

MINUTES OF THE MEETING OCTOBER 29, 2007

PRESIDENT SCHULMAN: (*SOUND OF GAVEL*) Good evening ladies and gentlemen. Apparently I have no authority. (*LAUGHTER*) What else is new? (*SOUND OF GAVEL ONE MORE TIME*) I just said apparently I have no authority and..... it's true. I think we have 2 of our youngest guests ever, at least in my tenure as President of City Council, ah, Monique Conner's grandchildren are here. Juwan Burton is 8 and Javante Conner is 6 and they're sitting in the back and thank you for coming. (*APPLAUSE*) We also are, ah, privileged tonight to have Martina Turk and Susan Sliman from Central Catholic High School and there's probably one...ah, a bunch of other students that I just missed, you came in late, and I apologize, but welcome, we appreciate you being here. Thank you. (*APPLAUSE*) And with a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please, Madame Clerk... 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 tonight given by Councilmember David Dougherty. Will you please all remain standing for the pledge of allegiance.

The regular meeting of Canton City Council was held on Monday, October 29, 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 David Dougherty, 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 #4 through and including #11, with the exception of #5, which will be held in committee and, to add Communication #561 to this evening's agenda. Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President. I move we suspend Rule 22A and add Ordinances #4 through and including #11, excluding #5, which will be held in committee and also Communication #561.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: Thank you. Very well done. It's been moved and seconded to suspend Rule 22A today to have the second reading Ordinances #4 through and including #11, with the exception of Ordinance #5 and to add Communication #561 to this evening's agenda. Are there any remarks?... If not, roll call vote please, Madame Clerk.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Rule 22A is suspended and the Ordinances and the Communication #561 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: We are now under Informal Resolutions. Madame Clerk, if you'll read Resolution #75 by title please by title.

#75 COUNCIL-AS-A-WHOLE: IMPORTANCE OF MUNICIPAL WATER. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #75.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #75. Are there any remarks? If not, by voice vote, all those in favor signify by saying aye. Those opposed no. The Resolution carries. Um, Madame Clerk, please read Resolution #76 by title.

NO REMARKS RESOLUTION #75 APPROVED BY UNANIMOUS VOICE VOTE

#76 COUNCIL-AS-A-WHOLE: SUPPORTING CANTON CITY SCHOOL DISTRICTS OPERATING LEVY KNOWN AS ISSUE 35. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #76.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #76. Are there any remarks?...

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If not, by voice vote, all those in favor signify by saying aye. Those opposed no. Resolution #76 has been adopted. Madame Clerk Resolution #77.

NO REMARKS RESOLUTION #76 APPROVED BY UNANIMOUS VOICE VOTE

#77 COUNCIL-AS-A-WHOLE: COMMENDING & SALUTING POLICE OFFICER JACK T. CRIDER FOR HIS OUTSTANDING SERVICE TO THE COMMUNITY. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #77.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #77. Are there any remarks?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes. Member Dougherty.

MEMBER DOUGHERTY: Yeah, I'd just like to say that working with Officer Crider was, was a great privilege. He did an excellent job ah, any time ya called. He had a big job to do and he did it better than anybody I've ever seen do it. Thank you.

PRESIDENT SCHULMAN: Well, coming from you, that is very high praise. (LAUGHTER) And I mean that, in the most genuine way. Ah....

MEMBER CARBENIA: Mr. Crid.... Ah... Mr. Pre.

PRESIDENT SCHULMAN: Although apparently, some others didn't think I was meaning that in that fashion. Yes. Ah, Member Carbenia.

MEMBER CARBENIA: I'd also like to reiterate that, that Jack Crider was a, a, a real good Police Officer. He helped us a lot. I knew him before and ah, I know he had, his reputation was a great reputation as a Police Officer, but, a, I know he helped me plenty of times, getting junk vehicles out and doin' a lot of work that he done for all of Council. We're sorry that he's not feelin' good and that, we're sorry that he had to retire.

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

MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Member Kraus.

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MEMBER KRAUS: I also worked with Jack when I ran the grass program and we sat together on the Task Force and monthly meetings and Jack was very dedicated, very dedicated and I would like to extend to his family, you know, the best wishes that he gets better.

PRESIDENT SCHULMAN: Thank you Member Kraus.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: I've worked with Jack Crider since I've been in Council. Jack Crider was instrumental in keeping the Weed and Seed Program going on 'till we got, finally got recognized. He worked diligently and attended all the meetings. He was a big supporter of it. Ah, without that kind of support, I don't think it would have been possible to get where we are today with that million dollars worth of money that was given to our city by the Federal Government.

PRESIDENT SCHULMAN: Thank you Member Hawk.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I, I too would like to ah, piggyback on what everyone said, but I'd also like to say that I think that we should ah, take it into consi.. consideration and say a silent prayer for, for Jack for what he's going through and hopefully that he comes through this bout of illness and I would, I would ask the Chair that maybe we could just take a, a minute of, just to say a silent prayer for Jack.

PRESIDENT SCHULMAN: And, we will do that Member Casar. Ah, we'll all bow our heads for a moment in silent prayer. (*A MOMENT OF SILENT PRAYER WAS OBSERVED FOR OFFICER JACK CRIDER*) Thank you, and thank you Member Casar. Are there any other remarks?... If not, ah, by voice vote, all those in favor signify by saying aye. Those opposed no. Ah, Resolution #77 is adopted, and thank you for all your kind words.

NO REMARKS

RESOLUTION #77 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 29, 2007. (COMMUNICATION #561 WAS ADDED TO THE AGENDA ON THE FLOOR OF COUNCIL)

555. CARBENIA, J., WARD 9 CNCLMBR: INVITATION FOR POSTAL SERVICE TO PUBLICLY ADDRESS REASONS FOR MOVING MAIN POST OFFICE FR: CANTON TO AKRON. -

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RECEIVED & FILED

556. LAW DIR., MARTUCCIO: AUTHORIZE PARK DIR., PERRY TO ENTER INTO LICENSE AGMT W/PINNACLE PRESS @ 2960 HARRISBURG RD NE TO CONTINUE TO CONDITIONALLY ALLOW INGRESS & EGRESS OF DELIVERY TRUCKS ACROSS UNUSED WILLIG PARK PROP TO THE REAR OF THE BUSINESS' PROP. - PARKS & RECREATION COMMITTEE
557. LIQUOR CONTROL DIV (OHIO): REQ TRANSFER OF C2 C2X LIQ PERMIT FR: CLARENCE VOLKERT DBA VOLKERTS PARTY STORE TO VOLKERTS PARTY STORE LLC DBA VOLKERTS PARTY STORE @ 2535 W TUSCARAWAS 1ST FL & NW CORNER BSMT. - RECEIVED & FILED
558. SAFETY DIR., HUNT: AMEND O#177/2006 TO ESTABLISH \$3,000.00 PETTY CASH FUND FOR GANG TASK FORCE DIVISION FOR MISCELLANEOUS EXPENSES INCURRED BY THE DEPT FOR INVESTIGATION PURPOSES. - FINANCE COMMITTEE
559. SAFETY DIR., HUNT: AUTHORIZE SAF DIR TO ACCEPT \$3,000.000 OH DIV OF EMS GRANT FR: OH DEPT OF PUB SAF FOR THE CANTON FIRE DEPT; REQ \$3,000.00 SUPP APPROP FR: UNAPPROP BAL 2812 EMS TRAINING & EQUIPMENT FUND TO: 2812 EMS TRAINING & EQUIPMENT FUND. - FINANCE COMMITTEE
560. SAFETY DIR., HUNT: AUTHORIZE SAF DIR TO ACCEPT THE NORTHERN OHIO VIOLENT CRIME CONSORTIUM INITIATIVE GRANT IN AMT OF \$299,938.00 ISSUED BY EDWARD BYRNE MEMORIAL GRANT FY 2007. - FINANCE COMMITTEE
561. **COMMUNICATION ADDED ON THE FLOOR OF COUNCIL:** MAYOR CREIGHTON: SUBMIT 3-HR TENTATIVE AGMT W/CANTON FIREFIGHTERS ASSOC. LOCAL 249 OF INTERNATIONAL ASSOC OF FIREFIGHTERS . - PERSONNEL COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

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

- #1 (1ST RDG) AN ORDINANCE VACATING A PORTION OF AN UNNAMED ALLEY IMMEDIATELY NORTH OF 526 SCHROYER AVENUE SW; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety & Thoroughfares Committee
- #2 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO JOB CREATION TAX INCENTIVE AND NET PROFITS

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INCENTIVE AGREEMENTS WITH THE QUARRY GOLF CLUB, LLC PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

- #3 (1ST RDG) AN ORDINANCE APPROVING & ACCEPTING THE DEDICATION PLAT OF A PORTION OF CLEVELAND AVENUE SW; APPROVING & ACCEPTING THE REPLATTING OF PARTS OF OUTLOTS 325, 327 & 328; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares 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 #4 through #11 by title please.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #4 THROUGH AND INCLUDING #11 BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. (ORDINANCE #5 WAS RETAINED IN COMMITTEE AND ORDINANCE #11 WAS ADOPTED ON IT'S SECOND READING)

- #4 (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 241/2006, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
- #5 (2ND RDG) **RETAINED IN COMMITTEE (NOT READ)**
- #6 (2ND RDG) 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
- #7 (2ND RDG) AN ORDINANCE APPROVING & ACCEPTING THE REPLATTING OF ALL OF LOT 1410 & PARTS OF LOTS 1411 & 1412; AND DECLARING THE SAME TO BE AN EMERGENCY
- #8 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO MAKE APPLICATION FOR & ACCEPT A GRANT IN AN AMOUNT NOT TO EXCEED \$27,347.69 FROM THE STATE FOR A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #9 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS & ENTER INTO A LEASE AGREEMENT FOR LAND OWNED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN

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EMERGENCY

#10 (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AMENDED PRESCRIPTION BENEFIT SERVICES AGREEMENT WITH CAREMARK LLC FKA CAREMARK INC. THROUGH THE EMPLOYERS HEALTH PURCHASING CORP OF OHIO, INC FOR ADMINISTRATION OF THE PRESCRIPTION DRUG PROGRAM FOR CITY EMPLOYEES AND THEIR DEPENDENTS; AND DECLARING THE SAME TO BE AN EMERGENCY

#11 (2ND RDG) **ADOPTED AS ORDINANCE 206/2007** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DE-DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President I move the Statutory Rules be suspended on Ordinance #11.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: There's a motion to suspend the Statutory Rules for Ordinance #11. 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 3 readings.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #11.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #11. Are there any remarks under this Ordinance?...

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, ah, for the record, I just wanna go on record put...or, saying I am very much in favor of this and as member of the CCIC Committee, I will be more than willing to support this and then turn the center over Monroe... or ah, community leaders, and ah, I know that the job they've done down there, I think this will just so enhance their ah, their neighborhood and I'm sure that they'll make it a very successful endeavor.

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PRESIDENT SCHULMAN: Thank you Member Casar. Member Zachary.

MEMBER ZACHARY: Mr. President. I just wanna go on record and ah, thank again Members Carbenia, Casar, ah, Safety Director Hunt and Service Director Concatto, as well as the Mayor, ah, David Dougherty for all of their support and help with the Monroe Center over the past 4 years. Ah, they really are trying to do some good in the community and as I had mentioned before, they're a stabilizing force on that corner so, I would appreciate, Co.... I appreciate Council support on this and thank you for passing it on second, in 2 readings.

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

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Yes. I'd also ah, would like everybody to support this, all of our peers. Ah, we, we've worked a lot with this organization and ah, Mrs. Suhnlén has done a great job out there with the children and um, I, I'm glad to see the building go to something good because it's an old fire station, No. 2 Joe, and ah, (*CHUCKLE*) ah, anyway, I'm very glad to see this and um, they're good, she's a good lady. She runs a good organization out there. She's helped the children who we want to help and we I'm also on the CCIC and I will support this too.

PRESIDENT SCHULMAN: Thank you Member Carbenia. Member West.

MEMBER ZACHARY: Mr. President. I'm sorry.

PRESIDENT SCHULMAN: I'm sorry, Member Zachary.

MEMBER ZACHARY: I am so remiss right now. I completely forgot Joe Martuccio. I'm thinkin' if it wasn't for you this wouldn't be happening right now and I appreciate everything you've done. Thank you.

PRESIDENT SCHULMAN: Any other remarks?... If not ah, 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 and Ordinance #11 is therefore adopted.

ORDINANCE #11 ADOPTED AS ORDINANCE #206/2007

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We are now under Ordinances for their third and final reading. Madame Clerk, please read Ordinance #12 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #12 THROUGH #15 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

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#12 (3RD RDG) **ADOPTED AS ORDINANCE #207/2007** 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 #12.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt 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: Ordinance #12 is adopted. Ordinance #13 please, Madame Clerk.

ORDINANCE #12 ADOPTED AS ORDINANCE #207/2007

#13 (3RD RDG) **ADOPTED AS ORDINANCE #208/2007** 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 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

PRESIDENT SCHULMAN: Member Casar.

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 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.

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PRESIDENT SCHULMAN: Ordinance #13 has been adopted. Ordinance #14 please, Madame Clerk.

ORDINANCE #13 ADOPTED AS ORDINANCE #208/2007

#14 (3RD RDG) **ADOPTED AS ORDINANCE #209/2007** 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

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, 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 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 #14 has been adopted. Ordinance #15 please. **ORDINANCE #14 ADOPTED AS ORDINANCE #209/2007**

#15 (3RD RDG) **ADOPTED AS ORDINANCE # 210/2007** AN ORDINANCE AMENDING SECTION (D) OF ORDINANCE NO 177/2006; 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 has been adopted....and I have a frog in my throat.

ORDINANCE #15 ADOPTED AS ORDINANCE #210/2007

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

MEMBER KRAUS: Mr. Chairman.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: Public Safety and Thoroughfares will meet 11/19/07, 6:45.

PRESIDENT SCHULMAN: Thank you, Member Kraus.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Community and Economic Committee will meet on November 19th at 6:45.

PRESIDENT SCHULMAN: Thank you. Any other committee meetings? If not.....

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN:we're now under Public Speaks, open forum. We have 2 speakers signed up this evening. Our first speaker ah, is Monique Conner. Ah, Ms. Conner, if you'll come forward. We know who you are. If you'll give us your ah, name and your residential address, we'd appreciate it. Good evening, and again, I caution people, only 3 minutes please. We'll all be here to handle any ah, problems afterwards. Go ahead.

MS. CONNER: Monique Conner, 1823 Tuscarawas East, Canton, Ohio, 44707. Um, President Schulman, Mayor Creighton and everyone else in their respective places. Of course, being NAACP President I get a lotta calls and today, I've got millions of calls um, concerning the debate and I, one of the things I would like to find out today is, cuz I don't know it to be true, I was not there, if our Mayor felt that she needed protection down in the African community at the Canton Negro Oldertimers, alleged that she had her own personal off-duty officer to escort her down there for whatever the reasons may be. But, I would like to have um, an answer to that and I also was lookin' here at the post office being moved and of course, we all know that's more jobs that will be leaving Canton, so, I, wanted to find out a little more about that and I, before I do sit down, I'd like to thank everyone for the comments they made about the Monroe Center because it is a program that is definitely needed in our community.

PRESIDENT SCHULMAN: Thank you Ms. Conner. Thank you for coming. Our next speaker is Edythe Stinson. Ah, Ms. Stinson, if you'll come forward and I had a conversation with Ms. Stinson before the meeting and I want to publicly apologize if you think I've treated you in ah, any fashion other than as a, a citizen and a friend. So, with that said, would you give us your name and your residential address please.

MS. STINSON: It's Edythe Elaine Stinson. Um, my concern is the post office leaving the City of Canton and my mail being directed from Akron back to Canton. Right now, I have a, which I use a P O Box out of that main branch there, so, it would be nice if we could keep that here and hopefully the mail does not have to go to Akron and then be re-routed back to Canton. So, that was my concern, that our postal service remain in the City of

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Canton and not Akron and then back to Canton.

PRESIDENT SCHULMAN: Well, we all agree with that. Thank you very much. Ah, there are no other public speakers tonight. Thank you Ms. Stinson. Thank you Ms. Conner.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Ah, we're now under Miscellaneous Business.

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President. I'd like to just ah, say there's ah, one of us, one of our members of this Council's having a birthday next week. I don't wanna say how old he is but, it's a 6 and an 0 and he's not a member of Council, he a, sets up in the front there and I just wanna say about Allen Schulman. Since Allen's a, became our President, he has brought leadership, he has brought intelligence and integrity to that seat. I, as a member of this Council, a, really applaud him for doing what he's doing as far as being a, ah, President of our Council and I wanna wish him a happy birthday, and many many more, but there's a, there's just a, he's an individual that I think we all got to know and like and, and, and a, I really appreciate everything you done for you and a, it's too bad you have a big case tomorrow, I'd buy you a coke tonight, but...(LAUGHTER) but happy birthday.

PRESIDENT SCHULMAN: And believe me, I'd take more than one. Thank you. Thank you. (APPLAUSE) Thank you. Thank you.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Yes, Mr. Casar, thank you for that paid advertisement (LAUGHTER). Ah, I had a couple of things I'd like to cover in a short time here. One, um, we are dedicating a, a, a, a new park on November 1st at 12:30 at a, um, at the end of a, Raff Road, 500 Raff Road North and I'd like everybody, if they would like to come, to come a, and I'm hoping the Mayor's gonna be there. I sent an invitation to the Mayor and so has the school, and Joe and, and, and all, the Mayor's cabinet and all of Council that would be there and, a, I want them to be there to see that a, the work that was done, it was done by volunteer, a, people in this city who are our trades people. They laid, they done the cement work for nothing, they put the roof on, they graded the property. We had people donate things, a, a, to make it cheaper and a, we're gonna have a nice park there with the ball park and a pavilion and everything else. They don't have a park out in that area. At that, I'd like to mention on the communications tonight, I have a communication, the first one, a, which is a, I sent a letter to the postal people inviting them to come to City Council and explain exactly what they're, what they're doing. What they're movement is. Um, today, I was up there on the picket line and I will be up there tomorrow on the picket line. I wasn't on there the whole time, but I was on there a little while a, and I will be going to the meeting Tuesday night. We're hoping that anybody, everybody here goes to the meeting because we're all concerned. We don't know what if, what they're gonna be doing. All I know is they're taking the people, the mail from there and as far as I know, the money that they run the postal service with is self-generating from the stamps and, and the mailings that they do. I don't think they get much money from the government. So, I'm not sure what they're

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doin'. I, I, I know that a, the workers are concerned because they were out there with informational picketing and we need to get out there and support those people and let them see us. Now they were pretty happy to see me. *(LAUGHTER)* Tomorrow, tomorrow's, gonna be 9:30 in the morning 'til, I think noon they're gonna be picketing and the meeting is at McKinley High School on, 6:00 on ah, what's tomorrow, the 29th? Seven o'clock? Well, be there at 6 to get a good seat. *(LAUGHTER)* Make them pull it up, make them eyes open up a little bit because we are concerned. You know, the last time we had a meeting, and I'm sorry I'm runnin' over, Mr. President, but, the last time we had a meeting about, with the mail, is when they wanted to put those conglomeration boxes all around and we turned them around so, we need to go and we need to put the pressure and show them that City Council and the Administration are definitely against this. A, I guess that's all I have to say to you. Just try to be there. *(APPLAUSE)*

MAYOR CREIGHTON: Mr. President.

PRESIDENT SCHULMAN: Madame Mayor.

MAYOR CREIGHTON: Thank you. I'm going to go in order. First of all, thank you Monique for asking the question. This Mayor drives her own car, pumps her own gas, and buys her own gas and I have gone in every section of this community by myself. I do not have a body guard nor have I ever had a body guard and nor do I ever expect to have a body guard. Um, I, you know, I try to watch what I'm doin' at all times but I was at that center last night by myself. I did have supporters there. If you'd like to talk more about it afterwards, I would be glad to answer your question. Next question. Edythe, I want you to know that on behalf of the City, I did send a letter to State, I'm sorry, to United States Senators George Voinovich and Sherrod Brown as well as Congressman Ralph Regula, asking them to intervene on behalf of the city to stop the, a, post mark leaving, the loss of jobs, and the fact that they're gonna save a million dollars, I think you saw the quote in the paper, I wanna know if my stamps are gonna go down, and we all know what that answer is. So, I will be at the meeting tomorrow night and we have already taken that action and the third one is to Councilman West. Um, I just wanna make sure that, you know, last week, he talked about Schreiber School and I'm sure that um, we're happy to announce and I'm sure that you got an invitation, that they are indeed their PTO is having a fund raiser to replace the playground property on their school. *(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you Madame Mayor.

DIRECTOR CONCATTO: Mr. President.

PRESIDENT SCHULMAN: Service Director Concatto.

DIRECTOR CONCATTO: I'd just like to thank Member Carbenia for his efforts at the park. Um as a Service Director, we had a lot to do, or, had some part at the park and Joe was a, instrumental in getting local unions, local, local trades to come in there free of charge um, to do that work there and a, and a, Joe, I just think that was great and I thank you for it and I think a, Members of Council should thank you for that effort and it saved us, not only did it save us some money, but it also showed a cooperation with the trades and what we're tryin' to do at the parks and you're to be commended. *(APPLAUSE)*

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Thank you.

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MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Um, last week when I talked about Schreiber School, it wasn't just so much with the playground equipment, but it was throughout the whole City of Canton. It appears to me like, that the Y, they had indicated that a number of our playgrounds, in the city, in our city schools, were not like, I mean, could not meet ODJFS State Standards um, and one of the things that I'm happy to hear at Schreiber, I knew that they were gonna have a fund raiser, but I'm thinking, we still need a partnership to make certain that every playground in the city that serves our children are up to standards and up to codes and I think the other thing I wanted to in reference to that is when we look at, I mean, let me back up. When it comes down to, a, Schreiber School specifically. I did get a call and they did put mulch down as a result of us speaking here last week. So, that was one good move in the right direction. But, all of our playgrounds have to, we must make certain that they're accountable to our children and our tax dollars. Thank you.

PRESIDENT SCHULMAN: Thank you Member West. It's safety..... Ah, Member Hart, and then we'll get back to you Safety Director hunt.

MEMBER HART: Ah, I just wanna say in speaking for the minority and as a minority, I, I too wanna wish you the happiest birthday and ah,....

PRESIDENT SCHULMAN: Okay, that's enough, thank you. Next, ah..... (LAUGHTER)

MEMBER HART: And for your service to the community. I know when he took this position, there were a lot of people that were very surprised but I'm grateful that you did and I am very thankful in looking at Canton's future also in sustainability you know, what you've been able to achieve in a short time as a well you know, as a visionary will help, you know, future generations.

PRESIDENT SCHULMAN: Thank you very much. Thank you.

MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: I just wanna remind everyone that when this came about, with the post office and we were contacted from the Mayor's office to myself to Joe, and Richard and everybody, we, we were right there. I mean, we had the resolution and, and I think we invited them down to speak at that time and we're gonna keep the doors open and Joe, I will try to be on the picket tomorrow if I'm not out knocking on doors.

MEMBER CARBENIA: I know you will be.

PRESIDENT SCHULMAN: Thank you Member Kraus.

MEMBER KRAUS: But, I think we, we, we gotta stick together on this. We've been in on the start.

PRESIDENT SCHULMAN: Um, Member Carbenia, if I could ask when are the pickets gonna be out other than

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tomorrow? Do you know? Do we know?

MEMBER CARBENIA: No. All I know is that they were out today from um, 2:30 'till 5 or something, I had to leave early. Ah, but, I think tomorrow it's only 9:30 to 12 or something.

PRESIDENT SCHULMAN: Okay.

MEMBER CARBENIA: They didn't tell me any more.

PRESIDENT SCHULMAN: But, tomorrow night at McKinley....

MAYOR CREIGHTON: McKinley at 7:00 and I do be.... and I'm sorry Mr. President, I didn't mean to interrupt you.

PRESIDENT SCHULMAN: That's all right Madame Mayor.

MAYOR CREIGHTON: ...but, ah, I think, Carmine told me, who's President of the Union, that it's just the 2 days of information picketing.

PRESIDENT SCHULMAN: All right. Thank you. Assi.....

MEMBER CARBENIA: Yes, and....

PRESIDENT SCHULMAN: I'm sorry, Member Carbenia.

MEMBER CARBENIA: I'm sorry and....

PRESIDENT SCHULMAN: That's all right.

MEMBER CARBENIA:the only other thing I'd like to add to that. The only news media that was there was ah, ah, camera man from Channel 3 I believe. I, I would hope that ah, our news media could get into ah, that, at the school anyway and, and cover that so our citizens would know. They, they had an article in the paper about, you know, about the meeting, so, I just hope that they carry out that.

PRESIDENT SCHULMAN: Madame Mayor. Just a point of information. How many jobs are we losing?

MAYOR CREIGHTON: Mr. President. They said 10 and he's tol.... and what he said is that they'll not be, ah, they won't lose their jobs, it'll be through attrition and they'll offer them jobs in other areas. But, we all know that once they start the ball, then there's no stopping it.

PRESIDENT SCHULMAN: Okay, thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

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MEMBER WEST: Um, does anyone know if they even had consideration of moving Akron to Cleveland keeping Canton's post? Does anyone know?

PRESIDENT SCHULMAN: Doesn't sound like it. Ah, Safety Director Hunt.

DIRECTOR OF PUBLIC SAFETY: (Sigh) Thank you Mr. President.

PRESIDENT SCHULMAN: You're welcome.

DIRECTOR OF PUBLIC SAFETY: I want to take this opportunity to thank ah, Councilmember Hawk for ah, information resolution #77. He and I spoke ah, concerning this Resolution and the need to put it possibly on our police sub-station. I think it's well worth it. Councilmember Hawk not only has been helpful to our substation for this, but also for funding for Weed and Seed and I just want to go on record to thank him for ah, his help.

PRESIDENT SCHULMAN: Thank you Safety Director Hunt. Ah, Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. A few reminders, for those of us who are elected officials. I've checked with the AG's office, the Attorney General's Office, and even though our terms are up, most of us, December 31st, we have to get our Public Records Training in before the end of the year and again, some time during your next term, or your designee. It could be you, as an elected official, or your designee and the web site has listed, lists of training sites. Um, I wanted to commend John Labriola for staying over and talking with a concerned citizen who's here tonight who didn't get to sign up quite in time, but shared some good opinions about ah, the inconsistency of application of duplexing laws and the reversion time back. Ah, Mr. Labriola will be talking with Mr. Tressel as will we in the Law Department. Thank you for coming. And lastly, um, I've already met my quota for wearing tights this year...*(LAUGHTER)* in a Shakespearian production so I won't dawn a blonde wig and sing to you as someone did 40....7 years ago to our President... but.... *(SINGINGLY)* *happy birthday, Mr. President....*

PRESIDENT SCHULMAN: Thank you ah.....

LAW DIRECTOR MARTUCCIO: *...happy birthday....*

PRESIDENT SCHULMAN: Thank you.

LAW DIRECTOR MARTUCCIO: *....to you.*

PRESIDENT SCHULMAN: Thank you. *(OVERWHELMING APPLAUSE & LAUGHTER)* That's why I love having Joe sitting next to me during these meetings. You don't know what... you don't know what happens before the

MEMBER CARBENIA: That's Italian style.

PRESIDENT SCHULMAN: motion and the second. Um, I just wanna say one thing if I might, take some ah, Presidential prerogative if I might. First, thank you very much for the kind words. I appreciate it. I love working with all of you. You are an extraordinary group of people. I really mean that, um, from our great leader to our minority leader to our Mayor and her Administration. It's been a joy working with all of you and nothing

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happens by itself. I do wanna commend all of you as I did the other day, at the sustainability meeting and I know some of you simply couldn't attend because you're working and you have other things to do, but, the ah, outpouring of support for this is incredible and you're all to be commended. It takes, and I commended the Mayor, also, obviously and her Administration, it takes incredible leadership, and ah, I think thinking about the future, some fore-thought here, ah, in this effort, I made 2 comments when I spoke and had the privilege to speak the other day and that is, in Georgia, in Atlanta, they have 3 months of water supply left, and they keep saying well, this is just a very unusual drought. It's just a, it's just the worse drought we've ever had. Climatologists say it's not the drought that is going to be your climate. And then we saw, in the last week, the ravaging of California with the worse fires in the history of the United States displacing 750,000 people, 750,000 people and burning millions of acres and this is not by accident. So, we need to, not only come out with reports such as this, en, en, enlist your support, we need to make things happen and I know the Mayor and I know the leadership of City Council is committed to do the very thing. Finally, in that regard I note tonight we had an Informal Resolution about our water supply, which comes of course, in light of what we've seen throughout the country but, I'm not sure we understand just one aspect of bottled water. Bottled plastic water. In the United States the plastic bottles produced for water, require 1.5 million barrels of oil a year, enough to generate electricity for 250,000 homes or fuel 100,000 cars for a year. Bottled water has now become the most, not recycled, the greatest product in our landfills and there's no excuse for it and Member Casar has been preachin' this for 30 years. Almost all of it comes from Municipal tap water and there's no excuse for it and we've asked the Law Director to look into whether we should pass an Ordinance prohibiting bottled water from being sold in Canton. It's a courageous step. We should think about it. We should investigate it and ah, we should vote on that eventually. Ah, but in any case, I wanna congratulate all of you for your leadership. Apparently, people ah, people, they may not be ready to ah, stop bottled water in Canton but I think we should look into it. But, thank you for your leadership.

SERVICE DIRECTOR CONCATTO: *(INAUDIBLE COMMENTS) (LAUGHTER)*

PRESIDENT SCHULMAN: Member ah, or, I'm sorry, Service Director Concatto's gonna be arrested after the meeting tonight. Member Hawk.

MEMBER HAWK: Mr. President. There's some very, reading through the Mount Vernon Neighborhood News, they've given us a wonderful piece of advice, a wonderful reminder. It says, take your right, take your right, take the right idea to the polls. So, in other words, they're asking you to, you must, this is law, you must present identification in order to vote, so, as a reminder from the Mount Vernon People, please..... take an ID with you to the polls when you vote next week. Thank you.

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Meeting adjourned. *(GAVEL FALLS)*

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ADJOURNMENT TIME: 8:12 P.M.

ATTEST:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED:

ALLEN SCHULMAN
PRESIDENT