

MINUTES OF THE MEETING AUGUST 8, 2011

PRESIDENT SCHULMAN:for being present. The Chair calls this meeting of Canton City Council to order. Roll call vote please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

12 COUNCIL MEMBERS PRESENT: (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. Tonight we'll have our invocation given by my good friend and Ward 1 Council Member Greg Hawk. If you all will please stand and please remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on August 8, 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 1 Council Member Greg Hawk. The Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you very much, Member Hawk. Leader we're now under Agenda Corrections and Changes.

MEMBER DOUGHERTY: Mr. Chairman I move we suspend Rule 22A to add 2nd Reading Ordinances 16 through 21.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Statutory Rule 22A to add the 2nd Reading of Ordinances 16 through 21 to this evening's Agenda. Are there any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We now turn to Public Hearings and we actually have two this evening. The first one is scheduled for **7:30 PM** and it's AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE

MINUTES OF THE MEETING AUGUST 8, 2011

SAME TO BE AN EMERGENCY; THE PLANNING COMMISSION HAS RECOMMENDED DENIAL OF THE SAME AT 634 WALKER COURT FOR RICHARD RODRIQUES FROM R1-a (SINGLE FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS) IN WARD 2. Is there anyone in the audience wishing to speak for or against this Zone Change, would you please step forward. And once again, is there anyone in the audience wishing to speak for or against this Zone Change, will you please step forward. Seeing no one step to the dias, the Chair declares the public hearing over in regard to this matter and matter now rests in the hands of Council. The Ordinance will follow later this evening. Then next Public Hearing is scheduled for 7:31 and it's AN ORDINANCE AGAIN AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY; THE PLANNING COMMISSION HAS RECOMMENDED APPROVAL OF THE SAME FOR LAVERNE DALE FROM R1-a (SINGLE FAMILY RESIDENTIAL) TO PB-3 (PLANNED GENERAL BUSINESS) IN WARD 6. Is there anyone again in the audience wishing to speak for or against this particular Zone Change. I have to say it one more time. Is there anyone in the audience wishing to speak either for or against this Zone Change, will you please step forward. Seeing no one rise and step forward, the Chair declares the public hearing over in regard to this matter. Once again this matter will now rest in the hands of Council. The Ordinance will follow later this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: We're now under Old Business and I will turn this over to the Mayor's Chief of Staff, Warren Price.

SERVICE DIRECTOR PRICE: Thank you. We received two concerned citizen complaints regarding Ridgewood Castle Apartments which was referred to the Police Department. We received a general complaint about Section 8 housing in a particular neighborhood which was passed along to Code. We received a complaint about grass cutting at Ohio Cast which I referred to the proper department. I regret I did not, I did not verify before this meeting that the grass had been cut but I will find out tomorrow.

MEMBER DOUGHERTY: Mr. President.

SERVICE DIRECTOR PRICE: Yes.

MEMBER DOUGHERTY: It hasn't.

SERVICE DIRECTOR PRICE: Oh, OK. Alright, thank you so I will follow up on that tomorrow. The other complaints that we received regarding the property on Fawcett Court without a garage door. We received a concern about not seeing cops on motorcycles and the overtime issue with the Fire Stations which I referred to the Safety Director. Thank you.

PRESIDENT SCHULMAN: Thank you, Director.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're under Public Speaks now and we have 4 speakers signed up this evening. Our first is Jason Scaglione. Mr. Scaglione, if you'll step forward, give us your name and your residential address please and good evening once again.

MINUTES OF THE MEETING AUGUST 8, 2011

JASON SCAGLIONE: Good evening. Jason Scaglione. 3027 Glen Place NW, Canton, Ohio. I'm here again with a couple issues. One from last meeting here. I know we talked about the building with the garage doors. The Building Department was out there, posted a nice notice on the front door however, they failed to mark anything on the notice telling the property owner what to fix. I'm not sure why the notice was put up with no information on it but, I certainly hope that gets corrected. We also have 3120 Hursh Place NW has high grass that is an owner occupied house. I know that you guys have visited this property many times. I really wish we could get something done with it. Also 3122 Glen there's a notice from the Building Department posted on 6/30. Nothings been done since then. The property's got high grass. I don't want it to be mistaken. I'm going to go mow the grass since nobody else is doing anything with that property. Glen Place from Wertz to Floral needs swept. With that flooding issue we've spoke about many times, I've went out and spent over an hour with a shovel removing the gravel from intersections. I got most of it but I can not get all of it. We need to get that swept before there is an accident at one of those stop signs. I saw two cars go sliding through them on the gravel. I hope we don't wait until someone gets hurt there. Once again, I spoke about flooding. That was two weeks ago. Guess what, we had another one. I know last time it was everywhere, this time once again on 8/6/2011 we had a flood again. I'd really like to know what's going to be done with that. Hopefully something's going to be done soon. I will be here after the meeting in case anyone has any questions.

PRESIDENT SCHULMAN: Thank you very much, Mr. Scaglione. We appreciate you coming down and you were not that long tonight. Just a minute, twenty-eight.

JASON SCAGLIONE: I try.

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

PETE DIGIACOMO: Good evening. My name's Pete DiGiacomo. I live at 600 Dent Place SW. I'm here this evening to speak a little bit about some of the comments that we in the Repository about the incident, part of it was with the patrol officer with the traffic, with the stop he had. I'm not going to discuss that because that's not, that's something else. What I want to discuss is that there were a lot of comments made about President Schulman up there and it doesn't matter, and this is for everybody that's up there. No matter what you do, somebody isn't going to like you. I don't care, you cannot please everybody but what I don't like is that because somebody is doing their job, what they feel and they've got a deep interest in this city, just like you would if that's your family. I'll put it that way so to speak, and then because you stick up for what you believe and then you've got people that don't want to give their name. They want to use some whatever, bogus thing on the internet and you know, then they start criticizing. You should resign, you should do this, you should do that. You should put your name down, who the hell you are, what you're talking about and address the issue with the person instead of hiding behind something. If you're ashamed of your name or you're afraid of comments, shut up, don't say nothing. Again, once, you know, it doesn't matter what Ward you're from. The Mayor, all of his staff, it doesn't matter, you're not going to please everybody so if somebody that you don't please, hey, resign. Have him impeached. Kick him out. No that's not the way it works. Thank you.

PRESIDENT SCHULMAN: Thank you very much. (APPLAUSE) Our next speaker is Patricia Kirk. Miss Kirk if you'll step forward and give us your name and your residential address and good evening as always.

MINUTES OF THE MEETING AUGUST 8, 2011

PATRICIA KIRK: Hi, good evening. My name is Patricia Kirk, 131 5th Street NE and I'm here to bring up 9-1-1 again. I don't know if it was ever addressed from the last time I brought it up but it happened again and again I was there accidentally. I was coming down the elevator. There were two EMT's. This time they were from Canton Township. They couldn't find the person in the building. They spent 5 to 10 minutes with their stretcher going from floor to floor to floor to floor to floor trying to look for a person because as they came into the lobby of our building, which has 11 floors, the light wasn't lit up as to what floor would have the emergency call on it and they were not familiar because they came from a strange town as to how the system worked. One fellow did make the comment, "This is a flawed system." They called back to their place and there was no answer for them. So I tried to tell them if it were a person that pulled the emergency cord inside their apartment, that a little small light on the top of the ceiling in front of their door would be on so they went from floor to floor to floor to floor. Hopefully I hope they found it because I couldn't stay any longer to see if they did. I just wanted to let you know that the problem still seems to exist. And if you haven't noticed already, the two retaining walls in Kresge lot have been built and they are in place before the football Hall of Fame parade and they're handsome and they're sturdy and they're pleasing, so thank you very much.

PRESIDENT SCHULMAN: Thank you. (*APPLAUSE*) Our last speaker is John Stone. If you'll come up and give us your name and your residential address. And Julie Sparks don't worry, we're going to get to you.

JOHN STONE: Hello. My name is John Stone, 2906 12th Street and if I could make an adjustment before I start speaking. We're going forward not backward but thank you for putting that up there Thomas. Of course Thomas is a big part of what I want to talk about because I made a statement hear last year on 3/16, well not last year, 2009 it was, that the most important jump in the evolution of the city of Canton will be in it's collective realization that it is the heart of the heartland and the origin station of the Love Train and I'm here to remind you of that and ask you what you see in this. Go ahead, don't be shy, yell it out.

CLERK TIMBERLAKE: Fantasy.

JOHN STONE: Fantasy. Are you sure? Let's turn it around. Now what's it say? Reality, that's right. So this is not a fantasy it's a reality and this Friday leaving from the Canton Cuyahoga Valley Scenic Railroad Station at 1315 West Tuscarawas, the Love Train is taking a ride from Canton, Ohio to Cleveland to have an event at the Rock-n-Roll Hall of Fame with the O'Jays and some other celebrity guests. The purpose of this ride in my view, and the founders of the Love Train, is to connect cause and entertainment because there is so much energy and money flowing through the entertainment industry while we're all struggling otherwise financial and pulling at the same resources even with you know, our non-profits and everything back and forth and we can't seem to come together to really change the world. We spend \$6,000,000.00 in one Super Bowl ad. It costs \$2,500.00 to get clean drinking water to 10,000 people so can we change the world with love. I believe we can and so I'm asking everyone to come down to the station and own this moment for Canton and the world as it says up there. Growing Canton, our commitment to a prosperous economic future, Growth Ave and Prosperity St and I also want to say that I'm also happy again that the city puts God first in starting this meeting with prayer and I really appreciated Councilman Hawk's prayer today about us all having talents for this purpose because that's what it's all about. It's about coming together and connecting. Connection plus communication equals collaboration. That is the Love Train and there's no blockage in that. It's all about forward momentum. Positivity, you don't get the next link without the connection, right? So I'm inviting everyone to come down and give free hugs OK at the Cuyahoga Valley Scenic Railroad Station this

MINUTES OF THE MEETING AUGUST 8, 2011

Friday between 2 and 3:00 and own this moment for Canton and the world, alright. Will you please join us. Bring your family, bring your friends and make it you know, let them know it's for everybody. It's not just those that are taking the physical train, the Love Train is spiritually linked. Thank you. (*Train horn blows, applause*)

PRESIDENT SCHULMAN: That was great John. Thank you very much and that you for all that you do for our community. We really do appreciate it. As all the speakers tonight.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions. Madame Clerk, would you please read Informal Resolution 23 please.

#22. DOUGHERTY, D, WARD 6 CNCL MBR: CONGRATULATING & COMMENDING THE 2011 NE WEED & SEED LAWN MAINTENANCE TEAM & THE CRYSTAL PARK NEIGHBORHOOD ASSOC.- ADOPTED

PRESIDENT SCHULMAN: Leader.

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

MEMBER PRATER: Seconded

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 23. Any remarks?

MEMBER DOUGHERTY: Yes Mr. President, could I have that read?

PRESIDENT SCHULMAN: Yes, if you'll read the entire Resolution please Madame Clerk.

CLERK TIMBERLAKE: *Whereas*, The abundance of vacant lots in Canton's neighborhoods stresses city services and make neighborhoods less attractive; and *Whereas*, A large number of these vacant lots are located in the neighborhoods commonly known as *Crystal Park, The Boulevards, and McKinley Manor* in the northeast quadrant of the city; and *Whereas*, The Northeast Canton Weed and Seed Initiative encompasses all three of these neighborhoods; and *Whereas*, Weed and Seed works to execute its mission of neighborhood restoration by leveraging resources and encouraging collaboration among neighbors and creative problem solving for the common good; and *Whereas*, It is recognized that among the participants in this project are long time established residents and property owners as well as citizens who are working to re-establish their place in the community and that the merit of the project and the common achievement of the team as a whole exemplifies all that is honorable in building a more perfect, livable community. *Now Therefore Be It Resolved*, that I Ward 6 Council Member David Dougherty do hereby go on public record congratulating and commending *The 2011 NE Canton Weed & Seed Lawn Maintenance Team and the Crystal Park Neighborhood Association* including Rex Robison, Albert Jones, Jody Durnes, Jimi Littlewolf, Doug Ramsey, Kathy Ramsey, Denver Hall, Lynette Smith, Mary Rawlings and all other volunteers for their caring actions and selfless service which contributes immeasurably to the conditions of the neighborhoods and quality of life of the citizens of Canton.

MINUTES OF THE MEETING AUGUST 8, 2011

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I move we go ahead and adopt this Resolution 23.

PRESIDENT SCHULMAN: Very good. All those in favor of Resolution 23, signify by saying aye, those opposed no.

NO REMARKS

RESOLUTION #23 PASSED UNANIMOUSLY BY VOICE VOTE

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

MEMBER DOUGHERTY: (*APPLAUSE*) Thank you. As Chairman of the Northeast Canton Weed and Seed Initiative, I really was happy to hear about this program and our manager of the Weed and Seed, Eric Resnick and Julie here really put this together. You know we have citizens, long time residents, in these neighborhoods and their the foundation of the neighborhoods, OK. They've been through the mill, they've seen it all, the bad, the good and the ugly. But they stick it out and they want to make good things happen so, I called Julie and said we want to put this together cause we wanted to make sure they knew we cared about what they were doing and that we really respect the hard work that they do and the commitment that they make to their city. It's very important and don't ever forget that, OK. You do a great job. Julie I want to have this plaque on behalf of Canton City Council to hang in the office. We also have copies for everyone to take home so that they can have that, OK, and be sure they all get one and also we have Canton city flag pins. Where them proudly, alright. So Julie do you want to say a few words.

JULIE SPARKS: Julie wants to say a word, that will be the day. Hi, I don't know if it matters but I'm Julie Sparks. 1514 Vassar Avenue NW, Canton, Ohio 44703 but I do want to say a couple words and again presciedo like, so yea OK. You know, I'm looking around this room here and you know I've had the privilege of learning a lot of names and a lot of faces. I think of Sonny Ash, he may be the person in the room that I've know the longest in this lifetime. But what I see here, and I just want to say that I'm very proud, I'm very proud. I've got nothing to complain about in this community right now. It's not just the fact that the Hall of Fame came but it does give a moment to really exemplify our volunteer spirit so, I just kind of wanted to congratulate us as a community and in particular I'm identifying those people who are involved as volunteers or in whatever way, it goes beyond themselves just a hair, on behalf of their neighbor. So, you know, I want to commend the volunteers. I also want to commend the Council Members, all of you and staff which we know without whom you guys would look rough, the city employees, I think about the potholes that get filled and we used to be able to do our streets all the time. Well we used to whatever but, the bottom line is I see them out there working all the time and I think my experience with city employees is that they're hard working, caring individuals and I see it all the time and I appreciate it. They go above and beyond and I look at the administration here and I've gotten, have had the privilege to get to know a lot of people. Not to exclude but to include Director Price and Fonda Williams and Mr. Torres and Director Ream and Linda Barnes and others, others, others and the shout out to the Mayor and his peeps for, you know, it was nice to see the Rep kindly saying like, hey you did something good and while you're a political person, you did something good anyway and went and got us a 1,000 jobs, you know. I don't care who did it you know, I appreciate it. The tenacity it's good stuff. And then I learned, I think about active citizens. I'm looking, I was in the restroom, you can't even make it to the restroom around here and their in there solving problems about,

MINUTES OF THE MEETING AUGUST 8, 2011

yea we have some things with prostitution and stuff but we just stomp on it. So we go a little plan in action in there. I forgot to wash my hands, no just kidding but let's see. Alright, so we've got a lot of folks doing a lot of good things. Councilman Dougherty, you know we have mentors in life and one of the things he's told me over the small number of years he's said on more than one occasion. One thing he has said is if you don't care who gets the credit, you can get a lot done which I appreciate. Secondly he said though, he said to me that the organized folks get things done. They're the ones that get the resources. So in northeast Canton, in the Crystal Park area and in the NEAR area we have a proud heritage of organizing ourselves. It's taken many forms and I listened to some folks say, we have a gentleman back here, Rex. You know Rex said, I don't want help, I just want somebody to mow the grass. You know, it's like don't bring me to a meeting, I don't want to hear about it, I don't want to talk about it, just bring, get the gas out and mow, OK. So we came up with a plan to use a little bit of Weed and Seed dollars because you guys have entirely too many lots to go. There's no way you could possibly mow the number of lots if you had to mow them all. It's completely impossible. I don't care how many times I tell you the address, it's completely impossible. So we came up with a plan. We got so many partners that if I started to list them off, it would be silly, Faith House and Community Building Partnership and Crystal Park Neighborhood Association, it just goes on and on. These gentlemen are out there everyday for a meager, for a meager amount of money, 2,500.00, \$3,500.00 we've got entire blocks and blocks and blocks and blocks that are reasonable well maintained. You could drive two blocks away and know that you are not there anymore which in and of itself says a negative thing but we're just looking at the positives today so we have a lot more partners than are here right now and not everybody that stands behind me is a mower. I mean you think about it. Harrison Hills anybody. There was a nice article we had on the 31st of July. You know Denny back here said man if you just get me a, what's that thing called, a chain saw blade of something like that, a chain I guess it's called, I'll go crazy. And he has, you know so you just got to feed, you know for \$12.00 we had everything chopped down we could possibly hope to have chopped down, you know just because we figured out how to do it together so, I'm very proud of the people behind me and I will say this. Sometimes we, you know piss and moan and all that stuff and then we rub each other a little bit, you know because I'm a happy person, blah, blah, but sometimes it gets old but I have to say that working together as a community in this last year, year and a half, we've worked so hard and so well together that the folks who really were struggling seem to be now a little bit more happy, a little bit more heard and a little bit more positive and to me that's a miracle. So I'm happy to be a part of that miracle and I'm proud of each and every one of these individuals and I'm very proud of my homies at Faith House and I hate to end on this note but I am just going to say that part of our heritage in our community is also organizing so we're having our 4th annual reunion. We'd like for you to come. I'll leave you some information and thanks to Councilman Dougherty and all you guys and all these fine peeps back here. Anybody else? (APPLAUSE)

DOUG RAMSEY: My name is Reverend Douglas Ramsey and I am the Director of Faith House program, 1417 Harrisburg Rd NE in Canton. I'm gonna first of all thank Councilman Dougherty, our distinguished Mayor and all the Members of City Council. Faith House is a transitional housing program for male ex-offenders, homeless men and at the Department of Rehabilitation and Correction right now there's a big push for restorative justice. Restorative justice means men have been convicted felons giving back to their communities and this is one form that men have been allowed to give back to the community that we once were, myself included, perpetrators out here on the streets and now we can finally give back something positive to our communities. We want to thank all of you. (APPLAUSE)

KATHY RAMSEY: Hi there, I'm always nice. My name is Kathy Ramsey and I've missed being here because I've been sick. I think I got something out there in the weeds and you know, I ran across this in the Repository. It's by a famous American author and publisher, Albert Hubbard. You know, I love this saying, I

MINUTES OF THE MEETING AUGUST 8, 2011

look at it all the time. It says, "To escape criticism, do nothing, say nothing, be nothing" and that's the only way any of us are going to escape criticism and I just want to say that, I'd like to thank the Mayor. I suppose, I didn't see him out there riding the bulldozer, but I think he had a lot to do with tearing down all the horrible, vacant houses in my neighborhood, on my street and now we have grass and it's just beautiful and I just would like to say thank you for listening to the citizens in the northeast end because we just felt like we were just kinda a stepchild for a while, it was so bad. But, it's really looking up and I'd like to say thank you.
(APPLAUSE)

PRESIDENT SCHULMAN: Thank you very much and you know we all say right back at you. We couldn't do it without citizens like yourselves so thanks again and congratulations.

COMMUNICATIONS

PRESIDENT SCHULMAN: We are now turning to 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 AUGUST 8, 2011.

271. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERTIFICATION DATED 7/28/11. - RECEIVED & FILED
272. AUDITOR MALLONN: YEARLY RPT BY FUND 1/1/11 - 7/29/11. - RECEIVED & FILED
273. AUDITOR MALLONN: MONTHLY RPT BY FUND 7/1/11 - 7/29/11. - RECEIVED & FILED
274. BUTTERWORTH, M, WARD 8 CNCL MBR: REQ TO AMEND SEC 911.02 TO HAVE ONLY ONE CONTIGUOUS DRIVEWAY PER PROPERTY IN THE CITY. - JUDICIARY COMMITTEE
275. COMMUNITY DEV DIRECTOR WILLIAMS: ESTABLISH FAIR REUSE VALUE OF REAL PROPERTY & AUTHORIZE DISPOSITION OF SAID PROPERTY (CANTON COMMUNITY IMPROVEMENT CORP) PARCEL #02-44303 ON MCGREGOR AVE NW). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
276. DEPARTMENT OF COMMERCE: NOTICE OF HRG REGARDING TRANSFER OF OWNERSHIP APPLICATION FOR DANNY FRAME, MANAGING MEMBER, FRAME'S TAVERN, LLC @ 1ST FLOOR & BASEMENT 1600 BRYAN AVENUE SW ON 8/12/11 @ 10:30 AM @ THE STARK CNTY DEPT OF JOB & FAMILY SVCS @ 221 THIRD ST SE. - RECEIVED & FILED
277. FINANCE DIRECTOR DIRUZZA: REQ TO AMEND APPROP O#245/2010 W/ VARIOUS SUPP APPROPS & APPROP TRANSFERS NECESSARY TO CONTINUE TO OPERATE CITY EFFICIENTLY. - FINANCE COMMITTEE
278. HARPER, PAMELA, APPLICANT: APPLICATION TO VACATE PORTION OF ALTA CT NW BETWEEN WOODLAND AVE NW & MINERVA CT NW. - PLANNING COMMISSION

MINUTES OF THE MEETING AUGUST 8, 2011

279. LAW DIRECTOR MARTUCCIO: REQ LEGISLATION TO ELIMINATE CONFLICTING PROVISIONS IN CHAPTER 947 (SEWER RATES) WHICH HAVE BEEN RECENTLY DISCOVERED (RATE FOR NON-RESIDENTIAL USERS OF SANITARY SEWER SYSTEM OF THE CITY WHO ARE NOT CONNECTED TO CITY WATER SVCS. - JUDICIARY COMMITTEE
280. LIQUOR CONTROL DIVISION: REQ NEW D2 LIQUOR PERMIT FOR AURICLE LTD DBA THE AURICLE @ SUITE AA-10 & SOLARIUM 601 CLEVELAND AVE NW. - RECEIVED & FILED
281. SAFETY DIRECTOR REAM: DECLARE 22 BUILDINGS UNSAFE & HAZARDOUS FOR WHICH DEMO IS REQUIRED. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
282. SERVICE DIRECTOR PRICE: REQ TO ENTER INTO CONTRACT W/BOBCAT COMPANY IN AMT OF \$57,978.92 FOR PURCHASE OF ONE COMPACT EXCAVATOR, ALONG W/BUCKET ATTACHMENTS FOR COLLECTIONS SYS DEPT. - FINANCE & PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
283. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 7/31/11. - RECEIVED & FILED
284. TREASURER SCHIRACK: RPT OF DEPOSITS & PAY INS FOR JULY 2011 TO AMBULANCE LOCK BOX. - RECEIVED & FILED
285. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR MONTH OF JULY 2011. - RECEIVED & FILED
286. TREASURER SCHIRACK: BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 7/29/11. - RECEIVED & FILED
287. WILLIAMS, F, COMM DEV DIRECTOR: AMEND O#72/2011 TO INCLUDE LANGUAGE MAKING ORDINANCE RETRO TO 1/1/11. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #15 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 72/2011; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

MINUTES OF THE MEETING AUGUST 8, 2011

- #2. (1ST RDG)___ AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE ARMORY ANNEXATION AREA CONTAINING APPROXIMATELY 1.368 ACRES; ASSIGNING SAID TERRITORY TO WARD 1 OF THE CITY; ZONING SAID TERRITORY AS PB-1 (PLANNED OFFICE BUSINESS); AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Annexation Committee **PUB HRG 9/12/11 @ 7:30 PM**
-
- #3. (1ST RDG) AN ORDINANCE AMENDING CHAPTER 1132, FLOOD HAZARD (FH) DISTRICT OF THE CODIFIED ORDINANCES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Judiciary Committee **PUB HRG 9/12/11 @ 7:31 PM**
- #4. (1ST RDG)___ AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FIVE YEAR CONTRACT WITH GREENER CORNERS LLC FOR THE PURPOSE OF INSTALLING RECYCLING RECEPTACLES ON CITY OWNED PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
-
- #5. (1ST RDG)___ 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 (\$870,000.00 POLICE & FIRE)
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$175,000.00 FOR A COMPREHENSIVE ECONOMIC AND DOWNTOWN DEVELOPMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #7. (1ST RDG)___ AN ORDINANCE CHANGING THE FUND TITLE 2323 RYAN WHITE GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (\$158,000.00 PERSONAL RESPONSIBILITY EDUCATION PROGRAM)
Referred to Finance Committee
-
- #8. (1ST RDG)___ AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, THE CLASSIFICATION PLAN AND SALARIES FOR ALL MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (MAYOR'S CABINET/POLICE & FIRE CHIEFS)
Referred to Personnel and Finance Committees

MINUTES OF THE MEETING AUGUST 8, 2011

- #9. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$3,000.00; AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #10. (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY; ESTABLISHING THE PURCHASE PRICE OF THE PARCEL INCLUDING MINERAL RIGHTS OF \$11,300.00; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT FOR THE PURCHASE OF SAID PARCEL; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, ENTER INTO AGREEMENT AND RECEIVE FUNDS IN THE AMOUNT OF \$12,062.00 FROM THE CLEAN OHIO CONSERVATION FUND; RESERVE THE PROPERTY FOR PURPOSES OF THE PRESERVATION OF WATER, FORESTRY AND OTHER NATURAL RESOURCES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
-
- #11. (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF EASEMENTS IN REAL PROPERTY; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ACQUIRE EASEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities Committee
- #12. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY MORAL OBLIGATIONS IN AMOUNTS NOT TO EXCEED \$94,594.50 TO STANLEY MILLER CONSTRUCTION AND \$34,000.00 TO BURGESS & NIPLE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #13. (1ST RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PLAIN TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities Committee
-
- #14. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AMENDED CONTRACT WITH M-E COMPANIES FOR AN ADDITIONAL AMOUNT NOT TO EXCEED \$95,560.00 FOR EASEMENT WORK; AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #15. (1ST RDG) **ADOPTED AS ORDINANCE NO. 125/2011** AN ORDINANCE DECLARING 22 BUILDINGS TO BE PUBLIC NUISANCES; AUTHORIZING THE DIRECTOR OF

MINUTES OF THE MEETING AUGUST 8, 2011

PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE DEMOLITION OF SAID BUILDINGS; AUTHORIZING THE CLERK OF CANTON CITY COUNCIL TO CERTIFY THE COSTS OF DEMOLITION TO THE STARK COUNTY AUDITOR; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

PRESIDENT SCHULMAN: At this time the Chair would declare an in house recess for that Committee to meet in regard to Ordinance 15 on your agenda. You are now in recess.

PRESIDENT SCHULMAN: Council will reconvene after the recess. Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to place Ordinance 15 back on the agenda.

MEMBER PRATER: Seconded

PRESIDENT SCHULMAN: It's been moved and seconded to place Ordinance 15 back on this evening's agenda. Are there any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS
(MEMBER HAWK NOT PRESENT FOR VOTE)

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. Ordinance 15 is now a legal part of your agenda. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 15.

MEMBER PRATER: Seconded

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 15. 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. Motion carries, Leader, you've heard the three readings.

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

MEMBER CIRELLI: Seconded.

MINUTES OF THE MEETING AUGUST 8, 2011

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 125/2011

PRESIDENT SCHULMAN: Thank you Madame Clerk. Motion carries. Ordinance 15 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinance 16 please.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #16 THROUGH #21 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #16. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH YOUNG MEN'S CHRISTIAN ASSOCIATION (YMCA) TO PROVIDE A GRANT UTILIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN AN AMOUNT NOT TO EXCEED \$40,000.00 FOR THE OVERALL MANAGEMENT AND SUPERVISION OF THE FACILITY AND PROGRAM AT THE EDWARD "PEEL" COLEMAN CENTER; AND DECLARING THE SAME TO BE AN EMERGENCY
- #17. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (\$50,000.00 COMMUNITY DEVELOPMENT - DEMOLITION - OTHER, BOARD UPS, TITLE SEARCHES, ETC.)
- #18. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (\$30,000.00 COMMUNITY DEVELOPMENT - PERSONNEL)
- #19. (2ND RDG) **ADOPTED AS ORDINANCE NO. 126/2011** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH GOODWILL INDUSTRIES OF GREATER CLEVELAND AND EAST CENTRAL OHIO, INC. TO PROVIDE AN ECONOMIC DEVELOPMENT GRANT UTILIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN AN AMOUNT NOT TO EXCEED \$50,000.00 FOR THE COMMUNITY CAMPUS PROJECT PHASE III FOR THE PURPOSE OF EXPANDING THE CANTON COMMUNITY CLINIC; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING AUGUST 8, 2011

PRESIDENT SCHULMAN: Thank you Madame Clerk. Just so the record is clear we're now under Ordinances and Formal Resolutions for the 2nd Reading. I don't think I said that. But in any case, Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules for Ordinance 19.

MEMBER PRATER: Seconded

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 19. Any remarks under this motion? 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. Motion carries, Leader, you've heard the three readings.

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

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 19. 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.

#19 ADOPTED AS ORDINANCE NO. 126/2011

PRESIDENT SCHULMAN: Ordinance 19 is adopted. Motion carries. Ordinance 20 please.

#20. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (\$406,000.00 WATER FUND; \$9,100.00 SEWER FUND; \$10,600.00 SANITATION FUND)

#21. (2ND RDG) **ADOPTED AS ORDINANCE NO. 127/2011** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (\$50,000.00 YOUTH DEVELOPMENT - SUMMER EMPLOYMENT - PERSONNEL)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rule for Ordinance 21.

MEMBER PRATER: Seconded.

MINUTES OF THE MEETING AUGUST 8, 2011

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule for Ordinance #21. Any remarks under this motion? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. Leader Dougherty, you've heard the three readings.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 21. Any remarks under this Ordinance?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Could someone tell me how many youths were actually employed this summer?

PRESIDENT SCHULMAN: 48.

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Yes, Director Price.

SERVICE DIRECTOR PRICE: 48.

MEMBER CIRELLI: 48, OK. And do you know the ages sir of those youth?

SERVICE DIRECTOR PRICE: Mr. Williams can you give an age range with the.....

COMMUNITY DEVELOPMENT DIRECTOR WILLIAMS: They range between 16 and 24.

MEMBER CIRELLI: And Mr. Williams they were all Canton city youth, is that correct?

COMMUNITY DEVELOPMENT DIRECTOR WILLIAMS: That is correct.

MEMBER CIRELLI: OK, thank you sir.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

MINUTES OF THE MEETING AUGUST 8, 2011

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 127/2011

PRESIDENT SCHULMAN: Motion carries. Ordinance 21 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for their Third and Final Reading and vote. Would you please begin with Ordinance 22.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #22 THROUGH #29 FOR THE THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 128/2011** AN ORDINANCE AUTHORIZING THE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM BISHOP OF DIOCESE OF YOUNGSTOWN (PART OF LOT 14345 ON 7TH ST NE)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

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. 128/2011

PRESIDENT SCHULMAN: Motion carries and Ordinance 22 is adopted. Ordinance 23 please.

#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 129/2011** AN ORDINANCE AUTHORIZING THE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM BISHOP OF DIOCESE OF YOUNGSTOWN (PART OF LOT 6289 ON 7TH ST NE)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

MINUTES OF THE MEETING AUGUST 8, 2011

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. 129/2011

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

#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 130/2011** AN ORDINANCE AUTHORIZING ALL ACTIONS NECESSARY TO EFFECT A GOVERNMENTAL ELECTRICITY AGGREGATION PROGRAM WITH OPT-OUT PROVISIONS PURSUANT TO OHIO REVISED CODE SECTION 4928.20; DIRECTING THE STARK COUNTY BOARD OF ELECTIONS TO SUBMIT A BALLOT QUESTION TO THE ELECTORS; 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

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 130/2011

PRESIDENT SCHULMAN: Ordinance 24 is adopted. Thank you Madame Clerk. Ordinance 25.

#25. (3RD RDG) **PASSED INITIALLY; THEN RECONSIDERED AND DEFEATED LATER IN THE MEETING** 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 (634 WALKER CT NE - RICHARD RODRIQUES) **PUB HRG 8/8/11 @ 7:30 PM**

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.

MINUTES OF THE MEETING AUGUST 8, 2011

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PASSED INITIALLY; THEN RECONSIDERED AND DEFEATED LATER IN THE MEETING

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

#26. (3RD RDG) **ADOPTED AS ORDINANCE NO. 131/2011** 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 (3745 KIRBY AVE NE - LAVERNE DALE) **PUB HRG 8/8/11 @ 7:31 PM**

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 that you 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. 131/2011

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

#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 132/2011** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A THREE-YEAR PROFESSIONAL SERVICES CONTRACT WITH WARWICK COMMUNICATIONS, INC. IN AN AMOUNT NOT TO EXCEED \$37,020.00 FOR ONGOING SUPPORT AND MAINTENANCE OF THE CITY-WIDE TOSHIBA TELEPHONE SYSTEM; 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 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.

#27 ADOPTED AS ORDINANCE NO. 132/2011

MINUTES OF THE MEETING AUGUST 8, 2011

PRESIDENT SCHULMAN: Ordinance 27 is adopted. Thank you Madame Clerk. Ordinance 28 please.

#28. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 133/2011** AN ORDINANCE ADOPTING THE CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012; 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. Are there any remarks? Leader Dougherty.

MEMBER DOUGHERTY: Mr. President. I move we amend Ordinance 28 per the copy in front of all Members.

MEMBER PRATER: Seconded.

Amendment

Pursuant to Rule 36, I move to amend Agenda Item No. 28 by the substitution of the attached Exhibit A for the Exhibit A attached to the ordinance pending before Council.

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 28 by virtue of the copy before each Member of Council. Are there any remarks on that motion? Hearing none by voice vote, all those in favor of amending Ordinance 28 signify by saying aye. Those opposed no.

NO REMARKS AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 28 as amended. So you are voting on Ordinance 28 as amended. Are there any remarks under this Ordinance as amended? 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 AMENDED AS ORDINANCE NO. 133/2011

PRESIDENT SCHULMAN: Ordinance 28 is adopted. Ordinance 29 please.

MINUTES OF THE MEETING AUGUST 8, 2011

#29. (3RD RDG) **ADOPTED AS ORDINANCE NO. 134/2011** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONSULTANT CONTRACT WITH W.E. QUICKSALL AND ASSOCIATES, INC. FOR THE ORCHARD VIEW/ARGYLE-ARGYLE/HEDGEROSE INTERSECTION IMPROVEMENT PROJECT, G.P. 1110; AMENDING APPROPRIATION ORDINANCE NO 245/2010; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO COOPERATIVE AGREEMENTS WITH OTHER PROJECT STAKEHOLDERS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 29.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 29. Are there 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.

#29 ADOPTED AS ORDINANCE NO. 134/2011

PRESIDENT SCHULMAN: Motion carries. Ordinance 29 is adopted. Thank you Madame Clerk very much. It was a long reading tonight.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk I missed that.

MEMBER HAWK: Thank you good sir. I missed being here. I enjoy this very much. The Finance Committee will meet at 6:15 PM, Monday, August 22nd right here in this city Council Chambers.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet Monday, August 22nd at 6:15.

PRESIDENT SCHULMAN: Thank you.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MINUTES OF THE MEETING AUGUST 8, 2011

MEMBER CIRELLI: Environment and Public Utilities will meet the same day at 6:15.

PRESIDENT SCHULMAN: Thank you Member Cirelli.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Community Development will also meet same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Judiciary will meet the same time, same place.

PRESIDENT SCHULMAN: Thank you. Member Barton.

MEMBER BARTON: Annexation will meet the 22nd at 6:15.

PRESIDENT SCHULMAN: Anyone else?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We are now moving to Miscellaneous Business. Is there any Miscellaneous Business?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: I'd like to thank and commend the Northeast Community Weed and Seed site for all the hard work they've done in their community. Unfortunately the federal government has seen fit to cut all the funding to Weed and Seed across the nation and it's really going to hurt a lot of communities and especially Canton, Ohio. They've done an outstanding job and unfortunately we will no longer be funded but I think as we, as this program closes out there's two people we should remember. One of them was Sergeant Mark Fox. The other one was patrol officer Jack Crider. Both of them were instrumental in starting this program out and I think we should remember them at this time also. Again thank you for all the hard work you've done. We appreciate it.

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Thank you. Member Price.

SERVICE DIRECTOR PRICE: As a point of order on Ordinance 25 under 3rd Reading tonight...

PRESIDENT SCHULMAN: Yes.

MINUTES OF THE MEETING AUGUST 8, 2011

SERVICE DIRECTOR PRICE: That is for a rezoning of a property located at 634 Walker Ct NE.

PRESIDENT SCHULMAN: Yes.

SERVICE DIRECTOR PRICE: The Law Director brought this to my attention and I don't know what Council's pleasure is here but the Planning Commission, the Planning Commission recommended denial, OK. If we simply read the Ordinance and cast a vote and if your vote was in the affirmative this evening, you voted to approve the zone change.

MEMBER WEST: No.

SERVICE DIRECTOR PRICE: Yes.

CLERK TIMBERLAKE: You were against it, correct?

MEMBER WEST: We were, the way I understood it....Mr. President. The way I understand it is that currently, the Planning Commission denied it and then if we voted yes to approve their denial is that correct?

SERVICE DIRECTOR PRICE: No.

PRESIDENT SCHULMAN: Law Director.

LAW DIRECTOR MARTUCCIO: Mr. President. This only comes, with apologies to all of Council, this only comes up infrequently and it is easy to get confused. The Ordinance is always written in the affirmative for the change because the application is for a change. The person pays their money to get a zone change. The Planning Commission is delegated the responsibility by Council to hear the pros and cons and they independently make their own vote and they voted to deny it because they thought it was spot zoning and there were other options open but the Ordinance is written in such a way that if you vote yes for the Ordinance, you're voting for the zone change so in order to override the Planning Commission, you have to vote no. Yea, at least...

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: I'd like to reconsider, make a motion to reconsider Ordinance 25.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that Council reconsider Ordinance 25 and it's vote earlier this evening. Are there any remarks? Hearing none Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#25 RECONSIDER

MINUTES OF THE MEETING AUGUST 8, 2011

PRESIDENT SCHULMAN: The motion to reconsider Ordinance 25 has been carried unanimously. 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 so a no vote would in effect sustain the Commissions recommendation to Council. So, any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve nays, Mr. President.

#25 DEFEATED

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 25 is defeated. Now back to Miscellaneous Business. Is there any? Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. I'm going to direct this to someone in the administration and they can define who to speak with. I wanted to know if we billed and collected for any of the grass cutting that we've done this year?

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Mr. President. I don't have those numbers readily accessible but we did, we've billed. We would have collected some but a small percentage of what we billed for.

MEMBER CIRELLI: Alright, thank you. Mr. President and Mr. Price could you see that I get the amount and then we can pass it on. Thank you sir.

SERVICE DIRECTOR PRICE: Thank you Mr. President. Member Cirelli, Members of Council I will, we'll send you a report over to show you what we've done in that regard. Thank you.

MEMBER CIRELLI: Thank you sir.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Anything else.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Mr. President just real briefly I felt like I should explain in reference to Mr. Rodriques. The Community & Economic Development Department and the administration has worked something out with Mr. Rodriques and continues to work with him so, that's the reason why we also recommended denial because we did not want to see spot zoning in certain neighborhoods. Then I also wanted to congratulate Pat Kirk on a wonderful job down in the Kresge lot. It is very, very beautiful. Congratulations and it does say that one person can move mountains and she truly has, has done that for Ward 2 and for the Kresge lot so give

MINUTES OF THE MEETING AUGUST 8, 2011

her a hand please. *(APPLAUSE)* I also wanted to congratulate John Stone who is Doctor of Love for the Love chain, Love Train. He has really taken that concept from very, from the beginning and I know that the O'Jays have sold out the Love Train this year and it was his original concept and it was his original concept so I want to thank him for all his foresight for that project. Thank you too. *(APPLAUSE)*

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Member Griffin.

MEMBER GRIFFIN: I'd like to report on a, that softball tournament that we had at Willig Park on July 27th - 31st. It was a girls Class B, District 10 Eastern National ASA Tournament. There were 36 teams in the tournament, 2 from Stark County. One from Perry. One from Jackson. 720 players, coaches and players families from 6 states. Ohio, Pennsylvania, Michigan, Maryland, Massachusetts and New York participated. We had 22 umpires in from the various 6 states and 12 officials from the ASA headquarters in Oklahoma City. The McKinley Grand Hotel was booked for five nights solid and six other hotels in the Belden Village area were booked solid for the tournament. Thurman Munson Stadium was used for the opening ceremonies due to the seating capacity. It was a huge success and extremely well organized due to the cooperation of the Recreation Department, the ground crew, Chamber of Commerce, the Convention Bureau and the Eastern Stark County ASA Umpires Association. We had many complaints on the facilities and the cooperation that the tournament had. We have, Labor Day weekend we're going to host a men's Class C, Eastern National Fast Pitch Tournament. You don't see much fast pitch around here anymore. Fast pitch tournament. There'll be 70 teams qualify for this tournament and they'll be in here from like Wednesday to Labor Day. The Rec Department has already put bids in for 4 National Tournaments to be played in 2012. Also the Rec has applied for the Women's Olympic Fast Pitch Softball team to make an appearance next year like they did last year. So, you know, Willig Field, granted we put a lot of money into that place and it's paying off now. People are noticing it, again from this six state area and from Oklahoma City. That's the key to it. So I just wanted to report on what we're doing there. *(APPLAUSE)*

PRESIDENT SCHULMAN: Great job Member Griffin. I think you meant compliments. You said complaints so I want the record to reflect that....

MEMBER GRIFFIN: Oh no, no.

PRESIDENT SCHULMAN: And we're on that Love Train tonight, I don't want to get off so....in any case great job Jim. Excellent. That's wonderful and it's great for the community. Wonderful.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Please. One quick comment.

PRESIDENT SCHULMAN: Sure.

MEMBER HAWK: First of all thank you and congratulations for Willig Field. Job well done, Mr. Griffin. I know you championed that and worked very hard at it. The other comment is, we've mowed 5,000 lots approximately in the city of Canton this year. I'm going to guess that it probably cost us somewhere in the neighborhood of \$250,000.00 to do this and maintain these properties and I appreciate Member Cirelli's

MINUTES OF THE MEETING AUGUST 8, 2011

question regarding the billing. I know it's very hard to do and collect but I would like to be more aggressive in that respect. Let's come after some of these monies these people owe us. The other thing I'd like to see implemented, this Council passed an Ordinance, I believe it was in 2008, to fine people who have excessive high grass and weeds. In fact we had national coverage out of that for our tough attitude on it and I don't believe to date we've ever utilized that Ordinance what so ever. Let's do it for what it was intended for. Let's get some of these dead beats into the court room, fine them, take some of their money and get some of the money that the city of Canton deserves back in our coffers and we're no longer a lawn mowing service we are a city that should be proud of what we do. Thank you.

PRESIDENT SCHULMAN: Thank you Member Hawk. (*APPLAUSE*) Mayor Healy.

MAYOR HEALY: Thank you Mr. President. In the spirit of the Love Train and John Stone thank you for what you've done. I also want to give recognition to Patricia Kirk. The Kresge lot looks really nice. Those, those bricks that you have out there are very, very, very good and we really appreciate it and I also want to mention to to the Weed and Seed, the Northeast Weed and Seed folks, you are Canton, Ohio and when the citizens step up and unite and fight to take back our community and do what we can to make it look better and clean it up you know, that's how Canton comes back from some of those neighborhoods that have deteriorated over the years and I can't thank you and compliment you enough for all that you've done there and certainly want to compliment you. I also want to touch on the comment about the demo's and I certainly appreciate you know, getting recognized for our efforts. We worked very hard to bring revenue in particularly some stimulus money and state money to help that cause but you know, and many times whether it's good times or bad times you know, things that are happening throughout the city of Canton, we have different branches of government but the legislative branch and the executive branch being different we still are attached at the hip and we in the executive branch you know, are not able to do a whole heck of a lot without the support of Council. And Council has to basically has to be on the same page in order for us to be able to get things done and visa versa. So I want to compliment and thank Council. As you saw today, they wasted no time with today's demo list, going through for second, third reading, getting it approved so we can get these things moving. And so the resources that we have for that, Council is moving very quickly. They're helping us put those lists together, put the priorities on them for their Wards and they're as much if not more involved in this process so I want to make sure they get recognized for the efforts that they city of Canton has in dealing with those demo's and while we're on the Love Train, I'm going to continue. I want to also compliment the city workers. You know, we know throughout the year when we have issues going on with heavy snow, pot holes or different things like that, that they have their hands full but during the Hall of Fame week, this is Canton's time to shine nationally and we have a tremendous amount of extra responsibilities between moving bleachers and blocking off streets and safety issues and fire housing and so many different things that our employees are asked to do from Council all the way down to the every last worker, there are extra responsibilities and details that have to be handled to make Canton shine and I want to compliment every single city employee from the elected officials all the way down to the laborers that moved the bleachers. They really did a great job over the last 10, 15 days in preparing and setting up for the Hall of Fame and getting it back to normal once the Hall of Fame activities are over. And Canton looked fabulous and I also want to compliment all the volunteers because we have thousands of volunteers from the community that step up and help like Patricia Kirk and others who do things to help Canton look good during that time so I want to make sure that we all get recognized, everybody gets recognized for their efforts and input on that because it truly is a community activity. And last but not least I want to just touch on the call center because you know, we got a nice headline on Sunday and that feels good but that was a lot of work and our development team you know, really put a large effort in making those things happen over months of time. Input from the Chamber of Commerce, the Stark Development Board, Team Neo from northeast Ohio, there's a lot of people that had play in that and again Council had a major role in that because what they did was they passed and approved the ability for us

MINUTES OF THE MEETING AUGUST 8, 2011

to offer incentives and those incentives that Council approved gave me the tools that I needed when we were negotiating with the company to be able to land that deal and it, everything we do as much as we get the blame or the praise at times, as the Mayor, it is truly a team effort and I want to thank Council for all that you did in helping us have the flexibility to go land that and like I said it's a good thing for the city of Canton and I just want to make sure that we share it with everybody involved because we all won on this one and we're all going to win for many years to come so thank you Council and thanks to everybody out there.

PRESIDENT SCHUMAN: Thank you Mayor. Leader. (*APPLAUSE*)

MEMBER DOUGHERTY: Yea Mr. President. Thank you Mayor for those kind words. There's a lot of work being done in the last few months especially with Hall of Fame and I agree with you about the city workers. They really worked their tails off and they're basically the glue that makes everything put together on this to make something good happen for Canton. They did a great job as usual and so we got through another Hall of Fame and we're all still here in one piece so that's good. I move we adjourn.

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: (*Gavel falls*) Meeting is adjourned. Thank you drive safely everybody and have a wonderful week. We'll see ya in a couple weeks.

ADJOURNMENT TIME: 8:36 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT