blood of our residents on our hands right now. Is my family going to sue? Are they going to pursue legal action against the city of Canton? No, because we're accountable. We're not making excuses for Martin, better known as Corky. He did something wrong. He made a bad choice. He had to pay with his life. Could he have been saved? Only God knows. But I don't want to see this happen to somebody else's family. I don't want to see somebody else's loved one lying on the side of the street bleeding to death and we only have one ambulance available. I don't want to have two ambulances available for the \$1,100.00 in overtime. \$1,100.00. We missed 20 calls that equals \$6,000.00 in revenue. That's a \$4,900.00 profit in revenue just on our ambulance service but it's going to cost \$4,000.00 to bury Martin Morris. Thank you.

PRESIDENT SCHULMAN: Thank you. (*APPLAUSE*) Our next speaker is Don Joliat. Good evening sir. Welcome. If you'll step forward and give us your name and your residential address please.

DON JOLIAT: I'm Don Joliat. I live at 1245 11<sup>th</sup> Street NW in Canton. I have a question first for the Law Director. What is the requirements within a 1000 feet of prostitution going on within a 1000 feet of a school?

PRESIDENT SCHULMAN: If you'll continue sir, the Law Director will probably answer your question at the end of the meeting.

DON JOLIAT: OK. Secondly I have a question to the Mayor. You say on a regular basis that you have zero tolerance policy. Would you explain your zero tolerance policy to me?

PRESIDENT SCHULMAN: That too will be....

DON JOLIAT: OK.

PRESIDENT SCHULMAN: Fair questions and we'll try to answer them later.

DON JOLIAT: Last Friday morning in Richard Place behind my house, behind my garage, I heard an engine so I went out saw what was going on. Went back in, got a camera and came out. I took a picture of the license plate, the back of the vehicle, then took a picture of the guy with his pants open and I don't mean just the fly open. I mean pants completely open where you could see with the head of the prostitute and the face of the prostitute right down in his lap. Then I said please smile for Candid Camera. They both turned away and he took off. I called Vice and told them what I had and they said that the pictures would be of no use to them.

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That they would see what they could do about that area in Richard Place. Our new next door neighbors have several young children in the area of kindergarten, 2<sup>nd</sup> grade, play in the back yards which is right there where this happened so if it happens again, which it more than likely will because it has over the years, there's a real good chance of very small minor children being exposed to this. So I would like to know what we're going to do since we have definitely had a reduction in police patrolman. We don't have an open deal anymore at the sub station on 12<sup>th</sup> Street. Kind of hard to get a cop to come out. Evidently having a license number and the vehicle and pictures showing what was going on, doesn't seem to make much difference so, I don't know. Do I need to go out with a tire iron? Thank you.

PRESIDENT SCHULMAN: Thank you sir, very much. (*APPLAUSE*) Our next speaker is Patricia Kirk. Miss Kirk good evening. If you'll step forward and give us your name and your residential address please.

PATRICIA KIRK: My name is Patricia Kirk. I live at 131 5<sup>th</sup> Street NE. Please pass this around while I speak. You'll see three pages of photos when Brenda Kimbrough who's the President of CanDo Neighborhood Association and I weeding and pruned trees in Kresge lot on Color Downtown day. We are also members of Shake-a-Leaf. It took us 3 and ½ hours of non-stop work but the difference is breathtaking. It also shows an easily fixed problem. Vendors in Kresge lot parking have flexible tubing for waste water that reaches the edge of the parking lot and then flushes over the tree roots and wash away the ground. People this is a convenient walk way prepared just for them so landscaping gets tramped and hardened into clay cement. Now all we need to do is protect landscaping the same way we protect that asphalt. Trees give back monetarily to the city and also to the lives. Now all that we have to do is require tubing that is several feet longer. Is that so hard? You wonder why we need a Tree Ordinance and a Tree Commission. By the way, did you know that mature trees on property raises it's value. Only in Canton do we destroy assets. We need to be on the same page academically also, hence the need for the Tree Commission Academy which we promised to host on paper for 2012. What have we done toward this? Thank you.

PRESIDENT SCHULMAN: Thank you very much. (*APPLAUSE*) Our next speaker is Jerome Heard. Mr. Heard good evening. If you'll step forward and give us your name and residential address please.

JEROME HEARD: Jerome Heard. 2108, 2108 Willowrow Avenue NE. I am an employee at The Cantonian Restaurant and Lounge and I just wanted to say something real quick. I probably shouldn't say it but, about the article about Thomas West Saturday. He doesn't owe \$15,000.00 in back child support, I do. And I felt like The Repository took a personal stab at him and I don't think it's fair. Thomas West offered me and a whole bunch of my friends a job when wouldn't nobody offer us a job and I called the reporter Friday to try to talk to me and he hasn't called me back and I just want to let the Council Members know Thomas West is bringing something positive to this community. He's offering things to us that we need that ain't nobody else trying to give us and just from my friends here and the people who come to The Cantonian, I am a Cantonian. I've been there from day one and I just want to say thank you Thomas West for giving me the opportunity to work in your establishment. Thank you.

PRESIDENT SCHULMAN: Thank you sir very much. (*APPLAUSE*) Our last speaker is Clyde Mitchell. Mr. Mitchell good evening. Welcome. If you'll give us your name and your residential address please sir.

CLYDE MITCHELL: My name is Clyde Mitchell and I stay at 622 Maryland Ave NW and I'm basically here to talk about the article that was in the paper about The Cantonian Restaurant and Lounge. I felt like the article itself kind of hurt the reputation of The Cantonian in a sense. We are a struggling organization. We

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trying to provide a service to the community and in our struggles the last thing we need is for Council to team up with The Repository and say and put negative stuff out about the restaurant itself. Thomas West is provided a service to the community and he's trying to offer those of us in the community a place of comfort, good food, fun and there's a lot of people from the downtown area, from The Repository that has come down there and had good times. The article I said, I feel was kind of hurtful to my job itself because being that we are struggling all we need is stuff like that there to make us even look worse and that's not where we from. That's not what we're about. I think that we should commend Thomas West on his service to the community. Number 1 being that he is at least offering people some employment or a sense of employment. That has to be taken in to consideration. The article that was wrote by The Repository should also come back and speak about some of the good things that The Cantonian is offering to the community down there. And trust and believe me, some of you people have been down there. The Mayor has been down there. This is a nice restaurant, nice organization and we're just trying to build the community up. The last thing we need is for it to be tore down because of somebody else's negative agenda. Thanks Tom.

PRESIDENT SCHULMAN: Thank you very much sir. (*APPLAUSE*) I want to thank all our speakers this evening.

**COMMUNICATIONS**

PRESIDENT SCHULMAN: We're 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 JUNE 6, 2011.***

205. APPLICANT, MICHAEL RODRIQUES: REQ ZONE CHANGE AT 634 WALKER CT NE FROM R-4 (MULTI-FAMILY) TO PB-4 (SPECIAL BUSINESS DISTRICT). - PLANNING COMMISSION
206. AUDITOR MALLONN: MONTHLY RPT BY FUND FOR 5/1/11 - 5/31/11. - RECEIVED & FILED
207. AUDITOR MALLONN: YEARLY RPT BY FUND FOR 1/1/11 - 5/31/11. - RECEIVED & FILED
208. BUTTERWORTH, M. WARD 8 CNCL MBR: REQ LEGISLATION FOR AMNESTY WEEK FOR UNPAID PARKING TICKETS JULY 25 - 29, 2011. - JUDICIARY COMMITTEE
209. ECONOMIC DEV DIRECTOR TORRES: AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO A JOB CREATION & REDEVELOPMENT AGMT W/CANTON CENTRE DEVELOPMENT LLC. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
210. ECONOMIC DEV DIRECTOR TORRES: AMEND O#61/2011 TO AUTHORIZE THE MAYOR OR SERV DIR TO ENTER INTO ECONOMIC GROWTH INITIATIVE AGMT W/CANTON CENTRE DEVELOPMENT LLC TO PROVIDE JOB CREATION TAX INCENTIVE FOR NEW EMPLOYEES HIRED BY COMPANIES LOCATING AT PROP OWNED BY CANTON CENTRE DEVELOPMENT AT CANTON CENTRE MALL. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

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211. FINANCE DIRECTOR DIRUZZA: AMEND APPROP O#245/2010 FOR SUPP APPROP & APPROP TRANSFERS NECESSARY TO CONTINUE CITY OPERATIONS; AUTHORIZE SAF DIR TO ACCEPT FIRE DEPT TRAINING & EQUIP GRANT FROM OHIO DEPT OF PUBLIC SAFETY IN AMT OF \$3,250.00; APPROP TRANSFER OF \$3,250.00 FROM UNAPPROP BAL 2812 EMS TRAINING & EQUIPMENT FOR TRAINING PURPOSES. - FINANCE COMMITTEE
212. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D5 PERMIT FOR NIC NOL LTD @ 309 CLEVELAND AVE NW. - RECEIVED & FILED
213. SAFETY DIRECTOR REAM: AUTHORIZE SAF DIR TO PAY MORAL OB OF \$6,650.00 TO SOUTHWAY FENCE CO FOR REPAIR TO ELECTRONIC GATE AT IMPOUND LOT. - FINANCE COMMITTEE
214. SAFETY DIRECTOR REAM: APPRV 2 YR CONTRACT EXTENSION TO 2012 CPPA CONTRACT FOR YRS 2013 AND 2014 WITH A WAGE REOPENER FOR EACH OF THOSE YRS. - PERSONNEL AND FINANCE COMMITTEES
215. SAFETY DIRECTOR REAM: APPRV 1 YR CONTRACT EXTENSION TO 2012 CPFFA CONTRACT FOR NOV 2012 - OCT 2013. - PERSONNEL AND FINANCE COMMITTEES
216. SAFETY DIRECTOR REAM: AMEND EXHIBIT A TO O#40/2000 FOR PROBATIONARY POLICE OFFICERS WITH TRAINING CERTIFICATES BE PAID \$30,000.00 DURING PROBATIONARY PERIOD AND ALL OTHERS PAID \$26,000.00. - PERSONNEL AND FINANCE COMMITTEES
217. SAFETY DIRECTOR REAM: AMEND EXHIBIT A TO O#40/2000 FOR CADET FIREFIGHTERS/PARAMEDICS HIRED SHALL BE PAID ACCORDING TO FOLLOWING SCHEDULE DURING FIRST 12 MONTHS OF EMPLOYMENT, NO CERTIFICATES \$27,000.00; FIREFIGHTER OR EMT/BASIC CERTIFICATES \$28,500.00; AND EMT/PARAMEDIC OR EMT PARAMEDIC AND FIREFIGHTER CERTIFICATES \$30,000.00. - PERSONNEL AND FINANCE COMMITTEES
218. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ENTER INTO 1 YR CONTRACT W/THE JAMES GROUP IN AMT OF \$38,022.22 FOR SUPPORT & MAINTENANCE OF CITY'S ORACLE SOFTWARE LICENSES. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
219. STARK METRO HOUSING AUTHORITY: NOTIFYING THAT SMHA WAS NOT AWARDED THE 2010 CAPITAL FUND EDUCATION & TRAINING FACILITIES GRANT BUT ASKING FOR SUPPORT IN APPLYING FOR 2011 GRANT TO ACQUIRE AND REHAB THE EDWARD "PEEL" COLEMAN CENTER. - RECEIVED & FILED
220. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 4/30/11. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

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PRESIDENT SCHULMAN: We turn now to First Reading Ordinances and Formal Resolutions. Let the Journal show that all Ordinances are being given their reading as required by State Law. Madame Clerk would you please read the First Reading Ordinances by title.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #7B FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE ESTABLISHING THE CLASSIFICATION PLAN AND GENERAL SALARIES FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; REPEALING WAGE FREEZES AUTHORIZED BY ORDINANCE NO. 195/2008; AUTHORIZING WAGE INCREASE FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Personnel and Finance Committees
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE TO AMEND APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (35<sup>TH</sup> ST NE PROJ, DOWNTOWN SID, AUDITOR)  
Referred to Public Property Capital Improvement and Finance Committees
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO EXCHANGE REAL PROPERTY WITH THE CANTON CITY SCHOOL DISTRICT; AUTHORIZE DEED CONVEYANCE OF SAID PARCEL; AND DECLARING THE SAME TO BE AN EMERGENCY (LEHMAN SCHOOL)  
Referred to Community & Economic Development Committee
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY (LEHMAN SCHOOL)  
Referred to Community & Economic Development Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$1,313.00 TO SIGNATURE CONTROL SYSTEMS, LLC; AND DECLARING THE SAME TO BE AN EMERGENCY (MILLENNIUM PARKING DECK)  
Referred to Finance Committee
- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE STARK COUNTY TRANSPORTATION IMPROVEMENT DISTRICT AND TO RECEIVE GRANT REIMBURSEMENT AS PART OF THE RECONSTRUCTION OF 12<sup>TH</sup> STREET N; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

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- #7. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY; (MUNI RD FUND; STREET MAINT)  
Referred to Finance Committee
- #7A. (1<sup>ST</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 (3120 PARKWAY ST NW - DR. DOMINGO)  
PUB HRG 7/11/11 @ 7:30 PM  
Referred to Judiciary Committee
- #7B. (1<sup>ST</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 (2213 CLEVELAND AVE NW - GROFFRE INVESTMENTS)  
PUB HRG 7/11/11 @ 7:31 PM  
Referred to Judiciary Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We are now under Ordinances and Formal Resolutions for their Second Readings. Madame Clerk will you please begin with Ordinance #8.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #8 THROUGH #14, #17 AND #19 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCES #15, #16 AND #18 COMMITTEE MTG NOT HELD):***

- #8. (2<sup>ND</sup> RDG) **RETAINED IN CMTE 3/7/11** AN ORDINANCE AUTHORIZING SERV DIR TO ENTER INTO AGMT W/GATEHOUSE OHIO MEDIA INC FOR PROF SVCS TO MANAGE THE LAYOUT, AD SALES, PRODUCTION & PHYSICAL DISTRIBUTION OF THE CITY'S QUARTERLY NEWS PUBLICATION; EMERGENCY
- #9. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING SECTION 1313.01, DEFINITIONS AND SECTION 1315.01, DEFINITIONS OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (PLUMBING AND ELECTRICAL APPRENTICE)
- #10. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 84/2011** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPLE AMOUNT NOT TO EXCEED \$1,700,000 FOR THE PURPOSE OF REFUNDING BOND ANTICIPATION NOTES PREVIOUSLY ISSUED FOR THE PURPOSE OF PROVIDING FUNDS TO PAY A COURT-APPROVED SETTLEMENT OF A CLAIM AGAINST THE CITY.

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rule for Ordinance 10.

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MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule for Ordinance 10. Any remarks? If not, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

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

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#10 ADOPTED AS ORDINANCE NO. 84/2011**

PRESIDENT SCHULMAN: Ordinance #10 is adopted.

- #11. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION ENGINEERING SERVICES FOR THE WATER PARK FACILITY PROJECT AT THE EDWARD "PEEL" COLEMAN CENTER; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION PHASE OF THIS PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FUNDING AGREEMENT WITH JUMP START IN AN AMOUNT NOT TO EXCEED \$100,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION (CCIC) TO PROVIDE A GRANT UTILIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN AN AMOUNT NOT TO EXCEED \$500,000.00 FOR ECONOMIC DEVELOPMENT PROJECTS, LOANS AND ADMINISTRATIVE COSTS; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #14. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE STARK COUNTY BOARD OF COMMISSIONERS FOR THE TRANSFER OF A STORM SEWER WITHIN THE PARK FARMS PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15. (2<sup>ND</sup> RDG) ***NO COMMITTEE MTG HELD*** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONSULTANT CONTRACT WITH GPD GROUP FOR THE 41<sup>ST</sup> STREET NW STORM SEWER PROJECT, G.P. 1126; AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (\$80,956.00)
- #16. (2<sup>ND</sup> RDG) ***NO COMMITTEE MTG HELD*** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONSULTANT CONTRACT WITH HAMMONTREE AND ASSOCIATES, LTD. FOR THE NE CANTON INDUSTRIAL PARK PROJECT AND TO ENTER INTO A COOPERATIVE PROJECT AGREEMENT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION (CCIC) FOR THE FUNDING AND ADMINISTRATION OF THE DESIGN AND CONSTRUCTION OF THE NE CANTON INDUSTRIAL PARK PROJECT AND TO RECEIVE REIMBURSEMENT FOR CITY SERVICES PROVIDED TO THE CCIC; AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (\$212,175.00 INFRASTRUCTURE BOND FUND)
- #17. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT AND LICENSE AGREEMENT WITH THE DOWNTOWN SPECIAL IMPROVEMENT DISTRICT AND KING PROPERTIES, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY
- #18. (2<sup>ND</sup> RDG) ***NO COMMITTEE MTG HELD*** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONSULTANT CONTRACT WITH CTI ENGINEERS, INC. FOR THE 55<sup>TH</sup> STREET NE STORM SEWER PROJECT, G.P. 1125; AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (\$193,300.00 INFRASTRUCTURE BOND FUND)

CLERK TIMBERLAKE: He told me to read slow. (LAUGHTER)

- #19. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION NO. 245/2010, AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER FUND - \$128,594.50)

PRESIDENT SCHULMAN: (Had exited for a moment) Did you read too fast?

**MINUTES OF THE MEETING JUNE 6, 2011****ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances and Formal Resolutions for their Third and Final Reading and vote. Would you please begin with Ordinance 20.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #20 THROUGH #28 FOR THE THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

#20. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 85/2011** AN ORDINANCE VACATING PORTIONS OF REX AVENUE N.E., LODDY PLACE N.E. AND AMERMAN PLACE N.E.; APPROVING AND ACCEPTING THE REPLAT OF NUMEROUS LOTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 20. Any remarks under that Ordinance?

MEMBER CIRELLI: Mr. President.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Standard Printing has been in this area for a long time. They keep a very nice business. Anytime I have driven down in that area, they've kept it clean. I'm proud to have them here and I'm really very proud that we can help them. Hopefully they'll be getting some jobs. I don't know if they will or not but I just really pleased that we have more businesses like them.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Leader.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Oh, I'm sorry. Member West.

MEMBER WEST: Yes Standard Printing is in Ward 2 and Terry is in the back there. If you would stand Terry. He has done an awesome job in that area, has expanded his business and has kept it clean, bought other properties around and truly has made a remarkable difference in that area. I want to thank him but at the same time, I support this fully.

PRESIDENT SCHULMAN: Well it's their efforts. Thank you. (*APPLAUSE*) Any other remarks? Hearing none, Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#20 ADOPTED AS ORDINANCE NO. 85/2011**

PRESIDENT SCHULMAN: Thank you Madame Clerk. I'm convinced that's the first time Council's ever really given a rousing round of applause for a vacation of a street, but thank you sir for what you do for our city. We appreciate it and the people that work for you. We're now under Ordinance #21 please.

#21. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 86/2011** AN ORDINANCE AUTHORIZING THE CLERK OF COURTS TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH EXTRACT SYSTEMS IN AN AMOUNT NOT TO EXCEED \$31,999.00 FOR THE PURCHASE OF REDACTION SOFTWARE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance, is it 22.

PRESIDENT SCHULMAN: 21.

MEMBER DOUGHERTY: 21. Thank you.

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#21 ADOPTED AS ORDINANCE NO. 86/2011**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #21 is adopted. Ordinance #22 please.

#22. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 87/2011** 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 (\$50,000.00 NEIGHBORHOOD STABILIZATION FUND)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#22 ADOPTED AS ORDINANCE NO. 87/2011**

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

#23. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 88/2011** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFER HERE DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$50,000.00 NEIGHBORHOOD STABILIZATION 3 FUND)\_\_\_\_\_

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#23 ADOPTED AS ORDINANCE NO. 88/2011**

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

#24. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 89/2011** A RESOLUTION ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECOMMENDATIONS REGARDING ENTERPRISE ZONE TAX ABATEMENT AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY\_\_\_\_\_

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#24 ADOPTED AS ORDINANCE NO. 89/2011**

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

#25. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 90/2011** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$229,696.00 COMMUNITY DEVELOPMENT FUND - EXPEND PRIOR PO'S)\_\_\_\_\_

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#25 ADOPTED AS ORDINANCE NO. 90/2011**

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

#26. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 91/2011** AN ORDINANCE AUTHORIZING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 26. Any remarks under this Ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#26 ADOPTED AS ORDINANCE NO. 91/2011**

PRESIDENT SCHULMAN: Ordinance 26 is adopted. Ordinance 27 please.

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#27. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 92/2011** A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF THE 2011 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#27 ADOPTED AS ORDINANCE NO. 92/2011**

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

#28. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 93/2011** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE OHIO POWER COMPANY TO PROVIDE ELECTRIC ENERGY SERVICES TO THE WATER RECLAMATION FACILITY LOCATED AT 3650 CENTRAL AVENUE S.E.; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 28. Any remarks under that Ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#28 ADOPTED AS ORDINANCE NO. 93/2011**

PRESIDENT SCHULMAN: Ordinance 28 is adopted and thank you Madame Clerk. You had a lot of work to do tonight.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

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

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MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you good sir. The Finance Committee will meet Monday, June 20<sup>th</sup> at 5:30 PM. in Council Chambers.

PRESIDENT SCHULMAN: Thank you.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet Monday, June 20<sup>th</sup> at 5:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Community and Economic Development will meet Monday at 5:30.

PRESIDENT SCHULMAN: Thank you. That's it.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Public Property Capital Improvement will meet on the 20<sup>th</sup> at 5:30 and my Committee will be first..

PRESIDENT SCHULMAN: That's why you are the Leader. Any other announcements?

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: Hearing none we now moved to Miscellaneous Business. Is there any? Member Cirelli.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Oh, I'm sorry. Member Hawk.

MEMBER HAWK: Thank you sir. The past several weeks I have received a considerable number of calls in regards to safety in our streets. I have one that I just picked up here that there's a woman being threatened in her neighborhood with lots of problems on her street and she'd like me to call her after this Council meeting. I took one at home today for another call with similar process on another neighborhood. Mr. Joliat's also a member of my Ward. He was here today to voice his opinion. Several weeks ago over Memorial Day weekend, I received a call from my daughter. I was out of town and she informed me that her car was

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ransacked along with one of her girlfriends. I told her to, I gave her the number and said call the Police Department. I said do not expect them to come out and take a police report cause it is a minor incident but be prepared to go to the Police Station and fill out a report. I was very much surprised when she made the phone call and she said don't even bother filling out the report, we don't take those anymore. That upset me. So time goes on. 1:30 in the morning my cell phone rings, it's my daughter. Somebody's trying to get into her house or trying the side door near where the cars were parked that was ransacked. I think everybody in this room is aware of how much I treasure my daughter and what she means to me. I'm upset. My daughter had to get a gun in order to protect herself. The police did, she did call the non-emergency number and the police were very gracious. They did send a patrol out. I thank them for the support and for what they do, however, I think zero tolerance is a lot like bigfoot. I've heard a lot about it, I've read a lot about it, but I've never seen either of them. We need more safety forces in our city. We can't live this way any longer. (APPLAUSE)

PRESIDENT SCHULMAN: Thank you Member Hawk. Member Cirelli.

MEMBER CIRELLI: I have the, thank you Mr. President. I have the same concerns that Member Hawk has on the safety issue. I had people call me and they said that they were not making police reports over the telephone so they said well we'll come down and they said don't even do that. Now I read in the paper where the Mayor has stated crime is down 33%. Is that because we're not making the police reports that are there and we're not going the job. (APPLAUSE) I mean it's pretty obvious you know, you can figure it out if you have less police reports yea then, crime is down in that regard but that's a play on words. And I have as much concerns over the issue that happened this past weekend of fire stations not having EMS and God bless the fire, police officer that went above and beyond his call of duty and took this gentleman to the hospital to try and save his life. Now chances are he violated some kind of work ethic that he shouldn't have done but he was doing what anybody that had any compassion for another person. I have served under I don't know how many Mayors now and I have never seen what we are observing now with the EMS and the fire stations being closed and I'm really hard pressed to figure out what in God's name is going on with this. I mean we have all taken an oath here. We get the calls because the people say we're City Council. You're sworn to help the safety, health and welfare of the citizens but what I'm hearing here is games being played over a minute amount of money and honest to God there's a part of me that wonders, is this payback because the firefighters came out in the primary election and supported a Republican opponent. I have to wonder that. I don't know what's going on but I've never seen this and this is despicable. I mean, unless, I'm a nurse. I've stopped at accidents. I know at that time and that was, just suppose that this gentlemen, God bless, God rest his soul and if Mr. Morris is still here he has my deepest sympathy. Forty-three years old is too young to die and sure maybe he made the wrong choice but we've made a heck of a lot of wrong choices in having a fire station and an ambulance not available to get there. What is there would have been a gun fight? What if there would have been four bodies? What would we have done? I mean this...I don't get it. Mayor I think you owe us Council people who get the phone calls an explanation of why we are losing money by shutting these stations down and putting the public safety at risk. It is not good enough. We're not serving the community. We're just, you know people save people but all we're doing is, is putting more and more people's lives in jeopardy from the police standpoint and definitely from the emergency standpoint. When I have a problem in the neighborhood, I'll probably take the people myself to the hospital for God's sake because time is of the essence. Now maybe this gentleman could have lived, maybe he couldn't have but he didn't even have a chance. Can you tell us what is happening because we're the ones that get the phone calls? And nobody probably called you about this again like they didn't call on the Mardis issue. Maybe you ought to think twice on why that happens to be.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Mayor.

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MAYOR HEALY: Thank you Mr. President and I'd like to remind you cause perhaps you forgot during the campaign four years ago one of the issues that we talked about was the fact that there was fire stations closed on a rotating basis before this administration came into play and that's when the city had \$8,000,000.00 more than we have in our budget today. You know this is something that's been going on for quite some time as there's people that call off, as there's funding issues, you know deciding how many stations are the right number of stations, when to open them, where they're open them, how many firemen. Those are all decisions that have to be made on an ongoing basis. You know the city has 10's of thousands of less citizens today. That's 10's of thousands of less people paying taxes to us that pays for these services. The fact of the matter is, we just came through the worst recession that we've seen in our lifetime. Over the last three years, we've cut thousands, matter of fact millions of dollars. It will be \$10,000,000.00 in reference to the lost revenue that we had to deal with and so we have to make tough decisions. We have to make tough decisions on what we do fund and what we can afford to fund and what we can't and this Council is a part of that. This budget goes through Council and we determine how much money we put in each category but there are issues that we have to deal with and there's going to be, there's going to be accidents and there's going to be disasters and things like this that happen and none of us want to see this. This is not acceptable for anybody and you can ridicule zero tolerance all you want but tell me out there those people who have crime in there house. Whether it was the car broken into. Whether it was a prostitute in your backyard. Whether it was something more serious. Is any of that tolerable, any of it?

*SHOUTED FROM AUDIENCE: NO.*

MAYOR HEALY: Exactly so we need to do everything we can to continue to make this community safer within the budget that we have. I can't spend money that we don't have or that Council doesn't appropriate and so keep in mind when you look at these numbers, we have a finite number of dollars that we can spend and if I put it in fire then you're not going to have enough police and if I put it in police, you don't have enough fire. You know we have limited responsibilities in reference to how much money we can spend and still meet the statutory guidelines. So this administration makes the recommendations and we put those proposals in front of Council and Council approves them so the fact is we're doing everything we can to live within the means that we have and still provide the safety as best as we possibly can. And you know what, it's not good enough. It's never good enough when somebody dies. It's never good enough when your house gets broken into. It's never good enough when there's a fire that didn't get responded to quick enough.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Mayor I heard Mr. Carcione say that the SAFER grant is in jeopardy. Can you speak to that and address that sir.

MAYOR HEALY: Absolutely. That is absolute, that is not true. The SAFER grant is not in jeopardy. If we take no action potentially it could be in jeopardy. There's a guideline that says that we have to backfill within six months. Right now the deadline for us to backfill is July 12<sup>th</sup>. We have the ability to hire and the plans of hiring enough to backfill to keep those positions in place so we don't lose the grant and this administration is not going to lose that grant.

PRESIDENT SCHULMAN: Thank you Mayor.

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MEMBER CIRELLI: Mr. President and Mr. Mayor. Then we are in the process of having cadets lined up and people lined up to bring on board quick as we can?

MAYOR HEALY: We are in negotiations with or in conversations with FEMA which oversees the SAFER grant to look for possible waivers. We're also looking to determine if we have the waiver what our actions are if we don't have the waiver what our actions are. We're also evaluating from a financial standpoint exactly how many firemen and policemen that we can actually bring on board. I'd like to remind this Council that as we had our financial meetings, we updated you in reference to the State of the City in reference to the current financial conditions as of 2011 which right now we believe we have funding to get through based on our current budget. We have fully funded the Police Department and that Ordinance is in the books right now but there's not a lot of extra dollars at this point unless revenues continue to rise. We also know that we're going to lose about a \$1,500,000.00 in 2012 from the state government based on what's already proposed and waiting for them to finalize that. Until they vote on it, we don't know the exact number but we have what's passed through the State House legislature waiting for the Senate to finally approve it. We also know that we're also looking to lose another 3 to \$4,000,000.00 in 2013 and if I bring on fireman and policeman today knowing with the financial situation that I have in front of me that I going to have to lay them off in less than a year. I have to lay off three firemen to save the cost of one if reference to the savings that you get from a layoff. Which means if I hire 4 guys today, I could potentially have to lay off 12 less than a year from now. That's not good management either so we have to make sure that were factoring in every variable that we have before we make a determination. I'd like to know that when I hire somebody, that he's going to be here or she's going to be here but do we want to hire four today and then have to lay off 12 less than a year from now or a year from now because of the financial conditions that are starring us in the face. I'm not willing to make that decision because I don't want to be down 12 firemen next year. So we have to figure it out and we're working on it.

MEMBER CIRELLI: Mr. President at the last finance meeting we had Mr. Mayor you mentioned the fact that revenues were going up and then we seen an Ordinance come down where you were going to take management people back up to the level that they were and also there was one in there to add annexation \$425.00 a month I believe it was, \$5,100.00 a year. You're going to give raises to some people that are in management but by the same token the safety of the community's going to be on the back burner.

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mayor.

MAYOR HEALY: Yes first of all the stipend on the annexation is something that's been on the books for some time. That's just part of the Ordinance because it's part of the pay structure that has been in place. That has not changed in reference to what's in the recommendation, the recommended Ordinance. The issue in reference to the non-union and management personnel, these folks have had their pays frozen. These folks have been the first ones to take the health care increase. They're the first ones to take the furloughs and they're the last ones to be addressed. As we have had the adjustment, the ability to adjust out of this recession, as we're coming out of it, we have taken virtually, taken care of virtually every single employee in the city except for this group which was the first ones to be hit and I might add that each one of these people that we're talking about, they have some aspect of service or safety that deals with the city including the Police Chief and the Fire Chief. Which by the way, make less than the Captains so they literally are making less money than the people that report to them. And so there are some things that we have fix and address in reference to our entire structure that have been put on hold and frozen and we can have this discussion in detail when we discuss this Personnel Ordinance at the next Council meeting but to say that some of our

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employees are less valuable than others I think is a mistake. All of our employees are important. They all have different roles and yes we have to be fair and look at the entire city as we're addressing what resources we have.

MEMBER CIRELLI: Mr. President and Mr. Mayor.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: And Mr. Mayor would you like to have, if something happened to your son in an accident...

MAYOR HEALY: Excuse me Mr. President, I'd like to avoid the hypotheticals at this point.

MEMBER CIRELLI: OK we won't go hypothetical then. OK we'll forget that hypothetical question then. Alright then I want to know why Mr. Carcione said that they had 20 calls that would have been \$6,000.00 in revenue. Would that not have paid to have a station open there?

PRESIDENT SCHULMAN: Director.

SAFETY DIRECTOR REAM: We've discussed that issue. I did a letter to Council about that, my recommendation. As I talked today to the Majority Leader and Mr. Prater the held of the Personnel Council as if there's to be further discussion on that, we should do that in Executive Session. Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Mr. Mayor, Don Joliat respectfully requested you for your definition of zero tolerance. I don't believe I've heard it yet unless I've missed something here but Mr. Joliat are you satisfied with the answer you've received.

DON JOLIAT: I haven't received one.

MEMBER HAWK: Thank you sir.

MAYOR HEALY: Mr. President and thank you for coming to Council and asking that. As I mentioned in an earlier statement that no crime is tolerable or acceptable whether it's prostitution or a break-in or something more severe as we talked about. It's not acceptable and we should be taking our policies with the city, should be doing everything in our power to push back, take back our streets and take back our city. Never is there a case that you can say, well that was just a little crime or that's acceptable. We have so many serious issues with gang activity that we've been fighting down and beating down and every time we beat one area down another one pops up and then we go there and beat that one down and another one pops up. We keep fighting it everyday. We fight the prostitution. There's not nearly as many prostitutes out there in broad daylight and active now. They're still there but you don't see them. They're not in your face like they were before. Yes we've pushed them back but they're still there. Is it tolerable? No. At what point do you say crime is tolerable. Would you define zero tolerance as none of it is acceptable? That's what I define and we're trying to put policies in place to make sure that we do everything in our power to push back and fight back and take back our city. That's what zero tolerance is and those are the actions that are Police Department are taking.

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I'm going to tell you, our Police Department and our Fire Department, because safety has to do with both of them including crime. These folks have been working, these are the most professional, most talented individuals that... I'll put our police and firemen up against anybody in any city in America right now. We've got the greatest safety forces hands down. *(Applause from the Safety Director)* But they are stressed, they are limited, yea you can clap to that thank you, but the fact of the matter is, they're working hard and they're all stressed in reference to they're abilities because of the demand with the limited numbers we have. But we do have limited resources. I can not provide twice as many policemen and firemen because we think we need to be safer. We have to be able to live within our means. Unless the public is interested in figuring out a way to come up with more resources for us, I can only live within the means that I have and we're going to do the best job we possibly can and I would tell you right now that our Police and Fire Departments are doing their absolute best. And no Mary, I want to make sure you understand this perfectly clear Mary OK. The election cycle and the position that Rosario and the firemen have taken, have absolutely nothing to do with the decisions we're making in reference to our stance. The fact of the matter is, we've been taking the same stance for the last year. We didn't change. Rosario did our position change at all from the election? This has happened before the election. This has nothing to do with the election. This has to do with our management and ability to pay and having to make those tough decisions in reference to what we can afford and what we can't afford.

PRESIDENT SCHULMAN: Thank you Mayor.

MEMBER WEST: Mr. President.

*Inaudible comment from the audience.*

PRESIDENT SCHULMAN: This is not sir audience participation, I'm sorry but we will, we will be here by the way afterwards if you want to say something.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West sorry.

MEMBER WEST: Yes. Safety Director could you address the question or the statement was made that the police is not taking reports anymore. I mean are you familiar with that.

PRESIDENT SCHULMAN: Director.

SAFETY DIRECTOR: Yes. No, I'm not familiar with that. That would be inappropriate and if there's specific circumstances or issues, I am more than willing to look into that and have the Chief investigate that.

PRESIDENT SCHULMAN: Thank you Director.

MEMBER BUTTERWORTH: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Butterworth.

MEMBER BUTTERWORTH: Could Director Ream report to us on the next Council meeting what the findings were regarding that complaint that a police report was not filed?

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PRESIDENT SCHULMAN: Director. I'll let you speak for yourself. I can't speak for you.

SAFETY DIRECTOR REAM: Yea, there was several different times when that was mentioned tonight and I'm going to need information. I'm going to need locations that I can pull up that information.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Mr. President I'm looking down the road a little bit here and I know that we're trying to do the best we can under Committee meetings so I talked to the Mayor earlier. There is two Communications on the agenda that has to do with Project Venus and I ask that the Mayor please provide time before Committee meetings because I have no idea whether there's going to be 10 questions or a hundred questions but I believe there'll be at least a few that we could sort of get this out of the way before Committee meetings of finding out anything you need to find out based on these Communications. I will let you know. I'll call your office tomorrow Mayor and set up a time and you folks can go up there and we can hammer out anything we needed to hammer out before this. Thank you.

PRESIDENT SCHULMAN: Thank you. Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Mr. Joliat has waited patiently during the whole meeting for an answer to a question he directed to me and that is can prostitution occur within a 1000 feet of a school I believe. And the answer is prostitution cannot occur anywhere within the city of Canton legally. It is illegal outside of the state of Nevada as far as I know. What there is, is a distance requirement from sexually oriented businesses. We passed an Ordinance several years ago in Council putting a distance between sexually oriented businesses and schools, playgrounds, hospitals, parks and the likes of that. That's a 1000 feet. But to be really clear, prostitution is illegal in the city of Canton. It is a crime for both the person soliciting it and the person offering it. I would recommend that you not use a tire iron. I know how frustrating it must be to see that near you. Please don't put yourself at risk. Even taking photographs can do that if they're on drugs and armed but most of them to our experience will run obviously. It's a shameful thing that's why they do it in hidden places or try to hide but it is illegal and I commend you for scarring them away with shame but just be very careful Mr. Joliat. If you want to afterwards, I'll talk to you about the burden of proof and probable cause. Why they might have said to you the photographs might not be very helpful in a prosecution. Thank you.

PRESIDENT SCHULMAN: Thank you Law Director.

LAW DIRECTOR MARTUCCIO: One more thing.

PRESIDENT SCHULMAN: Yes.

LAW DIRECTOR MARTUCCIO: Just briefly, Miss Kirk. I have personally witnessed you doing work without any recognition, pulling weeds, trimming trees. I hope I wasn't walking on the mulch across the landscape when I saw you but I have seen you a couple of times when I have been downtown on Saturdays working quietly just making things look more beautiful. Thank you for that. *(APPLAUSE)*

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Member Butterworth. One second Mayor. Member Butterworth go ahead.

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MEMBER BUTTERWORTH: With due respect to the Majority Leader, I would like to entertain a motion and ask for the Chair of the Committee which is Majority Leader Dougherty to suspend rule, the statutory rules for Ordinance 15 so that we can pass it on second reading tonight. By not doing that, it's going to delay it another 21 days which this project has been a long time in the making and by doing so we'd be able to actually pass it at the next meeting or I'm sorry, have it up for consideration at the next meeting. If not it won't be up for consideration until July 11<sup>th</sup> which would be another 21 days for it. I understand the frustration because we didn't have enough time for the meeting. I would ask that we suspend statutory rules for Ordinance #15 and that we could pass it only for 2<sup>nd</sup> reading tonight.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: I'm not have a Committee meeting tonight, OK.

PRESIDENT SCHULMAN: Alright. You're the Chair.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: A couple of questions to the Law Director. On the gentleman's issue that he had. Would he be in trouble if he put those photographs on Facebook?

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President, Member Cirelli. That's an interesting question. Obviously if they were in an alley or behind his home on a public space you don't have an expectation of privacy, however were they standing? I know I'm not supposed to address anyone directly. Were they in the car, were they outside the car?

PRESIDENT SCHULMAN: Well I'm sure that we'll have this conversation after the meeting.

LAW DIRECTOR MARTUCCIO: I'll have another conversation with Mr. Joliat later. But to answer your question, I would probably recommend against putting anything on the World Wide Web. If you were the least bit unsure of it could come back as a lawsuit.

PRESIDENT SCHULMAN: Mayor Healy.

MEMBER CIRELLI: Mr. President.

MAYOR HEALY: I also wanted to thank Patricia Kirk and everybody that came downtown Saturday to plant the flowers. We had I know the McKinley Football team and the Hall of Fame queen and her court and a number of volunteers and organizations came down. Annually some come down to beautify the downtown with the planting of the flowers and the cleaning up of beds around the trees and stuff and I know you were down there for that. I want to thank you for that. I was not able to be with that group although I did come

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through there briefly. We had another event going on Saturday morning as well, actually all day Saturday. It was the C.O.O.L. organization where they had....oh I'm sorry, do you want to go there?

MEMBER SMITH: Yes I do.

MAYOR HEALY: Alright but I just want to thank those folks as well and I will let Chris Smith explain to you what they did but again for all those folks that came in and helped and volunteered they deserve our utmost gratitude and thanks for all that they do to help beautify our city.

PRESIDENT SCHULMAN: Member, thank you Mayor. Member Smith.

MEMBER SMITH: Yes, just to finish up what the Mayor was saying. I'd like to personally thank the city. All of the sponsors and the donors, Fonda Williams and Lisa for helping out. For those of you that did not know, there was some good things happening in the 4<sup>th</sup> Ward over the weekend, which was June the 3<sup>rd</sup>. It was the C.O.O.L. project and that was Community Outreach of Love. They donated their time, their service and a lot of the volunteers which was 3,300 and what they did was beautify 250 homes in that neighborhood. So I would like to personally thank the residents that allowed them to do such a good thing and to thank the C.O.O.L. project. And for those of you that are in that area, check out 3<sup>rd</sup> and 4<sup>th</sup> Street SE on the other side of Warner Road. You can check out the beautification of that. Thank you.

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Thank you Member Smith. Mayor.

MAYOR HEALY: Just to follow up and I know last year they were here and I think it was Greg your Ward, mostly your Ward. I think it overlapped in Wards 1 and 2.

MEMBER HAWK: Yes I share.

MAYOR HEALY: You share, yea. Well she's got a big Ward so she got...We hope to bring the group back. It's a number of churches and volunteers and they come in by the thousands. We help try to provide some resources and what have you. They put on new porches and they paint and they do yard work and landscaping and just a number of things to help upgrade and fix up these properties. It's a huge facelift and I know the citizens that were affected were greatly appreciative as well so, for those of you who aren't familiar with it, it will come back next year and believe me, we're going to be doing everything we can to continue to welcome them to do what they do for us.

PRESIDENT SCHULMAN: Thank you Mayor.

MEMBER BUTTERWORTH: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Butterworth.

MEMBER BUTTERWORTH: Point of order for Joe, the Law Director. I sincerely respect the Majority Leader's opinion, he doesn't want to have a Committee meeting but a motion was made, can we have the opportunity to at least....

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MEMBER DOUGHERTY: A second wasn't heard. Point of order....

MEMBER BUTTERWORTH: OK, understood.

MEMBER DOUGHERTY: There was no second to that motion.

LAW DIRECTOR MARTUCCIO: If you'd give me a moment. If there are other Public Speaks. I believe Rule 22 speaks to how things can come out of Committee. There has to be a meeting and an adequate number of signatures. I'm not sure that a meer vote, second and an outright vote can advance it beyond that.

MEMBER BUTTERWORTH: OK.

LAW DIRECTOR MARTUCCIO: But I'll look at it while the others are speaking.

MEMBER BUTTERWORTH: I respect the Majority Leader's decision. One other, Mr. President.

PRESIDENT SCHULMAN: So the motion technically for the record is withdrawn?

MEMBER BUTTERWORTH: No.

PRESIDENT SCHULMAN: OK well then I'll rule that it's out of order.

MEMBER BUTTERWORTH: Thank you. Mr. President, one other question.

PRESIDENT SCHULMAN: Yes.

MEMBER BUTTERWORTH: Rosario Carcione spoke of \$1,100.00 to keep a Fire Station open. Is that an accurate number? Would that have been the cost to keep a station open?

PRESIDENT SCHULMAN: Director.

SAFETY DIRECTOR REAM: That represents the average cost of a firefighter for overtime for a 24 hour shift.

PRESIDENT SCHULMAN: Member Griffin.

MEMBER GRIFFIN: One firefighter or it takes what 3 to keep a station open. That would be like two firefighters and a Captain for a firehouse.

SAFETY DIRECTOR: That's an average cost for one person.

PRESIDENT SCHULMAN: Any other remarks?

MEMBER CIRELLI: Mr. President, I have a question for the Law Director but he's busy looking in his book.

LAW DIRECTOR MARTUCCIO: It's what we do.

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PRESIDENT SCHULMAN: Member Cirelli. Briefly.

MEMBER CIRELLI: Thank you. And I don't know whether he got one of these or not but as we appoint people to Boards, I have here a resignation from the Housing Advisory Board of a citizen and says that they have not, no need or desire to be associated with any Board that does not even meet the statutory requirements for meeting much less with one that has to their knowledge, no met for the last three years nor been consulted in any way regarding use and or disposal of properties associated with the targeted area or any other affordable housing incentives in the city of Canton. So are we in violation if we have not met our statutory requirements sir.

PRESIDENT SCHULMAN: Law Director.

LAW DIRECTOR MARTUCCIO: Mr. President, Member Cirelli. There are no criminal sanctions for failing to constitute a committee or have regular meetings as prescribed by the Ordinances. The only civil remedy that might lie is, for example if someone brought a lawsuit in mandamus compelling, I mean mandamus is like mandatorily compelling an official duty to go forward that's supposed to go forward. But short of that, I'm not aware of any sanctions or remedies. Certainly could be brought to the Chair person and the majority of the Executive Committee and asked to do so internally.

PRESIDENT SCHULMAN: Any other...

MEMBER BUTTERWORTH: What was the cost that we did not pay to keep the Fire Station open?

PRESIDENT SCHULMAN: Director Ream.

MEMBER BUTTERWORTH: The last day that it was closed, how much did it cost the city, did we save by not opening that Fire Station? What was the incremental cost of paying the overtime?

SAFETY DIRECTOR REAM: Let's see that would have been on Sunday. It's my understanding it would have taken two people. It would have been \$2,200.00.

MEMBER BUTTERWORTH: Thank you.

PRESIDENT SCHULMAN: Any other remarks? I want to, the Mayor doesn't need my defense and I'm not necessarily coming to the plate to give it but I do think some of the remarks tonight have been somewhat unfair. I don't think anyone wants criminal activity in their neighborhood. I don't think anyone wants their children to be threatened in any way however, it is clear, I think you better all remember this. That in Columbus, they are desematizing income and revenue to urban areas, across the state. With all due respect to the Mayor, this is not simply Canton, Ohio. This is everywhere in Ohio. You cannot take millions of dollars from urban areas at this stage in our economic life and you can't pass estate tax relief for the most wealthy of our state and expect urban areas to survive. It's just not going to happen folks. Which is what we've talked about and I will just finally say, I don't think anyone, I know there are supporters of labor. I'm one of the biggest supporters of unionized labor there is in this community. But you know, what I hate to see is us going after each other, because you just look up. It's the people above us that are crushing us. It's the legislator's in Columbus. Again with all respect to Member Butterworth from the Republican party, you just seem to think give tax breaks to the wealthy and everything will take care of itself. That doesn't happen and then you look

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at the federal level with the House of Representatives and you have the same thing. Just give tax breaks to the rich, don't make them sacrifice a thing and everything will work out. It's not going to happen. It's simply not going to happen and we sit here sniping back and forth, back and forth. I can guarantee you that if Mayor Healy had the money or if Member Smuckler had the money or if Member Hawk had the money or any of us here, if we had the revenue President Carcione would have 100's of firefighters and the police would have 100's of police officers. That's the problem that we face in 2011 and I hope you all heard what the Mayor said. No matter who's at the helm next year. It's going to get worse next year. It's getting worse next year so you do have to remember that. With that, anyone have any other remarks?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Chief of Staff you talked in the beginning of the meeting about things for children, kids what to do and you failed to mention The First Tee which is very important in our community and everybody seems to forget that that exists here and that's an excellent organization that does great things with children and plans are hopefully in the works as we've had a few meetings about renovating the park and bringing that up to where it needs to be so there are some things for kids and we continue to try to work at that. Also you can get with me Member Butterworth after the meeting and you know, I'll talk to you about what we're going to do about this. This wasn't my fault, OK. Let's remember that. We get our agenda on Fridays. Can we look at that and see what you've got on there and start talking to the administration. Communicate. Find out what's going on with your meetings and how long it's going to be and do you want a presentation and you know, we can't just come down here and think we'll have time. We've got things to do between 7 and 7:30, not Committee meetings. Committee meetings are over at 7:00. They will be over at 7 no matter what so just do your homework please. I move we adjourn.

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 1 NAYS  
(Member Butterworth voted Nay)

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

PRESIDENT SCHULMAN: Meeting is adjourned. *(Gavel falls)*

ADJOURNMENT TIME: 8:57 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

ALLEN SCHULMAN  
PRESIDENT