

MINUTES OF THE MEETING OF JULY 28, 2008

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to ah...Canton City Council, I know we have some new faces and certainly some familiar faces. We thought our ah...invocation tonight would be given by Rabbi ah...Spitzer but instead, unfortunately, we have Member Kraus will have to give it I guess. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

12 COUNCILMEMBERS PRESENT: (DON CASAR, JOE CARBENIA, MARY M. CIRELLI, BILL SMUCKLER, GREG HAWK, THOMAS E. WEST, JAMES GRIFFIN, CHRIS SMITH, TERRY PRATER, DAVID R. DOUGHERTY, PATRICK BARTON & "BUTCH" KRAUS)

ALL COUNCILMEMBERS PRESENT

CLERK TIMBERLAKE: Twelve present Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight's invocation will be given by Councilmember Butch Kraus. Will you all please remain standing afterwards for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on Monday, July 28, 2008 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 Karl "Butch" Kraus, followed by the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you Member Kraus. We are now under agenda corrections and changes. Members of Council, you're going to be asked as you always are to suspend Rule 22A to add the Second Reading of Ordinance #15, my understanding is #14 has been retained in Committee. Member Casar, the Chair will recognize that motion.

MEMBER CASAR: Mr. President. I move we suspend Rule 22A and add Ordinance #15 to this evening's agenda.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been so moved and seconded to suspend Rule 22A then to add the second reading of 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: Thank you Madame Clerk, the motion carries, Rule 22A is suspended and the Ordinance #15 is a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. And we do have a public hearing scheduled

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for 7:30 pm. It's AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY; IT IS ASSIGNED TO WARD 3; TO REZONE 3825 13th St SW from PR-4 (RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS); (THE PLANNING COMMISSION RECOMMENDED APPROVAL OF THIS ZONE CHANGE). Is there anyone in the audience wishing to speak for or against this particular zoning change, if so will you please step forward. And by law, I have to repeat it. Is there anyone in the audience wishing to speak for or against this zone change, please step forward. No one having stepped forward, the matter now rests in the hands of Council. Since the Ordinance will follow later.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: Ah...we are now under Public Speaks on Ordinance and Resolutions for adoption. We have no speakers signed up this evening.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We are now under Informal Resolutions. Madame Clerk, would you please read Informal Resolution 70 by title.

#70. COUNCIL AS A WHOLE: WISHING RABBI SPITZER WELL IN HIS RETIREMENT. - ADOPTED

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #70.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #70. Are there any remarks? If not, by voice vote all those in favor signify by saying aye. Those opposed, no.

NO REMARKS
UNANIMOUSLY BY VOICE VOTE

RESOLUTION #70 PASSED

PRESIDENT SCHULMAN: The Resolution carries and I don't think Member ah....Smuckler, Rabbi Spitzer is here yet, is that correct?

MEMBER SMUCKLER: Correct.

PRESIDENT SCHULMAN: Okay. Madame Clerk, Informal Resolution 71 please.

#71. COUNCIL AS A WHOLE: SUPPORTING KEEPING THE OHSAA STATE FOOTBALL CHAMPIONSHIP IN STARK CNTY. - ADOPTED

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Resolution #71.

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MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 71. Are there any remarks? If not, again by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #71 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The Resolution carries. Resolution ah...#72 please Madame Clerk.

#72 PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF MICHAEL ABBOTT TO THE CANTON CONSTRUCTION BD EXPIRING 12/31/08. - ADOPTED

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: I move we adopt Resolution #72

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #72. Are there any remarks under this Resolution? Again, if not by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS RESOLUTION #72 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: That Resolution also carries.

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 JULY 28, 2008.

305. AUDITOR MALLONN (CITY): CERTIFICATE OF TOTAL AMT FR: 2008 ALL SOURCES. - RECEIVED & FILED

306. DEVELOPMENT DIRECTOR TORRES: ACCEPT PARCEL OF LAND LOCATED ON FIELD STREET NW AS DONATION FR: FRANK A. WILLIAMS (PARCEL #03-03610). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

307. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE MAYOR &/OR SERV DIR TO CONVEY CITY OWNED PROP TO CCIC (PARCEL #02-85774 - 1114 GONDER AVE SE). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

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308. HAWK, G., WARD 1 CNCLMN: REQ TO AMEND SEC 521.08(d) TO INCREASE FINES FOR FIRST OFFENSE FOR LITTERING TO \$100.00 & AMEND CHARGE FOR SUBSEQUENT VIOLATIONS IN SAME YEAR TO BE 4TH DEGREE MISDEMEANORS W/FINES OF \$150.00 FOR A 2ND OFFENSE & \$250.00 FOR A 3RD OFFENSE. - JUDICIARY COMMITTEE
309. HEALTH COMMISSIONER ADAMS: REQ APPROP VARIOUS UNAPPROP CASH BALANCES. - FINANCE COMMITTEE
310. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C1 C2 LIQ PERMIT FOR BENZO INCORP DBA FULTON DRIVE RD @ 1133 FULTON RD. - RECEIVED & FILED
311. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C2 D1 D3 D3A LIQ PERMIT FOR SHAWN MICHELLE MARTIN DBA PRIMETIME PUB & DRIVE THRU @ 400 NAVARRE AV SW. - RECEIVED & FILED
312. LIQUOR CONTROL DIVISION (OHIO): RECEIVED REQUEST TO CANCEL 2007-2008 RENEWAL APP FOR MARTIN JOSEPH STURIALE DBA PASTIME INN @ 606 - 9TH ST SW, 1ST FL. ADVISING RULING WILL NOT BE ISSUED ON HEARING HELD 3/18/08. - RECEIVED & FILED
313. MAYOR HEALY: REQ SEVERAL PROPOSED CHANGES TO THE PERSONNEL ORDINANCE. - PERSONNEL COMMITTEE
314. STARK CNTY COURT OF APPEALS: RECEIPT OF OPINION DIANO ANNEXATION, CASE NO 2007-CA-000063. - RECEIVED & FILED
315. SERVICE DIRECTOR BERNABEI: AUTHORIZE SEV DIR TO ENTER INTO AGMT W/ODOT, EFFECTIVE 1/1/08 - 6/30/09 FOR LIGHTING MAINTENANCE OF I-77 WITHIN CITY LIMITS. - FINANCE COMMITTEE
316. SERVICE DIRECTOR BERNABEI: REQ TO AMEND CHAPTER 919, SIDEWALK & CURB REPLACEMENT PROG TO IMPLEMENT & CREATE A 2ND SIDEWALK & CURB REPLACEMENT PROG. - JUDICIARY & SIDEWALK & STREET LIGHT COMMITTEES
317. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 6/30/08. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #13 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS.

#1. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 17/89, AS AMENDED, AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED CONTRACT WITH THE CANTON

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COMMUNITY IMPROVEMENT CORPORATION TO ADMINISTER ADDITIONAL COMMUNITY DEVELOPMENT BLOCK GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$500,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

#2. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$175,000.00 FOR A COMPREHENSIVE ECONOMIC AND DOWNTOWN DEVELOPMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

#3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO MAKE APPLICATION AND RECEIVE A CLEAN OHIO ASSISTANCE FUND GRANT FROM THE OHIO DEPARTMENT OF DEVELOPMENT; AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT FOR OVERSIGHT OF THE REMEDIATION WORK AT THE STEIN INDUSTRIAL PARK; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT WITH A REMEDIATION CONTRACTOR FOR THE REMEDIATION WORK; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

#4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACTS FOR THE REMEDIATION OF THE HERCULES PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

#5. (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF REAL PROPERTY; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO IMPLEMENT RIGHT OF REVERSION CLAUSE AND PURCHASE SAID PARCEL; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

#6. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

#7. (1ST RDG) AN ORDINANCE AUTHORIZING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Judiciary Committee

#8. (1ST RDG) A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF THE 2008 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Judiciary Committee

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#9. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Judiciary Committee **PUB HRG: 8/25/08 @ 7:30 PM**

#10. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING AND RENUMBERING OF LOT NO. 14320 AND PART OF LOT NO. 14321; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred Public Safety & Thoroughfares Committee

#11. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Judiciary Committee **PUB HRG: 8/25/08 @ 7:31 PM**

#12. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$600.00 TO DSR & ASSOCIATES; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

#13. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR A TRAIL UNDERPASS IN CONJUNCTION WITH THE WEST SIDE PARKS TRAIL AND BRIDGE PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement and Finance Committees

PRESIDENT SCHULMAN: Before we...ah..go on to the second reading...ah...Ordinances...ah...I do, and I was remise in not recognizing...and I think that they're going to go crazy if they have to sit through this whole meeting. The ah...we have some children from the Canton Calvary Mission and Earl Cooper of CLEAN, and these young children were responsible for cleaning up the Gibbs neighborhood. We want to recognize you and thank you very much for your support.

(APPLAUSE)

PRESIDENT SCHULMAN: Okay, and if you want to leave, you will not interrupt us, you will not disturb us, you're more than welcome to. Although, if you want to remain, you're also welcome.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances for their second reading. Madame Clerk, would you please read the second reading Ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #15 ITS SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#14. (2ND RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AMENDING CHAPTER 917, TREES, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

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#15. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO FILE AN APPLICATION FOR AND ACCEPT A GRANT FROM THE FEDERAL COMMERCIAL EQUIPMENT DIRECT ASSISTANCE PROGRAM FOR THE SOLE PURPOSE OF THE PURCHASE OF FORENSIC VIDEO EQUIPMENT FOR THE POLICE DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances for their third reading. Madame Clerk would you please read Ordinance #16 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #16 THROUGH AND INCLUDING #25 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 102/2008** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY

PUB HRG: 6/30/08 @ 7:32 PM

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

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

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: The motion to reconsider is...ah...passed. Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #16. 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.

#16 ADOPTED AS ORDINANCE NO. 102/2008

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

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#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 103/2008** AN ORDINANCE AUTHORIZING THE CITY OF CANTON TO ACCEPT DONATION OF REAL PROPERTY FROM THE NILES H. BAUM ESTATE

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 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.

#17 ADOPTED AS ORDINANCE NO. 103/2008

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

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 104/2008** AN ORDINANCE CONSENTING TO THE TRANSFER OF THE ROBERT J. GASSER COMMUNITY REINVESTMENT AREA AGREEMENT; 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 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.

#18 ADOPTED AS ORDINANCE NO. 104/2008

PRESIDENT SCHULMAN: Ordinance #18 is adopted.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: And I would like to just pause here for a moment because I did see Rabbi Spitzer come in. Ah...Rabbi, I think I saw you come....yeah. Would you come on up because you missed all the festivities, we talked about you almost the entire night. *(Laughter)* Member Smuckler. And by the way, we had a second class invocation given by Member Kraus tonight so...I...*(Laughter)*

MEMBER KRAUS: I thought it was pretty good.

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(LAUGHTER)

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: As most of you know, um...you may have read Rabbi Spitzer is retiring. Now, what that exactly means, we're still not sure because I've been to probably two weeks of events straight and he's been to everything so far. The interesting part was that we all pass a lot of resolutions down here and yes Butch Kraus did step in for you this evening because I asked him to let...let you do the prayer. But I happen, at one point in time, always to pass a few resolutions for our community, especially when it comes to the Jewish Community Center for athletics and every once in awhile my friend in Ward 9, ah...Joe Carbenia gets a little testy when we got a lot of resolutions. And a few years ago I asked Joe when we celebrated your 25th anniversary if he had any problems in passing your resolution at that point in time. And Joe said "No, I'm Catholic but what if I've been wrong all these years." *(Laughter)* This is hard for most of us that have been with the Rabbi since 1982 because Rabbi Spitzer has been more than just a Rabbi in the community, he's been involved in dozens upon dozens of committees, City Boards, Chaplain at the Police Department. Um...he's been in a situation where most of us get elected into leadership but I guess the most praise I can heap on him is he's been respected in the leadership. And I know that from my point of view and I think from all the rest of Council's point of view...ah..the small piece you're going to retire from, we're all going to miss but we still hope...still hope that you remain very active in the community and are willing to volunteer for a number of the same things that you've seen as very just causes to help make Canton a better place to live. Rabbi.

(APPLAUSE)

RABBI SPITZER: Unaccustomed as I am to public speaking...*(Laughter)* Um...this has been a very exciting time in our lives these past several weeks....ah...it's been an opportunity for us to be in the midst of good and righteous people and I include the members of City Council and the citizens of our community...ah...they say that becoming a clergy person is a calling. We came to Canton 27 years ago without some preconceived notion about how long we would stay or about what our lives would be like...ah...and I need to tell you that I think being a citizen of Canton, Ohio and Stark County is indeed a calling. There are such good people here. Not only those who are elected, who serve us but those who are in the community and try to solve problems and to create a community which is the very best place to raise a family. We are about to...ah...experience the joy of our first grandchild, I think next week, although you really can't tell exactly when these things will happen. *(Laughter)* And all I can tell you is that I say to my, both my sons...ah...that they could very well come back to Stark County and find here good and wonderful lives. It is a great place to live, the people on the Council that I worked with over the years, people in various commissions and so on have been fabulous folks and it is an honor and a pleasure not only to have worked here but to continue to reside in the community. Thank you very much...ah...Bill for...for this honor and to all the Members of Council..ah...who I assume some place have signed this. *(Laughter)* Thank you very much. God bless all.

(STANDING OVATION)

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Uh...I just want to state sir that in 1984, you and I were both founding members of the Canton Friendship Center, for a number of years we served on the Board of Directors and I was never more

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honored than to be working with someone of your eloquence and your...ah...respect and what have you and how much you're heart went out to those people that so much needed that facility. And...ah...this community, as Bill said, we hope you're going to stay and volunteer for a lot of things because I have followed you and watched how you've been on the board many times and have been up to the Temple there and I thank you for inviting me many times and I have to say...um...we scheduled it one time when I was a State Rep. for you to be able to come down there to speak and if you might remember, they cancelled the darn session and it didn't pan out and I apologize to you for that. But we really hope that you stay active in the community and God bless you for everything you've done sir. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Thank you Rabbi very much. We appreciate your dedicated service, I can tell you that. Um...back on the agenda tonight.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We're now under Ordinance #19. Uh...Madame Clerk.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 105/2008** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH BROWNSTONE DEVELOPERS, LLC; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #19. 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.

#19 ADOPTED AS ORDINANCE NO. 105/2008

PRESIDENT SCHULMAN: Ordinance #19 is adopted. Ordinance #20.

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 106/2008** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG: 7/28/08 @ 7:30 PM**

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 to adopt Ordinance #20. Are there any remarks under this Ordinance? 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.

#20 ADOPTED AS ORDINANCE NO. 106/2008

PRESIDENT SCHULMAN: Ordinance #20 is adopted and I know that Member Griffin is very pleased with that outcome. Ordinance #21 please.

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 107/2008** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING AND RENUMBERING OF OUTLOT NO. 1220; 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 to adopt Ordinance #21. 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.

#21 ADOPTED AS ORDINANCE NO. 107/2008

PRESIDENT SCHULMAN: Ordinance #21 is adopted. Ordinance #22 please.

#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 108/2008** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO MAKE APPLICATION FOR AND ACCEPT A GRANT IN AN AMOUNT NOT TO EXCEED \$35,429.21 FROM THE STATE FOR A SELECTIVE TRAFFIC ENFORCEMENT 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 to adopt Ordinance #22. 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.

#22 ADOPTED AS ORDINANCE NO. 108/2008

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

#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 109/2008** AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT AN OHIO DEPARTMENT OF NATURAL RESOURCES, DIVISION OF RECYCLING AND LITTER PREVENTION GRANT; AUTHORIZING A CASH MATCH FROM COURT FUNDS; AUTHORIZING THE AUDITOR TO ESTABLISH THE 2417 LITTER PREVENTION FUND; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; 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 to adopt Ordinance #23. Are there any remarks under this Ordinance? If not ...ah...Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#23 ADOPTED AS ORDINANCE NO. 109/2008

PRESIDENT SCHULMAN: Ordinance #23 is adopted. Ordinance #24 please Madame Clerk.

#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 110/2008** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, APPROPRIATION TRANSFERS AND APPROPRIATION REDUCTIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

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 to adopt Ordinance #24. 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.

#24 ADOPTED AS ORDINANCE NO. 110/2008

PRESIDENT SCHULMAN: Ordinance #24 is adopted. Ordinance #25 please Madame Clerk.

#25. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 111/2008** AN ORDINANCE AMENDING ORDINANCE NOS. 18/2008 AND 155/2007; AND DECLARING THE SAME TO BE AN

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EMERGENCY

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 to adopt Ordinance #25. Are there any remarks? Member Casar.

MEMBER CASAR: Mr. President, I move we amend Ordinance #25 per the copy that all Councilmembers have in front of them.

MEMBER CARBENIA: Seconded.

AMENDMENT*Pursuant to Rule 36, I move to amend Agenda Item No. 25 by amending the caption and adding a new Section 3:**The Caption is amended to read as follows:**AN ORDINANCE AMENDING ORDINANCE NOS. 18/2008 AND 155/2007;
AMENDING APPROPRIATION ORDINANCE NO. 1/2008, AS AMENDED; AND
DECLARING THE SAME TO BE AN EMERGENCY**The new Section 3 shall read as follows:**Section 3. Appropriate Ordinance No. 1/2008, as amended, is amended by making the following supplemental appropriation:*

<i>FROM:</i>	<i>Unappropriated balance of the 1001 General Fund</i>	<i>\$100,000.00</i>
<i>TO:</i>	<i>1001 85-20-02 Treasurer (Growth Initiative Settlement - Other</i>	<i>\$100,000.00</i>

Currently existing Section 3 is renumbered as Section 4.

PRESIDENT SCHULMAN: It's been moved and seconded to amend the Ordinance 25 per the copy before each of you. Are there any remarks? If not, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: That motion carries. Member Casar.

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

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MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #25 as amended and that's what you're voting upon. 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.

#25 ADOPTED AS AMENDED AS ORDINANCE NO. 111/2008

PRESIDENT SCHULMAN: Ordinance #25 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We are now under Announcement of Committee meetings.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Community & Economic Development will meet August 11th at 6:00 PM.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Finance Committee will meet Monday, August 11th at 6:00 PM.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Judiciary will meet August 11th at 6:00 PM.

PRESIDENT SCHULMAN: Thank you.

MEMBER KRAUS: Mr. President.

PRESIDENT SCHULMAN: Member Kraus.

MEMBER KRAUS: Public Safety & Thoroughfare and Public Property & Capital Improvement will both meet at...ah...6:00 PM on August 11th.

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PRESIDENT SCHULMAN: Thank you. Any other committee announcements?

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: We're now under Public Speaks, Open Forum. And tonight we have a number of speakers tonight and for those of you who have never attended a City Council meeting or more particularly, for those of you who haven't addressed us in Public Speaks, I would like you to understand..ah a few of the ground rules, one is that you are limited in time to three minutes and Council limits that time to three minutes, not because we don't want to hear what you have to say but more because all Councilmembers will be here after this meeting including the Mayor, the Service Director, the Safety Director and our Law Director and you'll be able to take up any matters that you wish with them personally. So if you would, keep your remarks to three minutes. Secondly, I know that there are a number of speakers tonight that may address the same subject. I would ask that you not to be repetitive. I think...ah..I hope you will understand, we're listening to you intently, we're trying to understand what it is you're addressing us over and there's no need to repeat the same thing over and over again. As I say, we'll all be here afterwards to take any questions or to listen to any comments you have. So with that...ah...tonight, our first speaker is a person who has attended and spoken previously, Patricia Kirk. Ms. Kirk, would you come up and give us your name and your residential address please. Thank you.

PATRICIA KIRK: Hello, my name is Patricia Kirk, I live at 131 5th St. I'm the President of Shake-A-Leaf and also the Chairperson of Downtown Central Neighborhood Association. And before I do anything else, that black bag that's going around is perfectly safe, it just has these, this black band, wrist band in there. It does not advertise any particular church even though our church did pass it out. I think it started in Kansas. All it says is "Breaking Free" and all it means is breaking free from negative thinking, negative speech and trying to do it 21 days in a row, very hard, I haven't been able to do it yet. Okay, Canton is my hometown, but Canton has never had a tree ordinance that sets standards for tree care establishing a tree planned for the City, establishing a volunteer tree committee or educating the people. Yes, I did go get a copy of the 1984 tree ordinance and basically it was to get a permit to plant trees in the downtown City district and also don't plant poplar trees and if there's a tree that's over hanging, it can be cut down and there's a \$100.00 fine, that's it. This tree ordinance is light years ahead of that. This tree ordinance is first thing we've ever had in the City of Canton that actually sets standards for care for tree cutting. And no matter what you say, remember this, the Ohio Revised Code will hold the City responsible regardless if those aren't our trees, we don't take care of that or we said that years ago, the people take care that. No matter what is said, the Ohio Revised Code will hold you responsible, so I think possibly what could be the problem here is that you see this not as a solution, you see this as a problem because it takes money and anything that takes money has to be a problem. Well, what I want to say is, we don't seem to have a problem for throwing money down sewers, trees, control flooding. We don't seem to be too awfully upset that we can't meet the air standards, minimum air standards from the EPA. We don't seem to be too awfully upset about the pollution heading into the streams because of the watershed problem. This is not a problem, this is a way of addressing all those things we're already in trouble for. Okay. Also, Mr. Bernabei....Mr. Bernabei, I did get your message, it was cut off a little bit short but...um...you referred to the adoption of Kresge Lot and first you said one person then one group or agency. There were actually three agencies on that plan. There's actually ah...application, there's actually four. She couldn't be here tonight, her mother had a stroke but the CANDO Neighborhood Association, they have mowing equipment. The Shake-A-Leaf, the...ah...newly formed Downtown Central Neighborhood Association, we all want to adopt this. This is our neighborhood, we live there 24/7 and we are aware of the festivals that go on and the needs of this little...this little lot, we can do nothing more except adopt a slab of concrete or some asphalt. This is us, we are able to work with the City, so we would appreciate that and we can reapply and even if we have to squeeze our names in the margin, we can get all four of them in there. So that's basically what I wanted to say tonight.

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PRESIDENT SCHULMAN: Thank you very much Ms. Kirk. Thank you. Ah...our next speaker is James Smith. Mr. Smith, good evening. If you'd give us your name and your residential address and again, if you would please, I hate to cut off people but if you...we have a number of speakers tonight so if you'll just limit your remarks to three minutes.

JAMES SMITH, SR: Not a problem, thank you very much. My name is James S. Smith, Sr. I reside at 118 Fawcett Ct NW. Ah..order I'll go, I'm gonna start with no police presence in our area. Ah...Junction Tavern...has been broken in three times, armed robbery last weekend. Ah...a week and a half ago..ah..10:00 in the morning. Shooting right in the alleyway, they had ah...people, teenagers sittin' on my front porch cussing me out. Called the police department, an hour and twenty minutes later they come up. Ah...the lady officer never introduced herself..ah...I'm officer Jones...Smith, whatever. She says "You got a problem?" I says "yeah I just chased five kids, look at my tree, they had two..ah...Direct T.V. DVD players, well they were bustin' them up against the side of my house and on the tree. I had one of 'em after I chased them off. They refused to take it, well you can fingerprint it. They're not gonna do nothing. Well I'll go to Council Meeting, I've met the Mayor, I'm a Stark County Commander of Army/Navy Union. I met the Mayor down at...ah...McKinley Memorial Birthday. And she said "Well while you're down there talking to him, tell him we need more cops." But that's what we get when we call. Ah...the second one is graffiti and tagging. Ah...there is a curfew, well I believe it's 11:00 during the week, 12:00 on the weekends. Ah...the teenagers are hanging out behind the...ah...Pizza Palace, behind the Appliance Mart. The...ah...apartment building in the area. They walk up and down the alley all night long, 3, 4:00 in the morning. I pick up three or four beer bottles, pop cans, pizza....on my property everyday. Two or three pieces of trash but there is no police presence to keep the kids in the house. Um..they're tagging...ah...fences, cars...ah...a gas...ah...shed building, It's all tagged up but if we have police presence in the area, these kids wouldn't be out there doing what they're doing. Ah...thirdly...ah we've had major flooding problems in that area..ah there are pictures, my house was completely surrounded with water and my front steps sit about seven foot above the street level. Ah...well they came in every five foot, they dug a hole, they put a piece of asphalt down, it's all sinking, falling in. The City...ah...Water Department drove through my yard and the superintendent has yet to come back three times. Go ahead and either fill it in, do something with it. They actually had to drive their duce and a halves and their dump trucks through the....my yard on the hill. Ah...then number four, the trash, when they come by they throw the barrels since it is an alleyway and they come down the alley, they don't put the trash cans back in the yard. They're thrown onto the street, they're thrown wherever. When I come home, because it is an alley, every Monday I have to stop my car, get out of the car, pick up my garbage cans, the neighbors garbage cans because they're just thrown anywhere.

PRESIDENT SCHULMAN: And that is....that is your time. Thank you very much sir. And you...and thank you because you really covered your points very well. I'm sorry to cut you off. Um...our third speaker tonight is Jason Scaglione or is it Scaglione? If I've mispronounced....Scaglione. Good evening and welcome and give us your name if you would and your residential address.

JASON SCAGLIONE: Good evening Council...ah...my name is Jason Scaglione, I live at 3027 Glen Place. Um...I'm here to speak a lot about the drug activity in this area it's getting very disturbing...ah...a lot like this gentleman was saying with no police but the drug activity in this area is...is out of hand. I can't have my child go out by themselves anymore. This is very disturbing to me, as my uncle was a Canton City Cop and he did...did do a fine job but it seems like this is...it's....it's like the...these laws are afraid of the drug dealers. I don't understand. Don't understand it. We saw gunshots, drug dealers are still in the area after....after the guy gets shot. I don't understand how they can be out walking the street after they take drugs from them, from their house and he's been shot. Just like this banner here "2008 The Year of Our Neighborhood" we

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want it to be the year of our neighborhood. We ask for all of your help in maybe possibly starting a...a neighborhood association, as we're not covered by any. They are all around us but none of them include us. They moved a ah...historical house here sometime ago. It was supposed to beautify the neighborhood. What it's done is put up a fence, an eight foot fence that I guess separates them from us because they don't enjoy seeing what...what goes on either. It's kinda disturbing to me. Maybe...maybe those folks there at the...ah...Historical Society would open up their facilities there for us to have some of these crime watch meetings and neighborhood...ah...association meetings. I ask for all your help in getting this started and all your help in getting some of this crime taken care of and the drug activity taken care of in this area. Thank you.

PRESIDENT SCHULMAN: Thank you sir, very much. Ah...our next speaker is, and I do apologize, sometimes I cannot read your writing and I don't know how to pronounce your name. I think it's...ah...Breazeal. Thank you. Mr. Breazeal, good evening, sorry. Could you tell us your name and your residential address please sir.

ROBERT BREAZEAL: Yes, my name is Robert Breazeal, I reside at 148 Fawcett Ct NW, Canton, Ohio. Alright...ah...for this evening...ah...what I want to discuss is the speeding that goes on...on Fawcett Ct...ah...first thing I want to talk about. Ah...the speeding going up and down Fawcett Ct, it's extremely excessive. It also includes another road that is right behind my house, which is Junction, which is a one-way street by the way and no one seems to ever follow that as they're speeding your way, the wrong way down the street. Um...I do have a 7 year old child. I do worry about her a lot. I fenced in my backyard because I'm concerned about my child. I have to worry all the time that one of these cars that's scootin' down these alleyways is going to nail my child and I'm tellin' you what, there's no nightmare like it. Ah...another thing I've been concerned about...um...as far as the neighborhood, the...ah...street signs, street lights and stuff to, you know help with a little bit of security so you don't have to worry about things at night. They're covered up with trees. Now me and another neighbor of mine used to go over there and we used to trim them all up and get them nice and clean, keep the light bright but honestly, that's not my responsibility, that's somebody's property, it's really not my place. I'm wrong for doing it. I do apologize to everyone for doing that because that is someone's property and I respect people's property but safety first. I would appreciate if someone could do it. If I can't because it's not mine, if someone could. Stop signs are covered around my area also. So people that are speeding down the road aren't necessarily gonna see that stop sign if they don't live around the area, they're just gonna buzz right through. Right out into the main street. What the other cars that are flying on through. Speeding is very bad around the area. Ah...another one with problems that we have, because I live right by the fairgrounds is a lot of rodents. Ah...we live by the fairgrounds, I mean we got a little swamp back in the back behind the fairgrounds and you know you get a lot of insects. We get a lot of...ah...little mice that show up in the winter time. Hey, so be it, I understand that but what does bother me about it is that because of fair time and so forth when it gets all nice and dirty and kids are coming down there and they're throwing their cups all over the place. We don't get any sweepers or anything cleaning that up, the neighborhoods out here sweeping up as much as we can possibly get and we're constantly trying to clean it up just to keep the insects, rodents and everything else away from our homes. Just asking for a little bit of support on that. Ah...the last thing I wanted to talk about what...ah...the same thing with the fairgrounds. Um...with the streets as they are, I understand that it's not the quickest thing to try to turn around, slow people down. We are a bypass for Wertz, people do that constantly. I try to find a nice safe place for my kid and I like to take her down to the fairgrounds. I...I do, I mean, it's a huge piece of land. It's great but there's no easy access to it, if anybody has ever ridden down Wertz, that's a 60 mile an hour zone people. There's nobody that drives slow down that road and the sidewalk is on the street. There is no in between, so all I'm asking is, you know there's a man door on the side, there's no cars that can go in there and get the horses. Which I remember that little incident sometime ago but just a little man door open so that

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when we walk down the street, we can hop inside, let the kids run around a little bit, fly kits, I took my kid down there and did that one time. That was fun as all get out and she loved it but I gotta hop in the car now because even though it's one block away I have to watch.....

PRESIDENT SCHULMAN: Okay, if you want to conclude your remarks, I don't mean to cut you off.

ROBERT BREAZEAL: That's just fine. Thanks for your time people.

PRESIDENT SCHULMAN: Thank you very much. It was excellent, thank you very much. Our next speaker I think is probably related to the last one. Amy Breazeal. Mrs. Breazeal, if you want to step up and give us your name and your address please.

AMY BREAZEAL: Good evening, my name is Amy Breazeal, I'm also from 148 Fawcett, I know big surprise. Um...several things I want to talk to you about tonight. One of which is our neighborhood meeting area. We have a wonderful neighbor who for ten years has been taking care of an abandoned lot. We've adopted it, but we all go down there and we meet and we congregate and it's our way of deterring crime in our neighborhood but he has constantly been sited and in violation of this that and another, minor infringements when they're doing nothing about the large problems in our area. I don't want to hear that he has something parked in the grass for 24 hours when the guy down the street got shot. It's not the most important thing, I understand he's doing his best but we just feel like he's been singled out and almost harassed as he is trying to do a good deed. It's not his property, he doesn't have to touch it but he does and I think we should be thankful to him instead of constantly pointing out things that he might not have gotten to yet. My next thing is the Section 8 housing in our community, we have two Section 8 houses in our neighborhood that have inhabitants that aren't supposed to be there. They are both convicts, they have extensive criminal records and they're living with their girlfriends and their kids. The police continually have to come and get them, so somebody should know that they are there. It feels like we are paying for people to bring criminal activity into our community. They have no right but yet it seems impossible to get them out. The other thing I want to talk about is fair time. We sit out every evening on fair time, we're afraid to leave our houses for fear of what will happen to them. There are several cops sitting at the gate, they're no help. We have large groups of teenagers that come out of that fair every night between 9:00 and closing time. They fight, they break things, they shout obscenities at the top of their lungs while the cops at the gate just stand there. We have to try to deal with it, we have peop.....had people try to take rocks to us, our own landscaping rocks I might add. And the cops at the gate just stay there. Also, the amount of trash that we receive during every single fair, we are a direct route, we are the side gate. We would like to see trash cans maybe put along the tree line to help curb the trash because we are out there picking up trash bags full of trash every night to keep our street looking the way it is. The only other thing that I had was the loitering and the panhandling. The panhandling on Fawcett has gotten out of control, we have people coming to our house at 3 A.M. knocking on our door saying "Can I have five bucks for gas? I'm out of gas." We all know they ain't out of gas, that's not what they're up to. And lastly, we understand that we're coming to you with a lot of things tonight. We don't un...expect a magic pill, we're saying as a group, Fawcett Court is ready and willing to do whatever we have to to return our neighborhood to what it was when we bought our homes. We just want help. Thank you.

PRESIDENT SCHULMAN: Thank you very much. Thank you, that was excellent. Ah...our next speaker is Jan Schueler. Ms. Schueler, if you'll tell us your name and your...and I apologize if I've mispronounced your name, and your residential address please.

JAN SCHUELER: You were accurate. It's Jan Schueler...

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PRESIDENT SCHULMAN: Great good evening.

JAN SCHUELER: I'm at 1575 24th St NW. And I wanted to talk about the tree ordinance. I'm new to the Shake-a-Leaf group but I'm learning a lot about trees. What I have learned is that you don't cut trees the wrong way or you weaken them and they die or more importantly they become a danger to others. I see trees in a different way. I see dead limbs hanging over Canton's sidewalks. I see power company tree trimming which amounts to big chunks taken out of the side of a tree. I see companies that cut off one side of a tree so it won't touch a house which results in all the weight being on the other side of the tree. I had a professional landscaper at my house and it was mentioned that mulch would go around the tree and touch the trunk. When I contradicted this idea because the mulch can cause rot to the tree she stated that this was a myth, landscapers are not tree experts. This town needs an urban forester or Municipal Manager to oversee the tree plan to inspect the City's trees and educated people about proper tree care. I don't understand why Canton cannot have a working tree ordinance for the entire City and its trees. It would benefit all neighborhoods. Thank you.

PRESIDENT SCHULMAN: Thank you very much. Our next speaker is Kelly Scaglione. Kelly, good evening and I think you're probably related to..ah...Jason. Ah...if you'd give us your name and your residential address please and good evening.

KELLY SCAGLIONE: Good evening, my name is Kelly Scaglione and I live at 3027 Glen Place. Um...what I would like to talk about tonight is the...um..the curfew of several of the children in the neighborhood. Um...we know they are under the age of 10 and they are out at all nights, all time of the day and nights by themselves riding their bikes, damaging the property within the neighborhood. Um...and the neglect of properties within the area, there's...ah...specific apartment building, the corner of Glen Place and...ah...Floral that has broken windows at the top of the apartment, graffiti all over the apartment. It's very dingy and personally, no one likes to walk by it because you're afraid of what's going to jump out at you. Um...unsecured vacant properties within the area....um...we have several houses that are up for sale but that's about it. They're trying to sell 'em but nothings being taken care of, the outside of the house. Um...trees falling and big huge limbs sitting there for weeks before someone comes and takes care of them. Um...and the public intoxication that's been happening around our area. Um...police have been called out on these matters and there's no recourse from the police, they just tell them to go back in the house. Well, they're doing damage to our properties and personally, verbally assaulting myself and my family and the neighbors and I just feel that we shouldn't have to go through that, live in fear and enclose your children in your house because you don't want them to be seeing any of that. So...um...in ending, we do have some issues that we have typed up and if you'd like, we'd like to pass them out.

PRESIDENT SCHULMAN: If you can give that to Member Kraus we'd appreciate it. Thank you.

KELLY SCAGLIONE: Thank you.

PRESIDENT SCHULMAN: Thank you very much. Our next speaker is Cindy Hall. Ms. Hall if you'll step forward and give us your name and your residential address please and good evening.

CINDY HALL: Good evening. My name is Cindy Hall and I live at 1018 14th St NW and the reason I came here this evening is to speak about the area surrounding our...our homes and the old Lehman High School. Um...my husband and I own our home there on 14th. We've lived there since 1987 and I'm 1974 graduate of Lehman. Um...we and my neighbors have many positive thoughts concerning the old Lehman School. We

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would like the school to continue to stand and to be a facility that offers a positive tone for the entire area. Ah...everyone knows the unique history connecting Lehman and the City of Canton. Um...Lehman has a rich history of Alumni...ah...including...ah...business leaders and sports figures. Also the football field at the school was...ah...from what I've been told the first football field in the City of Canton and again if my facts are correct, that Jim Thorpe also played at that field. Um...ah...the football theme for Canton, of which people have been speaking about of continuing it...um...throughout the City to give people a chance to visit, could also be...um...affiliated with keeping the school. Um...there are many possibilities, many positive possibilities that could go along with the school and promote the entire area, help uplift things. Ah...we as residents...um...would like to work with City Litters...City Leaders and begin the process of creating a gem for the City. Thank you.

PRESIDENT SCHULMAN: Thank you very much.

CINDY HALL: Also one more thing.

PRESIDENT SCHULMAN: Sure.

CINDY HALL: Um...we want the school to be something more that would be remembered in a book. We want it to continue to stand and be a positive aspect for the City. Okay, thank you.

PRESIDENT SCHULMAN: Thank you very much Ms. Hall. I..I think there are four other speakers that are going to address this issue of...um..Lehman School and perhaps before you make your remarks..ah...Robert Torres is our City's Economic Development Leader...ah...who was appointed by the Mayor and I think that he may have some remarks for you and...ah...Bob, if you...would you rather do it now or wait until you hear all the remarks?

(ROBERT TORRES - INAUDIBLE FROM THE AUDIENCE)

PRESIDENT SCHULMAN: Okay, very good. Then our next speaker is Michael Swintosky. Mr. Swintosky, I hope I've pronounced your name right. If you'll step up and tell us your name and your residential address please. Good evening.

MICHAEL SWINTOSKY: My name is Michael Swintosky, I will hold that so I don't have to bend over *(making reference to the microphone)*. And I live at 1804 Walden Avenue N.W. in the North...North Lehman Neighborhood Alliance neighborhood. And I'm also speaking about the...ah...old Lehman Jr. High School. I've not been inside the school but by all accounts, it is a beautiful building, offering much in the way of versatility. One resident has spoken of it as being the crown jewel of the neighborhood, it could be that again. But they say you can't make a silk purse from a salzler, similarly, if you ignore the problems in the area surrounding the old Lehman School, most any renovation plan will most likely fail to meet expectations. I'd like to see a committee formed to come up with an innovative approach for renovating both the school and the surrounding neighborhood. I envision a plan that local residents will line up to support. This will be a plan that will benefit both the neighborhood and the City. Interested none profits that specialize in neighborhood rebuilding will provide support and positive publicity for this endeavor. This plan will become a model for other weary neighborhoods. I can't tell you what this model vision looks like but I have some ideas and I'd like to participate in the creation of that vision if given the chance. Numerous N.L.A. members have expressed similar sentiments. I think we need to stop looking at some of the standard solutions that have been presented thus far and lets work together to come up with a plan that will work. Thank you.

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PRESIDENT SCHULMAN: Thank you very much. Thank you for your...ah...request to be involved in this. We appreciate it. Our...ah...next speaker is Judy Whalen. Ms. Whalen, good evening, if you'll give us your name and your address. Thank you.

JUDY WHALEN: My name is Judy Whalen, I live at 1010 14th N.W. I am Cindy Hall's neighbor. And I am really concerned about the old Lehman area because I think we need to start taking care of the poor children and not bring more in. We have, at anytime, 40 to 50 of them in our streets, no place to play, no place to ride bikes. And if you could take and make a rec. center, a play center or do something positive for them, it would send a message to the community that you care. Ah...you know, building more buildings, making more Section 8 is not going to help them. We have too many already that we're not taking care of. And that's what I was....I would say take the old Lehman and make it into a rec. center, make it into a park but don't build anymore low housing. Thank you.

PRESIDENT SCHULMAN: Thank you very much. Our next speaker is...ah...Lynda....Tunnel

CLERK TIMBERLAKE: Tutle.

PRESIDENT SCHULMAN: Tutle, I'm sorry...Lynda Tutle. Is Lynda here? Oh....good evening.

LYNDA TUTLE: Hello, my name is Lynda Tutle. I reside at 1106 18th Street N.W. I too am speaking on the Lehman issue. Um...we understand that this building has a dilemma for the City Schools...ah...it's not a building that serves them a purpose anymore...it's a building that's been allowed to be empty to be boarded up to deteriorate and to be a place that draws vandalism and depreciates our homes and the quality of our neighborhood for all too long and I'm here to speak to...you know, we...I think it's obvious tonight that you hear there's a lot of us that really care, we don't want to just sit back and wait for something to happen, we live there. It's our homes that are affected, it's our kids that are affected. We do want to be a part of the decision that is made...um...but we also want to work together for something that's creative, something that's really going to change. I've watched Canton over the years, I work in downtown Canton. I have seen a City that nobody wanted to come to, a City that was considered the crime place and not a place people wanted to come down to and I've watched the renovation, I've watched how hard everybody has worked, the arts have been a part, many businesses have been a part, the renovation with restaurants, first Friday's all the different innovative approaches that we've taken to make the City a place that people are coming to again. Families are coming down to, people are wanting to participate in the activities that take place and I believe it's that same type of approach that we need for this school and for this neighborhood. So, I too want to be involved with that and really hope that we can stay a part of being informed and of the decisions that are made. Thank you.

PRESIDENT SCHULMAN: Thank you very much. Our last speaker this evening is Larry Heckamen. Mr. Heckamen, good evening. If you'll give us your name and your residential address.

LARRY HECKAMEN: Good evening. My name is Larry Heckamen, I live at 1132 14th Street N.W. I've lived there 31 year, which is right across from Lehman. My wife and I, on numerous occasions, witnessed vandals doing things to this school. We call the police and by the time the police and by the time the police get there, they're obviously gone. Ah...we have personally chased vandals out of there. We have personally chased gang members out of the school, they are now getting into the schools through the doors on the field, we personally see them do that. Ah..the police have had to go into this school on numerous occasions with dogs, with guns because the gang members are in there. Ah...I think something needs to be done quickly with this school, graffiti has really taken over. If you've been by it, all the first floor windows are broken out

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and boarded up. I mean this school really...it needs to be decided quickly because you're not going to have anything left pretty soon of this building. Ah...personally, this has really taking the neighborhood down too. Ah...as you can tell when you have something like that it does nothing to enhance the neighborhood. Also...um...I was just curious, is there some kind of noise ordinance about boom boom cars, stereo cars, can anyone....if the police maybe would start writing tickets for some of these...you know at \$100.00 a pop you could probably hire a whole lot of new officers, you know because these people rattle my windows in the evening and like the one lady says, you know, she can hardly sleep. Um...I do applaud the police, it is a lot quieter for awhile but it's like chasing cockroaches, you step on one, they just go someplace else. Ah...you know, we appreciate anything that can be done for this area. A lot of these houses are rental, they're becoming very very much rental. Ah...it used to be an established neighborhood, now it's not, it's just....you know, these landlords rent to anybody they can. Within two months they're gone and they're spending, you know a month repairing a house around there. Numerous boarded up houses, as is a lot of people have stated...um...I don't know where you start, I mean you start one house at a time but we need families in these houses, not rentals. We need to take a lot of these rentals away from these houses, not rentals. We need to take a lot of these rentals away from these people that live in California out there and make them local people, you know, make them care for the community. I mean, I tried but, I mean you can only do so much, I maintain my house and everything but, at some point you kinda give up. So, I mean, don't give up on us please.

PRESIDENT SCHULMAN: Thank you sir. Thank you all very much.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're now under Miscellaneous Business. Is there any Miscellaneous Business? Oh, I'm sorry, I apologize, Robert would you....why don't you come up and if you could get....ah...maybe take the chair next to the Safety Director, Nesbitt, then we can...you can have a microphone and you can address....ah...I believe the Lehman situation. And again, this is Robert Torres and Mr. Torres is doing a fabulous incredible job as Economic Development Chair.....

MEMBER CASAR: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER CASAR: I'd like to ask you a question if I may. First of all, I appreciate these people...ah..coming forth today but first of all Lehman High School is a...ah....an issue that should be the School Board first of all. And I would like to know if these individuals or residents contacted the School...the School Board because they're the ones responsible for that school, not the City Administration or City Council.

PRESIDENT SCHULMAN: Okay, thank you Leader Casar.

DEVELOPMENT DIRECTOR TORRES: Mr. President.

PRESIDENT SCHULMAN: Yes.

DEVELOPMENT DIRECTOR TORRES: Regarding the property itself and the possession of the property. It currently is under the...ah...it is under the...ah....ownership of the School Board. Ah...the School Board has sent communicate to the Department of Development regarding several of its properties that it desires to have...ah...ah...ah...to have transferred over to the City. However, um they...ah...the...the prior practice

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of...of...ah...the City...ah...offering a property swap, property for property is no longer in...in...the schools interest because they are not able to maintain those properties. And so, we're going to have to work...ah...on a creative solution in order to be able to obtain...ah...those properties. So, Lehman School is currently under the ownership of the...of the School Board. Ah...having said that, there have been several interested users in that property that we have...ah...that we have given tours to. Ah and neither of them have been...ah...low income housing...ah...nor have they been Section 8, so...um...I don't know where that rumor started. I...I did see a communicate on that and...ah...to those folks that have contacted me, I have communicated to them...ah...the nature of our contact. The first one is a...is a business entity. It's a business incubator...um...it's several...ah...ah...businesses that are interested in starting a business incubator. Ah..but that's not the...the...ah...current...ah...that's not the...the entity that's most interested. I have...ah...toured the school on three different occasions with a medical facility, a medical user and ah...ah...part of the interest of that medical interest is to service young people. So...it...it is an interesting concept. I...I can tell you that on the third visit...ah...they brought their architects in and so the estimates right now on renovation is...ah...is starting at a low ball park of eight million dollars for...for renovations. So...ah...if...if you...ah...if you've not seen it, there is some...some work to be done it. However, this...ah...this medical...ah...facility is...ah...it's...it's very interesting. They took it to their board of directors...ah...and they've gotten the...the go ahead to see if can secure funding for it. So, that...that's currently the update on...on Lehman School. Um...and it...it is one that's going to be sensitive to the green space around the facility. Ah...but again, you know, unless the...ah...unless two...two things have to happen, one is the possession of the school needs to...ah...needs to occur, we currently don't have that. And the second piece is they need to put their...their ah...financing together for the project.

PRESIDENT SCHULMAN: Thank you very much Bob, we appreciate that. Um....and as I indicated, we're all here afterwards to address any concerns you might have. Is there any other miscellaneous business?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Tomorrow at 6:00 P.M. at Nimissilla Park come raise hell with Ward 2 Councilman. Anybody on northeast section of town...ah...we will be meeting there with the....with...ah....Director Nesbitt to talk about issues in the northeast section of town.

PRESIDENT SCHULMAN: Thank you Member West. Member Griffin.

MEMBER GRIFFIN: Mr. President, first of all I'd like to thank the people for coming down and...and supporting your views. It means you care. I really appreciate that and you know I think I told you that last Saturday. Secondly, the Harter Heights people are going to have a trash pick up Sunday afternoon at 1:00. I have trash bags donated by Sure-Fit Auto and...ah...I'm going to meet them at 1:00 at 4th and Roslyn. I'll be more than happy to meet you at like 12:45, 12:30, 1:15, give you bags because it's...it's customary every year we go out in Harter Heights and we pick up, you know the trash. Um...third, there is a neighborhood group in your area, unfortunately I think it's too large, it goes from Broad Avenue to Roslyn and I think we can break it off and maybe we can have one for you for ah...Wertz to Broad...I mean Wertz to...ah...Roslyn. Because we want smaller...I want smaller groups. I don't want these big ones. So also I think Mr. Nesbitt, do you have something you want to say or...okay.

PRESIDENT SCHULMAN: Safety Director Nesbitt.

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SERVICE DIRECTOR NESBITT: Yes I'd also like to thank you for coming in and...ah...Councilman Griffin tonight gave me your notes that you passed out here and I appreciate that very much. Ah...was...ah...I did meet with a gentleman on Wertz this week and...ah...and some of these things were brought to my attention. I brought Captain...ah...Lawver down with me and we talked about some things and put some things in place...ah...that we weren't aware of. Ah...but I think...ah...more importantly we need to schedule a meeting and...ah...have a meeting...ah...looking at...ah...what your concerns are, we're talking about eighty City, excuse me eight City Departments that'll have to be present at the meeting. So it's going to take awhile to organize that and we'll probably have it here in the Council Chambers and...ah...so we can get through this and put a plan together. But...ah...I assure you that we will address this and...ah...I certainly am sorry that you're dealing with the things that you're dealing with...ah...but...ah...we're trying to do a better job here in the City. Ah...I know that...ah...we have made some ground in some areas. Ah...we're very proud of that situation and we'll continue that and I look forward to meeting with you.

PRESIDENT SCHULMAN: Thank you Safety Director and when...and I...and I have to say when you, when the Mayor, the Safety Director, the Service Director tells you something, I promise you, they will fulfill their promise to you. Ah...any other miscellaneous remarks? Mem...Member Casar.

MEMBER CASAR: I move we adjourn.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: Roll call vote please Madame Clerk.

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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

ADJOURNMENT TIME: 8:48 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT