

MINUTES OF THE MEETING OF OCTOBER 20, 2008

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. We appreciate you being here. We thank you for being here, and I would like to just before we begin our meeting recognize a young student from the government class at Central Catholic who is here observing tonight, Bo Lindensmith. Bo, where are you, my friend, good to see you. (*APPLAUSE*) It is nice your father could be with you tonight. What is his name, anyway?

R.A. MALLON ? Stand up - stand up Truck

PRESIDENT SCHULMAN: RA it's ya, and if there is anyone else we should recognize, let me know. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Madame Clerk roll call vote please.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

TWELVE COUNCILMEMBERS PRESENT.

CLERK TIMBERLAKE: All present Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight we're going to have our invocation given by Councilmember Chris Smith. Would you all please remain standing for the pledge of allegiance.

The regular meeting of Canton City Council was held on Monday, October 20, 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 Ward 4 Councilmember, Chris Smith, the Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you Member Smith. We're now under agenda corrections and changes, and Members of Council you're going to be asked to suspend Rule 22A to add the Second Reading of Ordinances 5 and 13. Ordinances 4, 6, 7, 8, 9, 10, 11, and 12 will be retained in committee and Member Casar the Chair will recognize that motion.

MEMBER CASAR: Mr. President, I move we suspend Rule 22A and add Ordinances for the second reading. Ordinance #5 and 13 to this evening's agenda.

MEMBER CARBENIA: Second

PRESIDENT SCHULMAN: Thank you, it's been moved and seconded to suspend Rule 22A to add the second reading Ordinances 5 and 13 to this evening's agenda. Are there any remarks, if not Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Twelve yeas Mr. President

PRESIDENT SCHULMAN: Thank you Madame Clerk, Rule 22A is suspended and the Ordinances 5 and 13 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. We have no public hearings this evening.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We are now under Public Speaks on Ordinances and Resolution and we have no speakers signed up this evening.

COMMUNICATIONS

PRESIDENT SCHULMAN: We are 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 20, 2008.

399. HEALTH BENEFITS ADMIN, BRESSON: SEPTEMBER 2008 MO COMPARATIVE RPT OF INSUR CLAIMS & JAN - SEPT PAID CLAIMS & COMPARATIVE RPT. - RECEIVED & FILED

400. MAJORITY LEADER, CASAR: REQUESTING LEGAL OPINIONS REGARDING INFORMAL RESOLUTION #86. - RECEIVED & FILED

401. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED REPLAT OF LT 42504 & PART OF OL 935 (HAMMONTREE & ASSOC, FULTON RD NW & PARK AVE NW). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

402. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED REZONE OF 112 DUEBER AVE SW (MCDONALDS) FR: B-3 GENERAL BUSINESS TO: PB-4 PLANNED SPECIAL DISTRICT TO ALLOW ELECTRONIC MESSAGE BOARD. - JUDICIARY COMMITTEE

403. SAFETY DIRECTOR NESBITT: APPROVING DEMO OF VARIOUS PROPERTIES. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

404. SAFETY DIRECTOR NESBITT: AUTHORIZE SAF DIR TO ENTER INTO CONTRACT W/FEDERAL SIGNAL CORP IN AMT NOT TO EXCEED \$23,553.40 FOR PURCHASE & INSTALLATION OF ONE WARNING SIREN FOR 47TH ST NW. - FINANCE COMMITTEE

405. SERVICE DIRECTOR BERNABEI & SAFETY DIRECTOR NESBITT: AUTHORIZE VARIOUS SUPP APPROPS (CIVIL SERVICE, SEWER, POLICE - TOWING, & POLICE - AUCTION). - FINANCE COMMITTEE

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406. SERVICE DIRECTOR BERNABEI: REQ TO MAKE APPLICATION, ACCEPT & EXECUTE GRANTS FR: STARK-TUSC-WAYNE JOINT SOLID WASTE MGMNT DIST UNDER 2009 RECYC MAKES SENSE GRANT PROG & 2009 COMPOSTING MAKES SENSE GRANT PROG. - FINANCE COMMITTEE
407. SERVICE DIRECTOR BERNABEI: REQ TO MAKE APPLICATION, ACCEPT & EXECUTE GRANT FR: CLEAN OH CONSERVATION FUND WHICH IS ADMIN THU NATURAL RESOURCES ASST COUNCIL & OH PUB WORKS COMM FOR PURCHASE OF APPROX 12 ACRE PARCEL OF PROP ADJACENT TO MALLONN PARK FOR PARK & REC PURPOSES. - FINANCE & PARKS & RECREATION COMMITTEES
408. SLIMAN, S., AGENT FOR PETITIONER: RECEIPT OF PETITION DOCUMENTS FOR ESLICH ANNEXATION AREA. - RECEIVED & FILED
409. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 9/30/08. - RECEIVED & FILED
410. TREASURER SCHIRACK: SEPTEMBER 2008 DEPOSITS & PAY INS TO AMBULANCE LOCK BOX ACCT. - RECEIVED & FILED
411. TREASURER SCHIRACK: SEPTEMBER 2008 PARKING METER REVENUE. - RECEIVED & FILED
412. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 9/30/08. - 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 reading as required by State Law. Madame Clerk if you would, 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 AMENDING CHAPTER 1361, RESIDENTIAL OCCUPANCY STANDARDS, OF TITLE SEVEN - HOUSING STANDARDS, OF THE BUILDING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
- #2 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO FILE WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT A 2009 - 2013 CONSOLIDATED PLAN FOR THE COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, HOME INVESTMENT PARTNERSHIP PROGRAM AND EMERGENCY SHELTER GRANT PROGRAM; RATIFYING SUBMISSION AND FILING OF SAID PLAN; AUTHORIZING THE MAYOR TO EXECUTE GRANT AGREEMENTS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND

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TO ACCEPT FUNDING FOR THE CONSOLIDATED ONE YEAR ACTION PLAN FOR FISCAL YEAR 2009 FOR THE THREE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY

#3 (1ST RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE CANTON AUTO ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We are now under Ordinances for their second reading. Madame Clerk, will you please read Ordinance 5 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #5 AND #13 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#4. (2ND RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE YWCA OF CENTRAL STARK COUNTY TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$15,000 FOR MISCELLANEOUS OPERATING COSTS FOR THE TRANSITIONAL HOUSING PROGRAM KNOWN AS NEW BEGINNINGS; AND DECLARING THE SAME TO BE AN EMERGENCY

#5. (2ND 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 (WARD 6) ***PUB HRG: 10/27/08 @ 7:30 P.M.***

#6. (2ND RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO JOB CREATION TAX INCENTIVE AND NET PROFITS INCENTIVE AGREEMENTS WITH SHERI'S SWEETS, INC. PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

#7. (2ND RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LEASE AGREEMENT WITH LOUIS SHAHEEN DBA MIDTOWN CAFÉ FOR THE LEASE OF COMMERCIAL SPACE IN THE CORNERSTONE PARKING DECK; AND DECLARING THE SAME TO BE AN EMERGENCY

#8. (2ND RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH STARK COMMUNITY FOUNDATION TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$50,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

#9. (2ND RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH MENTORING NETWORK OF STARK COUNTY TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$50,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

#10. (2ND RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR

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OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH HABITAT FOR HUMANITY OF GREATER STARK AND CARROLL COUNTIES, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$150,000.00 FOR REIMBURSEMENT OF MISCELLANEOUS INFRASTRUCTURE COSTS RELATING TO THE HOUSING PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

#11. (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE DOMESTIC VIOLENCE PROJECT, INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$50,000.00 FOR MISCELLANEOUS SHORT-TERM HOUSING SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY

#12. (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF EASEMENTS IN REAL PROPERTY; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ACQUIRE EASEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY (4020 FAIRCREST SW)

#13. (2ND RDG) RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

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

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #14 - #18 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#14. (3RD RDG) **POSTPONED TO 11/24/08** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY (1114 GONDER SE - ALLEN SCHOOL)

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 to adopt Ordinance #14. Are there any remarks?

MEMBER CASAR: Mr. President I move we postpone Ordinance #14 until November 24, 2008.

MEMBER CARBENIA: Second.

MR. PRESIDENT: It has been moved and seconded to postpone Ordinance 14 until November 24, 2008. Are there any remarks? If not, by voice vote, all those in favor signify by saying yea, those opposed no. The

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yeas have it, motions carried. Ordinance 15 please.

NO REMARKS POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

#15. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO.149/2008** AMEND SEC 921.02, ELIGIBILITY, OF CODIFIED ORDINANCES (SID BORDERS)

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 to adopt Ordinance #15. Any remarks? Member Casar

MEMBER CASAR: Mr. President, I move we amend Ordinance 15. All Council persons have a copy in front of them.

MEMBER CARBENIA: Second.

AMENDMENT:

Pursuant to Rule 36, I move to amend Agenda Item No. 15 by substituting the ordinance attached to this Amendment for the ordinance currently pending before Council.

PRESIDENT SCHULMAN: It has been moved and seconded to amend Ordinance #15 as by the copy before each member of Council. Are there any remarks? If not by voice vote all those in favor signify by saying yea, those opposed no. The motion carries.

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

MEMBER CARBENIA. Second

PRESIDENT SCHULMAN: It has been moved and seconded to adopt Ordinance #15 as amended. Are there any remarks under this Ordinance?

NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President

#15 ADOPTED AS AMENDED AS ORDINANCE NO.149/2008

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 150/2008** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH PHILIP SEDLACKO FOR ANIMAL CONTROL SERVICES FOR THE CITY OF CANTON; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

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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. 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.150/2008

#17. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO.151/2008** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ANGELA CAVANAUGH FOR PLANS EXAMINATION DUTIES FOR THE BUILDING DEPARTMENT; AMENDING APPROPRIATION ORDINANCE NO. 1/2008; AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$1,050.00 TO ANGELA CAVANAUGH AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #17.

MEMBER CARBENIA: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #17. Are there any remarks?

MEMBER CASAR: Mr. President I move we amend Ordinance 17 per the copy that each Council person has in front of them.

MEMBER CARBENIA: Second.

AMENDMENT:

Pursuant to Rule 36, I move to amend Agenda Item No. 17 by the substitution of the attached, revised ordinance for the pending version.

PRESIDENT SCHULMAN: It has been moved and second therefore to amend Ordinance 17 per the copy before each Council member. Are there any remarks? If not on this motion by voice vote all those in favor signify by saying ye, those opposed no. The yeas have it. Motion carries, Member Casar.

MEMBER CASAR: Mr. President, I move we adopt Ordinance #17, as amended.

MEMBER CARBENIA: Second.

PRESIDENT SCHULMAN: It has been moved and seconded to adopt Ordinance #17 as amended. Are there any remarks under this amended Ordinance?

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NO REMARKS ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President

#17 ADOPTED AS AMENDED AS ORDINANCE NO.151/2008

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 152/2008** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2008, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, APPROPRIATION TRANSFERS, APPROPRIATION REDUCTION AND INTERFUND TRANSFERS HEREIN DESCRIBED; 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 to adopt Ordinance #18. 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 #18 is adopted.

#18 ADOPTED AS ORDINANCE NO.152/2008**ANNOUNCEMENT OF COMMITTEE MEETINGS**

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

MEMBER WEST: Mr. President on October 27th the Judiciary will meet in the Caucus room at 6:00 PM.

PRESIDENT SCHULMAN: Thank you, Member West.

MEMBER CARBENIA: Mr. President.

PRESIDENT SCHULMAN: Member Carbenia.

MEMBER CARBENIA: Community and Economic Development will meet on 6:00 on 27th. I forgot to mark that.

PRESIDENT SCHULMAN: That's OK. Thank you Member Carbenia. Any other committee announcements? Annexation? Annexation? Annexation?

CLERK TIMBERLAKE: Bill

MEMBER SMUCKLER: Annexation will meet same time, same place.

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PRESIDENT SCHULMAN: Thank you.

PUBLIC SPEAKS (OPEN FORUM--CITY BUSINESS ONLY)

PRESIDENT SCHULMAN: OK we are now under Public Speaks and Open Forum, and we do have a number of speakers tonight. In fact I think we have eleven. So I am just going to remind people that have not been to Public Speaks, Council has a time limit on your remarks. I always tell speakers that come to Council, don't feel as if we are abusing you. We will be here after the meeting. The Mayor, his administration, Members of Council, if you have any questions, remarks, information that you want to expand on your three minutes, that's fine. But try to please keep it within three minutes so tonight, I am going to hold everybody to that time limit. Our first speaker is Bob Harper. Mr. Harper would you come forward and give us your name and your residential address, and Mr. Harper is here or not here? Robert Harper, OK. Well that means we only have ten speakers. Our next speaker is Jason Scaglione. Mr. Scaglione, good evening. You have been here. If you will step forward give us your name and your residential address,

JASON SCAGLIONE: Good evening Council. My name is Jason Scaglione and I reside at 3027 Glen Pl. NW.

PRESIDENT SCHULMAN: And I like your shirt. That's a nice shirt.

JASON SCAGLIONE: Just a couple of things tonight. Number one, I wanted to thank everyone in the city that did help in the Halloween party that we had. It was very nice. It was quite an event that I appreciate everyone's help that did give us help through permits and whatever we needed to obtain to get that party to happen. I do appreciate it. Hopefully next year we will be 100 or 150 people, who knows. But I think it is important that we get people together as a neighborhood and we get people out and talking to each other as neighbors. A lot of good things come from that. One other thing that I wanted to see about tonight that has been an issue for several of us. There is a new Mallonn Park that is a nice area but we also have the Fairgrounds right there by us. The fairgrounds, the front gates are open all the time, however if you go up Wertz that's a 65 mph zone. You are going to get run over. You can't walk your kids on those sidewalks. I don't my kid getting hurt and anyone else. There is a gate at 3rd and Fawcett that also leads into the Fairgrounds property. It would be nice to take your child in there and file a kite, play, ride a bike, or whatever it might be, but that gate is always locked. I was just wondering if there anything or any reason to do that or if there is anything the city could do to help, maybe see if we could get that opened up to the residents in a safe manner to get into that property. Because Wertz is just a, it's not that it's inconvenient because we have to walk around, but it's a safety issue. I don't want to have children being run over. Any help on that I would greatly appreciate.

PRESIDENT SCHULMAN: Great, thank you very much sir. Our next speaker is Phil Palumbo. Mr. Palumbo, good evening and I know you are aware of Council rules. Give us your name and residential address.

PHIL PALUMBO: Thank you Mr. President. Phillip Palumbo 1900 Edwards Ave NE Canton, OH. I am the Director of the Northeast Community Center. I am also the President of the NEAR neighbor group. I am a member of the First Tee of Canton Board of Directors and also been appointed to the Planning Commission. I want to speak to you for a couple of minutes about the Safe Summer Program that City Council instituted for this summer. I want the City Council to be aware of the four facilities that were involved in the program; the Northeast Community Center, the YMCA downtown, the Canton Jewish Center, and the CT Branin Natatorium. If the program does continue for next year, you'll notice that two of those facilities probably

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will not be in operation. I want to speak directly to what went on at the Northeast Community Center. It was a very successful program. We did over 600 lessons over the whole summer. We were compensated for those lessons in a way that made ends meet. There wasn't a problem with the payment for swim lessons. There is a problem with just open swim. We had over 7,000 children, students, athletes in that facility in 63 days that we were open for the summer. What that means is there is a 100 people or so in that pool so you have to have so many life guards to run that program. We have to have 5 life guards to in there 4 hours a day when they are open swim. The \$1.50 per week compensation for the open swim is not near enough, not near enough. It cost us almost \$9500.00 for just lifeguards. With all those people in that building this year, plus we were asked by the administration and we complied with their requests. We handed out 75 hot lunches Monday through Friday. That was part of the program but I knew we weren't going to get compensated for that, that's fine. It certainly brought a lot of children in to the building. But with that many students, you have to have people in the building. There was another expense that we picked up. We had no altercations in the building this summer. We did not have a theft at the building other than a T-shirt or something to that nature. Because of the people we've got working in the building, not only the life guards but supervisors going through the building. The program was very important to us. It is very important to the Northeast end. I think it is very important to the City of Canton. The facilities lost money. Next year I do not know what we are going to do, my recommendation is that we are going to do the same thing. I don't think it is something that we can get involved with at this point in time, the Northeast Community Center had to eat about \$8,000.00 for the summer. It is just something that we cannot continue to do. Especially in the Year of the Neighborhood. I just wanted to bring that to your attention, I don't want you to get blind-sided next year, because from what I have heard and I was just in the committee meetings, it doesn't look like the water facility situation is going to get cleared up anytime soon. So I am thinking that you may want to do something next summer as well, and I just want you to be aware of that situation. It would be great if you could compensate us for the amount of money that we had into the program. It certainly would be appreciated by the Northeast Community Center. Thank you.

PRESIDENT SCHULMAN: Thank you very much and great job by the way.

(APPLAUSE)

PRESIDENT SCHULMAN: Our next speaker is Patricia Kirk. And good evening Miss Kirk and I know you have been here so if you would come up and give us your name and residential address.

PATRICIA KIRK: Yes, hi. Good evening. You know me already, I am Pat Kirk. I live at 131 5th St NE and I am President of Downtown Central Neighborhood Association which is only a about 2 months old, but we are the very first neighborhood association right downtown in the middle of downtown across Market Ave.

PRESIDENT SCHULMAN: Good for you, congratulations.

PATRICIA KIRK: Thank you. Downtown safety is a very big issue for Canton. I have friends that don't visit because they are afraid to come downtown because they are afraid of getting mugged or something, and I just tell them, well I have lived downtown for 13 years and I am still alive and it is still home. We are the first neighborhood association in the middle of downtown and we are starting a neighborhood crime watch and we are hoping for more surveillance drive throughs in the Canton Towers parking lot where we have had trouble and we are going to do our part in keeping the Kresge lot neat and attractive because that is known to reduce crime in the area and there will be a petition available for anybody, including Council Members and those members in the audience that feel the way we do. It's important to keep Kresge lot green because it reduces crime and it encourages business and that is the only area we have to relax and have good activities. It's my duty as an LSW to remind you that October is the National Domestic Violence Awareness month. It

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is closer than you think. Thank you very much.

PRESIDENT SCHULMAN: Thank you as always. Appreciate your citizenship.

(APPLAUSE)

PRESIDENT SCHULMAN: Our next speaker is Angelina, I apologize Sanches. Did I pronounce that correctly? Good, thank you, Angelina. If you will step up and give us your name and your residential address, please, and good evening.

ANGELINA SANCHES: Hello, I am Angelina Sanches from 2019 Maple Ave NE. I am here in regards to Nimisilla Park. I would like to see it revitalized. I think it would be better utilized. I drive past there everyday looking over into the empty park, not seeing children play and to me I feel like it is dark and dreary. It has a lot of trees to keep shade there for us but the trees make it feel just real dark and dreary. I think there should be more things for the children to do, I feel that would make it more inviting, plus it would be more kid friendly, which I think would eventually discourage the many adults that kinda hang out there and I think it would foster a more family oriented area. I work with many clientele and I would be happy to take my clientele there if it was revitalized as well as my children. Thank you.

PRESIDENT SCHULMAN: Thank you very much, appreciate it.

(APPLAUSE)

PRESIDENT SCHULMAN: Our next speaker is where did Veronica go? There you are. Veronica Callahan. Good evening.

VERONICA CALLAHAN: Good evening.

PRESIDENT SCHULMAN: You can tell us your name and your residential address please.

VERONICA CALLAHAN: I am the one you all don't like, but anyway, I'm Veronica Callahan and I reside at 3406 34th St NE in the city of Canton 44705 and Mr. Schulman, Mayor Healy, and all of Council, staff as well, we are here tonight, I am the Chairperson again of NAVE. Neighborhood Associates Votes Empower. This is nothing new to you all we come every year, twice a year, this is our last trip this year and we first want to start off with a couple thank yous. We would like to thank Mayor Healy and Council for considering donating \$50,000.00 to the neighborhood organizations. We understand it hasn't passed yet but maybe this will persuade you guys to all vote for that increase as we continue to try to do good in our neighborhood. We would also like to thank those of you who made it to our showcase, Our Neighborhoods and Meet the Candidates last Monday. It was a very, very, very successful event. A lot of people who didn't know who they were going to vote for left knowing who they were going to vote for, so we accomplished that goal. So that you for your participation. You are going to hear a lot tonight. We want to remind you that we never come here to badger Council or badger the staff but what we try to do is bring up the good things but also reiterate the things that are still issues in our community, because if we are going to move forward, then we have to make changes within our community, and NAVE is standing here with me today, stand up everybody, Hurry up we only got 3 minutes and we're going to - stay standing up because this isn't Veronica, I am the Chairperson of this group - together we believe we can continue to make a difference in our neighborhoods. Making them safer, better places to live, work, and play. There's going to be some more speakers after me that are going to bring up issues, but a couple that are on my list to represent tonight is A) consideration for insurance when we are having programs and services in our neighborhood park. We are a neighborhood

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organizations, there's a strain when you make a mandate that we have additional insurances and it takes away from the grant funds which you are a part of as part of the city and as paying those fees. B) a lot of concern with your parking attendants and I shouldn't say your - our parking attendants. We feel there is some lurking around and some misappropriated tickets being given out when given cause. We receive we don't have people on staff that come out and check this out then if you want to fight it then those are additional costs out of your pocket. The third thing is the violence. The violence is still in our communities. There has been some drastic improvements however, our children are still dying. Their dying every week, every month and we need to come together to make a difference. You are going to, again here's some more issues we commend you for the things you're already doing and the fourth issue that we wanted to say to you - are neighborhood organizations are put together for neighborhood people to come together, talk about issues, make plans for change, as well as to organize events in our neighborhoods. Please allow it to stay that way because it empowers us to help you. If it becomes a controlled atmosphere then it is back in the hands of you guys and we're saying to you we want to work with you not against you. NAVE thank you for your time.

PRESIDENT SCHULMAN: Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: You know, I like you, Veronica, so I take exception to that statement. Our next speaker also is well know, Chet Warren. Chet will you come up and give us your name and your residential address, please.

CHET WARREN: Good evening Council. I am here, oh my name is Chet Warren, 2522 Georgetown Rd Canton, OH. I am speaking on behalf of the Canton Negro Oldtimers and as a citizen of the 4th Ward, Chris Smith's Ward. I have to say Chris, I just have to say that. On behalf of the Canton Negro Oldtimers and the Ladies Auxiliary, on Nimisilla Park, I know you haven't made a decision on that yet, but that is one of the beautiful parks in the city and I honestly believe that's worth taking a look at, taking care of that park. If you go down there know they let our tennis court deteriorated which our kids do not play at and our basketball court is kinda messed up but I really think you need to really vitalize that section of the town, because for our senior citizen come and walk. It's a nice shaded area, our kids can come down and feel safe, the police is now doing a super job I think, down in that community, in that park they are cleaning that park up and you don't hear a lot of stuff coming out of that park anymore cause the cops is there periodically, they in and out of there, but I think we'd be making a mistake, we made a mistake on the YMCA, I think we dropped the ball on that and everything that's heading west, heading north. Nothing heading east so we have to start taking care that business will come if we start taking care of that area there and especially that park area, we get more seniors to start walking in there and feel more safe cause now it is safer, I think cause the police are doing a good job, plus you got the fire station right there and they help out a lot, but these are things I think we ought to start visualizing and that would help downtown period and make everybody feel safe because they think that's a bad area. It's not, that's one of the central located areas in our community and I think we can really beautify that community and make it grow and not only that, then we can go to another section, but let's take care of that Nimisilla Park first, then we can take about the other section after that. OK, now I would like to thank you for your time and I need a raise. OK but (laughter) I mean thanks for your time anyway but ya know.

PRESIDENT SCHULMAN: Thank you Chet.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you for all your hard work. The next speaker is Lois Ellis. Lois, good

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evening. And would you give us your name please and your residential address.

LOIS ELLIS: Hi, good evening. My name is Lois Ellis and I live at 1116 3rd St. NE. Canton, OH. I am spokesperson for Eye Watch Neighborhood Association and I would like to thank NAVE for the empowering event that they had last week and also, Stark Community Foundation for their support. The benefits of having a ground, playground or park at Nimisilla is it uplifts and it is a positive thing in the neighborhood. It gives the kids in the community something to do. It promotes healthy habits with youths and parents in the area. It helps keep the youths focused active on positive things. It keep kids out of trouble. It stimulates growth, mentally and physically. It gives the community hope that the city does care about the neighborhood. I would like to thank you for your time and please support Nimisilla Park.

PRESIDENT SCHULMAN: Thank you very much.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you Miss Ellis for coming down. Thanks. Our next speaker is Darrell Austin. Darrell. Good evening. If you will give us your name and your residential address. I have to commend everyone whose staying within 3 minutes. I appreciate that, thank you.

DARRELL AUSTIN: Thank you, Mr. President. Mr. President my name is Darrell Austin from 1427 Sycamore Ave SE, Canton, OH 44707 is my zip. I come because I am on behalf of building a better and healthy community and I am one of those individuals who staff that board. We have a number of problems in which I have addressed them with our Council lady, Christine Smith. We have been placed with the Paralee Compton Learning Center in our neighborhood which is not at full capacity at this time, but we have encountered a number of problems and myself personally, I have had to go through the Canton City Board of Education. I have had to go to STARTA. I have had to go those individuals safety directors within the Canton City Public School system, and have not had an adequate response from any of them as of yet. We had a meeting, we did not know when they first dropped and some of the neighbors have said in the community that it's the second Indian River Multi-Juvenile Attention Center in our neighborhood. We have teens who are coming through and filtering into our neighborhoods, sitting on porches, smoking cigarettes, in which we have addressed those problems, but currently we still have not had any results in so far as busing is concerned. It doesn't seem like the Canton City Public School system has put any thought effort in to the problem of busing those individual parents picking up those children, dropping them off, and picking them up in the areas, so we come to you tonight from Building a Better and Healthy Community to let you know we have these individuals who are coming to the Paralee Elementary Compton Center. Now full capacity will be eventually 700 students who are troubled teens in that area. We have a slow police response when it comes to those individuals who are calling those and we have had broken windows. Not only that those students who attending our patches as high school, Choices High School and the connection to the middle school academy Digital and the graduating academy within the city. Now we have had our Council Lady yes, but it still hasn't made any difference. When I went to STARTA and asked them, could you possibly please move those bus stops at least two blocks away from the individual areas where those students enter and exit the building. What happened, it fell on deaf ears. When it fell on death ears, a week later, we had an all out street brawl right out in the middle of the front of Paralee Elementary's Compton School between students. Council, Mr. President, Mr. Mayor, we need something resolved. Council Lady, yes we need talk again. Also, my second issue here is that we have emitted odors that are coming from the landfill as well as those individual foundries or somewhere with them and I have talked with Patrick Shriver who is, and I'm sorry, thank you.

PRESIDENT SCHULMAN: Finish your thought, that wasn't me so go ahead. You have reached your three

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minutes, I apologize.

DARREL AUSTIN: We have emitted odors in our neighborhood and thank you Mr. Council, President.

PRESIDENT SCHULMAN: Thank you sir, very much. And as I say, we will be here afterwards to listen to any other matters you might bring forward. Our next speaker is Erma Smith. Miss Smith, good evening. If you can give us your name and residential address, please.

ERMA SMITH: My name is Erma Smith. I live at 339 Raff Rd. NW. This has been my residence for three years. I lived outside of the city for 37 years before buying a home next to Harter Elementary School. My former teaching colleagues thought I was losing my grip when I bought a house next to a school. I taught in Canton City Schools for 37 ½ years. I knew the excellence of the principal Bob Vero and the entire staff. Aside from the afford ability of housing, the amenities that I looked for when purchasing a home, are all available in my neighborhood in the 3rd Ward. I live less than 5 minutes from a Fire Station, grocery stores, drug stores, cleaners, restaurants, churches, department stores, yes thrift stores, gas stations. I am five minutes from Aultman and Mercy Hospital. My medical doctor, my ophthamologist, our beautiful, beautiful park system, McKinley Monument and Museum, the NFL Hall of Fame, small privately owned businesses like Heggy's and Pete's Restaurant. Some of these amenities are essential while others add quality of life. For our city to grow, these amenities must be partially present in every Ward. As a young person, I lived in Ward 4. It was a thriving community, it now lacks the necessities and amenities to provide adequate support for the people who live there. During the presidential campaign, as a canvasser in Ward 4, I saw up close and personal the numerous boarded up and vacant homes. The lack of medical facilities, gas stations, grocery stores, cleaners, and so forth. If we are to truly thrive as a city, we must not allow this decay in Ward 4 to continue. This economic neglect can and will spread to other Wards. We must not look the other way just because we don't live there. Thank you.

(APPLAUSE)

PRESIDENT SCHULMAN: Thank you. I was just thinking Miss Smith, you oughta be on a commercial for the City of Canton. You were tremendous. Thank you very much. Our last speaker tonight is Ronald Simmons. Mr. Simmons, good evening. If you will give us your name and your residential address. And good evening again.

RONALD SIMMONS: Yes, I would like to just address the panel and a President. God Bless you all. I was gonna, Ronald Simmons, 4619 Greenmeadow NW Canton, Ohio. I want to address the Sherrick Rd. product, project as far as to resurfacing the road. I asked a question the other week here concerning it and in tell I did not get a real good response of what that was. And my thing of it is, is to excavate the entire trench and material and resurface it cost 1.3 which is astronomical number and I can understand looking for alternates on this, but at this particular time, this is a known fact that it is a traditional, proper way of doing it. But we choose at this particular time to offer a product by polyurethane. Polyurethane is not been known to hold up and we have studies and I have done some research on it and polyurethane is a chemical mixture that can break down over time exposed to organic material, long term environmental studies have not been proved producers to show that the polyurethane will not negatively infect the environmental safety specified drinking water when breaking down, OK. We have run into situations in that area right there when you have a break down of chemicals where we use a Bison Corporation for an example. As of right now down on Allen, they have at this point right now, they have done a study on that and they have indoor monitors in these homes for because they were actually breaking down and going into the water table and they brought up a chemical and I think we need to take more time to look at this before we go out and actually start using this because it hasn't been used in any other area of Canton, Ohio, so I would greatly like to appreciate if

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someone would do something about that and bring it back to us before we actually spend \$860.00 that we are going to have to use and it has been expressed even in their dialogue with the engineer anywhere from 10 to \$20,000.00 yearly after the fact, so this is something that we really need to taken under consideration not only the money that is being spent what is it going to do to the community and the water table, things of that nature, right there and I greatly appreciate your time.

PRESIDENT SCHULMAN: Thank you sir, very much. I appreciate you coming down.

(APPLAUSE)

PRESIDENT SCHULMAN: And you raise a good point. We appreciate it, thanks.

MISCELLANEOUS BUSINESS

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

MEMBER WEST: Mr. President, I want to thank Member Casar for his constant work on the animal control nuisance and I am glad that we have reached a resolution in contracting for this person. I think you did a great job on that and I think that is one for the neighborhoods. But secondly, I also wanted to mention about Nimisilla Park, I appreciate people coming out and speaking on that, on behalf of that. Before every Council Member is a picture, they say a picture speaks a thousand words, and one of the members today said something about the tennis courts, and that the tennis courts here we actually got a picture of two members, two individuals from the community actually from Ward 6 playing tennis. I just happened to take a snapshot and I seen them over there playing. I couldn't believe, I didn't think anybody played on those courts, but as you see on our tennis courts, you see a lot of grass growing. You also see broken benches, all that is our tennis courts, so we do got to do an uplift and I am not saying we have to do a full three courts, which would be an astronomical amount but we do need to do some work down there, and I don't know if that is us or the Park Board but that's one area that we have to start focusing on. And of course, as you see, the other playground equipment there that is getting old and substandard so it's time that we start looking at that area in a more positive way. Thank you. And then, one last thing, on Glendale, this would be to the Mayor's administration, and I have to put this down because we have been working on this for almost a year now. On Glendale and 15th St there is an alley there where if you look on that middle page there where it says the road closed, there is a wall there that is broken down and a lady that is 90 years old, her wall broke down during the winter months, and these rocks are actually in the alley, of our street. Now obviously, this woman, she can not afford to take care of this, but the concern is that kids will get hurt on those rocks, so she repeatedly calls us to see if we can get some kind of assistance in taking care of this matter, and I want to thank Member Bernabei because he said he is going to look into it a little bit further, so I appreciate your help.

PRESIDENT SCHULMAN: Thank you, Member West. Mayor Healy did you want to respond?

MAYOR HEALY: Not a response but I just wanted to thank all of the members of neighborhood associates, NAVE group for coming out tonight and for coming out every night and being a part of your neighborhood and helping us turn the city around because it is going to take all of us. We have a lot of work to do and we certainly appreciate everything that you do and I just wanted to recognize you. I also would like to take a moment to recognize one of our greats from the City of Canton who passed this weekend, Nick Weatherspoon. As a McKinley grad certainly our very, very proud of him and what he has achieved, but also would like to just point out a little something that you may not know. Nick called me several months ago and told me that he was having some difficulties because he was behind in his house payments and he was about to lose his home, and it really saddened for me to see somebody who had such a great career and

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played in the NBA and was one of our starts for our community to suffer this way with the foreclosure crisis, that we are experiencing all across this country. Carmen West our community development Deputy Director worked closely with Nick and we were able to get his loan refinanced and get him back on track and his first new monthly payment would have been the first of October, and so it saddens me to see that he had lost his life while we were trying to make it better for him, but I was at least, somewhat pleased that we were able to take the burden or the fear of losing his home away from him in his last days, so I just wanted to share that with you, that we are working hard to try to help people in our community and I know Carmen has helped dozens and dozens of folks in this foreclosure issue but also that we want to recognize and remember Nick Weatherspoon and I would like to take a moment of silence is you would on his behalf.....thank you.

PRESIDENT SCHULMAN: Thank you Mayor, Member West.

MEMBER WEST: Just one more thing, I also wanted to thank to Mayor and I almost forgot and Christine Peterson. They came through and did a neighborhood walk through in Ward 2 in the Gibbs area specifically around the are where that gentleman was shot. We talked to a lot of neighbors and looked at a lot of houses and issues in that area and it looks like some things are going to be addressed, so I wanted to thank you Mayor and the neighborhood association for putting that on, thanks.

MEMBER SMITH: Mr. President

PRESIDENT SCHULMAN: Thanks Member West. Member Smith.

MEMBER SMITH: Yes first of all I would like to address Mr. Austin. We are working on the bus issue with the children and Mr. Henderson like when we was down at the meeting, he assured us that the majority of the issues that we have are going to be resolved so you just give us a little time to work on those, I guarantee you that they will be taken care of and I always look forward to meeting with you and working with you and I also would like to thank Miss Erma for coming down with her concerns regarding the 4th Ward. I do, I would like to say to you with this administration I can assure you that working with Mr. Torres and Carmen West, along with the Mayor, that we are going to see to it that the 4th Ward become greater as it was before and you will be proud of it, so be a little patient with that also. Also, I would like to thank the Southwest association, SWAN, and the Mayor, and the Police department, and the City for the walk that we did too, and it was real rewarding and we got a lot of issues done and a lot of things taken care of, thank you.

PRESIDENT SCHULMAN: Thank you, Member Smith. Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. Mr. President I too along with Council Member Smith would like to direct Mr. Austin. Perhaps he could attend the school board meeting and bring some of his concerns there and they meet also on a Monday night like about this same time we do, so I think maybe they could, would, should hear what he had to say about that, and then Mr. Scaglione with the fairgrounds, this body has nothing to do with the Stark County Fairgrounds. They're a completely autonomous board and he should take that issue to that particular board and I am sure if he calls the County Commissioner's or what have you, or look in the phone book, and find out when they have there meetings. I just want to try to direct people in the right places. Thank you sir.

PRESIDENT SCHULMAN: Great, thank you Member Cirelli. Any other miscellaneous business? Member Casar.

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

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MEMBER CARBENIA: Second

PRESIDENT SCHULMAN: It has been moved and seconded to adjourn. Madame Clerk, roll call vote please.

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

ADJOURNMENT TIME: 8:23 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT