

MINUTES OF THE MEETING OCTOBER 1, 2007

PRESIDENT SCHULMAN: (*SOUND OF GAVEL*) Good evening everyone ah...before we begin tonight's formal meeting, I'd like to recognize some young Canton leaders, from an organization called "PEACETV", which stands for Positive Events Arts Culture and Education. They do a lot of work through the city schools, through the media department on Channel 11 and we welcome you and thank you for your leadership and look forward to ah, your active participation in our community in the years to come. Thank you for being here. (*APPLAUSE*) And, I would be remiss if I didn't recognize our great arts person, Arts in Stark Rob Hankins is in the audience tonight and we always appreciate you being here Rob. Thank you very much for all that you do. (*APPLAUSE*) And, I'm sure I've missed someone like Tom Ascani or somebody out there who's going to be really mad at me later, but that's the way it goes. 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:

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. Tonight we'll have the invocation given by Councilmember Jim Griffin. If you'll all remain standing for the pledge of allegiance please.

The regular meeting of Canton City Council was held on Monday, October 1, 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 James Griffin, 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 being asked to suspend Rule 22A to add the second reading of Ordinances #8 through and including #15. Ordinance #16 will be held in Committee. Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President. I move we suspend Rule 22A and add Ordinances for the second reading #8 through and including #15.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded to adopt that motion. Ah, are there any remarks? All those...I'm sorry, if not, ah, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ah, Rule 22A is suspended and the Ordinances are

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a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We are now under public hearings. We have a number of Public Hearings scheduled for this evening. The first one is for 7:30. It is an ordinance vacating a portion of Mulberry Road SE and declaring the same to be an emergency. It's assigned to Ward 4 and the Planning Commission has recommended the approval of that Ordinance. Is there anyone in the audience wishing to speak for or against this vacation, please come forward? I have to read this one more time. Is there anyone in the audience wishing to speak for or against this vacation, this action, please come forward? Having ah, heard no one step forward, 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.

The second public hearing is for 7:31. It is an ordinance vacating a portion of Luther Place NE and declaring the same to be an emergency. It is assigned to Ward 2. The Planning recommends approval of that ah, vacation. Is there anyone in the audience wishing to speak for or against this matter, please come forward? Good evening.

MR. HERSHBERGER: Good evening.

PRESIDENT SCHULMAN: Would you please give us your name and your residential address please sir.

MR. HERSHBERGER: Ah, my name is Urie Hershberger. My residential address is 1365 Yale Avenue NW Canton, Ohio.

PRESIDENT SCHULMAN: Welcome Mr. Hershberger. Thank you very much and your remarks are as follows.

MR. HERSHBERGER: Ah, I bought the property at 1002 Walnut NE a couple years ago, ah, discovered that ah, I had kindda stepped into a hornet's nest there. The alley had been used for trafficking drugs and prostitution for some time. Ah, I made many appeals to ah, law enforcement in Canton, got some temporary relief several times, ah, went out ah, several months ago and spent an hour or two with Safety Director Hunt and, and ah, Chief of Police and ah, the Chief informed me that he would call me back in a day or two with a plan to combat the crime there. Ah, two weeks later, I called him and asked why he had forgotten about me and this has kindda just been the tone of what's been going on. Ah, lost a lot of renters. People don't want to live there with that kindda stuff that's going on right outside their window and everything that I've been able to do um, it's been a situation where you can drive down Walnut Avenue and see the trafficking from the street, and I've, I've informed law enforcement about this over and over and it seems like it's gone in one ear and out the other. Ah, so, I've taken it upon myself to hire a surveyor, ah, and spend over a \$1,000.00 in surveying fees and application to the City and now the City has asked me to spend another several hundred dollars to advertise for six weeks because of a certain little desor.... deserted portion of land ah, where there's no tax mailing address or anybody, or anything and so, it's been a point of some frustration for me ah, I do believe that we're close to completion on this so we'll be able to fence it off and have it as a private campus. I've been working with ah, ah, my, my ah, ah...Mr. West....

PRESIDENT SCHULMAN: Councilmember.

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MR. HERSHBERGER: ..and, and also ah, several other people in putting together a project there so that we can turn the situation around. But, ah, I appreciate you, ah, letting me speak at this hearing and....

PRESIDENT SCHULMAN: Well, we appreciate you coming forward. Let me just ask one question if I might. Are you for or against this particular Ordinance?

MR. HERSHBERGER: Ah, I'm definitely for it.

PRESIDENT SCHULMAN: For it. Very good. Thank you very much sir.

MR. HERSHBERGER: Thank you.

PRESIDENT SCHULMAN: Is there anyone else in the audience wishing to speak for or against this particular Ordinance? If not, the Chair declares the public hearing over and the matter now rests in the hands of Council. The Ordinance will following later this evening.

The last public hearing is for 7:32, and it's a, it's an Ordinance vacating a portion of Desert Inn Court NW and declaring that to be an emergency. It's assigned to Ward 2. The Planning Commission recommends the approval of that vacation. Is there anyone in the audience wishing to speak for or against this particular vacation? Is there anyone in the audience wishing to speak for or against this particular Ordinance? If not, the Chair declares this public hearing over in regard to the matter. The matter will rest in the hands of Council and 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. Ah, Madame Clerk, if you'll read Resolution #73 by title please.

#73. PRATER, TERRY, WARD 5 COUNCILMEMBER: REQUESTING STREET LIGHT ON EXISTING POLE ON #819B1-177 @ 1827 SANDWITH AVENUE SW. - ADOPTED

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ord.... Resolution #73.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #73. Are there any remarks? If not by, by voice vote, all those in favor signify by saying aye. Those opposed no. Resolution #73 has been adopted.

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NO REMARKS

RESOLUTION #73 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 OCTOBER 1, 2007.

515. C&ED DIR., POORMAN: ESTABLISH FMV OF \$3,100.00 FOR PARCEL #02-28865 LT #3033 LOCATED ON 5TH ST NE & AUTHORIZE DISPOSITION TO CONVEY PROPERTY TO HENRY & MARVELLA JACKSON. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
516. C&ED DIR., POORMAN: AUTHORIZE MAYOR TO SUBMIT/FILE W/HUD A FISCAL YR 2008 CONSOLIDATED PLAN ACTION PLAN & EXECUTE GRANT AGMTS W/HUD & ACCEPT CITY'S 2008 CDBG, 2008 HOME & 2008 ESG; AUTHORIZE MAYOR TO REVISE AND/OR AMEND CONSOLIDATED PLAN & BUDGETS FOR CDBG, HOME & ESG & PROVIDE SUCH ADDITIONAL INFO AS REQUIRED; AUTHORIZE & DIRECT CITY AUDITOR TO REVISE BUDGETS AS PERMITTED BY COMM DEV BLOCK GRANT REGULATIONS, HOME INV PARTNERSHIP PROG REGULATIONS, EMERGENCY SHELTER GRANT REGULATIONS, THE COMMUNITY, ECON DEV & PLANNING DEPT & HUD; TO UTILIZE THE ESTABLISHED FUND ACCTS KNOWN AS CDBG & HOME & TO DRAW HIS WARRANTS AGAINST THE CDBG FUND & HOME FUND BASED UPON RECEIPT OF VOUCHERS DULY APPROVED BY THE PROPER DEPT AUTHORITY. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
517. HART, R., WARD 7 CNCLMBR: REQ CITY TO ESTABLISH POLICY FOR DISPOSAL OF TELEVISIONS, COMPUTERS, HOUSEHOLD WASTE PRODUCTS & OTHER TYPES OF HAZARDOUS HOUSEHOLD WASTE MATERIAL. - RECEIVED & FILED
518. LIQUOR CONTROL DIV (OHIO): NOTICE OF HRG ON 10/24/07 @ 10:30 AM RE: NEW C-1-2 LIQ PERMIT FOR MORAN FOODS, INC DBA SAVE A LOT 627 @ 2905 MAHONING RD NE. - RECEIVED & FILED
519. LIQUOR CONTROL DIV (OHIO): NOTICE OF HRG ON 10/24/07 @ 11:00 AM RE: NEW C-1-2 LIQ PERMIT FOR MORAN FOODS, INC DBA SAVE A LOT 612 @ 906 W. TUSC ST. - RECEIVED & FILED
520. LIQUOR CONTROL DIV (OHIO): NOTICE OF HRG ON 10/24/07 @ 1:00 PM RE: NEW C-1 LIQ PERMIT FOR AZAEL, INC DBA LA REYNA @ 1123 - 12TH ST NW. - RECEIVED & FILED
521. SAFETY DIRECTOR HUNT: AUTHORIZE SAF DIR TO ENTER INTO 3-YR PROF SERV CONTRACT INCREASING CHARGES FR: \$10.50 TO: \$15.00 PER TRANSPORT W/OH BILLING, INC TO ADMINISTER COLLECTION OF AMBULANCE FEES FOR CANTON PARAMEDIC

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TRANSPORT RUNS FOR CITY. - FINANCE COMMITTEE

522. SAFETY DIRECTOR HUNT: AUTHORIZE SEVERAL PROPERTIES TO BE CERTIFIED FOR DEMOLITION. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
523. SERVICE DIRECTOR CONCATTO: ADVISING THAT ADDITIONAL WORK IS BEING AUTHORIZED FOR THE PAINTING OF WPCC'S WATER TOWER DUE TO THE INSIDE OF WATER TOWER BOWL BEING BADLY PITTED & CORRODED. THIS BEING DONE TO ENSURE PROJECT COMPLETION BEFORE WINTER WEATHER CONDITIONS SET IN. - RECEIVED & FILED
524. SERVICE DIRECTOR CONCATTO: REQ TO AMEND O#177/2006, SECTION D & AUTHORIZE AUDITOR TO ESTABLISH AND/OR MAINTAIN PETTY CASH AND/OR CHANGE DRAWER FOR CIVIC CENTER BANKING-ATM CASH FOR \$10,000.00. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #7 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 OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #2 (1ST 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
Referred to Finance Committee
- #3 (1ST RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities Committee
- #4 (1ST RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO CANTON TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE EXTENSION OF SAID

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WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities Committee

- #5 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT WITH A RECYCLING FACILITY FOR THE CITY OF CANTON'S CURBSIDE RECYCLING PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance & Recycling Committees
- #6 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FEE MODIFICATION WITH COOPER & ASSOCIATES, LLP IN AN AMOUNT NOT TO EXCEED \$3,900.00 FOR THE STEIN INDUSTRIAL PARK PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #7 (1ST RDG) RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances for their second reading. Madame Clerk would you please read Ordinance #8 through and including #15 by title please.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #8 THROUGH AND INCLUDING #15, EXCLUDING #16 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #8 (2ND RDG) AN ORDINANCE AMENDING ORDINANCE #241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #9 (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF OUTLOT 1115 AND LOT 42337; AND DECLARING THE SAME TO BE AN EMERGENCY
- #10 (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF OUTLOT 1174; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11 (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PART OF OUTLOT 799; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12 (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 22387, 22388, 39984 AND 39985; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #13 (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE FINAL RECORD PLAT FOR STEIN INDUSTRIAL PARK AND THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14 (2ND RDG) AN ORDINANCE AMENDING ORDINANCE #241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH MOTOROLA INC IN A TOTAL AMOUNT NOT TO EXCEED \$24,711.40 FOR THE PURCHASE OF SIX RADIOS AND RELATED EQUIPMENT FOR THE HEALTH DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16 (2ND RDG) **RETAINED IN COMMITTEE** (*Not read aloud*)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We're now under Ordinances for their third and final reading. Madame Clerk, please read Ordinance #17 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #17 THROUGH #26 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

- #17. (3RD RDG) **ADOPTED AS ORDINANCE # 180/2007** AN ORDINANCE VACATING A PORTION OF MULBERRY RD SE; AND DECLARING THE SAME TO BE AN EMERGENCY (Pub Hrg 10/1/07 @ 7:30 PM)

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, 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: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Ordinance #17 is adopted. Ordinance #18 please, Madame Clerk.

ORDINANCE #17 ADOPTED AS ORDINANCE #180/2007

- #18. (3RD RDG) **ADOPTED AS ORDINANCE #181/2007** AN ORDINANCE VACATING A PORTION OF LUTHER PLACE NE; AND DECLARING THE SAME TO BE AN

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EMERGENCY

(Pub Hrg 10/1/07 @ 7:31 PM)

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, 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: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

ORDINANCE #18 ADOPTED AS ORDINANCE #181/2007

#19. (3RD RDG) **ADOPTED AS ORDINANCE #182/2007** AN ORDINANCE VACATING A PORTION OF DESERT INN COURT NW; AND DECLARING THE SAME TO BE AN EMERGENCY **(Pub Hrg 10/1/07 @ 7:32 PM)**

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #19. 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 #19 has been adopted. Ordinance #20 please Madame Clerk.

ORDINANCE #19 ADOPTED AS ORDINANCE #182/2007

#20. (3RD RDG) **ADOPTED AS ORDINANCE #183/2007** AN ORDINANCE AUTHORIZING THE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM SOPHIE MANOS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

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MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #20. 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 #20 has been adopted. Ordinance #21 please Madame Clerk.

ORDINANCE #20 ADOPTED AS ORDINANCE #183/2007

#21. (3RD RDG) **ADOPTED AS ORDINANCE #184/2007** AN ORDINANCE AUTHORIZING THE CONVEYANCE OF CITY OWNED REAL PROPERTY TO FREED HOUSING CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #21. 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 #21 is adopted. Ordinance #22 please.

ORDINANCE #21 ADOPTED AS ORDINANCE #184/2007

#22. (3RD RDG) **ADOPTED AS ORDINANCE #185/2007** 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

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #22. Are there any remarks?.. If not, Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

ORDINANCE # 22 ADOPTED AS ORDINANCE #185/2007

#23 (3RD RDG) **ADOPTED AS ORDINANCE #186/2007** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR ALL MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #23. 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 #23 is adopted. Ordinance #24 please Madame Clerk

ORDINANCE #23 ADOPTED AS ORDINANCE #186/2007

#24. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE #187/2007** AN ORDINANCE AMENDING SECTION 127.03, VEHICULAR SELF-INSURANCE FUND, AND SECTION 127.04, CLAIMS AND JUDGEMENTS, OF THE CODIFIED ORDINANCES

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #24. Are there any remarks?.. Member Casar.

MEMBER CASAR: Mr. President, I move we amend Ordinance #24 as per the copy that all Councilmembers have in front of them.

MEMBER CARBENIA: Seconded.

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PRESIDENT SCHULMAN: It’s been moved and seconded that you amend Ordinance #24 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.

AMENDMENT:

Section 2. Subparagraph (c) (4) to Section 127.04, Claims and Judgments, of the Codified Ordinances, is amended to read as follows: (c) (4) Claims in favor of the City in excess of twenty-five thousand dollars (\$25,000) and involving recovery of medical benefits paid to City employees or their dependents from compensation received by such employees or their dependents shall be approved by the Claims Committee and shall not require councilmanic action.

Section 3. All ordinances or parts of ordinances in conflict with this ordinance are repealed.

Section 4. This ordinance shall take effect from and after the earliest period allowed by law.

PASSED:

President of Council

ATTEST:

APPROVED:

Clerk of Council

Mayor

NO REMARKS

MOTION PASSED BY UNANIMOUS VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #24 as amended.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It’s been moved and seconded that you adopt Ordinance #24 as amended. 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 #24, as amended, has been adopted. Ordinance #25 please Madame Clerk.

ORDINANCE #24 ADOPTED AS AMENDED AS ORDINANCE #187/2007

#25. (3RD RDG) **ADOPTED AS ORDINANCE #188/2007** AN ORDINANCE AMENDING 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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PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #25. 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 #25 has been adopted. Ordinance #26 please Madame Clerk.

ORDINANCE #25 ADOPTED AS ORDINANCE #188/2007

#26. (3RD RDG) **ADOPTED AS ORDINANCE #189/2007** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT AMENDMENT WITH COMPANAGEMENT, INC TO INCREASE ITS FEE FROM \$26,000.00 TO \$26,780.00; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #26. 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 #26 has been adopted.

ORDINANCE #26 ADOPTED AS ORDINANCE #189/2007**ANNOUNCEMENT OF COMMITTEE MEETINGS**

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

MEMBER WEST: Mr. President. Judiciary will meet on the 15th at 6:30.

PRESIDENT SCHULMAN: Thank you. Member Hawk.

MEMBER HAWK: Mr. President.

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PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Finance Committee will meet Monday, October 15th at 6:30.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Community and Economic Development will meet at 6:15 on the same day, 10/15/07.

PRESIDENT SCHULMAN: Thank you. Member Griffin

MEMBER GRIFFIN: Okay. Environmental Public Utilities will meet October 15th at 6:30.

PRESIDENT SCHULMAN: Thank you very much. Member Hart.

MEMBER HART: Mr. President. Ah, the Recycling Committee, (*LAUGHTER*) will have two meetings. Ah, the first one (*LAUGHTER*) I know, I'm excited now. You know, this is as good as it gets for me. But this is what's important. It's the systematic change. It's taken time, but by golly, we've got it done by working together and that's what's important.

PRESIDENT SCHULMAN: I agree with you. (*APPLAUSE*)

MEMBER HART: On Thursday, the 11th, from 3 until 4 on the 8th floor, the Recycling Committee will meet and again on October 15th along with Finance Committee, the Recycling Committee will also meet at the regular time with all the other committees.

PRESIDENT SCHULMAN: Thank you Member Hart. Any other Committee meetings announcements?

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're now under Public Speaks, open forum. We don't have anybody on the 11th.

MEMBER HART: That's Monday, the 15th, Oh, that's the 11th.

PRESIDENT SCHULMAN: It's a good thing we have a very competent Clerk because I was ready to say we have no one speaking tonight and that would have really annoyed three people in the audience. Um, well, I wanna welcome any of our speakers tonight, just as I do every Council meeting. I want to make sure you understand our ground rules. We're not trying to dissuade anybody from talking, but our Council has a limitation of three minutes and I will hold you to that and the reason we will hold you to that because anything more you have to say, any questions, we have all Councilmembers, the Mayor, her Administration, our Law Department, our Auditor, everyone is here to answer any questions or to take any information you have after the meeting is over. But, we do appreciate your coming down, taking your time to speak. Our first ah, speaker tonight is Betty Bell, and if Ms. Bell will step forward, and I know... Ms. Bell, good evening.

MS. BELL: Good afternoon.

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PRESIDENT SCHULMAN: Welcome to City Council. Would you give us your name and your address please?

MS. BELL: My name is Bettie Bell, B-E-T-T-I-E (*spelled aloud*) Bell B-E-L-L (*spelled aloud*) 1613 2nd Street NE.

PRESIDENT SCHULMAN: Welcome and thank you very much for coming.

MS. BELL: Thank you. I was a pre committee person for ward 4, been for about 20 years. What I'm concerned about tonight, what I wanna talk about is the weeds and the vacant houses, the rats and the skunks in our neighborhood and when you get up in the morning time, some time at night too, you can't open your door or windows because you can't smell nothing but the skunk that let off and that really isn't ah, isn't proper. You got so many vacant houses with the lawns have their, in, ah, the grass or anything hasn't been cut all season, that's nothing but weeds and tree limbs that's there in the back alley for me. You can't get through there, only from my part of the house back up to the end which we keep clean. The rest of it is so grown up you can't get through there. We can, excuse me, I know that ah, we're supposed to take care of it, but, the houses are vacant, no one's in them. They're boarded up and it's impossible to do so. Also, 3rd Street has, over there, I think, I understand that that's where the skunks are breeding at and also, we almost can't be there to move the car, the drugs and the prostitution done took over. It's embarrassing. You get up every afternoon, a man can come by and you can tell they're doing this (*hand jester*) and it don't make sense in our neighborhood and we're very concerned about what's going on and we still live there, we pay taxes and we would like to take back our neighborhood from the skunks, the rats, the mices, the prostitute girls. Thank you. (*APPLAUSE*)

PRESIDENT SCHULMAN: Thank you ma'am, very much. Thank you for coming down. Our next speaker is Ruby Brogden. Good evening Ms. Brogden. Thank you for coming down. I know you have been here before. Would you give us your name and your residential address please.

MS. BROGDEN: My name is Ruby Brogden. I'm not going to repeat myself, what I said. I thought, I think that I spoke plain and that you can understand the problem is still there and some more. The vacant house next door to me, Saturday, two men was movin' a washer. When I left tonight, the washer's still in the back. I called the police. They went inside. They said there wasn't anything in there. They closed the door and they said they was gonna come up here and make a report for someone to tell them to come down there and board that house back up. (*INAUDIBLE*)..... is weeds and everything. I'm gonna tell ya, the place has just went to the dogs. It's dangerous to live there. The prostitutes and the dope addicts, we want our neighborhood back. And also, I know some of you have heard that I'm sellin' the place. Yes I am. But, I'm gonna still be there. You're still gonna hear from me. I'm not goin' no where, not any more. I know I left Canton for a little while but I always come back. So, I wanna ask a question. Is there anyone up here, that knows the laws enough and knows how to get these houses boarded up that they can't take 'em off so easy. Can anybody answer that?

PRESIDENT SCHULMAN: Well, we'll answer that in the next portion of our meeting, but, we hear ya, loud and clear.

MS BROGDEN: Those boarded up houses are a disgrace. They been goin' in there livin' and the next thing there's a fire. Now, Canton didn't used to be like this. I been here a long time and I'm gonna tell ya, Canton is outta hand. You know what, you might not wanna hear me say it, the only thing that's gonna help Canton, I think, is you bring the federal officers in here, they need to be here, cuz this is a disgrace I can't.... and it ain't

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only in that neighborhood, it's just about all over. Thank you. (*APPLAUSE*)

PRESIDENT SCHULMAN: Thank you. Thank you very much. Our next speaker is Eathe Bell.

MS. STINSON: Can you... Eathe Bell?

PRESIDENT SCHULMAN: I'm sorry.

MS. STINSON: My name is Edythe Stinson, but I am Betty's daughter and she is 85 years old and I just would like to address that she has no business in the back alley trying to clean it.

PRESIDENT SCHULMAN: Okay. Okay. Would you you do... okay, is that all you wanted to say?

MS. STINSON: No it's not.

PRESIDENT SCHULMAN: Well, do me one favor, if you could give us your name and your residential address....

MS. STINSON: My name... okay..

PRESIDENT SCHULMAN: I'm sorry. What I.....

MS. STINSON: That's not a problem.

PRESIDENT SCHULMAN: ... down here is Eathe Bell. So, I apologize.

MS. STINSON: I don't know who that is.

PRESIDENT SCHULMAN: Well, please come forward. Go ahead and give us your name and your residential address please.

MS. STINSON: Okay. My name Edythe, E-D-Y-T-H-E (*spelled aloud*) Stinson S-T-I-N-S-O-N (*spelled aloud*)

PRESIDENT SCHULMAN: Okay.

MS. STINSON:

PRESIDENT SCHULMAN: Okay. Thank you.

MS. STINSON: All right. Um, today, at my place of employment I listened to the debate and I have some questions concerning, concerning what I heard today. My question, cuz I came here to Council June 18th of this year, I came back again in July. I requested to all of you, sitting here now, that the decision for the water park be considered back on the southeast end where you closed it. The Mayor's comment was, in regards to the water park, that a decision still had not been made. So, my question then is, is this deliberately being put on hold until after the November 6th election and if that's the case, the southeast community or the African American community should also put all of you on hold until after the election. I mean, is it gonna be on the northwest

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end, once after November 7th? Is that what, why it's on hold? I mean, come on be real, I can read between the lines. I been around long enough to know. Take it off the table or wherever it's hiding, that was one concern that the community had, closed Jackson Pool, put something back there, and it should not take until after November 11, so that the, ah, forces that may be here in this room that's playin' games with the community, need to stop and also I would like to speak, we took a survey, and when I say we, I work for Stark County government. We took a survey in regards to what we wanted to see in downtown Canton. Only thing we get to see, when I walk out the County Office Building, to the little picnic area, is beggars, homeless people, homeless people want cigarettes. Beggars want money. I work for a decent living. I don't know what you can do. I mean, you see this one little man layin' there on the street asleep. I don't know what the city can do or not do, but I know it should be some type of law about people on the corners and comin' up to you beggin' for nickels, dimes, dollars or whatever the case may be. So, I am so sick of that. I don't know what to do and then I'm gonna wind this up with the survey requested what we would like to see downtown, and I know a lotta county employees put down we would like to see shops. I don't see any. We have, ah, all three, and don't get me wrong, because I'm a minority too, but we have three what, Chinese shops downtown? That's all we really have there. We requested like a shopping mall or somethin' and to address that Canton Cinema, what's there? Nothing. And, I agree with Mrs. Brogden. Canton has gone down. I don't know if you heard the radio or not, but we had two more shootings last night. Ya know, I lived here for 55 years. It's scary to say that you should sit here and come back and spend another four years, I'm sorry. Tonight, that is not my decision. Once again, I asked you to consider what I came here for. The choice is November 5th, no action, it will be the same way. (APPLAUSE)

PRESIDENT SCHULMAN: Thank you very much ma'am. Thank you all for coming down and expressing your opinion. As I say, ah, Councilmembers, the Mayor her Administration, the Law Department, the Auditor, we'll all be here to listen to whatever you have to say after the meeting. But, we do appreciate your coming down and givin' us your point of view.

MISCELLANEOUS BUSINESS

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

MEMBER CIRELLI: Thank you Mr. President. I just wanted to apprise the Administration that, ah, our employees will be giving them some information on geothermal that I received today in the mail and we spoke about it at that meeting. So, I'd appreciate it if they would read it over. Thank you very much sir.

PRESIDENT SCHULMAN: Thank you Member Cirelli and, thank you for that information.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West

MEMBER WEST: I'd like to thank Urie Hershberger for coming down today ah, and doing all the work that he's doing over on Luther Place and Walnut. This is an area that, I mean his building, I, I, it was on my radar to get torn down. Believe me, I would pray at night that that building come down but he put extensive work into that property and now is making it a campus life environment and has been going up to the State with corporation for supportive housing to really make that a really nice area to live. So, I appreciate all his work and him coming down and him doing, spending his own resources to make that area nice. So, I appreciate him coming down, and we will continue to work on the crime issues in that area. Thank you.

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PRESIDENT SCHULMAN: Thank you Member West.

MEMBER ZACHARY: Mr. President.

PRESIDENT SCHULMAN: Member Zachary.

MEMBER ZACHARY: I'm going to preference to what I'm about to say by saying I have nothing to either gain or lose. First of all, I believe, I believe Ms. Stinson brought up a very good point as far as ah, recreation being taken out of the 4th ward when Jackson Pool closed. I have sat on the committee for, I believe it's now a water recreation committee. It went from being the Jackson Pool Committee to the Water Recreation Committee over time, however, we haven't met in a while, and, I want to go on record as saying from day one, I believe I said to the Mayor I was very adamant that if we were going to close Jackson Pool that it should be replaced with some type of water recreation in that area. It seems like we have stagnated as far as this Committee is concerned. There is no reason for anyone to lose an election over a pool. That was one of my opponent's main issues was the fact that Jackson Pool closed. We do need to replace some type of recreation in that area. We really do. The second thing I'd like to say is, there should be no reason why someone should have to come to Council more than once to complain about the same issue and not only come more than once, but bring reinforcements with them. What most people don't realize and understand is that, we, as Councilmembers, do assist and help you but we are just conduits in a large sense of the term. We do not do the work. We pass out information about complaints and problems on to the correct departments and they should take care of it. When it's not done, we're on the hot seat. You are right, it is our job to make sure that it gets done, but, we do not do the work so therefore, those who are responsible for doing the work, need to do their jobs if they are collecting city paychecks. That's all I have to say. (APPLAUSE)

PRESIDENT SCHULMAN: Thank you Member Zachary. Any other remarks?... Member Ca...ah ...Member Carbenia.

MEMBER CASAR: Mr. President. I move we adjourn.

MEMBER CARBENIA: Seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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

ADJOURNMENT TIME: 8:10 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT