

MINUTES OF THE MEETING SEPTEMBER 10, 2007

PRESIDENT SCHULMAN: (*SOUND OF GAVEL*) Good evening ah...ladies and gentlemen, before we begin I'd like to ah...recognize ah...a Canton Fire Fighter and his son here tonight...ah...Mike McCurry and his son Grant McCurry, would you stand up for us? And Grant is a senior at ah...Central Catholic and he's here to ah...participate in City Council tonight for his ah Government class. Thank you very much. Welcome.

(*APPLAUSE*)

PRESIDENT SCHULMAN: And by introducing ah...Grant and Mike, I'm not really meaning to disrespect anybody else in the audience tonight. All of you welcome, thank you for coming to City Council. With a quorum being present, the chair calls this meeting of Canton City Council to order. Madame Clerk, roll vote please call please.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

12 COUNCILMEMBERS PRESENT: (DON CASAR, JOE CARBENIA, MARY CIRELLI, BILL SMUCKLER, GREG HAWK, THOMAS 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 given tonight given by Member Bill Smuckler. Would you all please remain standing for the pledge of allegiance.

The regular meeting of Canton City Council was held on Monday, September 10, 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 Councilmember At Large Bill Smuckler, followed by the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: 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 #9 through and including #18. Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Yes, Mr. President. I move Rule 22A be suspended to add second readings #9 through and including #18, with the exception of 14, 17 and 18, they will be remained in committee.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded to suspend Rule 22A to second reading ordinances ah...excluding 14, 17 and 18, otherwise, 9 through and including 18. Sorry, let's let the record show it's 15, 17, and 18 ah....

CLERK TIMBERLAKE: Yes, 18.

PRESIDENT SCHULMAN: That will not be included. That's okay, to this evening's agenda. Are there any remarks? If not, ah....Madame Clerk, roll call vote please.

MINUTES OF THE MEETING SEPTEMBER 10, 2007

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under public hearings. We have 2 public hearings this evening. The first one is scheduled for 7:30 pm. IT'S AN ORDINANCE AMENDING VARIOUS CHAPTERS OF PART 11, PLANNING & ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; THE PLANNING COMMISSION RECOMMENDS APPROVAL OF SAME. Is there anyone in the audience wishing to speak for or against this zone change, please come forward. Is there anyone in the audience wishing to speak for or against this zone change, please come forward. Apparently not, the Chair declares the public hearing over in regards to this matter. The matter now rests in the hands of Council. The Ordinance will follow later this evening. The next public hearing is 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; LOCATED IN WARD 6; PLANNING COMMISSION RECOMMENDS APPROVAL OF SAME. Again, is there anyone in the audience wishing to speak for or against this zone change, please come forward. And state law requires me to repeat it one more time. I apologize, is there anyone in the audience wishing to speak for or against this zone change, please come forward. Apparently not, the Chair declares the public hearing over in regard to this matter. The matter now rests in the hands of Council. The Ordinance will follow later this evening.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We are now under public speaks on Ordinances and Resolutions for adoption. We have no speakers signed up this evening.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We are now under Informal Resolutions. Madame Clerk, would you please read Resolution 64 by title.

#64 SUPPORTING GEOTHERMAL HEAT SYSTEMS FOR CITY OF CANTON FOR FUTURE BUILDING PROJECTS. - POSTPONED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #64.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 64. Are there any remarks? Member Cirelli.

MINUTES OF THE MEETING SEPTEMBER 10, 2007

MEMBER CIRELLI: Mr. ah...President, I'd like to have that read for the record please, sir.

PRESIDENT SCHULMAN: Sure. Madame Clerk, would you read that for the record please?

CLERK TIMBERLAKE: Geothermal Energy is heat that comes from within the earth itself. Technology has now made possible the use of steam and hot water produced inside the earth's core to heat buildings or generate electricity. Geothermal is a renewable energy source that replaces water by atmospheric rainfall, and; Whereas: Power plants are now being constructed to use geothermal resources. Heat as a natural resource is now obtained from the earth and steam or hot water is piped directly to the earth's surface; and; Whereas: The United States now generates more geothermal electricity than any other country. It takes less than 1% of the United States electricity load to pipe geothermal heat. To date only 4 states use geothermal power plants which are California, Nevada, Hawaii and Utah. According to the USEPA, geothermal heat pumps are the most energy efficient, environmentally clean and cost-effective systems for temperature control, and; Whereas: Homeowners in the United States now enjoy high levels of comfort and are cutting their use of energy significantly with geothermal heating and cooling, Geothermal can also be used for water-heating, reducing the bill as much as 50% and; Whereas: Non-profit agencies now use this new source of energy. Government funded housing units in the City of Canton are installing Geothermal Energy, and; Whereas: It is proven that Geothermal reduces heating and cooling costs significantly regardless of how well the building is insulated and can be installed in any aged building. **NOW THEREFORE BE IT RESOLVED:** That we, the Members of the Council of the City of Canton, Ohio do hereby recognize and support the feasibility, investigation and the installation of **GEOTHERMAL ENERGY SOURCES** for future construction of all buildings funded by the City of Canton.

PRESIDENT SCHULMAN: Thank You.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes Member Cirelli.

MEMBER CIRELLI: Ah....I would like to ask that ah...Council not vote on that tonight because I made some changes and somehow they didn't get down to Council correctly. Thank you sir.

PRESIDENT SCHULMAN: Alright, that's fine, we'll withdraw that Resolution tonight and you'll bring it back then next week. I do commend you though Member Cirelli, it's ah....an excellent Resolution, even as it's framed now. Ah...Madame Clerk, would you please read Resolution 65 by title.

#65 SUPPORTING THE EMPLOYEE FREE CHOICE ACT. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia....or...Member Casar.

MEMBER CASAR: I move we adopt Resolution #65.

MEMBER CARBENIA: Seconded.

MINUTES OF THE MEETING SEPTEMBER 10, 2007

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 65. Member Carbenia do you have any remarks.

MEMBER CARBENIA: Ah..yes Mr. President. I'd just like to everybody consider this and vote and be in favor of this. This is.....it gives people who, who ah....work the right to organize in their...in the shops where they're at and not be harassed by...uh....by management to not organize, such as Walmart and a few other places ah...that ah...have definite anti union projects that they have and ah...this is being passed by the legislature, so, I would like that they would support this.

PRESIDENT SCHULMAN: Thank you Member Carbenia. Any other remarks? Ah...if I could just say one thing. Part of the Resolution that you'll pass tonight, indicates that the freedom to form or join a union is internationally recognized by the 1948 Universal Declaration of human rights as a fundamental human right and I think each of us understand that in the 21st Century, as jobs are being shed from this country and people's standard of living decrease, this is again a fundamental problem in our country and I would certainly encourage all of you ah...to vote for this Resolution. Are there any other remarks? Member Kraus.

MEMBER KRAUS: In addition, ah...the key thing here is without repercussion. That's what you have to look at. Whether you choose or don't choose you should have that right without repercussion.

PRESIDENT SCHULMAN: Any other remarks? Yes, Member Hart.

MEMBER HART: Many years ago as a teacher in Milan Ohio, I had to fight for the right to join the union and I have been a proud member of organized labor ah... with the Canton Professional Teacher's Association. Ah...not only in our Country but worldwide, you know this is something that every worker, unfortunately is going to have to go through to fight for that right for decent wage and good living condition and ah not only in our own country but worldwide this needs to be provided.

PRESIDENT SCHULMAN: Any other remarks? If not by voice vote, all those in favor, signify by saying aye....Those opposed no. Resolution 65 has been adopted. Ah...Madame Clerk would you please read Resolution 66 by title.

NO REMARKS

RESOLUTION #65 APPROVED BY UNANIMOUS VOICE VOTE

#66 CONGRATULATING MICHAEL FELDMAN ON HIS SUCCESS IN THE FIELD OF RADIO & WELCOME TO CANTON. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #66.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 66. Are there any remarks?

MINUTES OF THE MEETING SEPTEMBER 10, 2007

Member Hart? No remarks? Ah....all those in favor by voice vote signify by saying aye. Those opposed no. Resolution 66 has been adopted.

NO REMARKS

RESOLUTION #66 APPROVED BY UNANIMOUS VOICE VOTE

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED SEPTEMBER 10, 2007.

- 466. AUDITOR MALLONN (CITY): SUBMIT MO. RPT. BY FUND THRU 8/31/07. - RECEIVED & FILED
- 467. AUDITOR MALLONN (CITY): SUBMIT YRLY. RPT. BY FUND THRU 8/31/07. - RECEIVED & FILED
- 468. AUDITOR PEREZ (STARK COUNTY): SUBMIT COPY OF POPULAR ANNUAL FIN. RPT. FOR YR ENDED 12/31/06. - RECEIVED & FILED
- 469. C&ED DIRECTOR POORMAN: REQ TO ACCEPT LAND PARCEL #02-02501, LT #8418 LOCATED ON 10TH ST NE FR: SOPHIE MANOS AS LAND DONATION. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
- 470. C&ED DIRECTOR POORMAN: REQ TO CONVEY LAND PARCEL #02-15796, LT #15372 LOCATED @ 1717 MAPLE AVE., NE TO FREED HOUSING CORP. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
- 471. C&ED DIRECTOR POORMAN: REQ EMERGENCY LEGISLATION TO ESTABLISH FMV OF \$4,200.00 FOR PARCEL #02-14667 LT #24200 LOCATED ON 22ND ST NE & AUTHORIZE DISPOSITION TO CONVEY PROPERTY TO CHESTER JACKSON. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
- 472. C&ED DIRECTOR POORMAN: REQ EMERGENCY LEGISLATION TO ESTABLISH FMV OF \$900.00 FOR PARCEL #02-12824, LT # PT 741 LOCATED ON 7TH ST SW & AUTHORIZE DISPOSITION TO CONVEY PROPERTY TO STEPHEN & CONSTANCE BROWN. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE
- 473. LAW DIRECTOR MARTUCCIO: REQ AMENDING OF SEC 2 TO O#118/2007 CORRECTING ENTITY NAME TO RANDALL, RICHARD & MOORE LLC DBA CUTTER EQUIP CO. GRANTING 75% PERSONAL PROP. TAX EXEMPT. - COMMUNITY & ECONOMIC DEVELOPMENT CMTE

MINUTES OF THE MEETING SEPTEMBER 10, 2007

474. LAW DIRECTOR MARTUCCIO: REQ TO HIRE PT-TIME EMPLOYEE, W/O FRINGE BENEFITS @ \$35.00 TO \$50.00 PAY RANGE IN LAW DEPT. SPECIFICALLY FOR THE FEDERAL COURT CASE OF PIROLOZZI VS. STANBRO, ET AL. - PERSONNEL CMTE
475. LAW DIRECTOR MARTUCCIO: REQ TO AMEND CODIFIED ORD SECTIONS 127.03, VEHICULAR SELF-INS. FUND TO INCLUDE LOSS OR DAMAGE TO CITY VEHICLES & INCREASE SUM DEPOSITED; AMEND SEC 127.04 CLAIMS & JUDGMENTS, TO RAISE LIMITS TO SETTLE CLAIMS AGAINST OR IN FAVOR OF CITY. - JUDICIARY CMTE
476. LIQUOR CONTROL DIV. (OHIO): REQ TRANSFER OF C1 C2 LIQ PERMIT FR: BP PRODUCTS N AMERICA INC. TO GIANT OIL INC. @ 1200 N. MKT & GAS PUMPS - RECEIVED & FILED
477. LIQUOR CONTROL DIV. (OHIO): REQ NEW C1 C2 LIQ PERMIT FOR Z & A REALTY INC. DBA MY MARKET @ 125 12TH STREET NE. - RECEIVED & FILED
478. LIQUOR CONTROL DIV. (OHIO): NOTICE OF HRG FOR AZAEL, INC, NEW PERMIT APPLICATION ON 9/13/07 @ 11:00 AM, JOB & FAM SVCS, 221 3RD ST SE. - RECEIVED & FILED
479. MAYOR JANET CREIGHTON: REQ TO RE-APPOINT MR. THOMAS LAROCHELLE TO FAIR HSG COMM RETRO. 9/1/07 THRU 8/31/12. - PERSONNEL CMTE
480. MAYOR JANET CREIGHTON: SUBMIT AMENDMENT TO EMPLOYMENT PROVISIONS OF CODIFIED ORD 151.22 PROVIDING FOR PAYMENT OF PENSION CONTRIBUTION FOR ALL CITY OF CANTON EMPLOYEES. - PERSONNEL AND FINANCE CMTE
481. SAFETY DIRECTOR HUNT: REQ \$5,666.99 SUPP APPROP FOR CANTON FIRE DEPT FR: UNAPP BAL OF 4502 MOTOR VEH PURCH. FUND. - FINANCE CMTE
482. SERVICE DIRECTOR CONCATTO: REQ SERV DIR TO ENTER INTO \$26,780.00 CONTRACT AMENDMENT W/COMP MGMT INC. TO ADMINSTRATE WORKER'S COMP SVCS EFF: 1/1/08. - FINANCE CMTE
483. SERVICE DIRECTOR CONCATTO: SUBMITTING RPT OF NECESSARY EMERGENCY REPAIR TO WATER DEPT. EQUIPMENT PURSUANT TO ORC 735.051 & O#76/76 TO PROVIDE CONTINUED OPERATION IN WATER DEPT.- RECEIVED & FILED
484. TREASURER, SCHIRACK: AUG 2007 PKING MTR REVENUE. - RECEIVED & FILED
485. TREASURER, SCHIRACK: AUG 2007 DEPOSITS & PAY INS FOR AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED
486. TREASURER, SCHIRACK: AUG 31, 2007 COMPARATIVE REPORT OF CASH RECEIPTS. - RECEIVED & FILED

MINUTES OF THE MEETING SEPTEMBER 10, 2007

487. WARD 2 CNCLMBR, WEST, T. & WARD 4 CNCLMBR, KACHARY, K: REQ ALL NEWSLETTERS & OTHER UNSOLICITED MASS MAILINGS BE SUBMITTED TO JUDICIARY CHAIR & MAJORITY LDR FOR APPROVAL PRIOR TO PRODUCTION. - JUDICIARY CMTE
(Communication withdrawn by Committee Chairman)

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #8 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:

- #1 (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE SAID PROPERTY PURSUANT TO THE CITY'S LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #2 (1ST RDG) AN ORDINANCE AUTHORIZING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PART OF VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANTON OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Judiciary Committee
- #3 (1ST RDG) A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS, COPIES OF THE 2007 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #4 (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE #241/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, APPROPRIATION REDUCTIONS, APPROPRIATION TRANSFERS & INTERFUND CASH TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #5 (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$4,000.00 TO CENTER FOR MARKETING AND OPINION RESEARCH; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #6 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO

MINUTES OF THE MEETING SEPTEMBER 10, 2007

ADVERTISE, RECEIVE BIDS AND ENTER INTO 5 YEAR LEASE AGREEMENT WITH AN OPTION TO PURCHASE 2, 10-TON HEAVY DUTY DUMP TRUCKS; AMENDING APPROPRIATION ORDINANCE #241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #7 (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH 2234 STEIN PROJECT GRANT FUND; AUTHORIZING DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION OF THE INFRASTRUCTURE IMPROVEMENTS FOR STEIN INDUSTRIAL PARK GP 1094; AMENDING APPROPRIATION ORDINANCE #241/2006, AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION AND APPROPRIATION TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #8 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED ENTERPRISE ZONE AGREEMENT WITH GLENN REAL ESTATE INVESTMENTS LLC AND RANDALL, RICHARD AND NORA, LLC DBA CUTTER EQUIPMENT COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances for the second reading. Madame Clerk would you please read Ordinance #9 through 18 with the exclusion of ah...the ones we previously mentioned.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #9 THROUGH AND INCLUDING #18 WITH THE EXCEPTION OF ORDINANCE #15, #17 AND #18 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #9 (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO JOB CREATION TAX INCENTIVE AND NET PROFITS INCENTIVE AGREEMENTS WITH COATING SERVICES, INC. PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

- #10 (2ND RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND

CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

- #11 (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO 241/2006, AS

MINUTES OF THE MEETING SEPTEMBER 10, 2007

AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

#12 (2ND RDG) **ADOPTED AS ORDINANCE #163/2007** AN ORDINANCE AUTHORIZING THE MAYOR TO APPLY FOR, ENTER INTO AGREEMENT AND ACCEPT FUNDS FOR THE 2008 PROGRAM YEAR FROM THE CLEAN OHIO CONSERVATION FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I wish the Statutory Rules be suspended on this Ordinance #12.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: There's a Motion and a second to suspend the Statutory Rule for Ordinance #12. Are there any remarks? If not, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: The Motion carries. Member Casar, you've heard the three readings.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #12.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #12. Are there any remarks under this Ordinance? If not Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #12 is adopted. Ordinance #13 please Madame Clerk.

#12 AS ADOPTED AS ORDINANCE #163/2007

#13 (2ND RDG) **ADOPTED AS ORDINANCE # 164/2007** AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT THE NECESSARY APPLICATIONS TO THE DIRECTOR OF OHIO PUBLIC WORKS COMMISSION AND TO EXECUTE CONTRACTS FOR

MINUTES OF THE MEETING SEPTEMBER 10, 2007**CURRENT STATE CAPITAL IMPROVEMENT AND LOCAL TRANSPORTATION IMPROVEMENT PROGRAMS; FUNDING FOR CAPITAL IMPROVEMENT PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY**

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move the Statutory Rules be suspended on Ordinance #13.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule for Ordinance #13. Are there any remarks? If not, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: The Motion carries. Member Casar, you've heard the three readings.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #13. Are there any remarks? If not Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Ordinance #13 is adopted. Ordinance #14 please Madame Clerk.

#13 AS ADOPTED AS ORDINANCE #164/2007

#14 (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE #241/2006 AS AMENDED BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

#15 (2ND RDG) **RETAINED IN COMMITTEE** *(Not read aloud)*

#16 (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION NO. 241/2006, AS AMENDED, BY MAKING A SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

#17 (2ND RDG) **RETAINED IN COMMITTEE** *(Not read aloud)*

MINUTES OF THE MEETING SEPTEMBER 10, 2007

#18 (2ND RDG) **RETAINED IN COMMITTEE** *(Not read aloud)*

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Ordinances for their third and final reading. Madame Clerk, please read Ordinance #19 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #19 THROUGH #20 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. (ORDINANCE #19 WAS ADOPTED AS AMENDED)

#19 (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE #165/2007** AN ORDINANCE AMENDING EXHIBIT 'A' TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It, it's been moved and seconded that you adopt Ordinance #19. Are there any remarks?.. If not, Madame Clerk, roll call please. I'm sorry, Member Casar.

MEMBER CASAR: Mr. President, I'd like to amend Ordinance #19 per the copy that all Councilpersons have in front of them.

AMENDMENT: Pursuant to Rule No. 36, I move to amend Agenda Item No. 19 by substituting the amended ordinance attached to this Amendment for the original ordinance currently pending before Council in order to add clarifying language to cover temporary training assignments.

MEMBER CARBENIA: Seconded.

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

NO REMARKS

AMENDMENT APPROVED BY UNANIMOUS VOICE VOTE

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

MEMBER CARBENIA: Seconded.

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

MINUTES OF THE MEETING SEPTEMBER 10, 2007

MEMBER HAWK: Mr. President.

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

MEMBER HAWK: I'm the one with the gray hair. *(Laughter)*

PRESIDENT SCHULMAN: You know, this month off is...is killing me up here.

MEMBER WEST: I'm the one with the black hair. *(Laughter)*

PRESIDENT SCHULMAN: What color hair, I'm sorry? *(Laughter)* Member Hawk.

MEMBER HAWK: Thank you. Ah...I guess from looking at the budget I, I apologize for not being here last time when this was discussed in Committee. So that is my fault for being, not being knowledgeable. But, my question is, where are we going to get the money to fund these positions.

PRESIDENT SCHULMAN: I take it that's a rhetorical question?

MEMBER HAWK: Yes, I mean, I really...looking at it...this is in the budget, I'm looking at it to where we are with our budget to where we are going to be in the future with our budget. Ah...I've always advocated slow and restrained growth to make sure that we have the numbers there to properly keep everybody working.

PRESIDENT SCHULMAN: Service Director Concatto.

SERVICE DIRECTOR CONCATTO: Yes, these positions are not positions that we intend to fill as a full time position. These are positions added so that we could move somebody over for a two week training period in order...ah...in order to train somebody into a position that there's nobody else in. This is a request from 3449...Local 3449 and we...we believe that it's a good request and it would give us the opportunity to train into positions that we ah...normally would not be able to do.

PRESIDENT SCHULMAN: Any other remarks?

MEMBER CARBENIA: Ah...Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: I'd like Mr. Concatto to make that clear, that we know it is potentially for ah...temporary movement of people and...and ah training. But also ah...it could be, people could be hired in that position.

PRESIDENT SCHULMAN: Director Concatto.

SERVICE DIRECTOR CONCATTO: Mr. President. I would defer a little bit to ah...the Law Department in how they ah...did the amendment. The original amendment was, I think he changed that and I'm going to defer to ah...Joe to explain the amendment, Joe.

MINUTES OF THE MEETING SEPTEMBER 10, 2007

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President, Mr. Service Director and Member Hawk, thank you for those questions. Ah, to refresh your memories, Council wanted it made clear in this Ordinance that these are, as Member Carbenia pointed out, strictly temporary, work along side somebody so you can mentor onto them. Ah...this is meant to...to insure that somebody is being trained alongside the outgoing person. Sometimes the one left behind doesn't get filled so it could be a wash. But we added language, I think at Member Dougherty's request, to clearly say that these positions may be temporarily filled for training purposes only, to make it clear. Because, I think the question put to us was "What if you're all not here, what if we all move on or die, how do we know that the next...that the next supervisors won't abuse this and...and have two people simultaneously fill a position?" Ah... this makes it clear, I believe. Thank you for asking the question.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Oh....Member Carbenia.

MEMBER CARBENIA: I...I'd like....thank you Joe. I...I knew that we asked for the change, but I didn't hear the change. That's why I asked for ah...Mr. Concatto about that. And thanks for the explanation.

PRESIDENT SCHULMAN: Any other remarks? If not by ah...Madame Clerk please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk and Ordinance #19 as amended has been adopted.

ORDINANCE #19 AS AMENDED AS ADOPTED AS ORDINANCE #165/2007

#20 (3RD RDG) **ADOPTED AS ORDINANCE #166/2007** 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.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It, it's been moved and seconded that you adopt Ordinance #20. Are there any remarks?..

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MINUTES OF THE MEETING SEPTEMBER 10, 2007

MEMBER CIRELLI: Thank you. I apologize for my voice, but I'm not contagious.

PRESIDENT SCHULMAN: That's fine, we understand.

MEMBER CIRELLI: I just wanted to state that I was at a meeting that Member Dougherty had, because this was in his Ward and he handled all the questions his constituents had to ask and it seemed that they were quite satisfied and there was no problems with this. So I'm more than glad to support it because Dave did a wonderful job there. Thank you sir.

PRESIDENT SCHULMAN: As Member Dougherty always does. Do you have any remarks Member Dougherty?

MEMBER DOUGHERTY: *(inaudible)*

(Laughter)

PRESIDENT SCHULMAN: Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Ordinance #20 is adopted.

ORDINANCE #20 ADOPTED AS ORDINANCE #166/2007

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Judiciary will meeting at 6:15, on September 17th.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Finance Committee will meet 9/17 at 6:15.

PRESIDENT SCHULMAN: Thank you.

MEMBER PRATER: Mr. President.

MINUTES OF THE MEETING SEPTEMBER 10, 2007

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet at 9/17 at 6:15.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Community and Economic Development will meet on 9/17 at 6:15 also.

PRESIDENT SCHULMAN: Thank you.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're now under ah....Public Speaks, Open Forum. We have ah...6 speakers signed up to speak tonight. Again I want to thank ah... all the members of the audience for attending Council this evening. We do appreciate you're coming down and watching your Government in action and I just want you to know and I say this for every public speaks. City Council has adopted a rule of Council that you're only entitled to speak for 3 minutes. And, one of the reasons we do that is because all of the members of Council will be here and the Mayor and her Administration afterwards. So you're more than welcome to come up and discuss anything else you might want to question or say. So with that, if you would just assure us that you would ah...try to concentrate your remarks to 3 minutes. Our first speaker is Mr. Nick Conley. Is Mr. Conley here? And I know Mr. Conley...ah...good evening. Would you give us though your name and your residential address please.

NICK CONLEY: Mr. Schulman, my name is Nick Conley. I'm with actually Mike Spencer from Spencer's towing also and Kim Speakman from General Body and Towing. We're here to....

PRESIDENT SCHULMAN: If you could give us your residential address also.

NICK CONLEY: 1507 South Chapel.

PRESIDENT SCHULMAN: Thank you very much.

NICK CONLEY: Um....I have chosen Ms. Speakman to speak for us. She is from General Body and Towing.

KIM SPEAKMAN: Mr. President and Members of the Council...um as you know, we put letters in your mailboxes today. We are requesting an incr....or ah....an extension on the City towing contract so that a thorough review of the City's impound fees for all the towing companies can be conducted. There hasn't been a review since 2001...um, I don't know about everybody in this room, but I believe a raise in 6 years is due for all the towing companies. The cost of busi....running a business, insurance, wages, maintenance and the ever increasing cost of the fuel has basically prompted us to request this from the City Council and from Canton City. In your letters, you can see that we did do a survey of our demographic area and we are about \$40.00 lower then everybody else in the Akron, Massillon and Alliance areas. And that is all indicated in your letters. But that's basically what we're asking, is that we just get an extension so that you guys can do a review of the prices for the City Impound and the towing companies. Does anybody have any questions?

MINUTES OF THE MEETING SEPTEMBER 10, 2007

PRESIDENT SCHULMAN: We'll be able to talk about that either in Miscellaneous Business, which comes after Public Speaks or even after the meeting so, I would encourage the 3 of you to stick around and we'll be here to answer your concerns.

KIM SPEAKMAN: Okay Mr. President.

PRESIDENT SCHULMAN: Thank you very much and thank you 3 for coming down. Our next speaker is ah... Walter Hood. Mr. Hood. And we know Mr. Hood but, Mr. Hood would you give us your name and your residential address please sir.

WALTER HOOD: Walter Hood, 316 Freedom Ave., NE, Canton, OH.

PRESIDENT SCHULMAN: And good evening.

WALTER HOOD: Thank you. I'm here for 1 reason. I want to thank the Mayor, Safety Director, ah Councilman Zachary and all the Councilmembers for taking care of the business that we had that I've been bringing up before you about "no parking" and I see it's been taking care of and I just want to thank you all very much.

PRESIDENT SCHULMAN: Very good, thank you. Thank you for coming down sir. Our next speaker is Susan Walker. Ms. Walker, I know you too, I know all the speakers tonight. Would you give us your name and your residential address please.

SUSAN WALKER: My name is Susan Walker, I do not live within the City, visitor here and I live at 3178 Hampton Street, NW. I have some pictures I'd like to pass.

PRESIDENT SCHULMAN: Sure, maybe Member Kraus will pass them around.

SUSAN WALKER: Council, Mayor and all in attendance: I'm here tonight as a result of the dog attack I experienced, August 25th within the City of Canton. I have spoken with or tried to speak with all pertinent officials at both the County and City level about this type of situation. And so I am at the City Council now. I stand before you a victim of a vicious dog and of the bureaucracy that entangles this issue. I was a volunteer for a campaign at the time, it doesn't matter which one, as this type of incident could happen to anyone. I was walking down the sidewalk and a woman had her dog on the leash in the front yard. The rottweiler kept trying to pull to get to me. Finally, the dog named Cujo, really, Cujo....um pulled the woman to the ground, dragged her, pulled free and attacked me. It was a completely unprovoked attack. I remained calm and did what was best to prevent more serious injury. Thus Cujo did not tear the flesh from my arm and my neck was protected. When the rottweiler pulled back, I managed to put the campaign signs between us. So when it lunged at me again I was able to block it. A child, maybe even another adult may have not remained calm, thus causing greater injury or even death. My arm had a dozen puncture wounds from bites, was already swelling and bruising when I reached the hospital. I spent the next 3 hours in the emergency room. I figured that the report filed at the hospital would be forwarded to all necessary parties so I wouldn't have done anything else. But then I was urged by a police officer to see if the report had been sent to the Canton Police. So on Monday I called. The report filed.....to see if the report had been filed with them or sent to them. Um...it had gone to the City Health Department but not to the police. The officer I spoke with told me this same dog had attacked a second grade girl the very next day. That information was confirmed on Tuesday by Marie at the Canton City Health Department. In this case, the

MINUTES OF THE MEETING SEPTEMBER 10, 2007

dog would be quarantined for 10 days to see if it was ill. Marie had requested the dog be removed by the Dog Warden to the pound but was overruled by a supervisor. As I was told by supervisor, Mark Adams, despite 2 attacks in 2 days, this wasn't cause for removal of the animal. He also indicated that nothing is done to a dog unless it attacks 3 times in 15 months or unless the victim requires weeks of hospitalization or the victim is killed. Where he got this #3, I don't know. Finally, I was just told, "Call the Prosecutor." Which I did. But that didn't end my problems, it just clarified them. You see, a dog is only picked up and quarantined to see if it has rabies and if the Health Department...and the Health Department has complete control over where it's quarantined. Their not concerned about the viciousness of the attack but only if it is health. I hadn't immediately contacted the Police because I believed, as most people do, the Dog Warden is the one responsible for dog attacks. Well the Dog Warden, from what I've found can't enforce the laws in Canton so you have to go through the police. This is.....information wasn't initially provided. I was referred back and forth between City and County Officials when trying to find who handles dog attacks within the City limits. I found with...that the confusion between City and County, even most Elected Officials here don't understand the correct proc.....procedures. So how can an ordinary citizen? As for the police, I have found that this problem of vicious dogs is one encountered by the officers trying to do their job. The police tell me this is a growing problem, dog fighting is on the rise and drug dealers are using these vicious dogs for protection. There is nothing officers can do on their own to remove a vicious or threatening dog when the Dog Warden is called after 4 pm, often no one comes because the message goes through an answer service according to the Dog Warden. So the officers are left with the option of having to shoot the dogs when they can't get them removed or restrained. Certainly the Prosecutor can have a dog removed but that is after the fact, when the owner is charged with a crime. By the way, when I did finally talk to the Dog Warden, almost 2 weeks after the attack, I learned that this dog had attacked someone before me. According to the Warden, with the 2 attacks, the little girl and me, no actions taken but now that there's a 3rd attack, he said, "we can do something." The physical and emotional pain of the attack are dwarfed in comparison to the pain, grief and anger I feel over the gauntlet I've had to run these past 2 weeks to find help and answers about dog attacks and vicious dogs in Canton. Some who I have contacted have been very helpful. Others have just passed the buck. Please understand me, this isn't about every dog out there or Mr. Fluffy, the harm....harmless family pooch that nipped someone while playing, or is it about a dog that is provoked. Dog bites happen and will continue to happen. This is about dogs that are aggressive and mean by nature and dogs that have attacked before. How sad that a more effective policy isn't in place so a dog that has viciously before will be released after a 10 days rabies quarantine, to possibly and probably attack again.

PRESIDENT SCHULMAN: Ms. Walker, I'm sorry, you're about a minute and a half over but I do appreciate it.

SUSAN WALKER: Oh, I'm sorry.

PRESIDENT SCHULMAN: That's alright, why don't you....

SUSAN WALKER: I was almost finished....

PRESIDENT SCHULMAN: Why don't you finish up, just finish up if you would.

SUSAN WALKER: Okay, thank you. When will victims of attacks not feel victimized by a system that doesn't really help unless forced to by a relentless person? When will officers be able to have full support of an animal control officer to assist them in carrying out their duties 24 hours a day and not just 8 to 5? I would think most attacks probably happen after typical work hours, when kids are out of school and people are home from work

MINUTES OF THE MEETING SEPTEMBER 10, 2007

and walking their pets. What's being done to provide more assistance to victims?

PRESIDENT SCHULMAN: Okay, thank you very much, we appreciate it. And if you...I...Ms. Walker, I would encourage you to stick around because ah...we'll be here and we may even have a discussion about that ah...to answer your questions. Our next ah...and thank you for coming. Our next speaker is and I'm sorry, is it Jim McCoury? Mr. McCoury, good evening. If you'll step up and tell us your name and your residential address please.

JIM MCCOURY: Yes my name is Jim McCoury, I live at 1916 Sandwith Ave SW.

PRESIDENT SCHULMAN: Good evening.

JIM MCCOURY: Good evening. Ah...what I'm here to address about is junk vehicles in the neighborhood. How do we get them towed after we call and they come out and look at them, tag 'em and yet they still don't get towed? Plus we got a City Ordinance on the books with junk cars that makes them a nuisance too. Then on another part of the Ordinanceanother part of the Ordinance reads that it's alright for them to stay there because they got a tag on 'em. Where do we go to get this resolved?

PRESIDENT SCHULMAN: And we'll try to answer that question in miscellaneous business or after Council....

JIM MCCOURY: Okay, now, at 1605, it's either 1605 Clarendon or 1607 Clarendon, Mr. Prater should know....I...I forgot to address, which one it is. There's a car that's been sitting there, it's a white car, it's been sitting there, probably 5 years, 6 years. I drive by it everyday to work. They keep stripping parts off of it. I know that the junk vehicles know about it. Officer Miller definitely knows about this, it's still there, can't get it towed. I'm not opposed to paying to have it towed. If that's what it takes. All I need is policeman there to make sure that I don't get shot when I do tow it. That ends my comments. Thank you.

PRESIDENT SCHULMAN: Thank you very much sir. As I say, ah... stick around and we may have some comments for you. Our last speaker this evening is Ruby Brogdon, I hope I pronounced your name correctly, ah...would you give us your name and your residential address please.

RUBY BROGDON: Ah....my name is Ruby Brogdon, I live at 1617 3rd St NE.

PRESIDENT SCHULMAN: And good evening to you.

RUBY BROGDON: My neighborhood is gone. We ah...have prostitutes, we have dope addicts and stealing is up. We have homes, that's growed up, people going in 'em, comin' out, takin' the boards off. Now boarding up houses is not working now. Next door to me, I saw 3 men come out. Today another neighbor lady told me that someone was sittin' on the porch. Now people in that house on 6th Street, it was a whole lot of people in that house. They took the boards off. I have seen houses boarded up. They takes the boards off, nail 'em back on, some of 'em when they get ready to go. The one next door to me is boarded up, growed up and the board, backdoor is laying on the ground. The across the street is growed up, the front window is broke. The up the street a little further, the neighbor cuts it but it's growed up with trees and it's been vacant for a long time. Even before I left Canton. And it's something need to be done on 3rd Street because most of the houses is boarded up. We got new neighbors, I don't...I don't even know them. And I never seen Canton, I been in Canton ever since I was 25 and I'm almost 74 now. They ripped off all around my central air condition for...they ripped off the

MINUTES OF THE MEETING SEPTEMBER 10, 2007

spouting off the house. Trying to get the light, which comes on automatic. I guess they decided not to 'cause I would know who they are if they woulda' finished it. Canton needs something. I know the police can't be everywhere. Canton is cleaner then I've seen it in years. But you see it needs a lot done. I know that it takes time. I love Canton. I've been here most of my life. It's not too many families in Canton that I don't know someone in there. But I want someone to look into crime. Go past behind me, go past on the side of me. Sex offenders on 4th Street down from me. So we just got a problem in this neighborhood and something needs to be done.

PRESIDENT SCHULMAN: Thank you very much. Thank you.

(Applause)

MISCELLANEOUS BUSINESS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: I had a very nice experience several weeks ago. I was introduced to some people from Delphos, Ohio. Delphos is a little community just outside of Lima, very....a good bit west of here. These people had to come to Canton to do something, conduct a little business and they chose a hotel room online, the Mariott, downtown. Got it at a very good rate. They told me how happy they were to be in Canton, how clean our City was, how safe they felt walking downtown. They thought that we were just an excellent model City and really pleased to be here. And from some folks coming from a town, such a small town and saying that, how good they felt and how safe they felt, really made me feel proud of what we've done in Canton, Ohio. So I just wanted everybody to know that we are going....we are on the right path folks.

PRESIDENT SCHULMAN: Thank you Member Hawk. Member Hart.

MEMBER HART: Yeah...I...I'd just like to start this comment out with a little quote from Shakespeare "It's hark! what light through yonder window breaks?" and it was Law Director Martuccio and he was the shining star. Um.....a few weeks ago Canton had a Shakespeare play that was ah...downtown, Canton one night evening outside and they had one inside the ah...Cadillac Garage. And ah...it was very well attended, the Saturday night it was there and ah...if anybody was downtown here Friday night, for First Friday again it was absolutely wonderful with throngs of people out walking ah..you know checking out the art galleries. It was....it was a blast. We had some friends from Jackson Township and again, they were amazed. They said it's been years since, you know, we've been downtown Canton but we'll be back. But again, I just want to thank ah....the Law Director. He...he truly was a shining star.

(Applause)

PRESIDENT SCHULMAN: Our Law Director is always a shining star. Member Carbenia.

MEMBER CARBENIA: And thanks for the advertisement...free. Ah...what I'd like to bring up, I'm sure that all council people have received ah...a communication here, a letter from ah...Conley Services, General Body Towing and Spencer Towing and they spoke tonight about the ah...asking for an extension and to um...I'm sure

MINUTES OF THE MEETING SEPTEMBER 10, 2007

they want to raise their rates, which um...they haven't raised their rates for 6 years, a mark down and ah...it's been 6 years and you know, fuel has went up and insurance has went up and um...most of these are tows from accidents and so on, that we need these companies and ah...we should be taking care of them with ah..at least the same amount of money as these other people, Massillon and Akron, North Canton, whoever. I think that...that they deserve a raise in their...their ah...their fees for towing for flatbed and for regular towing. Their good companies, we call them, they come as quick as they can. They buy big equipment to do some of these jobs. Uh...I'm not sure if Conley did ah...the wreck that was not too long ago on ah...62 or ah...77, where that ah...truck turned over. I mean, we're lucky we have these people and I think that ah...we should try to treat 'em well. And I'm not saying you haven't ah...you just um...say here's the contract. But I would ah...ask you maybe to sit down with them and speak with them. I think we have 5 or 6 companies and ah...look into it and see what we can do and help them and we'll also make more money on the taxes.

PRESIDENT SCHULMAN: Thank you Member Carbenia.

MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: Joe, I'd like to reflect on that. I wasn't sure how to go about it. But my colleague so elegantly put it. I think we need to look into that and...and get it done.

PRESIDENT SCHULMAN: Thank you Member Kraus.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Uh...Leader Casar.

MEMBER CASAR: I too concur.

PRESIDENT SCHULMAN: Thank you.

MEMBER ZACHARY: Mr. President.

PRESIDENT SCHULMAN: Member Kelly Zachary.

MEMBER ZACHARY: Two things just really quickly. Um...Mr. Hood, I want to thank you for coming to Council to actually say thank you to the people that work very hard for you on a daily basis. And sometimes ah...we here a lot of the complaints but ah...every 3 or 400th phone call someone may say thank you. So I do appreciate that. And Ms. Walker, um...your story terrifies me. I was there that day for the block party and when I got there I heard about it and I could not believe my ears as to what happened. I work over there at SARTA and I ah....see this woman walking her dog, without a leash. You were lucky he was on a leash, or maybe you weren't so lucky that day. She walks him without a leash regularly. But I will say since that incident, I have not seen the dog. Ah...I don't know if he's being kept closely quartered or just walked at certain times. But my concern is that there are children in the area, lots of children and it's not the first time that the dog has attacked and I will ah...affirm your statement earlier, the dogs true name is Cujo, which to me is scary enough in its own. It's ah...it's a pretty large dog. I'm just glad that you seem to be okay right now.

MINUTES OF THE MEETING SEPTEMBER 10, 2007

PRESIDENT SCHULMAN: Thank you Member Zachary.

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Yes, Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you. A few items I would like to follow up with Ms. Walker as well but first ah...thank you Member Hart and your lovely wife for attending some many cultural events and some of the other folks I've seen at those events as well. Ms. Walker, ah...we spoke on the phone and when I heard your story it touched me because as I mentioned, my mother was viciously attacked by a dog a few years ago and received dozens of st.....in another city outside of Canton....and received dozens of stitches in her head, face and arms. I'm happy to say she's fine but it was not a good experience. Your pain and hers will not go in vain. Um...as you know and as Council knows, you passed a law that was effective about a month ago, which means that that particular dog to use an example is now labeled a vicious dog by law and our Local Ordinance one ups the current State Law, which is being questioned by saying that it is a vicious dog and now that it has bitten, or pit bulls by their nature. This dog, if it remains in this home will now have to be fenced, when it leaves its property, it will have to be leashed and....and muzzled and this person who owns it or controls it will have to have at least \$100,000.00 worth of insurance. That would hold true of any dog deemed vicious by virtue of a bit or multiple bites. Unfortunately, you hit a confluence of...of bad things at....at the same time. Um...HIPA is a well intended law but the privacy sometimes permits...or prevents a good exchange of information between the hospital and other agencies. It's true, the health department, who is represented this evening by their second in command, who stayed I believe to listen to these comments as well...um...do go beyond, they don't have to um....call the Prosecutor, they've simply chose.....they monitor, as you said for rabies and they have chosen to call in the Prosecutor when bites reach a certain point, even though their not obligated to by law. Um...as you know, you've spoken with Kris Bates, who appeared before Council tonight and ah...she has been very, largely responsible for making sure our laws are updated and that everyone is aware of what choices we now have in terms of an animal control officer. The pros and cons, the different kinds of control officers and timing and so on. One thing that you suggested that I think we can incorporate into that position, or not, even before that happens, is some sort of hand out for victims like you. As you've said, there's a hodge podge of County folks whose job is this piece, Health folks whose job is this piece, City Prosecutors whose job is this piece and County Prosecutors whose job is this piece and something else I'm probably missing. Yeah, we'd like to try and coordinate that into one sort of hand out, if not before the officer, certainly during. Um....so we are aware of what you've been through and ah...sympathize with you, thank you for coming. Lastly, um...as someone mentioned earlier, I believe, tomorrow is September 11th and ah...there is a ceremony taking place at the Fire Station downtown, the main station at 8:30 to commemorate or solemnize the event of the horrible happenings that day. I might also suggest that there are some wonderful specials on television. Not that we need to be reminded but I think it's good to remember clearly with details, there are a number of wonderful specials on a number of wonderful channels. And there's a movie currently out called United 93 which reminds you in very deep and dramatic ways how lots of folks sacrificed that day on the ground and in the air and in the airplanes. So a number of ways to remember tomorrow. Thank you.

PRESIDENT SCHULMAN: Thank you. Before Member Casar says adjourn I just want to say one thing, well maybe Member Cirelli, if I could take....and Member West, I'll let you go. Member West.

MEMBER WEST: Yes Mr. President. About a week in a half ago. The YMCA has shut the pool down and of course everybody knows my passion towards recreation. I just recently read the study on recreation and seeing

MINUTES OF THE MEETING SEPTEMBER 10, 2007

that Canton, there's a huge disparity in what we put towards recreation and what other cities put towards recreation. I would urge every Councilperson, if you get a chance to look at that recreational study because we are far below other cities when it comes down to recreation. And hopefully, that we can address this water recreation and maybe work with the YMCA in trying to create some innovative projects there within that um...within that pool. And I'm urging the administration. I understand that there are some groups that are meeting in reference to the Y to see if we can save ah...the pool as well as to be able to put more water recreation there as well as some other areas around the City. So, I just wanted to let everyone know that um...currently Ward 2 has no water recreation.

PRESIDENT SCHULMAN: Thank you Member West. Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. Um...I just wanted to apprise everybody here and fortunately for me, I have not received my ah...telephone bill uh...but I have received phone calls, people questioning this pamphlet that came about 900 and 976 numbers. So when I got my phone bill I found it and I did what they did, I read it and it was totally confusing so I went on the internet and researched it. And it...it's indeed a scam that people are claiming that you...they'll make a call to you and tell you to call this 1-900 or 976 number and ah...they will help you with your credit and/or your home loans. And if you do that, you're going to be charged \$20.00 a minute for these calls. So I think it's something we want the general public to know as much as we possibly can to get that information out. And also, ah....in looking at that, I also wanted to bring up to everybody the...we all know the 1-800 do not call list, it only is good for 5 years. In 2008 is when it expires, so everybody that signed on from the get go will have to recall again the 1-800 number to get on the do not call list. It should be something you think should be permanent but, what are we going to do, you know. Thank you very much.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Before we ah...we adjourn, I just want to respond to Ms. Brogdon if I might and echo, it seems...it seems, what I'm going to say is unclear but ah...we're citing authors tonight. One author, one famous author said "It was the best of times and it was the worst of times." Member Hart and I were downtown and I think a number of all of you were downtown on First Friday. It was spectacular. We had people from out of town. The streets were alive, there were arts ...ah....people were celebrating the weather and they were celebrating being in the City and it was a wonderful thing. And then we hear from you, Ms. Brogdon, about your neighborhood and we look around at our neighborhoods and we see what's going on there and so, we truly have the best of worlds and the worst of worlds. I would like you if you would to stay around after the meeting ah...I know that Safety Director Hunt will be here with the Mayor and will talk to you about these homes that are in your neighborhood as well as your City Councilmember will do that. I don't want you to feel...you gave a very...I..I was very inspired by what you've said, you've been here 50 years and you deserve better. So, please stay around after the meeting. Member Casar.

MEMBER CASAR: I move we adjourn.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: Roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

MINUTES OF THE MEETING SEPTEMBER 10, 2007

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

ADJOURNMENT TIME: 8:26 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT