

MINUTES OF THE MEETING JUNE 18, 2007

PRESIDENT SCHULMAN: (*SOUND OF GAVEL*) All right. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

9 COUNCILMEMBERS PRESENT; 3 COUNCILMEMBERS ABSENT: (DON CASAR, JOE CARBENIA, MARY CIRELLI, BILL SMUCKLER, GREG HAWK, THOMAS WEST, TERRY PRATER, DAVID R. DOUGHERTY, & KARL "BUTCH" KRAUS)

ABSENT: JAMES GRIFFIN, KELLY ZACHARY, & RICHARD HART

CLERK TIMBERLAKE: Nine present, three absent Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. We'll have the invocation given tonight by Councilmember Butch Kraus. Will you all please remain standing for the pledge of allegiance.

The regular meeting of Canton City Council was held on Monday, June 18, 2007 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 8 Councilmember Karl "Butch" Kraus, followed by the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: I'd like to extend a good evening to all of you folks who came down on this hot, beautiful, almost summer day. Ah, we're now under agenda corrections and changes. Members of Council, you're going to be asked to suspend Rule 22A to add the second reading of Ordinances #10 through and including #14. Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A to add Ordinances #10 through and including #14 on this evening's agenda.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A. Are there any remarks? If not, Madame Clerk, roll call vote please

NO REMARKS

ROLL CALL: 9 YEAS, 0 NAYS

CLERK TIMBERLAKE: Nine yeas Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. We have no public hearings this evening.

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PRESIDENT SCHULMAN: We're now under Public Speaks on Ordinances and Resolutions for adoption. We have no speakers signed up to speak.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions. Member Casar, I will recognize a motion to excuse members.

MEMBER CASAR: Mr. President, I move that Members Zachary, Member Griffin and Member Hart be excused from this evening's meeting.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: Thank you. It's been moved and seconded to excuse Members Zachary, Griffin and Hart from this evening's meeting. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 9 YEA, 0 NAYS

CLERK TIMBERLAKE: Nine yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion passes. Madame Clerk, will you please read Resolution #52 by title.

#52. COUNCIL AS A WHOLE: ADOPTION OF THE STARK COUNTY NATURAL HAZARDS MITIGATION PLAN. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #52.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #52. Are there any remarks?... If not, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #52 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT SCHULMAN: The Resolution #52 has been adopted. Ah, my favorite tonight on the agenda is Resolution #53. Madame Clerk, will you please read the resolution.

#53. COUNCIL AS A WHOLE: COMMENDING BILL BURGA FOR HIS HARD WORK AND DEDICATION TO THE AFL-CIO. - ADOPTED

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MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #53.

MEMBER CARBENIA: It's my honor to second that...mo...to second that.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #53. Are there any remarks?

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Ah, if we could, could we have that read in its entirety please.

PRESIDENT SCHULMAN: Absolutely. Madame Clerk. Would you please read Resolution #53 in its entirety?

CLERK TIMBERLAKE: Informal Resolution respectfully submitted by Council As A Whole on this 18th day of June 2007. WHEREAS, Bill Burga is an icon in the world of Ohio AFL-CIO. Upon launching his 52 year career in the union realm, he envisioned a union for the workers, not only for benefits but for day to day representation. In October 1993, Bill was named to head the Ohio AFL-CIO and has been the longest serving President; and WHEREAS, Bill was born in Bethesda in Belmont County to coal miner parents. Being raised by a feisty and firm father along with a very compassionate mother, his parents taught him to treat people the way that you want to be treated. His career began at the Timken Company but moved on to Jones and Laughlin Steel after taking a lay-off. Being caught in the middle of the 1959 strike, Bill joined the ranks of the Steelworkers Union. He was elected as Treasurer then moving up to President of a 350 member local. After serving his union members with such great leadership, he was elected Vice President of the Canton Labor Council; and WHEREAS, after spending 15 years in Marion, Ohio as President of the Marion County AFL-CIO Bill returned to Canton in 1984 and was elected President of the Massillon AFL-CIO. Finally, in 1993, he was elected President of the Ohio AFL-CIO in Columbus, Ohio. Bill was dedicated to the members of his organization and the average person and to making the work place and life in general a better place; and WHEREAS, Bill decided to retire this year and spend time in Florida and enjoy his four children and three grandchildren. Young Tim Burga has followed his father into the labor movement and is Chief Lobbyist in Columbus, Ohio for the AFL-CIO. NOW THEREFORE, BE IT RESOLVED: That we, the Members of the Council of the City of Canton, Ohio, do hereby go on record to give special tribute to, commend and thank Bill Burga, for his many years of compassionate yet firm leadership, for his hard work and dedication to the AFL-CIO and for pioneering a path for others. We wish you well in your retirement! Congratulations Bill! (*AUDIENCE APPLAUSE*)

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Ah, yes sir. Thank you very much. I have a couple of comments. First, ah, I've known Bill for quite a long time. I have never met a leader like him that was more compassionate and more, more up-front and tell, and tell the other side what he's gonna do and not only what he's gonna do, but do it. But, I have one little story about Bill that not too many people know. A few years ago when he came back from Marion, he

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came to Canton and he was going to run for President of the Greater Canton AFL-CIO and I had spoke with him and he asked for my support and at that time, I supported ah, Dan Sciury and, ah, Bill took it like a man and said okay, thanks, I'm glad you told me. But, this is an earmark to show that this guy's a great person. When I retired, he appointed me as the President of all of the AFL-CIO retirees in Ohio and never held a grudge but, whatta guy! You'll never meet a guy like him ah, there's so many things that you can say. He is has just been ah, a leader that nobody could not follow. He was surrounded by great people. He knows his people, he knows who to get to, to get the most out of and he's just a great person. His son is in his footsteps, Tim, and he's a great lawyer, and a good person that, that helps us with Worker's Comp in the State and other issues that come before you that need lawyers, but, um, I could probably talk more, but I'm not going to. I'm gonna let everybody else say something if they want and I'd like to present this plaque to him and then maybe give him a couple minutes to um, tell us how he feels.

PRESIDENT SCHULMAN: Absolutely.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I would like to echo the comments of ah, Councilman Carbenia but I would like to also add that he did say that under his leadership, ah, you know, what's has happened with regards to the AFL-CO, CIO, but it's not because only his leadership, it's who he placed under him, his subordinates that ah, would ah, would do what he requested them to do and Bill was one of those individuals that ah, let his subordinates do what they had to do and ah, he was, I wouldn't want to say he's a hands-off individual, but an individual that made sure the work was done but had other people ah, that he entrusted to do it and that, that to me is a leader, more so than trying to do it all yourself and ah, I've known Bill for a lotta years also. I commend him. I wish him happy retirement and ah, many years, of good safe, you, your wife so, congratulations Bill.

PRESIDENT SCHULMAN: Thank you Member Casar.

MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Member Kraus

MEMBER KRAUS: Thank you. I also go back a ways with Bill from my former years as President of AFSCME in the service workers and before that, the teamsters. Well, one thing that you could always count on Bill or say for Bill, was his door was always open, to help in a situation to bring both sides together and, and, Bill, that, to me, is more important than anything that anybody can do is have an open door. Thank you.

PRESIDENT SCHULMAN: Thank you Member Kraus.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Bill, it's an honor to be part of this Council that is honoring you sir. We go back about

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20 years and ah, remember the Pension Benefit Guaranty Corporation, which a lot of people aren't aware of and we did some picketing and stood for the right things, and I admire you sir, because you came forward when it was the right thing to do for the right people. So, God Bless. Ah, you're going into retirement, but knowing you, you'll be down in Florida and I'm sure you're gonna get active in something down there when you see the need and the cause, so, I wish you the very best sir, and it's been an honor to know you. Thank you sir.

PRESIDENT SCHULMAN: Thank you Member Cirelli.

MAYOR CREIGHTON: Mr. President.

PRESIDENT SCHULMAN: Madame Mayor.

MAYOR CREIGHTON: It is the Republican speaking. (*LAUGHTER*) Bill, I personally want to thank you for the kindness that you have extended to me through the years and on behalf of all Ohioians, um, we thank you for the service to our great State and we wish you well in your retirement. Thank you.

PRESIDENT SCHULMAN: Thank you Madame Mayor. Ah, if I may echo those remarks and, and say that I have not known Bill certainly as long as Member Carbenia, but we've known each other for some years. We always have stimulating and lively conversations about the labor movement, but Bill, it's an honor to be here tonight as part of this commendation. Ah, I wanna just echo what ah, Cindy read, and that is that no labor leader in Ohio, no labor leader, over the years has fought for working men and women like Bill Burga has. No labor leader has done more to advance the cause of worker's rights and the dignity of working people than Bill Burga. It is truly an honor and a privilege to be in your presence tonight Bill, and I can assure you, despite these great ah, statements about happy retirement in Florida, Bill is not retired, he will not retire. He will continue to work with the new President Joe Regal in Columbus and the AFL-CIO is under very good leadership and stewardship. Congratulations Bill and thank you so much for being here. Any other remarks?... If not, we should probably vote on the Resolution. Ah, all those in favor signify by saying aye. Those opposed no. The Resolution passes.

NO REMARKS

RESOLUTION #53 ADOPTED BY UNANIMOUS VOICE VOTE

PRESIDENT SCHULMAN: Bill would step forward and give us a few remarks? (*APPLAUSE-COUNCILPERSON CARBENIA STEPS FORWARD TO PRESENT THE RESOLUTION TO MR. BURGA*)

MEMBER CARBENIA: Well Bill, it's my pleasure to present you with this from City Council and the City of Canton. Ah, it couldn't, couldn't be presented to a better person, inside person. Not just labor, not just ah, the boss, which you have always been my boss and I've always called you boss because the leader that you are, just shows. It just emanates from you, always, and ah, I could say a lot more things Bill, but, I would rather you say something and congratulations to you.

MR. BURGA: Thank you. Thank you very much. Councilman Carbenia, thank you very much and Mr. President? That sounds good, doesn't it Allen? (*LAUGHTER*) Mayor Creighton and the Officers of your Administration, through the Canton City Council, I come to you tonight and really, sincerely, humbly, thank you for this kind of honor that you've just bestowed on me, and I have known Joe Carbenia for probably longer than most of you, and um, Joe, you were not wrong. You know, in politics, everything is timing and when Joe supported Dan Sciury back in 1985, I think it was, it was well placed because I was just returning from Marion.

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A lot of people forget you, you know, in a few years when you've gone away and Dan Sciury has held that helm since then. You know, the work that I have done over the years, is probably the best work that anyone can ever do and it's similar to what you're doing, representing people, average citizens that need representation, average workers in a work place that need representation, and everyone needs representation and our form of government, it's the best that we know of. We don't always agree with the leaders that we elect, or that have been elected, but everyone needs a representative to speak for them from time to time. Ministers minister for after you're dead, I just love the idea of helping people while they're alive. Ah, the powerful in this country are more powerful than ever. As I said to a news reporter, the corporations are not representing the interest of people as much as they are corporations and they think everything will trickle down. Ah, it's created a lot of problems, but one thing I've learned over the years, when you have a problem you don't stop. You don't stop trying to do the right thing. So, I leave you with a real good experience in Canton, Ohio. I love this city. I lived here about 25 years here all together. I used to come here a long time ago, before that, when my sisters were here. But, you have a great city. You have great people. The work ethic here is outstanding, so, I ah, I applaud the work that all of you do and I thank you and thank you very much from the bottom of my heart and Mayor and President Schulman, keep up the good work here for the citizens of Canton, Ohio and Stark County. Thank you again very much.
(OVERWHELMING APPLAUSE)

PRESIDENT SCHULMAN: I said that was my ah, favorite Resolution tonight. Thank you President Burga. Madame Clerk, would you read Resolution #54 by title please.

CLERK TIMBERLAKE: It's hard to follow that.

PRESIDENT SCHULMAN: Yes.

#54. COUNCIL AS A WHOLE: RECOGNIZING THE BENEFITS OF PARKS & RECREATION AND THAT JULY IS PARKS & RECREATION MONTH. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #54.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #54. Are there any remarks? If not, by voice vote, all those in favor signify by saying aye. Those opposed no. The Resolution is adopted.

NO REMARKS

RESOLUTION #54 UNANIMOUSLY PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The Resolution is adopted.

COMMUNICATIONS

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

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NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JUNE 18, 2007.

364. CANTON FIRE DEPARTMENT: 2006 ANNUAL REPORT. - RECEIVED & FILED
365. CARBENIA, JOE WARD 9 COUNCILMEMBER, CITY OF CANTON: REQUEST AMENDMENT TO ORDINANCE RE: CIVIC CENTER FIREFIGHTER'S P AY. - PERSONNEL & JUDICIARY CMTE
366. HEALTH BENEFITS ADMINISTRATION ROSE BRESSON, CITY OF CANTON: MAY 2007, MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS & JAN - MAY 2007 PAID CLAIMS & COMPARATIVE REPORT. - RECEIVED & FILED
367. HEALTH COMMISSIONER ROBERT PATTISON, CITY OF CANTON: REQUEST TO APPROPRIATE UNAPPROPRIATED FUNDS FOR 2007 IN THE AMOUNT OF \$2,884.00 FR: UNAPPROPRIATED BALANCE OF 2329 SMOKE FREE OHIO FUND. - FINANCE CMTE
368. HEALTH COMMISSIONER, ROBERT PATTISON, CITY OF CANTON: REQUEST TO APPROPRIATE UNAPPROPRIATED FUNDS FOR 2007 IN THE AMOUNT OF \$30,154.00 FR: UNAPPROPRIATED BALANCE OF 2328 PUBLIC HEALTH INFRASTRUCTURE FUND. - FINANCE CMTE
369. HEALTH COMMISSIONER, ROBERT PATTISON, CITY OF CANTON: REQUEST TO APPROPRIATE UNAPPROPRIATED FUNDS FOR W I C ADMINISTRATIVE GRANT IN AMOUNT OF \$103,905.00 FR: UNAPPROPRIATED BALANCE OF THE 2316 W I C ADMINIS- TRATIVE FUND. - FINANCE CMTE
370. LAW DIRECTOR JOSEPH MARTUCCIO, CITY OF CANTON: REQUEST FOR COUNCIL TO ADOPT THE STARK COUNTY HAZARD MITIGATION PLAN RESOLUTION. - RECEIVED & FILED
371. LIQUOR CONTROL DIVISION, STATE OF OHIO: NOTICE OF CANCELLATION OF PERMIT FOR MEZE'S MKT INC. DBA MEZE'S MKT @ 1639 MAPLE AVE. NE, THEREFORE A RULING WILL NOT BE ISSUED ON THE HRG. HELD ON 3/5/07. - RECEIVED & FILED
372. LIQUOR CONTROL DIVISION, STATE OF OHIO: REQUEST TO TRANSFER OWNERSHIP OF D5, D6, LIQUOR PERMIT FR: EST 97 INC DBA HOB NOB TAVERN TO PLW 2006 LLC, DBA HOB NOB TAVERN @ 1604 HARRISBURG RD NE 1ST FLR. - RECEIVED & FILED
373. LIQUOR CONTROL DIVISION, STATE OF OHIO: REQUEST TO TRANSFER OWNERSHIP OF D2, D2X, D3, D3A, D6, LIQUOR PERMIT FR: SKYLAND PINES INC. DBA SKYLAND PINES GOLF SWIM & TENNIS & BANQUET FACILITIES TO SP LLQ LLC, DBA SKYLAND PINES GOLF SWIM & TENNIS & BANQUET FACILITIES @ 3550 COLUMBUS RD NE. - RECEIVED & FILED
374. MAYOR JANET CREIGHTON, CITY OF CANTON: REQUEST TO RE-APPOINTMENT MR.

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- NEIL LIBSTER TO FAIR HSG BD FOR 5 YR. TERM EFF: 7/1/07 - 12/31/12. - PERSONNEL CMTE.
375. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDS APPROVAL OF PROPOSED ZONE CHANGE @ THE NW CORNER OF MKT AVENUE N. & 30TH STREET NW FR: R-1C (SINGLE FAMILY RESIDENTIAL) TO PB-1 (PLANNED OFFICE) (RANSAZZO/MARCANTONIO) - JUDICIARY CMTE
376. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDS APPROVAL OF SEVERAL PROPOSED CITY-WIDE ZONE CHANGES (CITY OF CANTON). - JUDICIARY CMTE
377. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDS APPROVAL OF PROPOSED REPLAT OF 2801 FAIRCREST AVE. SW (JAMES REED). - PUB SAFETY & THOROUGHFARES CMTE
378. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDS APPROVAL OF PROPOSED FINAL PLAT QUEEN ESTHER'S SUBDIVISION (COOPER & ASSOC FOR RICHARD ESLICH). - PUBLIC SAFETY & THOROUGHFARES CMTE
379. PLANNING COMMISSION, CITY OF CANTON: RECOMMENDS APPROVAL OF PROPOSED REPLAT OF LOTS 23352 - 23354 & THE DEDICATION OF 25TH ST. NE R-O-W FR: EAST LINES OF LOT 23355 TO WEST LINES OF LOT 23351 (HABITAT FOR HUMANITY). - PUBLIC SAFETY & THOROUGHFARES CMTE
380. SERVICE DIRECTOR, JOSEPH CONCATTO, CITY OF CANTON: AUTHORIZE SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR THE WPCC TERTIARY FILTER PROJECT IN THE AMOUNT NOT TO EXCEED \$1,800.00; REQUEST SUPPLEMENTAL APPROPRIATION FOR SAME FR: 5413 SEWER REPLACEMENT FUND TO 5413 20-60-43 WPCC TERTIARY FILTER PROJECT. - FINANCE CMTE
381. SERVICE DIRECTOR, JOSEPH CONCATTO, CITY OF CANTON: AUTHORIZE SERVICE DIRECTOR TO PAY MORAL OBLIGATION TO BITZEL EXCAVATING, INC IN AN AMOUNT NOT TO EXCEED \$21,000.00 FOR ADDITIONAL WORK FOR THE SANITARY SEWER REPLACEMENT NEAR THE INTERSECTION OF WAYNESBURG RD SE & ED STEIN DR SE. - FINANCE CMTE
382. SERVICE DIRECTOR, JOSEPH CONCATTO, CITY OF CANTON: AUTHORIZE SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS & ENTER INTO CONTRACT FOR THE REPAIR OF SEVERAL BRICK STREETS IN AN AMOUNT NOT TO EXCEED \$200,000.00. - FINANCE CMTE
383. STARK COUNTY 5TH DISTRICT APPELLATE COURT: JUDGEMENT ENTRY RE: PLAIN TWP TRUSTEE VS. BD OF COMMISSIONERS, ET AL GRANTING EXTENSION OF TIME TO FILE REPLY BRIEF OF APPELLANT (DIANO ANNEXATION). - RECEIVED & FILED

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384. TREASURER ROBERT SCHIRACK, CITY OF CANTON: MAY 2007 PARKING METER REVENUE. - RECEIVED & FILED
385. TREASURER ROBERT SCHIRACK, CITY OF CANTON: MAY 2007 DEPOSITS & PAY INS FOR AMBULANCE LOCK BOX ACCOUNT. - RECEIVED & FILED
386. TREASURER ROBERT SCHIRACK, CITY OF CANTON: REPORTS OF TREASURER'S OFC BANK RECONCILIATION & CITY'S OUTSTANDING INVESTMENTS AS OF 5/31/07. - RECEIVED & FILED
387. TREASURER ROBERT SCHIRACK, CITY OF CANTON: MAY 31, 2007 COMPARATIVE REPORT OF CASH RECEIPTS. - RECEIVED & FILED

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 readings as required by State Law. Madame Clerk, please read the first reading ordinance by title please.

NOTE: PRESENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #9 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

- #1 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$125,000.00 FOR ECONOMIC DEVELOPMENT PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #2 (1ST RDG) ~~ADOPTED AS ORDINANCE #116/2007~~ AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SERVICE DIRECTOR TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE STEIN REMEDIATION PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

PRESIDENT SCHULMAN: At this time, the Chair would declare an in-house recess for the Finance Committee to meet in regards to Ordinance #2 on your agenda this evening. We're now in recess. *(COUNCIL RECESSED @ 7:50 PM TO DISCUSS ORDINANCE #2 AND ORDINANCE #7. COUNCIL RECONVENED @ 7:52PM)*

PRESIDENT SCHULMAN: Council will then reconvene after the recess. Member Casar.

MEMBER CASAR: Mr. President. I move that we suspend Rule 22A and place Ordinance #2 back on this evening's agenda.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A....

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MEMBER CASAR: ...and #7 also, I'm sorry Mr. President.

PRESIDENT SCHULMAN: ...thank you very much and we'll read ah, #7 in a moment. Ah, it's been moved and.... let's be clear on the record, it's been moved and seconded to suspend Rule 22A to place Ordinance #2 and #7 back on this evening's agenda. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 9 YEAS, 0 NAYS

CLERK TIMBERLAKE: Nine yeas, Mr. President.

PRESIDENT SCHULMAN: Motion passes. Ordinance #2 and Ordinance #7 are a legal part of your agenda. Member Casar.

MEMBER CASAR: Mr. President. I move the Statutory rules be suspended on Ordinance #2.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Statutory rules on Ordinance #2. Are there any remarks?.. If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 9 YEAS, 0 NAYS

PRESIDENT SCHULMAN: The motion to suspend Statutory rules carries. Ah, you've heard the 3 readings. Member Casar.

MEMBER CASAR: Mr. President. I move we adopt Ordinance #2.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #2. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 9 YEAS, 0 NAYS

CLERK TIMBERLAKE: Nine yeas, Mr. President.

PRESIDENT SCHULMAN: Ordinance #2 is adopted. Member Casar.

ORDINANCE #2 ADOPTED AS ORDINANCE 116/2007

PRESIDENT SCHULMAN: We're now on Ordinance # 7.

MEMBER CASAR: You don't want to do 3, 4, 5 and then get to 7?

PRESIDENT SCHULMAN: We might....

MEMBER CASAR: Mr. President, I move that Ordinance, move the Statutory rules be suspended on Ordinance

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#7.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory rules on Ordinance #7. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 9 YEAS, 0 NAYS

CLERK TIMBERLAKE: Nine yeas, Mr. President.

PRESIDENT SCHULMAN: The motion to suspend Statutory rule on Ordinance #7 passes. Madame Clerk, will you please read that Ordinance?

#7 (1ST RDG) ~~ADOPTED AS ORDINANCE #117/2007~~ AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ME COMPANIES IN AN AMOUNT NOT TO EXCEED \$40,000.00 FOR THE 12TH STREET NORTH CORRIDOR STUDY; AMENDING APPROPRIATION ORDINANCE NO. 241/2006 AS AMENDED BY MAKING THE APPROPRIATION TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar. You've heard the 3 readings.

MEMBER CASAR: Mr. President. I move we adopt Ordinance #7

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #7. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 9 YEAS, 0 NAYS

CLERK TIMBERLAKE: Nine yeas, Mr. President.

PRESIDENT SCHULMAN: Ordinance #7 is adopted. Ordinance #3 please, Madame Clerk.

~~ORDINANCE #7 ADOPTED AS ORDINANCE 117/2007~~

#3 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO FILE AN APPLICATION FOR AND ACCEPT A GRANT FROM THE DEPT. OF HOUSING & URBAN DEVELOPMENT FOR THE CONSTRUCTION OF A HANDICAP ACCESSIBLE PARK; AUTHORIZING THE AUDITOR TO ESTABLISH THE 2529 NEW HORIZONS PARK FUND; AMENDING APPROPRIATION ORDINANCE NO 241/2006; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

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- #4 (1ST RDG) AN ORDINANCE NAMING AN UNNAMED ALLEY IN THE CITY OF CANTON, TAYLOR COURT
Referred to Public Safety & Thoroughfares Committee
- #5 (1ST RDG) AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO PROFESSIONAL SERVICES CONTRACTS WITH MEDICAL SPECIALISTS TO ASSIST IN THE PREPARATION OF THE DEFENSE OF THE CASE CAPTIONED TROY PIROLOZZI V. ERIC STANBRO, ET AL; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #6 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE AND DELIVER TO DOMINION EAT OHIO GAS COMPANY AN EASEMENT ON PROPERTY OWNED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #7 (1ST RDG) ~~ADOPTED PREVIOUSLY AS ORDINANCE #117/2007~~
- #8 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE EXTERIOR FACADE REPAIRS AT THE SEARS BUILDING; AMENDING APPROPRIATION ORDINANCE NO. 241/2006, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #9 (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

~~ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING~~

PRESIDENT SCHULMAN: We're now under Ordinances for the second reading. Madame Clerk will you please read Ordinance #10 through and including #14 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #10 THROUGH #14 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #10 (2nd RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH HEXAGRAM INC. IN AN AMOUNT NOT TO EXCEED \$171,600.00 FOR THE UPGRADE OF THE AUTOMATED METER READING SYSTEM; AMENDING APPROPRIATION ORDINANCE NO. 241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #11 (2nd RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12 (2nd RDG) AN ORDINANCE ADOPTING THE CITY OF CANTON'S PROPOSED TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2008; AND DECLARING THE SAME TO BE AN EMERGENCY PUBLIC HRG 7/9/07 @ 7:30 PM
- #13 (2nd RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH WARREN FIRE EQUIPMENT, INC. IN AN AMOUNT NOT TO EXCEED \$30,479.42 FOR THE PURCHASE OF TURNOUT GEAR PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14 (2nd RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE REMOVAL OF ALL TRASH AND DEBRIS ON THE PROPERTY LOCATED AT 9TH STREET SW AND SCHROYER AVENUE SW; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances for their third and final reading. Madame Clerk, please read Ordinance #15 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #15 THROUGH #19 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

- #15 (3rd RDG) ~~ADOPTED AS ORDINANCE #118/2007~~ AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED ENTERPRISE ZONE AGREEMENT WITH GLENN REAL ESTATE INVESTMENTS, LLC; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #15.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #15. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 9 YEAS, 0 NAYS

CLERK TIMBERLAKE: Nine yeas, Mr. President.

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PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #15 is adopted.

#15 ADOPTED AS ORDINANCE #118/2007

#16 (3rd RDG) ~~**ADOPTED AS ORDINANCE #119/2007**~~ AN ORDINANCE AMENDING SEC 1 (P) OF ORDINANCE NO 177/2006; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #16.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #16. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 9 YEAS, 0 NAYS

CLERK TIMBERLAKE: Nine yeas, Mr. President.

PRESIDENT SCHULMAN: Ordinance #16 is adopted. Ordinance #17 please Madame Clerk.

#16 ADOPTED AS ORDINANCE #119/2007

#17 (3rd RDG) ~~**ADOPTED AS ORDINANCE #120/2007**~~ AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FEE MODIFICATION WITH ME COMPANIES IN AN AMOUNT NOT TO EXCEED \$169,206.00 FOR THE 30TH STREET NE TRUNK SEWER & IMPROVEMENT PROJECT, GP 1083; AMENDING APPROPRIATION ORDINANCE NO. 241/2006, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFERS 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 #17.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #17. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 9 YEAS, 0 NAYS

CLERK TIMBERLAKE: Nine yeas, Mr. President.

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

#17 ADOPTED AS ORDINANCE #120/2007

#18 (3rd RDG) ~~**ADOPTED AS ORDINANCE #121/2007**~~ AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$35,273.00 TO GPD ASSOCIATES; AMENDING APPROPRIATION ORDINANCE NO. 241/2006, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFER 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 #18.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #18. Are there any remarks?... If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 9 YEAS, 0 NAYS

CLERK TIMBERLAKE: Nine yeas, Mr. President.

PRESIDENT SCHULMAN: Ordinance #18 is adopted. Ordinance #19 please.

#18 ADOPTED AS ORDINANCE #121/2007

#19 (3rd RDG) ~~**ADOPTED AS AMENDED AS ORDINANCE #122/2007**~~ AN ORDINANCE APPROVING SETTLEMENT OF DISPUTED HEALTH CARE BENEFITS PAID BY CANTON; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A SETTLEMENT AGREEMENT WITH AULTCARE; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance #19.

MEMBER CARBENIA: Seconded.

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

MEMBER CASAR: Mr. President. I move we adopt, amend Ordinance #19 per the copy that all Council, ah, members, have in front of them.

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MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to amend the Ordinance #19 per the copy before each of you. Are there any remarks on that motion?... If not, by voice vote, all those in favor signify by saying aye. Those opposed no. The motion carries. Member Casar.

AMENDMENT: ~~Section 1.~~ CANTON CITY COUNCIL APPROVES THE SETTLEMENT REACHED WITH AULTCARE IN THE AMOUNT OF \$623,918.68 WHICH SHALL BE PAID TO CANTON IN TWO EQUAL INSTALLMENTS WITH THE FIRST INSTALLMENT BEING PAID ON JULY 1, 2008, AND THE LAST INSTALLMENT BEING PAID ON JULY 1, 2009. CANTON WILL COOPERATE WITH AND ASSIST AULTCARE IN LITIGATING AGAINST THE PARTIES RESPONSIBLE TO CANTON FOR REIMBURSEMENT OF HEALTH CARE BENEFITS PAID BY CANTON.

MEMBER CASAR: Mr. President. I move we adopt Ordinance #19.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #19 as amended. Are there any remarks?.. If not, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 8 YEAS, 0 NAYS. 1 ABSTAIN
(DOUGHERTY ABSTAINED)

CLERK TIMBERLAKE: Eight yeas, 1 Abstain.

PRESIDENT SCHULMAN: Ordinance #19 is adopted.

~~#19 ADOPTED AS AMENDED AS ORDINANCE #122/2007~~

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: Public Safety and Thoroughfares will meet at 6:15 on July 9th.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Finance Committee will meet at 6:15 on July 9th.

MEMBER PRATER: Mr. President.

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PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet July 9th at 6:15.

PRESIDENT SCHULMAN: Thank you.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're now under Public Speaks, Open Forum. We have...7 Canton city residents, ah signed up to speak tonight. Again, for those who have not been here, who have not had the opportunity to address the Administration, the Mayor and City Council, ah, we have a rule in the Council that you're limited to 3 minutes. We appreciate your remarks. We're not trying to limit your right of free speech. We will all be here afterwards so if anyone would want to contact any member of Council, the Mayor or her Administration, they will be here and available to you. So, if you will, please hold to the 3 minutes. Our first speaker tonight is Willie F. Thompson. Mr. Thompson, would you step forward sir? Good evening sir. And, if you would Mr. Thompson, could we have your full name and your residential address and make sure the microphone, is, the, the sound system is not good in here and we do wanna hear what you have to say so, make sure it's up there, and welcome again.

MR. THOMPSON: Okay. Thank you. My name is Willie F. Thompson. I live at 1328 2nd Street NE and um, I'm here to recommend to the Mayor and to the Director in the Law, you know, Department, we need a supermarket in the area that I live in. *(Member Kraus adjusted the microphone for Mr. Thompson)*

PRESIDENT SCHULMAN: Thank you Member Kraus.

MR. THOMPSON: I live right on the corner of 2nd and Young NE. This has been like about 8 years or better that they closed that Bonded service station there and ah, ah, I forget this Councilman's name but, anyway, that Marathon was gonna put a station in there where Bonded was on Young and 2nd and Tusc Street East and also on 12th Street NE, but, the closest station that I have to me is Trump Road, either 12th and Market north, northeast, and with the price of gas as it is now, with me driving that distance, hey, you could burn up a gallon of gas, you know. And, another thing is the supermarket. The closest market is Fisher Foods on Cherry and in the area that we livin' in there on the northeast, west, East Tusc, the peoples in that area really really need a service station, a good, clean service station. They got an arab station there on Rowland but I wouldn't pull my wood wagon in there to gas up because the pumps are always tore up and hey, you can spark something and set something afire there, so I don't go in there. But, I'm askin' all of the Councilmen and the Law and the Mayor to please, do something about the northeast area and where I'm livin' at cuz it's, it's, it's, it's, it's awful and even the streets in that area are horrible. We need somethin' done in that area. The Councilman that we've had for the last, I said 20 years, haven't did anything for the area that I'm livin' in. I been in that area for 40 years and right there on the corner of 7th and Young, that street raised up, like it was gonna blow up. They came out, did something and drilled somethin' to let whatever was in there out and they haven't did anything yet, since that. So, I'd appreciate it if you all would take into consideration and do somethin' for the peoples in the area in which I live in. Thank you. *(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you very much sir. Thank you Mr. Thompson. Our next speaker is Rebecca Shrewsbury, and if I've mispronounced your name, I apologize. Ms. Shrewsbury, if you'll step forward, give us your name, your residential address please and welcome. Thank you.

MS. SHREWSBURY: Thank you. My name's Rebecca Shrewsbury, and I....

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PRESIDENT SCHULMAN: ...and you're gonna have to, our sound system...there ya go. (*MICROPHONE ADJUSTMENT*) Thank you.

MS. SHREWSBURY: My name's Rebecca Shrewsbury. I live at 1135 8th Street NW. Um, I'm just here tonight to talk about a few problems. A lot of the problems we're having. Our neighborhood is young kids walking the streets with guns. I've had 2 pulled on me in the past coup....excuse me, months. Um, the police response is horrible unless we say the word guns and a lot of it starts with just these kids walking down our street yelling profanity at us, um, screaming at us. The cops more or less tell me go in my house, lock my kids in my house, stay in my house. My son has a portable basketball hoop. I was told if I get rid of my basketball hoop that stays in my driveway, that would get rid of all my problems. That's my magnet for trouble. I was asked if I owned my house or if I rented. I told them I owned it. I was told I bought a house in the wrong neighborhood and if I have insurance, that would fix damage that's done to anything on my house or my vehicles. The police are telling me the main cop that I have a problem with I have his badge number. It is #257 and I would like to see something done with him because, excuse my French but he is a total, you-know-what towards us. Um, this is the first time that I've ever been able to socialize with any of my neighbors that live behind me. All if them that did live behind me trashed their houses, rented or moved out. I mean they, I knew they were infested with some type of rodents. Um, me and my sister have sunk \$25,000.00 into our house to fix it up. If I put my house up for sale tomorrow, I will never make a paying off of it. I'll probably be \$20,000 in the hole. I love my house. I love my family. I love where I live and I want something done about this. It's ridiculous. That's um, pretty much all I have to say. I just have a couple other things. I leave for work at 3:30 to 4:30 in the morning most of the time. There are prostitutes that stand in front of our brand new elementary school. It's Summit. They're there all the time. I drive a big truck so, they probably think it's a guy in the truck. They break their neck to see who is in that truck. Um, also, we were thinkin' about all of our neighbors where I live at. I don't know if we're able to or if we can, we were thinking about havin' a block party. Just with our neighbors and I mainly want our street blocked off just for the safety of our children, to where we can have a party, with our families and all of our neighbors together. That's all I have to say.

PRESIDENT SCHULMAN: Thank you very much.

MS. SHREWSBURY: Thank you. (*APPLAUSE*)

PRESIDENT SCHULMAN: And as I did indicate, the Mayor, her Administration, Councilmembers will be here afterwards and will be happy to discuss this further. Ah, our next speaker is Jeffrey Lorbach. Mr. Lorbach. Good evening sir, welcome, and if you would give us your name and your residential address please.

MR. LORBACH: Ah, my name.... my name is Geoffrey Lorbach. I live at 918 Gilmore which is right, I just wanna kinda reiterate what my neighbor's talking about. I mean, we have, um, not a week ago, we had 2 kids come down the street and the dog was barkin' at 'em cuz they were walkin' real close to the house and scopin' out the house. They pulled a gun out and shot him, right in the middle of broad, broad daylight and there are 20, 25 kids that live on my street and they were all out playing while all this was happenin'. Ah, I mean, there was 5 shots fired. When we called the police, it took 'em 35 minutes to get there. Ya know what I'm sayin', I mean, they found one shell casing and we never heard anything else about it. Ya know, I mean, I just wanna hear, hey we're lookin' into it, hey, we're doin' this, hey we're doing that. Ya know, just something. Ya know what I mean, and, I mean, we got misuse of people flying up and down our street. Ya know, the only time we see a cop in our area is when we call 'em. That's the only time. So, I mean, that's all I really have to say. Ya know, I just wanna see somethin'. I bought a house, I'm not from this house originally, I'm from the Cleveland area, and I, I bought a house down here because

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my wife wanted to come down here and ya know, I wanna stay in this area, but I can't stay in this area if I can't raise a family down here. So, please sir, City Council, help me out. Thank you. (*APPLAUSE*)

PRESIDENT SCHULMAN: Thank you very much sir. Our next speaker tonight is Steven Tomic. Mr. Tomic.

MR. TOMIC: My name is Steven Tomic. I have a business called Atomic Transmission located at 602 1st Street NE. The problem is, comin' to work, there's no phone calls, there's no business to be done, it's like somebody shut the business off. And, what the problem is, is that the Repos.. The Repository reported the latest big drug bust and with gusto and just like the big time newspapers. All the words used to express how bad Canton is, those chosen words scare the heck outta the people making them afraid to come downtown. It didn't help when the postal worker was killed, putting a young girl in the most violent part of the city, regardless of the postal practices, it's crazy. The Repository is responsible for spinning the words that are used to make the downtown look bad and they do nothing to fix the problem. They have helped to create it. I called them and ah, it seems like it's impossible to get them to do anything. Everyday about 5,000 people, I'm guessing, ah, go to work here in Canton and, other businesses have ah..the... ah, government offices, yet, they're not, they weren't shot, or afraid or bothered. The same kind of spin and same at Belden Village immediately don't put, don't put it on the front page news and ah, the 2, ah, the 2 cars a day are stolen from the Belden Village area, muggings, robberies and gang activity and drug deals are ramped in Jackson. In fact, most schools refer to the Jackson High School as the drug store. They reported the Palace Theater car break-ins on the front page news but fail to report that the fact that Tinsel Town has the most cars stolen in Ohio according to the ABC news. In fact, most of the theft at Belden Village is shown-only reporting and those daily thefts are never reported to the Repository. According to the Repository, it isn't fit to do business in ah, Canton, in, in and Belden is their darling. Why? Because the big ad bucks are in Belden, not in Canton. They are simply protecting their advertisers that won't knock them in the least. If you do find something in the paper, it's in the back page, barely in the front news. They complain about the panhandlers in Canton but never talk about the problem in Belden, at Belden nor do they talk about frequent traffic snarls, even when construction isn't there. The only thing they have on Canton is parking. The break-in occurs in the business in Canton and it is magnified. At Belden, you don't even know the break-ins occurred. Why is Canton the villain? Because the desire to please add profits. That's my viewpoint and what I'm asking the Council is what can they do to get the people to come back downtown again?

PRESIDENT SCHULMAN: Thank you very much, sir. Appreciate you're being here. (*APPLAUSE*) Our next speaker is Peter DiGiacomo. I should know your name by now Mr. DiGiacomo. Welcome. Thank you. I know you've been here before. If you could give us your name and residential address.

MR. DiGIACOMO: It's ah, Pete DiGiacomo. 600 Dent Place SW, Canton, Ohio. I'm here. I wanna thank Councilman Smuckler, Councilman Hawk. About a week ago, again the Pastime Inn, business as usual. They came out of their homes and their beds. It was like what, 1:30 in the morning. Ah, came down, you know, seen it for themselves, live, just like on TV. I wanna thank you very much for coming down. We ah, we, Susan and Pat, we appreciated that very very much. Ah, the other thing, Councilman Carbenia, you had introduced a, or starting to introduce something on the dangerous animals, dogs and I just was wondering how that was coming along, and thank you. (*APPLAUSE*)

PRESIDENT SCHULMAN: Thank you sir. Our next speaker, and I apologize, ah, Ethee, Ethe, Edyth...sorry, Edyth, I apologize. It looks like an 'a' and I didn't see the 'd'. Edythe Stinson. I apologize. Ms. Stinson, welcome. If you'll give us your name, and I'm sure you'll do it better than I did, and your ah, residential address please. Thank you.

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MS. STINSON: Just as long as you don't call me late for dinner. *(LAUGHTER)*

PRESIDENT SCHULMAN: I will not do that.

MS. STINSON: All right. It's Edythe E. Stinson, and I reside at [[[redacted]]] in the City of Canton. I come to request your support to replace Jackson Pool or water facility back in the southeast community. Our senior citizens and our youth need a water recreation too. This would also create jobs in our community. Weiss Park has been developed, so I question our Mayor and our Council Members, why are we going to waste tax dollars? I work too hard to see them go down the drain. Do you build a new home and decide a few years later to tear it down and start over? I truly would like to see the millions that you plan on spending, returned to the southeast area where the pool was closed or put in a year-around water facility in the Southeast Community Center, but there's plenty of places if we're gonna spend a million, I'm sure we can find somewhere on the southeast end to spend it and all citizens that agree with me, would you please stand at this time. *(MANY CITIZENS IN THE AUDIENCE STOOD IN AGREEMENT AT MS. STINSON'S REQUEST)* Thank you for your time and your consideration and I hope that you heard my request. *(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you Ms. Stinson. Our last speaker this evening is Kameela Farrakhan and I think it's Ka... Ka mee la and I apologize. If you can give us your name and your residential address and welcome.

MS. FARRAKHAN: I am Kameela M. Farrakhan. I live at 2355 Morris Avenue. I have 2 questions Mayor. Thurman Munson, we need to hold a public, it's gonna turned, be turned into a race track. We need to hold a public meeting to ask questions because they'll be a noise element in that area with those race tracks going. I feel that the senior citizens that live there would be disturbed. I am a senior citizen of 63 years old. I do not live in that area, but I would like to see people my age, can sleep at night, with a, with um, race track. Also, if we could put, instead of having, you know, if we wanna do something, why don't we put the little leaguers out there, where we can sit instead of bringing chairs for the.... I have grandchildren who plays little league base... football. We should put those children out there where we can sit and be comfortable. I have another question for you Mayor. The O'Jays are going to Belden Village. I don't even remember the O'Jays livin' in Belden Village. I believe they lived in the northeast end of Canton..*(APPLAUSE)* We need to keep, if we're going to beautify the City of Canton, we need to keep things in the City of Canton instead of always going out to the Belden Village. O'Jays are one of my best friends. Ms. Levert is one of my best friends. Walt and Eddie Levert are my best friends, I consider them. Why can't we do something about keeping our activities down in the City of Canton because getting to Belden Village, you have to take 3 buses, 3 buses to get there. In the evening time, you got to walk a distance to get from um, Can..Stark Camp, ah, Stark Campus downtown. A lot of people access to downtown area. There's a lot of senior citizens. We like the O'Jays. You know, I like to dance. You, don't get me wrong. You like to dance Mayor. You know, let's keep it, let's keep it real. Why are we, why are we spending money downtown and we're not doin' anything. Every time you turn around, the Suposi... *(LAUGHTER)* I mean, Canton Repository is saying negative about Canton. They're always saying something negative about downtown Canton. Let's keep Canton built up where people can attend more fairs downtown. Thank you. Have a blessed day. *(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you. Thank you Ms. Farrakhan. Thank you for all coming down and expressing your opinions.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Ah, we're now under Miscellaneous Business, is there any miscellaneous business?

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MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I think I had to respond after hearing that last ah, testimony. I'm, I'm very appreciative of her coming down here and speaking on the O'Jays. I like to dance to, by the way. Um, but I will say that the O'Jays will be down at Nimisilla Park ah, ah, where we will hold a Gerald Levert tribute. Ah, but that same time, they're doing a concert in conjunction with the Hall of Fame um, at Jackson Food Fest, which will be at Belden Village, but most of the activity and all the celebrities will be at Nimisilla Park on the 20..... 29th, so make sure you attend and bring your dancin' shoes because we will dance. Um, but also with that, I wanna also state about Joyfest. There's been much talk over the, over many years, about the rib burn-off returning to downtown, and more specifically, the Hall of Fame Rib Burn-off. Um, well, I got some good news because there will be a rib burn-off returning to downtown, it's just coming through Joyfest, and many people know about the Joyfest. We had 30,000 people attend in Nimisilla Park over the past few years. So, I wanted to also invite you there, on July 7th, we're bringing the Joyfest down on Cherry Avenue between 6th Street and 5th Street and I'm not gonna say who was the best rib cookers, whether it's the Hall of Fame or Joyfest, but I know that when you come to Joyfest, you will be full. So, make sure you all come out to that event and there will be activity going on in downtown Canton and the Ribs will be sold, so make sure you come out.

PRESIDENT SCHULMAN: Thank you Member West.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: I have a couple of things. One ah, on the ah, ah, vicious dog law, Mr. DiGiacomo, ah, I'd like the Law Director to tell us where we're at. They're writing up 2 different ordinances and ah, we're gonna be lookin' at 'em and, ah, if you would Joe, please?

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. Carbenia. Um, Mr. Casar has also asked me to ah, update as well on his portion and concern, so I'll do that jointly, if it's okay with you. Thank you. Mr. Carbenia, with regard to your request, um, we are in the process of drafting an ordinance. Just so everyone understands, there are, are 2 flavors of law to cover them. One is the State law, called Ohio Revised Code, State Statutes and they apply across the state, uniformly to matters of general concern. There are pit bull regulations in effect now that still require they be muzzled, caged, insurance and so on and so on. How that law has been challenged by an appellate court is by requiring an additional due process hearing if we name any other dog a vicious dog. What we're gonna attempt to do Member Carbenia, is take the admonition from that trial court, or that appellate court, and work it into our codified ordinance which you, as a Council, can pass adding pit bulls to vicious dogs and vicious animals as you requested. We'll have to build into that an addition due process hearing. It wouldn't have to be a very elaborate hearing to determine if the animal is indeed a vicious animal. Ah, that's the part that we're working on now. We're waiting to hear what the Supreme Court does with a particular part of the State law the also requires due process. But, with regard to pit bulls, we are trying those cases. Ty Horowitz, our Chief Deputy Prosecutor is trying a, a

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case against pit bulls as we, as we speak. They're in preparation. We will try to enforce State laws regardless. We will enforce codified ordinances when we make it part of the codified ordinances. There's a window there that we can exploit now, I think, to help you in your request. Ah, I have assigned a very capable lawyer who's been working with you, I believe, Chris Bates, she was formerly ahead of the civil division of the Stark County Prosecutor's office. She has a good working relationship with the dog warden which brings me to the next series of updates. With regard to the dog warden, we're trying to work out the legal and practical side of that. There are issues involving weekends and evenings that I'm sure that, ah, Member Casar and others are concerned about when the dog warden's regular staff is not able to go out and retrieve animals. Ah, we're working with issues as to whether or not that person carrying a weapon will be a law enforcement or peace officer. Some of you may recall having grown weary over the battles we had at the SERB and other State agencies with another member of the city workforce, who, was that, in that confused area between a law enforcement agent and a peace officer with regards to commissions, carrying guns and insurance. We're trying to work that out. Um, so, it's a combination of trying to update our local ordinance to include pit bulls and to provide due process and the practical aspects of a warden or some kind of animal control officer properly being commissioned, properly being hired through the city processes and I know it's frustrating for you because we're in summer and it's hot and the animals. And, the third component is, we've been contacted by some concerned citizens who are wondering if we can work in some sort of humane control issues ah, providing, ah, for enhanced animal cruelty penalties for people who neglect to water their animals properly during the winter or summer, ah, and, and, let them suffer. Um, ironically, our prosecutors are gonna learn a lot about animal abuse this week. Frank Forchione and, and Derick McCloury are traveling to Wayne County on what will be a, a, a very watched case on abuse of pigs that were slaughtered inappropriately allegedly, at a pig farm. So, our prosecutors are becoming very very very involved with animal abuse and animal cases. Thank you.

PRESIDENT SCHULMAN: Thank you Law Director Martuccio.

MEMBER CARBENIA: If I, if I could Mr. President.

PRESIDENT SCHULMAN: Member Carbenia, I'm sorry.

MEMBER CARBENIA: I just wanted to finish, ah.... I just wanted to something to that that ah, one of the Mayor's secretaries, Ms. Holbrook, sent me a communication about ah, 500 pit bulls or vicious dogs in Toledo being arrested, in Toledo, up to date this year so far. I also gave it to the Repository, ah gave him a copy of that and I hope that then I'll give it to Ms. Barnes, so ah, I, I, think that anything we can do to curtail this because I've had more than 1 case. Now, I had one just 2 Sundays ago, that bit another person, bit a person this time. So, anyway, I wanna thank you for looking into it and God speed, get er goin' if ya can. The other thing I would like to just finish before, I'd like to (*CHUCKLE*) Don's trying to jump in.... um, the lady who spoke about ah, Belden Village. You know, I mean there's nobody more upset than us about Belden Village comin' in here and takin' the things from the Hall of Fame which was created here. We done everything here and ah, ya know, when we first done this, they promised not to have those things such as rib burn-off and all that, but, of course, now they changed their mind but most of us still haven't forgotten and don't like 'em doin' that so I'm sure, that ah, I want you to know, that, we're not lettin' them go up there. They're enticing them and ah, they're going up there so.... and ah, ah, I'm really upset with 'em because the O'Jays should stay here.

PRESIDENT SCHULMAN: Thank you member Carbenia.

MEMBER CREIGHTON: Mr., Mr., Mr. President.

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MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Madame Mayor.

MAYOR CREIGHTON: I, I, thank you. (*CHUCKLE*) I'm sorry Don. I just happen to be quicker at the mike than you.

PRESIDENT SCHULMAN: I'm sorry Leader.

MAYOR CREIGHTON: Um, I just wanna clear.....

MEMBER CASAR: It's okay Vice President Schulman. (*LAUGHTER*)

MAYOR CREIGHTON: Ah, Mr. President.

PRESIDENT SCHULMAN: Service Director Concatto said I, he's afraid you were going to adjourn. (*CHUCKLE*) Madame Mayor.

MAYOR CREIGHTON: Thank you Mr. President. I just want to clear the air if I might with Ms. Farrahkan and I appreciate her comments. I think we need to all remember that the Chamber of Commerce, in collaboration with all.... with the City, they make the decisions. We are a supportive cast to them and so, we don't let things leave. There is a body in the Chamber of Commerce that in fact, leads the Hall of Fame. So, the O'Jays were probably offered a contract, so to speak, and that is their right to be that entertainment. So, I, I, I don't want us to leave here thinking that the City signs all the rights away. It is a collaborative effort, actually, between the Canton Regional Chamber of Commerce and the Jackson Belden Chamber of Commerce for them to go up there. So, I wanted to clear the air on that and also to remind everybody that in downtown Canton, the Blues Festival will be this weekend then we're followed by Joyfest July 5th, 6th, 7th, and 8th and we're also entitled to a free concert which this Council has voted to support at our McKinley, ah, Memorial on July the 2nd, which is free to the public. So, everything we talked about, there are things to do and they are in the City of Canton. And lastly, um, also to her point about Thurman Munson, we are not close to that yet but at the appropriate time, there will be a public hearing. Thank you.

PRESIDENT SCHULMAN: Thank you Madame Mayor. (*APPLAUSE*) Majority Leader Casar.

MEMBER CASAR: I just wanted to follow up on ah, ah, Safety, ah, Law Director McC...ah, Law Director Martuccio. Regards to the ah, meeting. Did you say you had a meeting last week with ah, Stark County dog warden?

LAW DIRECTOR MARTUCCIO: Um, Mr. President.

MEMBER CASAR: Going to have one?

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Member Casar. Chris Bates has been actively talking with the dog warden about some of the issues that work well in Massillon and some that didn't. We're trying to learn from that.

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MEMBER CASAR: Well, ah, but, do you have any time frame at all when this might get down to this Council cuz I, every, you know, I, I, I must have 3 or 4 Councilpersons ask me every week, where we at, where we at? And, ah, ya, know, and, could you give us some kindda time when we may have legislation we go forth with. You're looking at hiring a person, lookin at gettin' van and all those logistics we have to do to get this created. Not only do we have dogs and stray cats, but we have wild animals in the form of, that are coming in because of the development out, they're coming into the city. You know, racoons, possums and ah, and the like and those are very problem, that's why, you know, regards to carrying a weapon, I think they have to because of, of, of that, you know and, and also, the, they pit bulls and the vicious animals also and I, I just feel we have to get somethin' movin' on this and God knows, I started on this back in January and, you know, here it is June. I was hopin' we'd have it in, you know, gone by now so, you know, if you'd give me a time schedule, I'd really appreciate it and let's get it, let's get it on the fast track so we can get the legislation. If nothin' else, let's get the ah, legislation outta the way and finish up the details afterwards.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Thank you Leader Casar. Yes, Member West.

MEMBER WEST: Just one more quick, one more quick response. Mr. Willie came down and he asked the question about the Bonded Gas Stations and I guess that I would lead this to the Mayor or the Administration. Do we have any plans currently, or do we have anybody looking at the Bonded Gas Stations on 12th Street and also on Young Avenue? He had mentioned something about a Marathon Gas Station but I wasn't aware of. And is there anyone looking at it that we know of through any efforts? And, I do wanna thank you for coming down and also mentioning that because I agree with you that we do have to get more stores, gas stations in that area so, thank you for coming down.

PRESIDENT SCHULMAN: Any other remarks?...

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Law Director Martuccio

LAW DIRECTOR MARTUCCIO: I wanted to thank Susan for being the conscience of her supporters and neighbors and relatives near the Pastime Inn. Um, we spoke before the meeting and I was impressed with the passion and frustration that, that you're all enduring there. She asked that we, in the Law Department, could take a look at the possibility of using public nuisance or some sort of restraining order as potential weapon. We will look at that in conjunction of where we're at in the course of the State cases with the liquor license. Ah, but we will take a look at that and our Prosecutors will look to see if there is some other tool we can use. Ah, I understand it's not getting better and that when the Police arrive, it's with mixed results. So, we will take a closer look at that and I appreciate you're bringing that case to me and, and your commentary.

PRESIDENT SCHULMAN: Thank you Law Director. Any other remarks?....

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia

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MEMBER CARBENIA: I just wanna make ah, ah, I had not before mentioned that the Law Direc..... to the Law Director response, ah, that's from the engineering office. I meant Chris Bates. She's been, and I hate to, I wanna let her know that I know her name. I just made a mistake at that. She's helped us quite a bit and, ah, I'm happy with her employment here.

PRESIDENT SCHULMAN: Majority Leader Casar.

MEMBER CASAR: It would go without saying, I would also like to thank the Law Department and the Administration regards to the ah, back in February when I started complaining about the signs all over the city regards to cigarette signs and beers and so forth, and ah, John from the Building Department, a letter was sent out and driving around the city now ladies and gentlemen, you won't see all those signs anymore. It is really cleaned up our city and I wanna thank the Administration, especially the Building Department for doing this. (APPLAUSE)

MAYOR CREIGHTON: Ah, Mr. President.

PRESIDENT SCHULMAN: Madame Mayor.

MAYOR CREIGHTON: And thank you, we'll take those compliments any time and I also wanna point out those little yellow signs that you see on the corners of the street, they're disappearing too because the Street Department is out everyday picking up hundreds of signs if they're in the right-of-way, they are ours. If they are on the poles, they are ours. If they're in a yard, I can't touch 'em. Can't touch that.

PRESIDENT SCHULMAN: Any other remarks?... Majority Leader Casar.

MEMBER CASAR: I move we adjourn.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: I'm sorry, did you say Vice President? That's what I thought. There's a motion and second to adjourn. All those in.... oh. Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 9 YEAS, 0 NAYS

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

ADJOURNMENT TIME: 8:42 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT