

MINUTES OF THE MEETING OF OCTOBER 30, 2006

PRESIDENT SCHULMAN: Before we begin the meeting I'd like to ah...thank everyone of course for coming down this evening but I'd also like to especially highlight and tell the members of Council and the Mayor and her administration, we're ah...pleased to have the government class from Jackson High School tonight, could you ah...young people stand up please and be recognized. (APPLAUSE) Welcome, thank you, we hope you ah.....learn something. And the ah.....Service Director has told me that I also neglected to tell you that we have Central tonight and ah....that would be really a bad thing if I ignored you so would you please stand up to be recognized. Our Law Director said "Catholics never forget" so I'm glad I did that.

PRESIDENT SCHULMAN: Ah the Chair calls this meeting of Canton City Council to order. Roll call please madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

12 COUNCILMEMBERS PRESENT: (DON CASAR, JOE CARBENIA, MARY M. CIRELLI, BILL SMUCKLER, GREG HAWK, THOMAS E. WEST, JAMES GRIFFIN, KELLY ZACHARY, TERRY PRATER, DAVID R. DOUGHERTY, RICHARD D. HART, & KARL "BUTCH" KRAUS)

CLERK TIMBERLAKE: All present Mr. President

PRESIDENT SCHULMAN: Thank you Madame Clerk. We'll have the invocation tonight given by Councilmember Zachary. And please remain standing, for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on Monday, October 30, 2006, at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Cynthia Timberlake. The invocation was given by Ward 3 Councilmember Kelly Zachary, followed by the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We are now under agenda corrections and changes. The Chair will recognize the motion to suspend Rule 22A to add second reading Ordinances #4 through and including #17.

MEMBER CASAR: Mr. President. I move we suspend Rule 22A and add Ordinances for the second reading for ah..... 4 through and including 17 but excluding #12;

PRESIDENT SCHULMAN: Is there a second?

MEMBER CIRELLI: Seconded.

PRESIDENT SCHULMAN: Thank you, Member Casar you had me a little nervous there.

MEMBER CARBENIA: Seconded. I wanted to make sure we got the right one out.

PRESIDENT SCHULMAN: Roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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PRESIDENT SCHULMAN: Thank you Madame Clerk.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: There are 3 public hearings scheduled for this evening. The first one is for 7:30 pm. It's AN ORDINANCE VACATING PORTIONS OF MARYLAND AVENUE, SW & BELLFLOWER AVENUE, SW; APPROVING & ACCEPTING THE REPLATTING OF 13.999 ACRES OF LAND; AND DECLARING THE SAME TO BE AN EMERGENCY; And it's assigned to Ward 5. The Planning Commission is recommending approval. Is there anyone in the audience wishing to speak for or against this vacation, please come forward. There being no speakers, the Chair declares the public hearing over in regards to this matter. The matter now rests in the hands of Council. The Chair will now recognize a motion ah....to adopt. Alright, we'll read, ah....hold the motion to adopt we'll go on to the next public hearing which was scheduled for 7:31 PM. It's 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; And assigned to Wards 4 & 5. Zoning the same on 17th Street SE From Somerset SW to Start of I-1 (Light Industrial) From R-2 (Two Family Residential) to R-1a (Single Family Residential) and on Belden SE from I-1 (Light Industrial) to I-2 (Heavy Industrial District). The Planning Commission is recommending approval. Is there anyone in the audience wishing to speak for or against this zone change, will you please come forward. No one coming forward, the Chair declares the public hearing over in regards to this matter. The matter now rests in the hands of Council. We have a public hearing scheduled for 7:32 pm. It's 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; And it's assigned to Ward 4. Zoning the same from B-3 (General Business) & R-1a (Single Residential) to PB-3 (Planned General Business). The Planning Commission is recommending approval. Is there anyone in the audience wishing to speak for or against this zoning change, will you please come forward.

(INAUDIBLE FROM THE AUDIENCE)

PRESIDENT SCHULMAN: Well if you would do me 1 favor ma'am, if you would, would you step up and please identify yourself. Ah.....we appreciate you being here but we'd like your name and your ah....residence address please.

PAMELA PUDUBCHONSKI: My name is Pamela Pudubchonski, I live at 313 Millview Place SW.

PRESIDENT SCHULMAN: Thank you Ma'am.

PAMELA PUDUBCHONSKI: Which is zone 4. Um...the first I knew of any of this was when we received the letter. Um....stating exactly what your proposal is stating here for a rezoning and it is in regards to a auto situation, an auto store, of some sort and I'm a little confused. If someone could help me out on what you guys are planning on this or if this is not the time to do this, that's fine, just let me know when, where and how to find out what's going on.

PRESIDENT SCHULMAN: Mr. Service Director, would you like to answer the inquiry.

SERVICE DIRECTOR CONCATTO: Mr. President, I could try. Um....I'm not sure when you received the letter ma'am. Um,

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PAMELA PUDUBCHONSKI: It was dated October 4th. Dear Property Owner, according to Canton City Code we must notify you of a public hearing since you own property within 300 feet of a zoning change request for WXZ Retail owner, Brad McClain in the following manner.

SERVICE DIRECTOR CONCATTO: That's....that's fine. Thank you. This is autozone and autozone is ah, wants to put in their business on Cleveland Avenue and in order to do that, they need to rezone that and a portion behind it. Ah....to ah....alleviate some truck traffic, so that's basically what it was, I'm not sure if your letter indicated when the planning commission met.

PAMELA PUDUBCHONSKI: Ah, yes it did, it said that the 12th of September.

SERVICE DIRECTOR CONCATTO: That's ah....when the planning commission meets is ah, is ah opportunity there also to speak up if you were opposed to this. This is also a place you could do that. All I'm telling you that is the planning commission agreed that rezoning that for autozone for Cleveland Avenue SW was the appropriate thing.

PAMELA PUDUBCHONSKI: Okay, we didn't get the letter until after the situation happened but which is fine but do you have the address of Cleveland Avenue? 30 feet, there's not that much room on Cleveland Ave that's vacant. That's why I'm a little confused, where it would be on Cleveland Avenue. Or at least the block, I mean.

CLERK TIMBERLAKE: Brad would you like to say.....

PRESIDENT SCHULMAN: We have the owner of the property here, would you like to address the Council? Ma'am would you mind letting the gentleman address Council, that may help explain what we're trying to do here tonight. And sir, would you also ah....please identify yourself, your name and your residential address please.

BRAD MCCLAIN: Brad McClain, I'm with WXZ Retail.....ah, I live at 1600 Countyline Rd., Millridge OH. Uh....it's the corner of 26th and Cleveland Avenue, right across the street from I believe it's Taco Bell, on the opposite corner. Ah....right next to, I think it's a Speedway that's on the corner, so it would be right between those properties.

(INAUDIBLE FROM THE AUDIENCE)

BRAD MCCLAIN: Yes, and it's Advanced Auto Parts, that's quite alright. (LAUGHTER)

(INAUDIBLE FROM THE AUDIENCE)

BRAD MCCLAIN: Yeah, Cleveland Avenue.

(INAUDIBLE FROM THE AUDIENCE)

BRAD MCCLAIN: No ma'am.

PRESIDENT SCHULMAN: Well, that's alright, it'll take 2 minutes. Alright, anyone else, thank you very much sir.

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(INAUDIBLE FROM THE AUDIENCE)

PRESIDENT SCHULMAN: Sorry Ma'am, if you would, would you step forward and state your name and residential address, we'd be happy to listen to what you have to say. Thank you sir.

NORMA FORD: I'm Norma Ford and I live at 327 Millville Place SW.

PRESIDENT SCHULMAN: Good evening Ms. Ford, thank you.

NORMA FORD: And I ah.....what about the parking. The business require parking and does that interfere with our property?

PRESIDENT SCHULMAN: Do you have any other questions?

NORMA FORD: No, that's it.

PRESIDENT SCHULMAN: Alright, thank you. Maybe we'll get a response here in a moment. Anyone else have any questions concerning this particular Ordinance? Sir, do you want to just step back briefly to respond to Ms. Ford's inquiry about parking please?

BRAD MCCLAIN: Sure, I....I have an exhibit that would, that would show what it is we're proposing to do, I don't know if it's the appropriate time to ah....

PRESIDENT SCHULMAN: Well if you could just briefly answer that woman's concern about parking and you don't have to, you don't even have to use that unless you feel it's necessary.

BRAD MCCLAIN: This is Cleveland Avenue, this is 26th St. The parking will all be contained onsite. It's not a large store. It's just 7,000 square feet is all it is. So it will all be ah....our property and we're making some improvements to 26th Street so that our trucks will be able to pull off of the main Cleveland Avenue and create any traffic situations. So we are making some improvements to 26th to accommodate ah.....our delivery trucks.

PRESIDENT SCHULMAN: Okay, thank you very much sir. Anyone else? Alright the Chair is going to exercise its prerogative and change the agenda to vote on these 3 ordinances now for the benefit of the people in the audience. Madame Clerk, as if we were in the 3rd Reading will you please read the Ordinances.

#18. (3RD RDG.) **ADOPTED AS ORDINANCE 197/2006** AN ORDINANCE VACATING PORTIONS OF MARYLAND AVE S.W., ROSLYN AVE S.W. & BELLFLOWER AVE S.W.; APPROVING & ACCEPTING THE REPLATTING OF 13.999 ACRES OF LAND; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #18; seconded.

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PRESIDENT SCHULMAN: It's been first and seconded, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: The Ordinance is adopted.

#18 IS ADOPTED AS ORDINANCE 197/2006

#19. (3RD RDG.) **ADOPTED AS ORDINANCE 198/2006** AMENDING ORDINANCE NO 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #19; seconded.

PRESIDENT SCHULMAN: Ordinance #19 has been moved and seconded, any discussion? Madame clerk, call the roll.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Ordinance #20 is adopted, or I'm sorry, Ordinance #19 is adopted. Ordinance #20 please Madame Clerk.

#19 IS ADOPTED AS ORDINANCE 198/2006

#20. (3RD RDG.) **ADOPTED AS ORDINANCE 199/2006** 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

MEMBER CASAR: Mr. President

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #20; seconded.

PRESIDENT SCHULMAN: Ordinance #20 has been moved and seconded, any discussion?

MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Kraus.

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MEMBER KRAUS: Just one quick thing, through these committees that we handle these. The 300 feet is statutory for....to be sent out to everybody, no matter whether it's vacant or housing or a business, it's a general consensus of the area so that everybody would get a letter within the boundaries.

PRESIDENT SCHULMAN: Thank you Member Kraus. Any other discussion? If not, madame clerk. call the roll please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Ordinance #20 is adopted.

20 IS ADOPTED AS ORDINANCE 199/2006

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We are now back under the regular agenda and we are now under public speaks on ordinance and resolution for adoption. I do not.....there are no speakers signed up this evening. Will move to Informal Resolutions.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We are now under information resolutions. The Chair understands that there is no need to excuse any members tonight. Madame Clerk, would you please read Resolutions 80 through through 86.....83 through 86 by title.

83. BY COUNCIL-AS-A-WHOLE & PRESIDENT SCHULMAN: COMPLIMENTING & COMMENDING MEMBERS OF CANTON DETECTIVE BUREAU AND ENTIRE CITY POLICE DEPARTMENT FOR SWIFT APPREHENSION OF SUSPECTS IN RECENT HEINOUS CRIMES IN OUR COMMUNITY.

PRESIDENT SCHULMAN: The Chair will recognize a motion.

MEMBER CASAR: Mr. President, I move we adopt Resolution #83; seconded.

PRESIDENT SCHULMAN: Any discussion? If not, voice vote, all those in favor signify by saying aye, all those opposed, no.

NO REMARKS

RESOLUTION #83 APPROVED BY UNANIMOUS VOICE VOTE

(LAUGHTER)

PRESIDENT SCHULMAN: No?

(LAUGHTER)

PRESIDENT SCHULMAN: Yes, alright. Madame Clerk, Resolution 84.

#84 BY COUNCIL-AS-A-WHOLE & PRESIDENT SCHULMAN: COMMENDING JULIE HERMAN,

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TEACHER, FOR RECEIVING THE MILKEN NATIONAL EDUCATION AWARD.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #84;seconded.

PRESIDENT SCHULMAN: It's been moved and seconded. Any discussion? All those in favor signify by saying yes, all those opposed no.

NO REMARKS

RESOLUTION #84 APPROVED BY UNANIMOUS VOICE VOTE

#85 BY WEST, T., WARD 2 COUNCILMEMBER: SUPPORTING RESEARCH & EXPLORATION OF LEGAL MEASURES TO BANISH CONVICTS FROM BARS, TAVERN & CLUBS TO REDUCE VIOLENCE IN LIQUOR ESTABLISHMENTS

PRESIDENT SCHULMAN: This will be referred to the Judiciary Committee.

#86 BY COUNCIL-AS-A-WHOLE & PRESIDENT SCHULMAN: SUPPORTING RE-ESTABLISHMENT OF A FORM OF COMMUNITY POLICING IN NEIGHBORHOODS TO HELP COMBAT CRIME.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #86; seconded.

PRESIDENT SCHULMAN: 86 has been moved and seconded, any discussion? If not, all those in favor say yes. It's aye, all those in favor say aye. All those opposed, no.

NO REMARKS

RESOLUTION #86 APPROVED BY UNANIMOUS VOICE VOTE

PRESIDENT SCHULMAN: That Resolution has been adopted.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Hawk.

MEMBER HAWK: Could I ask that Resolution #83 be delivered to Captain Shackle in the Detective Bureau, I think for as outstanding job that they did and the hard work that they put forth in this, I'd like to see them get that.

PRESIDENT SCHULMAN: Would you repeat that please Member Hawk, this.....

MEMBER HAWK: I would ask that Resolution #83 be taken down to the Detective Bureau, Captain Shackle, who did an excellent job in this process and his team really worked hard to get these criminals off our streets...the suspects off our streets. Thank you.

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PRESIDENT SCHULMAN: Yes.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Could I ask that Resolution #86 be delivered to the Chief of Police.

PRESIDENT SCHULMAN: Yes, it will be.

MEMBER SMUCKLER: Thank you Mr. President.

PRESIDENT SCHULMAN: Any other remarks?

COMMUNICATIONS

PRESIDENT SCHULMAN: We are now under communications. Let the Journal show that all communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED OCTOBER 30, 2006.

505. CANTON POLICE DEPARTMENT: 2005 ANNUAL REPORT. - RECEIVED & FILED
506. LIQUOR CONTROL DIVISION (OHIO): NOTICE OF WITHDRAW OF OBJECTION TO APPLICATION FOR MURPHY OIL USA, INC., DBA MURPHY USA, INC., @ 4030 TUSCARAWAS ST, WEST. - RECEIVED & FILED
507. MAYOR CREIGHTON: REQUEST AUTHORIZATION TO APPOINT MARCIA ZAWACKY TO THE FAIR HOUSING BOARD TERM EXPIRING ON 12/31/07. - PERSONNEL CMTE
508. MAYOR CREIGHTON: REQUEST AUTHORIZATION TO APPOINT WILLIAM EUSTATHIOS TO THE BOARD OF BUILDING APPEALS TERM EXPIRING ON 12/31/08. - PERSONNEL CMTE
509. PHILLIPS, DANIEL, APPLICANT: ZONE CHANGE APPLICATION FOR 1800 - 9TH ST SW FR: R-1A TO: PB-3 FOR CARRY OUT RESTAURANT & RETAIL SHOP. - PLNG COMMISSION
510. POTROOS, HANY, APPLICANT: ZONE CHANGE APPLICATION FOR 2317 - 13TH ST NW FR: B-3 TO: PB-4 ADDING AN ELECTRONIC MESSAGE DISPLAY PANEL. - PLNG COMMISSION
511. SERVICE DIR., CONCATTO: REQUEST AUTHORIZATION TO ENTER INTO A CONTRACT W/COOPER & ASSOC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES FOR OSNABURG TWP WATER MAIN EXTENSION PROJECT IN AMT NOT TO EXCEED \$53,500.00; REQUEST SUPPLEMENTAL APPROPRIATION OF SAME FR: THE UNAPPROPRIATED BALANCE OF THE 5201 FUND TO: 5201 WATER DISTRIBUTION. - FINANCE & ENV. & PUB

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UTIL CMTES

512. SERVICE DIR., CONCATTO: REQUESTING APPROVAL FOR EMERGENCY REPLACEMENT OF BACKWASH PUMP IN WPCC & TO MAKE \$41,359.00 PAYMENT TO ESTABROOK CORPORATION IN ACCORDANCE W/CITY CODE SEC. 105.04, EMERGENCY CONTRACT. PROCEDURES. - FINANCE CMTE
513. TRILLIUM FAMILY SOLUTIONS: ANNUAL REPORT TO THE COMMUNITY FR: 7/1/05 - 6/30/06. - RECEIVED & FILED
514. WILLIAMS, ERIC, ATTORNEY: MOTION FOR EXTENSION OF TIME TO FILE BRIEF OF APPELLANT & JUDGMENT ENTRY FOR FILING IN THE CASE: PLAIN TWP BD OF TRUSTEES V. BD OF CTY COMMISSIONERS, STARK CTY, ET AL (DIANO ANNEXATION). - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We are now under Ordinances and Formal Resolutions for the first reading. Let the journal show that all ordinances are being given their readings as required by State Law. Madame Clerk, please read the first reading ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #3 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

- #1 (1ST RDG) AMENDING SECTIONS 157.01 & 157.05 OF CHAPTER 157, POLICE AND FIRE MINORITY EMPLOYMENT OPPORTUNITY OF THE ADMINISTRATIVE CODE OF CODIFIED ORDINANCES OF THE CITY OF CANTON
Referred to JUDICIARY COMMITTEE
- #2 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A DONATION TO ASSIST IN THE PURCHASE OF SMOKE DETECTORS; AMENDING APPROPRIATION ORDINANCE NO. 1/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to FINANCE COMMITTEE
- #3 (1ST RDG) AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE STARK COUNTY METROPOLITAN SEWER DISTRICT FOR THE PURCHASE OF SANITARY SEWER CONVEYANCE RIGHTS IN AN AMT NOT TO EXCEED \$91,136.09; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

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PRESIDENT SCHULMAN: We are now under Ordinances for their second reading. Madame Clerk, will you please read the Ordinances #4 through #17 by title and #12 will be held.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #4 THROUGH #17 FOR THE SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

4. (2nd RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 4682 THRU 4684; APPROVING AND ACCEPTING THE DEDICATION OF A PORTION OF THE INTERSECTION OF TYLER AVENUE SE AND 4TH STREET SE; AND DECLARING THE SAME TO BE AN EMERGENCY
5. (2nd RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH COT-PURITECH PURSUANT TO THE CITY'S JOB CREATION INCENTIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
6. (2nd RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT A \$120,000 PER YEAR GRANT FOR A 3-YR FAIR HOUSING ASSISTANCE PROGRAM; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MONTH TO MONTH CONTRACT WITH STARK COUNTY REGIONAL PLANNING COMMISSION TO PROVIDE FAIR HOUSING SERVICES FOR THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
7. (2nd RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO FILE WITH THE US DEPT OF HOUSING & URBAN DEVELOPMENT A 2007 CONSOLIDATED PLAN FOR THE 2007 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, 2007 HOME INVESTMENT PARTNERSHIP PROGRAM & 2007 EMERGENCY SHELTER GRANT PROGRAM; RATIFYING SUBMISSION & FILING OF SAID PLAN; AUTHORIZING THE MAYOR TO EXECUTE GRANT AGREEMENTS WITH THE US DEPT OF HOUSING & URBAN DEVELOPMENT AND TO ACCEPT FUNDING FOR THE 3 PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY
8. (2nd RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A FUNDING AGREEMENT WITH STARK COUNTY OUT OF POVERTY PARTNERSHIP, INC TO PROVIDE HOME FUNDS IN AN AMOUNT NOT TO EXCEED \$240,000 FOR THE WILLOW PARK HOUSING PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
9. (2nd RDG) AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF LOTS 7891 AND 40796; APPROVING & ACCEPTING THE DEDICATION OF ADDITIONAL

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RIGHT-OF-WAY FOR A 15-FOOT TURN-OUT RADIUS; AND DECLARING THE SAME TO BE AN EMERGENCY

10. (2nd RDG) AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF PART OF LOT 793; AND DECLARING THE SAME TO BE AN EMERGENCY (St. Metro Housing)
11. (2nd RDG) AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF PART OF OUTLOT 215; AND DECLARING THE SAME TO BE AN EMERGENCY
13. (2nd RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT AMENDMENT WITH MERCY MEDICAL CENTER AND CONCERN; AND DECLARING THE SAME TO BE AN EMERGENCY
14. (2nd RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AMENDED CONTRACTS WITH OHIO POWER COMPANY TO PROVIDE ELECTRIC ENERGY TO THE HARRISBURG RD NE WATER FIELD AND SUGARCREEK WATER FIELD; AND DECLARING THE SAME TO BE AN EMERGENCY
15. (2nd RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FIVE YEAR LEASE/PURCHASE CONTRACT WITH DIGITAL AND ANALOG DESIGN CORPORATION FOR VOICE COMMUNICATION SYSTEM EQUIPMENT PURSUANT TO ORC SECTION 125.04; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH KEY GOVERNMENT FINANCE, INC. FOR A TAX-EXEMPT MUNICIPAL GOVERNMENT LEASE FOR THE PURCHASE OF SAID EQUIPMENT IN AN AMOUNT NOT TO EXCEED \$750,000; AND DECLARING THE SAME TO BE AN EMERGENCY
16. (2nd RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE REIFSNYDER PARK/PARK POULTRY ANNEXATION AREA UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
17. (2nd RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE HARMONT EAST ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

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NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #21 THROUGH #23 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ALL THE ORDINANCES WERE ADOPTED BY COUNCIL FOLLOWING THEIR THIRD READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We are now under Ordinances for their third and final reading. Madame Clerk, please read Ordinances #20 through 23 by title.

CLERK TIMBERLAKE: 21.

PRESIDENT SCHULMAN: 20.....excuse me, 21 through 23, always being corrected.

CLERK TIMBERLAKE: Your allowed.

#21. (3RD RDG.) **ADOPTED AS ORDINANCE 200/2006** AN ORDINANCE AMENDING SECTION 151.10, HEALTH & WELFARE BENEFITS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON.

PRESIDENT SCHULMAN: The Chair will recognize a Motion.....

MEMBER CASAR: Mr. President, I move we adopt Ordinance #21; seconded.

PRESIDENT SCHULMAN: Ordinance #21 has been moved and seconded, any remarks? If not...ah, Madame Clerk will you call the roll.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: The Ordinance is adopted.

#21 IS ADOPTED AS ORDINANCE 200/2006

#22. (3RD RDG.) **ADOPTED AS ORDINANCE 201/2006** AMENDING APPROPRIATION

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ORDINANCE NO. 1/2006 AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #22; seconded.

PRESIDENT SCHULMAN: Ordinance #22 has been moved and seconded. Are there any remarks? If not Madame Clerk will you call the roll.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: The Ordinance #22 is adopted.

#22 IS ADOPTED AS ORDINANCE 201/2006

#23. (3RD RDG.) AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$825.39 TO OFFICE MAX CONTRACT, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #23; seconded.

PRESIDENT SCHULMAN: Ordinance #23 has been moved and seconded, are there any remarks? Madame Clerk, if not, Madame Clerk.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk Ordinance #23 is adopted.

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#23 IS ADOPTED AS ORDINANCE 202/2006

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We are now Announcement of Committee Meetings.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Judiciary will meet at 6:30 on the, November 6th.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Finance Committee will meet November 6th at 6:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater, thank you for raising your hand.

MEMBER PRATER: Personnel Committee will meet November 6th at 6:30.

PRESIDENT SCHULMAN: Thank you.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We are now on Public Speaks and we have 2 speakers tonight, ah.....Rhonda Smith and Richard Kendig. Ms. Smith, would you step forward please. And as always, we appreciate your interest in the community. We appreciate your being here as we said to the other speakers, if you would could you give us

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your name and your residential address please. Thanks Ma'am.

RHONDA SMITH: Thank you, um.....my name is Rhonda Smith and I'm at 1663 Gibbs Avenue and ah...I'm a lifetime resident of the City of Canton and um.....my siblings and I grew up right here off ah....Belden Avenue, uh.....on 4th St NE and we were just as law abiding hard working citizens and one of the reasons that I'm here today, I'm here this evening to address the idea of Mayor Creighton to beef up the security forces in minority neighborhoods. Ah.....such as the 7th St NE and the far NE neighborhoods and any other areas. And what I'm asking is that the Mayor would please, not impose a plan but to allow the community to build a plan that encourages police officers to have a positive interaction with our young people, young youth, well the youth and the young adults. And to implement ideas such as perhaps, ah something where monthly, you know where the officers are helping to mentor ah.....maybe some type of ah, monthly benefit whether it would be um.....some type of something where the officers versus the youth, like maybe basketball, something like that where they can exert this energy so it wont be negative energy so it wont be negative energy. Ah, these are just some of the things that you know, that I am asking that some of these ideas be put into place and that they....they are put into place through a networking in the neighboring communities and as responsible tax paying citizens, we do care about communities. So we ask that you take that into consideration and we thank you.

PRESIDENT SCHULMAN: Thank you very much Ms. Smith. Our next speaker is Richard Kendig. Mr. Kendig, would you step forward. Good evening sir. Could you give us your name and your residential address please.

RICHARD KENDIG: My name is Richard Kendig, I live at 1226 Valleyview SW, Canton, Ohio. I came to congratulate the City tonight for the wonderful job the City Health Department along with the County Health Department did over at the Fairgrounds for the flu shots. Uh....if anybody was over there, they saw how well it was handled, they had people at the gate to tell you where to go. Ah....plenty of parking, people inside there was enough people inside to handle everything very smoothly. They had paramedics units there, they had ah..the ah.....Sheriff's Department had people there and even the...ah Red Cross had a...a van giving out coffee to the people because of the raining and the cold weather. I would love to see this be used again maybe in the years in the future because of the amount of parking there and easy access to it. Completely wonderful for the handicapped because the building is level and there's no ramps or nothing to worry about and I appreciate that. And I also want to thank the Mayor for getting me the speaker for the ah....my organization for the ah.....I'm President of the CAC, which is Citizens Advisory Council to the Regional Planning Commission and we had asked the Mayor to get us a speaker on, from the Health Department on, on uh....pollution and monitoring and they did an excellent job. She can be proud of them for that. Thank you.

PRESIDENT SCHULMAN: Thank you very much Mr. Kendig.

(APPLAUSE)

PRESIDENT SCHULMAN: I know we all appreciate the compliments. Thanks sir for coming down and thank you Ms. Smith. Appreciate your remarks.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We are now under Miscellaneous Business. Is there any miscellaneous business?

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MEMBER ZACHARY: Mr. President.

PRESIDENT SCHULMAN: Member Zachary, beauty before age, I was looking at Member Hart.

MEMBER ZACHARY: I got yelled out by President Denczak for saying that very same thing.

(LAUGHTER)

PRESIDENT SCHULMAN: Well, I'm the President now, so don't worry.

MEMBER ZACHARY: At any rate, um....I would encourage any members of the audience to become actively involved in a couple of different events that are gonna be happening here real soon. I know tomorrow night and I believe ah.....Zutali is an organizational meeting, ah.....is being held in...in light of the recent tragedies that have happened in our city with the murders that have taken place and also on November 11th there's going to be ah.....a rally for peace at the old timers...ah that is being done in conjunction with Stark State Technical College and its from 1:00 to 3:00 pm. Um....just personally, if anyone who resides in my ward has issues with drug deals...ah....crime, please let me know. If you give me the addresses of drug houses, I have been very um.....I've received a very good response from the gang task force and the vice unit. They usually get these guys off the street pretty quickly. I do know one of the things that they try to do is build cases, so um.....instead of just going out and doing jump outs and arresting someone and their back on the street like a couple hours or a couple days later. They like to build cases where they can put them away for a long time. And it takes time and it takes patience to do that. I ask that um.... the residents of the City as a whole bare with us because we have some very hard working officers who are doing an extremely tremendous job for what they do everyday. But a lot of times they get beat up and say the police aren't doing anything and that's simply not true. I also caution residents when the police are doing there jobs, to stay out of the way. Um, don't interfere in that process because then the next thing you know, we have people coming down here saying the police beat my kid up and that may not be factual. So those are my words of wisdom, I guess for tonight but um...if you would like to talk after the meeting I will get you some more information on what's going on. Thank you.

PRESIDENT SCHULMAN: Thank you Member Zachary. Member Hart.

MEMBER HART: It um...on Resolution ah...84 ah.....Honoring Julie Herman, she was a student of mine, my ah....first years of teaching in Canton City Schools, you know that was awhile ago and ah.....but ah.....Julie's one of those young, young ladies that ah.....was just very special and just a very, very brilliant...ah....child and grew up to be a...is a brilliant woman and has just done very, very well and ah....it was unfortunately inconvenient for her to be tonight for the presentation but I would like to ah.....ah..have that presented to her next week.....and ah....ah.....like you said, just a fantastic woman and whatever she would have done, if she was in law, she would become a Supreme Court Justice and.....and she chose education and is just a superb teacher.

PRESIDENT SCHULMAN: Thank you Member Hart and we will do that next week. Any other comments?

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MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adjourn; seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you meeting is adjourned (*gavel falls*)

ADJOURNMENT TIME: 8:09 PM

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT OF COUNCIL