

MINUTES OF THE MEETING OCTOBER 15, 2007

PRESIDENT SCHULMAN: (*SOUND OF GAVEL*) It's hard to believe that the, ah, American League decided to play its game on Monday, the same time as City Council meets. We tried to talk to the Commissioner, but unfortunately we were not successful so, we will move this meeting very quickly tonight. Ah, I do want to say a couple of things which is one of the reasons I started a little bit earlier. I'd like to wish Member West, who just had a birthday, a happy and healthy birthday and many healthy and happy returns. (*APPLAUSE*) We have 3 students tonight from um, Malone College, Megan, Sarah and Vincent and ah, some stray kid from Kent State, ah, whose name escapes me but, welcome. Thank you very much for being here. Rick Seneftin called today and said you were gonna report on City Council and it may get in your newspapers. So, just ignore what I said at the beginning about the game. Do it. And, 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. We'll have the invocation ah, given tonight by Councilmember Kelly Zachary. Please remain standing for the pledge of allegiance please.

The regular meeting of Canton City Council was held on Monday, October 15, 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 Kelly Zachary, followed by the Pledge of Allegiance led by President Schulman.

PRESIDENT SCHULMAN: By the way, I'm taping the game so I do not want to know the score. Do not tell me the score please.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We're now under agenda corrections and changes. Members of Council, you've been asked to suspend Rule 22A to add the second reading of Ordinances #7 through #13. Ordinance #6 has been withdrawn. Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President. I move we suspend the Statutory Ru.... we suspend Rule 22A and add Ordinances #7 through and including #13 on this evening's agenda.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded to suspend Rule 22A to say, add second readings Ordinance #7 through and including #13, excluding #6 to this evening's agenda. Are there any remarks? If not, madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

MINUTES OF THE MEETING OCTOBER 15, 2007

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. There are no public hearings 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: There are no Informal Resolutions.

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 15, 2007.

- 525. AUDITOR MALLONN (CITY): CERTIFICATE OF TOTAL AMT FR: 2007 ALL SOURCES. - RECEIVED & FILED
- 526. AUDITOR MALLONN (CITY): SUBMIT MO. RPT. BY FUND THRU 9/28/07. - RECEIVED & FILED
- 527. AUDITOR MALLONN (CITY): SUBMIT YRLY. RPT. BY FUND THRU 9/28/07. - RECEIVED & FILED
- 528. FIFTH DISTRICT CT. OF APPEALS: NOTICE OF ORAL ARGUMENT ON 11/6/07 RE: PLAIN TWP BD OF TR VS. BD OF COMM., ETAL (DIANO ANNEXATION). - RECEIVED & FILED
- 529. HEALTH BENEFITS ADMIN, BRESSON: SEPT 2007, MO COMPARATIVE RPT OF INSUR CLAIMS & JAN - SEPT 2007 PAID CLAIMS & COMPARATIVE RPT. - RECEIVED & FILED
- 530. HEALTH COMMISSIONER PATTISON: REQ \$125,000.00 APPROP FR: UNAPPRO BAL OF 2328 PUB HEALTH INFRASTRUCTURE FOR 07. - FINANCE COMMITTEE
- 531. HEALTH COMMISSIONER PATTISON: REQ \$42,000.00 TO REIMBURSE OH DEPT OF HEALTH FOR ISSUANCE OF BIRTH & DEATH CERTIFICATES. - FINANCE COMMITTEE

MINUTES OF THE MEETING OCTOBER 15, 2007

532. LIQUOR CONTROL DIV (OHIO): HRG RESCHEDULE FOR NEW C-1-2 PERMIT APPLICATION FOR MORAN FOODS INC DBA SAVE A LOT 627 @ 2905 MAHONING RD NE ON 11/8/07 @ 10:30AM. - RECEIVED & FILED
533. LIQUOR CONTROL DIV (OHIO): HRG RESCHEDULE FOR NEW C-1-2 PERMIT APPLICATION FOR MORAN FOODS INC DBA SAVE A LOT 612 @ 906 W. TUSC ST ON 11/8/07 @ 11:00 AM. - RECEIVED & FILED
534. LIQUOR CONTROL DIV (OHIO): HRG RESCHEDULE FOR NEW C-1 PERMIT APPLICATION FOR AZAEL, INC DBA LA REYNA @ 1123 12TH ST NW ON 11/8/07 @ 1:00 PM. - RECEIVED & FILED
535. LIQUOR CONTROL DIV (OHIO): REQ TRANSFER OF C2 C2X LIQ PERMIT FR: SUSAN F. FRANK TO FULTON 12TH STR DRIVE THRU LLC DBA FULTON DRIVE THRU @ 1133 FULTON RD NW. - RECEIVED & FILED
536. MAYOR JANET CREIGHTON: SUBMITTING AMENDMENT TO INCREASE PROBATIONARY POLICE OFCRS & FIREFIGHTERS TO BARGAINING UNIT CLASS PLAN FOR POLICE & FIRE DEPT. - PERSONNEL COMMITTEE
537. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED ALLEY VAC OF UNNAMED ALLEY IMMEDIATELY N OF 526 SCHROYER SW; WARD 4 (CLASSIC COLLISION CENTER). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
538. PLANNING COMMISSION: RECOMMENDS APPROVAL OF REPLAT OF LOT 1410 & PTS OF LTS 1411 & 1412 ADJACENT TO NW CORNER OF 7TH ST NE & YOUNG AVE NE; WARD 2 (HABITAT FOR HUMANITY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
539. SAFETY DIRECTOR HUNT: REQ \$7,303.44 SUPP APPROP FR: UNAPP BAL OF 2111 STR MAINT ACCT FOR 2 DAMAGED TRAF SIGNAL POLES DUE TO AUTO ACCIDENTS. - FINANCE COMMITTEE
540. SAFETY DIRECTOR HUNT: REQ SAF DIR TO APPLY & ACCEPT GRANT FR: OH GOV HIGHWAY SAF OFC HIGH VISIBILITY ENFORCEMENT OVERTIME GRANT FOR OVERTIME SPEED & SEAT BELT ENFORCEMENT FOR 2008. - FINANCE COMMITTEE
541. SAFETY DIRECTOR HUNT: RPT ON FIRE DEPT PUMPER TRUCK DAMAGE EST. AMT. OF REPAIR \$70,987.00 BY CERTIFIED DEALER. - RECEIVED & FILED
542. SAFETY DIRECTOR HUNT: REQ \$5,872.76 SUPP APPROP FR: UNAPPROP BAL OF 4502 MV PURCH FUND FOR DAMAGED VEHICLE IN CANTON FIRE DEPT. - FINANCE COMMITTEE
543. SERVICE DIRECTOR CONCATTO: REQ TO ADVERTISE, REC BIDS & ENTER INTO 5-YR LEASE CONTRACT FOR APPROX 250 ACRES OF LAND IN THE SUGAR CREEK WELL

MINUTES OF THE MEETING OCTOBER 15, 2007

FIELD. - FINANCE COMMITTEE

544. SERVICE DIRECTOR CONCATTO: REQ TO AMEND O#83/2006 (CAREMARK CONTRACT THROUGH EPHCO) EXTENDING CONTRACT FROM 1/1/08 THRU 12/31/10. - FINANCE COMMITTEE
545. SERVICE DIRECTOR CONCATTO: AUTHORIZE MAYOR &/OR SERV DIR TO CONVEY CITY OWNED PROP @ 3RD ST NE, KNOWN AS THE MONROE CNTR, TO CCIC FOR COMMUNITY DEV PURPOSES. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
546. TREASURER, SCHIRACK: 9/30/07 COMPARATIVE RPT OF CASH RECEIPTS. - RECEIVED & FILED
547. TREASURER, SCHIRACK: REPORT OF TREAS OFC BANK RECONCILIATION & CITY'S OUTSTANDING INVESTMENTS AS OF 9/28/07. - RECEIVED & FILED
548. TREASURER, SCHIRACK: SEPT 2007 PKING MTR REVENUE . - RECEIVED & FILED
549. TREASURER, SCHIRACK: SEPT 2007 DEPOSITS & PAY INS FOR AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED
550. TRILLIUM FAMILY SOLUTIONS: ANNUAL RPT BEG 7/1/06 THRU 6/30/07. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for the first reading. Let the journal show that all Ordinances are being given their 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 #5 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS. ORDINANCE #4 WAS ADOPTED ON IT'S FIRST READING.

- #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 AUTHORIZING THE MAYOR TO FILE WITH THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT A 2008 CONSOLIDATED PLAN FOR THE 2008 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, 2008 HOME INVESTMENT PARTNERSHIP PROGRAM AND 2008 EMERGENCY SHELTER GRANT PROGRAM; RATIFYING SUBMISSION

MINUTES OF THE MEETING OCTOBER 15, 2007

AND FILING OF SAID PLAN; AUTHORIZING THE MAYOR TO EXECUTE GRANT AGREEMENTS WITH THE US DEPT OF HOUSING AND URBAN DEVELOPMENT AND TO ACCEPT FUNDING FOR THE THREE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

#3 (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A THREE-YEAR PROFESSIONAL SERVICES CONTRACT WITH OHIO BILLING, INC. FOR THE BILLING AND COLLECTION OF USER FEES FOR EMERGENCY AMBULANCE SERVICES AND PUBLIC SAFETY SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

#4 (1ST RDG) **ADOPTED AS ORDINANCE #190/2007** AN ORDINANCE DECLARING THE 15 BUILDINGS TO BE PUBLIC NUISANCES; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE DEMOLITION OF SAID BUILDINGS; AUTHORIZING THE CLERK OF CANTON CITY COUNCIL TO CERTIFY THE COSTS OF DEMOLITION TO THE STARK COUNTY AUDITOR; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

PRESIDENT SCHULMAN: At this time, the Chair would declare an in-house recess for Community and Economic Development Committee to meet in regards to Ordinance #4 on your agenda this evening. You're now in recess.

(COUNCIL RECESSED @ 7:36 PM AND RECONVENED @ 7:38 PM TO DISCUSS THE PASSAGE OF ORDINANCE #4)

PRESIDENT SCHULMAN: Council will therefore reconvene after the recess. Ah, Member Casar.

MEMBER CASAR: Mr... Mr. President. I move that 22A be suspended and place Ordinance #4 back on this evening's agenda.

MEMBER CARBENIA: Seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Motion's been carried. Ordinance #4 is a legal part of your agenda. Member Casar.

MEMBER CASAR: Mr. President. I move we suspend the Statutory Rules on Ordinance #4.

MEMBER CARBENIA: Seconded.

MINUTES OF THE MEETING OCTOBER 15, 2007

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule on Ordinance #4. 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: Motion carries. Ah, you've heard the 3 readings. Member Casar.

MEMBER CASAR: Mr. President. I move we adopt Ordinance #4.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #4. 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: Ordinance #4 is adopted.

ORDINANCE #4 ADOPTED AS ORDINANCE #190/2007

#5 (1ST RDG) AN ORDINANCE AMENDING SECTION (D) OF ORDINANCE NO 177/2006; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

PRESIDENT SCHULMAN: We're now under Ordinance..... Oh, I'm, sorry, that would be ah, 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 #7 through and including #13 by title please.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #7 THROUGH AND INCLUDING #13 BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ORDINANCE #6 WAS WITHDRAWN.

#6 (2ND RDG) **WITHDRAWN**

#7 (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE #241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

#8 (2ND RDG) ADOPTED AS ORDINANCE #191/2007 AN ORDINANCE AUTHORIZING THE

MINUTES OF THE MEETING OCTOBER 15, 2007

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

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President. I move we suspend the Statutory rules on Ordinance #8.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: There's a motion to suspend and second the Statutory rule for Ordinance #8. 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: Thank you Madame Clerk. The motion carries, you've heard the 3 readings. Member Casar.

MEMBER CASAR: Mr. President. I move we adopt Ordinance #8.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #8. Are there any remarks under this Ordinance?... If not, Madame Clerk, roll call please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Ordinance # 8 is adopted.

ORDINANCE #8 ADOPTED AS ORDINANCE #191/2007

PRESIDENT SCHULMAN: We're now under Ordinances for the third and final..... I'm sorry. Excuse me. Sorry, Madame Clerk.... I'm ah...

CLERK TIMBERLAKE: He's excited.

PRESIDENT SCHULMAN: Well, okay. We'll just get through that. Let's just go to that and we'll come back.

#9 (2ND 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 WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING OCTOBER 15, 2007

- #10 (2ND 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
- #11 (2ND 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
- #12 (2ND 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
- #13 (2ND RDG) AN ORDINANCE AMENDING VARIOUS CHAPTERS OF PART 11, PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances for their third and final reading. Madame Clerk, please read Ordinance #14 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #14 THROUGH #21 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

- #14 (3RD RDG) **ADOPTED AS ORDINANCE #192/2007** AN ORDINANCE AMENDING ORDINANCE #241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Ordinance # 14.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #14. 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.

MINUTES OF THE MEETING OCTOBER 15, 2007

PRESIDENT SCHULMAN: Ordinance #14 has been adopted. Ordinance #15 please, Madame Clerk.

ORDINANCE #14 ADOPTED AS ORDINANCE #192/2007

#15 (3RD RDG) **ADOPTED AS ORDINANCE #193/2007** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF OUTLOT 1115 AND LOT 42337; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Ordinance #15 is adopted. Ordinance #16 please, Madame Clerk.

ORDINANCE #15 ADOPTED AS ORDINANCE #193/2007

#16 (3RD RDG) **ADOPTED AS ORDINANCE #194/2007** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF OUTLOT 1174; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance # 16.

MEMBER CARBENIA: Seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

ORDINANCE #16 ADOPTED AS ORDINANCE #194/2007

#17 (3RD RDG) **ADOPTED AS ORDINANCE #195/2007** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PART OF OUTLOT 799; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING OCTOBER 15, 2007

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 to 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.

ORDINANCE #17 ADOPTED AS ORDINANCE #195/2007

#18 (3RD RDG) **ADOPTED AS ORDINANCE #196/2007** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 22387, 22388, 39984 AND 39985; AND DECLARING THE SAME TO BE AN EMERGENCY

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, Madame Clerk.

ORDINANCE #18 ADOPTED AS ORDINANCE #196/2007

#19 (3RD RDG) **ADOPTED AS ORDINANCE #197/2007** 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

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

MINUTES OF THE MEETING OCTOBER 15, 2007

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 is adopted. Ordinance #20 please, Madame Clerk.

ORDINANCE #19 ADOPTED AS ORDINANCE #197/2007

#20 (3RD RDG) **ADOPTED AS ORDINANCE #198/2007** AN ORDINANCE AMENDING ORDINANCE #241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

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.

ORDINANCE #20 ADOPTED AS ORDINANCE #198/2007

#21 (3RD RDG) **ADOPTED AS ORDINANCE #199/2007** 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

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.

MINUTES OF THE MEETING OCTOBER 15, 2007

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Ordinance #21 is adopted.

ORDINANCE #21 ADOPTED AS ORDINANCE #199/2007

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Carbenia.

MEMBER CARBENIA: Community and Economic Development will meet at ah, 6:30 on 10/22.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Finance Committee will meet 10/22 at 6:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: At 5:30, ah, we will be meeting with the Law Department with regards to our Animal Control Officer in the Caucus Room at 5:30.

PRESIDENT SCHULMAN: Very good. Any other Committee meetings?...

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: If not, we're now under Public Speaks, open forum. We have 3 speakers signed up tonight. Again, I'll just caution the speakers that we will stick to a 3 minute time frame tonight please. Our first speaker is Edythe Stinson. Ms. Stinson. If you'll step forward and give us your name and your residential address please.

MS. STINSON: It's Edythe Elaine Stinson. *(MS. STINSON DID NOT WRITE HER RESIDENTIAL ADDRESS ON THE PUBLIC SPEAKS SHEET. IT WAS FILLED IN BY THE COUNCIL OFFICE STAFF)*

PRESIDENT SCHULMAN: Thank you and welcome.

MS. STINSON: I was here, Monday, October the 1st. On Tuesday, October the 2nd, Bill Smuckler and Greg

MINUTES OF THE MEETING OCTOBER 15, 2007

Hawk came to my job with this Informal Resolution from this Body. It's dated um, May 9th of 2005 saying that, well, according to these 2, this was tabled indefinitely by Councilwoman Kelly Zachary to close Jackson Pool. They also told me that Lisa Gissendancer (*CORRECT NAME IS GISSENDANER*) but they didn't know her last name, had misappropriated the money. I knew both females and I discussed this with them because I have a problem with them. I don't appreciate people lying to me thinking that I'm stupid and I believe anything. Anybody that's gonna try to tell me something, needs to check it out before they do. So therefore, I am back here, yes, again tonight saying that I came originally in regards to Jackson Pool being removed from the southeast end. I don't care what you call it, water park, playground, whatever, some type of facility should be put back on the southeast end, and I don't feel people should come and tell half truths and then expect me not to come back and call them on the carpet for it.

PRESIDENT SCHULMAN: Thank you. Ah, our next speaker is Terry Chenault. Mr. Chenault. Welcome. Good evening and if you could give us your name sir and your residential address please. (*MR. CHENAULT DID NOT WRITE HIS RESIDENTIAL ADDRESS ON THE PUBLIC SPEAKS SHEET. IT WAS FILLED IN BY THE COUNCIL OFFICE STAFF*)

MR. CHENAULT: Yes. My name's Terry Chenault. My address is 2515 East Tuscarawas Street.

PRESIDENT SCHULMAN: And, good evening. Thank you for being here.

MR. CHENAULT: Thank you. Um, my, my basic issue is homelessness. Now, I was, I'm speaking as a person who has been homeless for like 2 years. I've seen the homeless situation in Canton, in Stark County and I don't understand, I don't understand why, why you guys are just kinda like mucking about. I mean, you only have 1 homeless shelter for men, yet, over 60% of the homeless people are men, and then, when the people who don't have places to stay, sleep, on the, on the park bench, in a car, whatever, the cops come and threaten to give them tickets. What are they gonna pay with if they don't have any money? Okay? I have been talking to the Mayor and to her aide Terrence, and I've also been working with Betty Smith and we've got a whole bunch of plans that I actually implemented in Austin, Texas that are working today. Okay. And, I want to, I just want, I just want to see what, what you guys think about that. I don't understand. Let me rephrase that. How can you talk about homelessness if none of you have ever been homeless. Have you ever had to wonder where you were gonna eat, how you were gonna get money for bare necessities, where you were gonna get bare necessities? Who could you go to if you have no ID at all. I mean, you have to have an ID to get a social security card in Stark County, but you can't get a social security card without an ID. I don't understand that. I'm just tryin', I'm tryin' to implement things here and get 'em rollin' but I don't where to go or who to talk with. That's all I have to say.

PRESIDENT SCHULMAN: Okay. Thank you very much sir and I, I usually tell all the speakers that afterwards, ah, members, Councilmembers will be here, the Mayor, her Administration will be here. We'll be more than happy to discuss it because the point you raised is a very important one and we thank you for coming down. Our next speaker is Ruby Brogden. Ms. Brogden, good evening.

MS. BROGDEN: My name is Ruby Brogden. I live at 1617 3rd Street NE. I wanna thank the Mayor and her workers for coming' down. A job well done! We still need some more things but I believe in giving people thanks some time, not always talking' bad when they do good and give people their flowers while they live, not when they are on the other side. (*APPLAUSE*)

PRESIDENT SCHULMAN: Thank you very much.

MINUTES OF THE MEETING OCTOBER 15, 2007MISCELLANEOUS BUSINESS

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

MEMBER ZACHARY: Mr. President.

PRESIDENT SCHULMAN: Member Zachary.

MEMBER ZACHARY: And, I'll make this brief because I wanna see the game myself. I would like to go on public record indicating that not one single person on Council made a decision to close Jackson Pool, number 1. Number 2, each of us are elected officials and we are elected to represent or serve individual wards unless we are At-Large. It is very disheartening and dismaying that someone from outside of ward 4 and a council-at-large person, whom, we've all been elected to serve the public, would take it upon themselves to visit Ms. Stinson for whatever reasons and I won't even go there with you guys, but, you should be ashamed of yourselves. *(APPLAUSE)*

PRESIDENT SCHULMAN: Is there any other miscellaneous business?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Um, last week Mrs. Stinson came down here and painted us all with the same brush, and um, I, ah, told Mrs. Stinson that ah, at the time, that I handcrafted that resolution on the back of a place mat ah, at Desert Inn one night, when I was not in Council and I also asked Councilman Hawk to join me so that my words wouldn't be taken out of context when I went over to see Mrs. Stinson. I always find it disheartening when everybody's painted with the same brush down here. Ah, I think if we're fair and honest, submitting that resolution Kelly, ah, was years before that pool was ever closed and whether it's a water park or whatever definition you wanna have it, according to Council Rules, I cite Rule 26 affecting various ward in the City of Canton that you're an expo-facto member of any Body, that is deliberative Body since this is something that happens to ward. I also cite resolution, um, Council Rule 'D' under Number 24, 'If any information resolution which requires review, or, action prior to adoption Council may be referred by the Presiding Officer, or by motion as a majority of Council, to an appropriate Council committee for consideration.' I stated it at the Repository last week for the record, and I'll state it again, that I want to help work with the various resolu... with the various recreation facilities, like the Southeast Community Center, Peel Coleman Center, that already has locker room, in making sure that we have water facilities around the community. I would like the Recreation Department involved in it, that they maintain it and at no time did myself or Councilman Hawk accuse Lisa of any wrong doing. *(Audience comments inaudible)* And, I'm going.....

PRESIDENT SCHULMAN: *(Sound of gavel)* Please, we'll be able to talk afterwards and hopefully we'll be able to talk civilly. I'm sorry Member Smuckler.

MEMBER SMUCKLER: and I will stay around, but I'm telling you that I have no problem if there is a water facility in any ward in this city and I would encourage one, for the record, to be on the south end of town and I've stated that to the incoming Council person one night, that I am more than happy to help support that, for the record.

MINUTES OF THE MEETING OCTOBER 15, 2007

PRESIDENT SCHULMAN: Thank you Member Smuckler. Any other Miscellaneous Business.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adjourn.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that we adjourn. 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*) Thank you all for coming down.

ADJOURNMENT TIME: 7:58 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT