

**MINUTES OF THE MEETING FEBRUARY 8, 2010**

PRESIDENT SCHULMAN: Good evening Ladies and Gentlemen. While we have some time before we begin the formal City Council meeting, I just wanna say a heartfelt thanks to Member Smuckler for taking my seat for the last two weeks. I'm sorry I could not be here. I was thinking of you at all times but thank you Bill very much. I do appreciate it. And with a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please Madame Clerk.

*ROLL CALL TAKEN BY CLERK TIMBERLAKE:*

12 COUNCIL MEMBERS PRESENT: (DAVID DOUGHERTY, TERRY PRATER, MARY CIRELLI, JOE COLE, BILL SMUCKLER, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, CHRIS SMITH, PATRICK BARTON, MARK BUTTERWORTH & BRIAN HORNER)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk and again good evening Ladies and Gentlemen and welcome to Canton City Council. Tonight's invocation will be given by our Finance Chair and Council Member Greg Hawk. Will you all please remain standing for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on Monday, February 8, 2010 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 1 Council Member, Greg Hawk. The Pledge of Allegiance led by President Schulman.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: We are now under agenda corrections and changes and Members of Council you're going to be asked to suspend Rule 22A to add the 2<sup>nd</sup> Reading of Ordinances 7 through 17 with the exception of Ordinance 9 and Ordinance 9 will be retained in committee. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President. I move we suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinances 7, 8 and 10 through 17.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A. Are there any remarks? Hearing none, 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 and Rule 22A is suspended and the Ordinances are a legal part of your agenda.

MEMBER CIRELLI: Mr. President.

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PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Point of order. Before we start Public Speaks, could we possible have a moment of silence. One of our Clerks reports her step-father passed away this past weekend and I think we want to remember the family and Michelle in our thoughts and prayers. Thank you.

PRESIDENT SCHULMAN: Sure, thank you very much Member Cirelli. We'll take this for a time of and a moment of silence. (*MOMENT OF SILENCE OBSERVED*) Thank you.

**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: We are now under Public Hearings and we have no Public Hearings tonight.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We are now under Public Speaks. We have six speakers tonight and I would ask each of you to please abide by Council's rule of three minutes please. We'll all be here afterwards. We can entertain whatever issues you might have for either the Mayor, his administration, Council Members, the Law Director. So with that our first speaker is Richard Drake. Mr. Drake good evening. How you doing? If you'll step forward and give us your name and your residential address please and welcome.

RICHARD DRAKE: My name is Richard Drake. I live at 3020 Sycamore Ave SE here in Canton. I'm a certified Arborist and I know you love to hear about trees but I'm here to just bring this issue up. I wrote it all down so I don't more mistakes than I am now. Did you know that trees have life cycles? Like people they get hurt, diseased or just get old and die. The City of Canton needs to start issuing permits for tree trimmers like other cities are doing. This way permits will be on file so people would have a task to qualified insured tree companies. Example, last week an elderly 89 year old woman was taken advantage of by a bait and switch from \$125.00 to \$1600.00. She settled for \$800.00 to get the so called "tree person" to leave then she called the Police. Another thing the city is losing income tax money due for work being done within city limits that's why the permits. The city needs to start cutting down all bad trees on city street lawns because after marking them you know have all responsibility for them. The city has a legal and moral obligation to maintain city street dreams. This can be done right by doing it block by city block. Checking and removing all hazards. After the bad ones are gone, you need to start replacing the trees with different species according to site and growth areas. Mixing the species to prevent death from disease and pests. A tree lined street gives street pavement a life expectancy up to 25 years whereas no trees, as street pavement life of 7 years. Trees save money for heating and cooling costs in businesses, homes. They slow traffic, reduce crime, provide shelter and food for our wildlife. They clean our urban area air and cool it, absorb run off water and clean it, hold the top soil. I could go on and on but my main point is to help generate tax money and prevent lawsuits with someone getting killed by one of our hazard trees and I close on that.

PRESIDENT SCHULMAN: Thank you very much sir. Appreciate it. (*APPLAUSE*) Thank you Mr. Drake. Our next speaker is Mike King. Mike good evening. If you'll step up and give us your name and your residential address please and welcome.

MIKE KING: Thank you. My name is Michael King. My address is 5434 Penninsula Dr NW. I have lived 20 of my last 30 years in Canton I'd like for you to know and I have an office in downtown Canton. I have investments probably that total close to what most of the houses in this part of the circle total. I have

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rehabbed and restored hundreds of homes in Canton over the last 30 years and I have served on numerous boards and committees from Chairing the Canton Construction Board for 10 years, the Community Reinvestment Area Housing Council serving on that, currently on the Housing Advisory Board. I've Chaired the Special Improvement District and I've served on numerous other boards and committees that are housing related. The, I wanted to speak on behalf of the code changes that have been recommended by our Chief Building Official without any amendments being made and the reason for that I'd like to list and speak on briefly. Over the last 30 some years that I've been active in this business, I've spoke with numerous investors. People that actually have the ability to rebuild our city's housing stock and some of them are out there doing it. One thing that comes up repeatedly is that Canton has an overly burdensome, has overly burdensome regulations. Canton I don't know if you know it but, we're probably, we may be the only city in Ohio that has mandatory recurring interior inspections in houses. The only one in Ohio, I think. I might be incorrect but the perception among people like myself, people that can rebuild our housing stock in the city is that it's overly burdensome and it's just like an employer when you have somebody or something that's overly burdensome. They don't start businesses, they don't add employees, they don't add jobs because of these negative views that they see and it really, it truly affects how much is done in the city of Canton. Slows population loss when we have 5,000 vacant homes, many of these people would be doing, would be repairing these houses, getting them back into use. It's not being done a lot partially because of this. This is just one of the reasons I know, but it's one that is important. When this happens, you lose property values. It effects school funding. It, you don't have as much employed, as many employed people. It affects the general fund and I hope that all of you realize that our general fund is affected because we have 5,000 vacant homes. We don't have a lot of workers that could be contributing to that because of it. The, it affects criminal activity. When vacant homes are next to yours, I have two next to my properties, studies have shown that it increases criminal activity by high percentages in those neighborhoods. It also, if we pass this without mandatory inspections, it can free that \$200,000.00 that I believe the Mayor spoke of earlier to focus on the problem properties. Problem properties are the ones that really need the attention. The ones that drag down the neighborhoods. The ones that add, the ones that add to the criminal activity in the neighborhoods. So if you're, I just ask for your support and in approving this without any amendments to mandatory inspections and I think that you'll see more cooperation from the people that can rebuild our housing stock.

PRESIDENT SCHULMAN: Thank you very much. (*APPLAUSE*) Our next speaker is Mike Rukavina and we've heard from him and you will have three minutes Mr. Rukavina so come on up and introduce yourself and give us your name and your residential address.

MIKE RUKAVINA: Good evening and thank you Mr. President. My name is Mike Rukavina. I live at 1706 Neimans Ave SE in Osnaburg Township. I'm here to speak to you tonight regarding amendment to Title 7 - Housing standards. Mr. President, Members of Council, I'm a professional housing provider and real estate investor, as well as Member of Stark County Real Estate Investors Association. The Ordinance that was presented tonight dated January 5, 2010 is an Ordinance that by and large are membership and our industry supports and would look for support from City Council on, with the exception of one, one section of that Ordinance that being Section 1371.02, Section 7 regarding existing co's and I'll get back to that in just a second. The other concern that we have is what we heard in Judiciary Committee tonight earlier this evening regarding mandatory inspections and to echo some of the sentiments of Mr. King who spoke earlier. I'd like to bring up a couple of factual statements. In the State of Ohio there are 251 cities and 681 villages for a total of 932 political subdivisions not counting townships and counties. Of those 932 political subdivisions, there are less than 30 that have any type of registration what so ever of any type of rental properties. Of those 30

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that do, typically they are registration only and possibly with an exterior inspection only. Out of all 932 political subdivisions, I will correct Mr. King, I believe there are 3 or 4 that actually have mandatory interior inspections. So of that 3 or 4 you're talking about approximately 100,000 people that are affected out of 11 million people in the state of Ohio. So out of 11,000,000 people, 932 political subdivisions no other legislators have found it necessary to mandate interior inspections. Secondly, I would like to comment on one of the things that's brought up regarding safety. We'll hear this over and over again about safety and the biggest thing that we hear is about the heat exchangers on furnaces that need to be inspected because that carbon monoxide is just going to kill everybody in town. The facts are that once you set aside carbon monoxide deaths that are due to fires which is the primary cause of carbon monoxide deaths throughout the country and in the state of Ohio, there are 1.9 deaths per year in the state of Ohio due to carbon monoxide poisoning. Of those 1.9 deaths per year in Ohio out of 11,000,000 people, those carbon monoxide deaths are typically related to autos that are left running in a attached garage either intentionally or accidentally or kerosene or LP heaters. You cannot find evidence supporting deaths from faulty heat exchangers and furnaces in at least 10, if not 25 years in the state of Ohio. Reason being that any furnace manufactured in the last 20 to 25 years has built in safety devices or some other symptom causes a malfunction in the furnace. With that again I would also say that with the exterior inspections you would kind that you have significant improvement to the exterior of houses that in itself would create greater home ownership in the city of Canton. Thank you.

PRESIDENT SCHULMAN: Perfect. Thank you very much sir, appreciate it. (*APPLAUSE*) Our next speaker is Dave Kirven. Good evening, welcome. I know you. Gives us your name please and your residential address.

DAVE KIRVEN: My name's Dave Kirven. I'm the, I live at 926 Wise Ave SE, North Canton, Ohio. I just wanted to speak on the International Property Maintenance Code. Of course, you know I want to see the mandatory inspections for the safety issues, reasons that was brought up by the Council. One thing you've got to ask yourself too is if a stricter code wrong or right. Just cause everybody else is not doing it, doesn't mean that it's wrong. You guys have enough guts to look out for the safety of your tenants, God Bless You. I read in the paper where we had an editorial by, I think it was by Mr. King that said if we don't pass the International Maintenance, or Property Maintenance Code that our Building Department's going to be de-certified. I watched our CBO talked to our Councilman in caucus saying the same thing and you know I'm on the Canton Construction Board and I had pretty good, great concern about that, that our Building Department was going to be de-certified. So at our last meeting as a Board, we decided to write the Board of Building Standards who governs, who oversees all the Building Departments in Ohio. And we decided to ask them questions regarding this issue. We talked to the Department of Commerce and they put is in charge, in contact with the Mr. Jan Scolnicky from the Board of Building Standards and we asked him the following questions "Is the Canton Building Department under investigation or facing de-certification? #2 Has anybody from the Canton Building Department been in contact with the Ohio Board of Building Standards regarding this issue? And #3 Is there a time line we are under if we are not in compliance now?" And this is his response, "In regards to your questions I offer the following, the Canton Building Department is not currently under investigation. We have no inquiries or complaints filed with us regarding the Department. In order for an investigation to commence, a complaint must be received by this office then the Board at one of it's scheduled meetings must assign the issue as an inquiry or investigation to staff." Then also he writes the CBA may be referring to potential problems rather than actual occurring time lines. As far as I know, she has

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not been in contact about these implications related to the current conflicts. I just think it's a shame that you have people beating the Councilmen and the citizens over the head with facts that aren't true. They're saying you're going to get the Building Department de-certified and this is, I mean these are facts right here. The Board of Building Standards says everything, you know there's issues, I'm sure there's verbiage in there that has to be brought up to compliance but as of right now we are not under investigation and we're not even close to being de-certified. Thank you for your time.

PRESIDENT SCHULMAN: Thank you very much. (*APPLAUSE*) Thank you. Our next speaker is Dan Fonte. Dan good evening. If you'll come up and give us your name and residential address please.

DAN FONTE: My name is Dan Fonte and I reside at 4415 Dawnridge Circle NW in Canton. I'm here to speak on two things. I only signed up for one but it's kind of ironic that Drake got up and spoke. I hired him to trim a tree. I'm just going to tell you a little story about him. So we're looking at this tree in my backyard. I'm telling him, you know I want to do this and do that and he kinda looked at me and said. "What if I just chopped your right ear off? What would your wife say?" And I'm thinking well, what's that got to do with anything? And he said, "Well what if I just chopped your right ear off?" I said well, I don't know. Well he said "That's what you want me to do to that tree, and by God I'm not going to do it but this and that." You know so, he's a pretty good guy. I just want to tell you. But he told me that. But what I come here to talk about was the Natural Gas Aggregation Plan because I think it's expiring here and we're going to have to renew the contract. Joe? Mr. Chairman through him and I would hope we can get a little better deal than what we had last time. And maybe we can get it down to like \$6.00, \$5.00 or something like that so I think it would really help the citizens out so I'd appreciate maybe if you can speak on it, where we're at on that. Thank you very much.

PRESIDENT SCHULMAN: Thanks Dan very much, appreciate it. (*APPLAUSE*) Our last speaker is Brad Hayes. Mr. Hayes, good evening. If you'll step forward and give us your name and your residential address please and welcome.

BRAD HAYES: Thank you. My name is Brad Hayes. Address is 5604 Foxchase, Canton. I just have a real quick letter here and I have copies of many letter of recommendation. We heard Mike speak tonight, Mike Rukavina and I'll just read my letter here but as an owner and President of Hayes Realty and as a long term property investor in the city of Canton and throughout Stark County, I've had the opportunity to interact with a lot of people over the years that have been in this business, whether clients, tenants, licensed contractor, building and code, or governmental employees, I can honestly say that Mike Rukavina has been the most honest and knowledgeable person that I have met in this business. Mike is extremely well informed as we heard at times tonight, as Mike had talked to us but he serves as an educator to his peers as it relates to matters regarding code compliance and general housing and construction issues. Mike's qualifications should be taken into consideration regardless of any political affiliations when judging his ability to be a viable voice and contributor on the Construction Board. Canton City Council has the opportunity to appoint a person of knowledge and integrity who's seeking to give back to our community. As Mike has said, he is a prior Police Detective in the city of Canton and the President of the Stark County Real Estate Investors Association and he can now bring that same integrity serving the public at large. Mike's appointment to the Construction Board will give a voice to those who truly and honestly currently feel that they may be excluded from some of these processes. And in terms of the IPMC, it is my business to have good housing stock in the

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city of Canton. In three short years, we've went from a one person company to having over 50 agents. We're now third in Stark County. Our agents rely, their livelihood relies on good housing that we can sell in the city. Everyone wants their property values to be as high as possible obviously. That starts, in my humble opinion, in the exterior of our neighborhoods. Somebody driving down the property, driving down the street has no idea what the interior of a property looks like and obviously if the exterior of the property is in shambles, you can guess what the inside looks like. And that works on the flipside because you do have professional landlords who I hear take their shots every once in awhile but professional landlords bring good housing stock to the city. We see it, we see the before's, we see the after's, we see the fire sales, and we see the after sales, and I can tell you that mandatory interior inspections honestly have no bearing on whether the quality of the housing in the city of Canton or any municipality how that places out at the end.

PRESIDENT SCHULMAN: Okay. Thank you very much Mr. Hayes, appreciate it.

BRAD HAYES: Thank you. *(APPLAUSE)*

PRESIDENT SCHULMAN: Before we go into Informal Resolutions, I do have just one thing to say. I was curious, I heard it twice tonight, and I feel compelled to defend Council. I've been on the Council now for three years. I have never seen Council Members vote against somebody because they were of an opposite party and I really take some exception to that. We, I think, all these people who serve our city do so with the highest regard for it's resident's inside or outside the city. I'm not, by the way directing this at you sir, but I can assure you, that's not the way this Council operates. Whether you're a Republican, Independent or Democrat, I think this Council and this administration always gives a fair hearing so I just want that for the record before we move on to Informal Resolutions which we are now under.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We are now under Informal Resolutions. *(APPLAUSE)* Madame Clerk would you please read Resolution 11 by title.

#11. COUNCIL AS A WHOLE: COMMENDING JOE CORAM FOR HIS WILLINGNESS TO HELP OTHERS. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President. I move we adopt Resolution 11.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 11. Member Smuckler would you like to make the presentation now?

MEMBER SMUCKLER: After we vote, I think.

PRESIDENT SCHULMAN: Moved and seconded. Any comments on the motion? Hearing none, all those in favor signify by saying aye. All those opposed no.

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NO REMARKS

RESOLUTION #11 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Member Smuckler.

MEMBER SMUCKLER: I heard about this, I was out of town one day and Canton Auto Repair does a lot of towing for the city and I called the Police Department because Mr. Coram was getting a citation from the Police Department and I was a little puzzled by the whole thing and the officer told me that Mr. Coram not only took care of this one incident that happened but also does a number of clean up at accidents and doesn't bill the city back if he's passing by. Does some good Samaritan help to some but sometimes it's far and few between in this world that we live in right now. Some people that are stuck out there and I just thought it was time that we recognized not only this business but recommended and recognized that Mr. Coram for the outstanding good Samaritan help that he's offering not only the people in the streets but in a time of need in this city where he goes by and obviously is being recognized by what he's doing with the Police Department and I wanted you folks to recognize him this evening for the outstanding job that him and his company are doing. (APPLAUSE)

JOE CORAM: I really don't know what to say. I'm actually a 31 year old business owner now and we were Canton Auto Repair and Towing. I took over in July and it's now Canton Towing. I don't know if you want to know more about us you can go to Cantontowing.com. I built a website so you guys can get an idea of what we're about. I'm actually trying to raise the bar in the industry of towing to professionalize it, to get recognized that we are educated operators and not tow truck drivers, there's a difference. I'm actually one of the top 10, there's 28,000 certified operators in the US and Canada and in 2009 I became top 10 which took me about six years to do it but it's an eight day test and I think that's a good recommendation for my company and to prove that I'm just actually flattered that I'm even up here getting something like this. (APPLAUSE) Thank you guys.

PRESIDENT SCHULMAN: Thank you. What's the name of that dot com again?

JOE CORAM: Cantontowing.com.

PRESIDENT SCHULMAN: Madame Clerk Resolution #12 please.

#12. COUNCIL AS A WHOLE: SUSTAINING DIVERSITY. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Resolution 12.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution #12. Are there any remarks? All those in favor signify by saying aye, those opposed no.

NO REMARKS

RESOLUTION #12 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Resolution carries. Resolution 13 please.

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#13. HAWK, G., WARD 1 CNCLMN: PREFERENCE & PRIORITY FOR RESIDENTS OF OWNER OCCUPIED HOUSES. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Resolution 13.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution #13. Are there any remarks under this Resolution?

MEMBER HAWK: Mr. President and Mr. Leader may I please have that read?

PRESIDENT SCHULMAN: Sure, Madame Clerk would you please read Resolution 13?

CLERK TIMBERLAKE: *Whereas:* Many Canton City residents occupy homes they own but are without adequate fiscal resources to keep their homes up to code or in a good state of repair and maintenance; and *Now, Therefore Be It Resolved That:* This Council states its preference and priority that, when lawful and not otherwise restricted, rehabilitation grants, programs, services and equipment allocated for urban revitalization shall be expended or used for owner-occupied housing in the City of Canton.

PRESIDENT SCHULMAN: Any other remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #13 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Motion carries. Resolution 13 is adopted. Resolution 14 please. I'm sorry we're not reading that one.

#14. PERSONNEL COMMITTEE: APPROVE APPT OF MICHAEL RUKAVINA TO CANTON CONSTRUCTION BOARD FROM 1/1/10 - 12/31/12. - **RETAINED IN COMMITTEE**

CLERK TIMBERLAKE: On to Communications.

COMMUNICATIONS

PRESIDENT SCHULMAN: We are now under Communications. That's what happens when you take a couple weeks off.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Point of order. On 14 could we please for the benefit of the audience explain what we've done. That it's not, it was on the agenda and it's not happening.

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- #14. PERSONNEL COMMITTEE: APPROVE APPT OF MICHAEL RUKAVINA TO CANTON CONSTRUCTION BOARD FROM 1/1/10 - 12/31/12. - **RETAINED IN COMMITTEE**

CLERK TIMBERLAKE: My understanding is that it was not signed out of committee.

MEMBER DOUGHERTY: Thank you.

PRESIDENT SCHULMAN: Thank you Leader. We are now under Communications. Let the journal show 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 FEBRUARY 8, 2010.***

70. AUDITOR MALLONN: MONTHLY RPT BY FUND 1/1/10 - 1/29/10. - RECEIVED & FILED
71. AUDITOR MALLONN: YEARLY RPT BY FUND 1/1/10 - 1/29/10. - RECEIVED & FILED
72. FINANCE DIRECTOR ALGER: AUTHORIZE \$53,091.00 SUPP APPROP FROM: UNAPP BAL 2763 LAW ENFORCEMENT TRUST FUND TO: 2763 102001 POLICE - OTHER TO OBTAIN LIABILITY INSUR FOR POLICE DEPT. - FINANCE COMMITTEE
73. MAYOR HEALY: ADVISING OF RE-APPT OF CHARLES RINGER TO CANTON CITY PLANNING COMMISSION FROM 3/1/10 - 2/29/16. - RECEIVED & FILED
74. MAYOR HEALY: AMEND LEGISLATION REGARDING CODIFIED O#133.051 CHARGES FOR PUBLIC SAF SERVS @ SCENES OF MOTOR VEHICLE ACCIDENTS, APPEAL & CODIFIED O#705.07 PROHIBITIONS & PENALTIES FOR FALSE ALARMS, APPEALS. - JUDICIARY COMMITTEE
75. MAYOR HEALY: REQ TO ENTER INTO AGMT W/CREDIT BUREAU OF STARK CTY FOR COLLECTION SERVS REGARDING AMBULANCE BILLING COLLECTIONS & NON-FIRE RELATED FIRE DEPT SERVS FOR MOTOR VEHICLE ACCIDENTS. - FINANCE COMMITTEE
76. SERVICE DIRECTOR PRICE: NOTIFYING THAT THE CITY WILL BE PARTNERING W/CANTON REG CHAMBER OF COMMERCE TO MERGE THE CONCERT IN THE PARK EVENT INTO THE ZING IN THE CITY EVENT ON 6/30/10 ON THE KRESGE LOT. - RECEIVED & FILED
77. SERVICE DIRECTOR PRICE: AUTHORIZE TO ENTER INTO A TWO-YR PROF SERVS CONTRACT W/STANDARD INSURANCE COMPANY TO PROVIDE GROUP TERM LIFE & AD&D COVERAGE FOR ALL ELIGIBLE CITY EMPLOYEES EFFECTIVE 3/1/10. - FINANCE COMMITTEE
78. SERVICE DIRECTOR PRICE: AUTHORIZE & DIRECT SERV DIR TO AMEND THE COOP AGMT ENTERED INTO BETWEEN THE CITY, JR COLEMAN, INC & E.G.& G., INC FOR

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78. PURPOSE OF COMPLETING THE MAHONING RD CORRIDOR ECONOMIC DEV PROJ IN AMT NOT TO EXCEED \$440,000.00; AUTHORIZE TO APPROP \$440,000.00 FROM THE 4506 INFRASTRUCTURE BOND INTO THE 4506 MAHONING RD PROJ FUND. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
79. SERVICE DIRECTOR PRICE: REQ TO AMEND SECTIONS 551.01 & 551.03 OF CODIFIED ORDINANCES TO ALLOW FOR REGULAR MAIL SERV INSTEAD OF CERTIFIED MAIL SERV TO "HIGH GRASS" OFFENDERS. - JUDICIARY COMMITTEE
80. SERVICE DIRECTOR PRICE: REQ TO AMEND SECTIONS 917.04 OF CODIFIED ORDINANCES TO ALLOW FOR REGULAR MAIL SERV INSTEAD OF CERTIFIED MAIL SERV TO "TREE TRIMMING" OFFENDERS. - JUDICIARY COMMITTEE
81. TREASURER SCHIRACK: RPT OF TREAS OFC BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF 1/29/10. - RECEIVED & FILED
82. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 1/31/10. - RECEIVED & FILED
83. COMMUNICATIONS DIR HERMAN: AUTHORIZE THE CREATION OF A STUDY COMMITTEE TO DISCUSS & MAKE RECOMMENDATIONS PERTAINING TO THE CITY'S FUTURE ROLE IN THE ADMINISTRATION, REGULATION & FUNDING OF A PUBLIC ACCESS CHANNEL LOCATED ON TIME WARNER CABLE CHANNEL 15. - RECEIVED & FILED.

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: Now we are under Ordinances and Formal Resolutions for the First Reading. Let the journal show that all Ordinances are being given their reading as required by state law. Madame Clerk would you please read the 1<sup>st</sup> Reading Ordinances by title.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #6 FOR THEIR FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2010, AS AMENDED, BY MAKING THE APPROPRIATION REDUCTION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2010; AS AMENDED, BY MAKING THE APPROPRIATION TRANSFER AND SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development and Finance Committees

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- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO COMPLETE THE CONTRACTING PROCESS FOR CONTRACTS PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY JANUARY 1, 2010; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$5,000.00 TO SMITH ADVISORY GROUP; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT AND EXECUTE GRANTS FROM THE STARK-TUSCARAWAS-WAYNE JOINT SOLID WASTE MANAGEMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO DONATE USED CELL PHONES AND BLACKBERRIES TO THE NON-PROFIT DOMESTIC VIOLENCE SHELTER  
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We are now under Ordinances and Formal Resolutions for their Second Reading. Madame Clerk would you please begin with Ordinance #7.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #7 AND #8 AND #10 THROUGH #17 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. ORDINANCE #9 WILL BE RETAINED IN COMMITTEE.***

- #7. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO PURCHASE REAL PROPERTY IN CONJUNCTION WITH THE NEIGHBORHOOD STABILIZATION PROGRAM; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE DEMOLITION OF THE BUILDING LOCATED ON THE PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (902 CHERRY AVE NE)
- #8. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE LEASE OF TWO ROOMS AT THE EDWARD L. "PEEL" COLEMAN COMMUNITY CENTER; AND DECLARING THE SAME TO BE AN EMERGENCY
- #9. (2<sup>ND</sup> RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO REQUEST AND RECEIVE BIDS FOR THE DESIGN AND CONSTRUCTION OF AN INDOOR WATER FACILITY AT 1400 SHERRICK ROAD S.E.; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #10. (2<sup>ND</sup> RDG) AN ORDINANCE NAMING AN UNNAMED ALLEY IN THE CITY OF CANTON, LINDESMITH COURT S.W.
- #11. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO CONTRACT WITH THE BELOW-NAMED CITIES AND VILLAGES TO PROVIDE LEGAL REPRESENTATION CONCERNING THE PROSECUTION OF CRIMINAL CASES AND RELATED MATTERS BY THE CITY PROSECUTOR'S OFFICE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING VARIOUS SECTIONS IN PART THREE - TRAFFIC CODE AND PART FIVE - GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 1669 AND 1670; PART OF A 15.25 FOOT VACATED ALLEY AND PART OF LOT 1671; AND DECLARING THE SAME TO BE AN EMERGENCY (BTWN 6<sup>TH</sup> ST NE & SANDALS NE - HABITAT FOR HUMANITY)
- #14. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING TITLE SEVEN, HOUSING STANDARDS, OF PART THIRTEEN - BUILDING CODE OF THE CODIFIED ORDINANCES (IPMC)
- #15. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE WITH THE CAMPBELL OIL COMPANY A STORM SEWER EASEMENT AND VACATION AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO THE REPLACEMENT OF THE CITY OF CANTON'S WATER MAIN ON THE SR 172 STRUCTURE OVER THE WHEELING & LAKE ERIE RAILROAD AS PART OF PROJECT STA. 172-17.28; AND DECLARING THE SAME TO BE AN EMERGENCY
- #17. (2<sup>ND</sup> RDG) AN ORDINANCE RATIFYING AND EXTENDING THE TERMS AND CONDITIONS OF THE ORIGINAL AGREEMENT WITH SMG ON A MONTH-TO-MONTH BASIS RETROACTIVE TO JANUARY 1, 2010; AND DECLARING THE SAME TO BE AN EMERGENCY

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SCHULMAN: Thank you Madame Clerk. A lot of Ordinances there. We're now under Ordinances and Formal Resolutions for their third and final reading and vote. Madame Clerk would you please read Ordinance 18.

- #18. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 18/2010** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACTS WITH FREED HOUSING TO PROVIDE GRANTS IN A TOTAL AMOUNT NOT TO EXCEED \$535,000.00 TO ADMINISTER AND IMPLEMENT THE CITY OF CANTON'S HOUSING PROGRAMS TO BENEFIT

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LOW AND MODERATE INCOME FAMILIES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 18.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 18. Are there any remarks under this Ordinance? Hearing none, 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. 18/2010**

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

#19. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 19/2010** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH ABCD INC. TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$75,000.00 TO ADMINISTER AND IMPLEMENT THE CITY OF CANTON HOME OWNERSHIP PROGRAM TO BENEFIT LOW AND MODERATE INCOME FAMILIES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 19. Are there any remarks under this Ordinance?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Madame, Member Cirelli.

MEMBER CIRELLI: I don't, I'm not sure who to direct this question to Mr. Price or whatever. Sir will there be a checks and balances in this process that will show us who is being helped and what have you?

PRESIDENT SCHULMAN: Director, if you can.

DIRECTOR PRICE: Councilwoman I would refer this to Carmen West.

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MEMBER CIRELLI: Miss West.

PRESIDENT SCHULMAN: Miss West.

DEPUTY DIRECTOR WEST: Yes.

MEMBER CIRELLI: How will that be done, Mr. President and Miss West. Exactly how will that be done and how much will be used for administration fees.

DEPUTY DIRECTOR WEST: Each, the \$75,000.00 will be for 15 homeowners in the city. Each individual will receive a grant for \$5,000.00. There is a \$500.00 counseling fee that will come out of the \$5,000.00. \$4,500.00 will be used for a down payment and closing costs, so if a loan is not closed, then there's no fees expended. So there will be a checks and balances by the draw down of the funds.

MEMBER CIRELLI: OK and Mr. President might I ask Miss West. Would you please send when it's all over and done with a copy of to here at City Council people so we can evaluate that, cause I'm sure it will be coming back.

DEPUTY DIRECTOR WEST: Sure, absolutely.

PRESIDENT SCHULMAN: Thank you, Member Cirelli. Are there any other remarks on Ordinance 19? Hearing none 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. 19/2010**

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

#20. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 20/2010** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO COMPLETE THE CONTRACTING PROCESS FOR VARIOUS CONTRACTS PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY JANUARY 1, 2010; AND DECLARING THE SAME TO BE AN EMERGENCY (NEW HORIZON PARK & WORK CAMPS)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 20.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 20. Are there any remarks under this Ordinance? Hearing none 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. 20/2010**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #20 is adopted. Ordinance #21 please.

#21. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 21/2010** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY MORAL OBLIGATIONS IN AMOUNTS NOT TO EXCEED \$8,911.82 TO THE CANTON REPOSITORY; \$4,600.00 TO JOHN IONNO AND \$1,785.00 TO AMERICAN TITLE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 21.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 21. Are there any remarks under this Ordinance? Hearing none, 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. 21/2010**

PRESIDENT SCHULMAN: Ordinance #21 is adopted. Thank you Madame Clerk.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: I got to push this button down because Michelle already lectured me on it again so I will be in trouble, I only get one chance and I've already blown that one so. Finance Committee will meet Monday, February 22<sup>nd</sup> at 6 PM.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Community Development will meet 6:00 on Monday.

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PRESIDENT SCHULMAN: The 22<sup>nd</sup> of February?

MEMBER SMUCKLER: The 22<sup>nd</sup>.

PRESIDENT SCHULMAN: Reminding everybody we do not have a meeting next Monday. It's President's Day. Anyone else?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: I wanted to announce a meeting but it wouldn't be next, it would be next Tuesday. This is for the television consortium issue that we have been approached to ask over Channels 11 and Channel 15, so Tuesday, February 16<sup>th</sup> at 6:00 we will hold that. That will be next Tuesday.

PRESIDENT SCHULMAN: And that would be the Environmental and Public Utilities Committee?

MEMBER CIRELLI: Yes sir.

PRESIDENT SCHULMAN: OK, thank you Member Cirelli. Anyone else.

MEMBER BARTON: Mr. President.

PRESIDENT SCHULMAN: Member Barton.

MEMBER BARTON: It's just a reminder of the special Annexation Committee meeting tomorrow here in Council Chambers at 6:00. Just a reminder.

PRESIDENT SCHULMAN: Great thank you Member Barton. Any other announcement of Committee meetings?

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: We're now under announcement of Miscellaneous Business. We're now under Miscellaneous Business. Is there any?

DIRECTOR PRICE: Mr President.

PRESIDENT SCHULMAN: Director Price.

DIRECTOR PRICE: Thank you. I just wanted to say a couple, well you know me I'll say more than a couple words, but some words about our snow removal efforts this weekend. At approximately noon on Friday, the Street Superintendent initiated our pre-treatment in anticipation of the snow event and that involved treating certain routes with a brine solution so that the snow would not adhere on those streets and so that we could immediately keep those clear. Those are our primary arterials and the include streets like Market and Cleveland, Mahoning, Route 30, Route 62, any hazardous hills. I'm gonna go ahead and pass out to, or I'm going to leave on this table for Council Members to pick up our Snow & Ice Control Manual for 2010. I know Council and Butterworth had asked me for that and I'm sure that you all would be interested as well. That will contain contact information and

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basically will show you our plan of attack in these events. So we began that pre-treatment of our primaries at approximately noon with that brine solution which yielded some success. Twenty-four hour operations began essentially at 7 PM. We staffed all 13 of our districts with our 5 ton units and began plowing and salting at that time. After the initial salting we did scale back on that to conserve salt because of the size of the event and the fact that night was approaching. The salt was not likely to activate, and so, I wanted to point out too that is on the, if you've been listening to the radio, that actually stems from those folks out in the streets so to share with you kind of a level of professionalism out there with our AFSCME 2937 operators. Those are the guys that essentially make that call and so I was very pleased to hear those individuals concerned about our salt consumption and out there making those sorts of judgement calls, communicating with each other on the radio in their various districts and kinda from the ground up making the call that we probably aren't doing much good by salting and we better conserve and then management of course follow suit and that's how it worked. So those members out there in addition to many other people we should thank kind of initiated that call and although salt consumption was, I don't want to say alarming, but we used a lot of salt this week. It was a very expense weekend, let's put it that way. At about 7 AM when the, we called in, we wanted on calling all hands basically until about 7 AM Saturday morning when it was basically an all call situation. We have every piece of equipment and everything we've got basically out there. That's our Level 4 effort, that's in terms if you're familiar with def-con levels, that's close to def-con 5. We have one more level above that where we're in blizzard conditions so we at that level will have anywhere from 13 to 26 trucks out. We have 13 five tons and then we have some back up vehicles. At that point basically the only change is we introduce our 3/4 ton trucks that began doing the secondaries and alleys. At this point in where we were at, I cannot thank enough our Street Superintendent, our foremen, our Members of AFSCME 2937. I am very proud of their efforts considering the manning that we have available and the size of this snow event at points we were looking at snow fall rates of two inches per hour and I am again, I can't say it enough, very proud of all of our city employees and I share with you, I guess some of the interaction that goes on even at the level of the operator who is making the calls out there. It's a tremendous amount of responsibility to be operating those vehicles and they did a fantastic job along with DMV, was out there at 8 PM on Saturday and tonight we kept our afternoon shift, the one 5 ton that was still off the streets, will be probably as we were, just before the meeting, probably went back to the Street Department to prepare for our next snow event. Building Maintenance they were out, I saw them this weekend. Mike on the afternoon shift, I know he was called in and was here first thing in the morning trying to clear City Hall. Keep in mind if you see these guys, Sewer Distribution was out, Parks was out. Again it was an all call. Anybody who's qualified to run a plow we called out there so DMV, Building Maintenance, Sewer Distribution, Parks, everybody else involved. If you were, I'm sure around town you, the Fire Department was out. Their plowing their facilities. The Police Department had a real challenge situation but these folks really stepped up to the plate. By Sunday we were still in a Level 4 operating condition. Saturday evening by the way, the Street Superintendent and I personally checked the salt dome at the Service Center and it looks, I don't have the reports back, because of the amount of personnel we had, we just have not had time to compile those. I would estimate that's an 11,000 ton dome capacity, we had 10,000 in it, Street Superintendent he estimates we probably used about 3,000 tons this past week. We probably have about 7,000 tons of untreated salt on hand and then we have additional salt that's been treated with beet juice. So, we're in good shape for the next snow event. The parking ban was initiated Friday evening. That continues to be in effect for the City of Canton and we're not in a position we were probably near there and probably would have lifted the ban today however, the Street Superintendent was briefed by ODOT today, the National Weather Service is forecasting beginning at about 8 AM tomorrow 1 to 3 additional inches during the day, an additional 2 to 4 inches overnight with an additional 1 to 3 inches on Wednesday during the day with a potential for additional snowfall to come in the evening for a total forecasted snowfall over a 24 hour period of approximately 6 to 12 inches with the possibility in the forecast for Wednesday of 25 to 30 mph winds, so I would ask that since we're all here and I have the Council's attention, the media's attention, first I would ask, if this pans out and this forecast ends up being what we fear it's going to be, I would ask for the patience of resident's. I know there's a Mr. Rogers here who we have missed some streets even as a result of this weekend event. I also want to thank

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Council Members for being our eyes and ears out there. I know Kevin got a lot of calls, I got some calls. We try to respond to those as quickly as possible with whatever resources we can. I think we did a decent job of doing that. The snow ban will remain in effect for our emergency routes. We will need that to stay in place during this next event. I cannot imagine an additional 6 to 12 inches piled upon what we have but that's the good news as how our folks performed. The bad news is it was a very expensive weekend. We were not, I was very reluctant to authorize all of all manpower and all units on Sunday, I just don't think we had any choice and so for the safety of the city we went ahead and authorized that, that overtime. If this event comes through we're likely to use, if it's what they think it's going to be another 3 to 4,000 tons of salt at least and if the winds are what they are, we'll probably go to a Level 5 operating mode because it's anticipated that if the winds are like that and it's still snowing we may have blizzard like conditions. So we have, if this pans out, we've got another terrible week ahead but our folks are prepared. We did meet with ODOT. We've gotten with the department heads to make sure we have the manpower we need so as we look to another possible event, I don't want to alarm anybody cause we'll certainly handle that but the emergency bans will remain into effect throughout that. We'll monitor the forecast and as we did this weekend, we'll respond to conditions and thank you for your input and we're certainly open to the criticism in the case of this one gentlemen this evening, we did call the Superintendent and the foreman's been notified and Columbus Avenue will be done. You're welcome to call my cell for the Street Superintendent. This packet I'm going to provide you are Ice Control Program which I'll leave for you, that contains not only the system but the various levels, primary arterials, secondaries, the order in which we do things. It also will include all the numbers you'll need to contact folks and you are welcome to call me throughout that event. So again my hats off and I think we can all be proud here in the Hall of Fame city of what our folks did this weekend and even with the problems we had I know that I talked to a lot of Council People and I think you'll share that but I just can't say enough about what they did and not only that but the responsibility they take out there on the streets to not only keep us safe but to conserve our resources. So they just did a fantastic job. (APPLAUSE)

MEMBER WEST: Service Director, Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: Service Director, I've got a question. I was looking at the 2008 edition of the Snow and Ice Control Program and it says in there that when the snow reaches 8 inches or more at that point in time you can contract with a list of contractors to help plow the residential areas. Is that something that we would explore and is that something, would that be cheaper than what we're currently doing?

DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Director.

DIRECTOR PRICE: Yes, Councilman West, I did talk with Superintendent Monroe today about that and to have any substantial impact the costs are just beyond what we have. We have no money budgeted for that and to contract those services out and have any meaningful impact could cost the city in excess of \$100,000.00 in addition to 50 to \$100,000.00 weekend we already endured. So we could by technically I just don't think we have the funding to do it.

MEMBER WEST: And you said a parking ban, is that where's the parking ban? Is that on Market or?

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DIRECTOR PRICE: Let me list those streets for you. OK, and that, those streets will be listed in your program as, or your, yea there are probably. I would ask you to check, there's probably 50 of them here that are affected but that's on page 23 of that manual that will be out in the center there.

MEMBER WEST: And just one last question. What about the businesses, where do they fall in this parking ban? Would they still be able to park in front of like Napoli's Pizza and all the other places down there?

DIRECTOR PRICE: Council, Mr. President.

PRESIDENT SCHULMAN: Sure.

DIRECTOR PRICE: Councilman, it depends on the street. For instance you know I'll just take an example here. Market Avenue South to Madison Avenue SE. There would be no parking on those streets. Cause here's what we run into particularly with the downtown area, what'll happen is as that snow comes in and I was downtown both Friday and Saturday nights and what will happen is, we'll plow the streets and of course we'll, by doing so we'll add two, three feet of snow into the parking areas then what we do is, and we were doing this as early as Saturday morning, then we're trying to clear those parking areas out and then the final step downtown as I'm sure, I think you know cause you called me about it last year, but the final step is we've got to get the snow out of downtown. It's the one area we can't leave it so you will literally see skid loaders and skid steers out there loading up snow and we truck it away or we get rid of it.

PRESIDENT SCHULMAN: Thank you Member West. Any other Miscellaneous Business?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: We've heard an awful lot about this International Property Maintenance Code and the one gentleman that stood up and said they contacted a person in the State, I also did the same, got the same answers that the city's not in jeopardy or what have you with the Building Code that we have now. One of those amendments being including ten year tamper proof, battery proof smoke alarms. I'm hard pressed with that not to go through. You know we had a fire last week in the NE end and unfortunately there was a death and I spoke with Captain Rich, there was no smoke alarms there. It was an owner occupied home, however the person there was also one of the persons was a care giver and unfortunately the care giver was the one that expired. You know I thought about that and of course, maybe it's the nurse in me, thinking about how many people are in their own homes or in places caring for other people and have the older person expired in that fire, and the care giver survived there may have been a potential crime committed there. I think we have to look at an Ordinance that puts for care givers and then when you said care givers what follows underneath care givers. Potentially even baby-sitters maybe should have ten year tamper proof smoke alarms in their homes. You know, I've heard a lot of discussion but what I mostly heard was a lot of people who do not live in this city and I heard them say they would prefer money over safety. I think this honorable body here, cares more about the safety of our constituents than we do the money and has a lot to do with jobs why we have vacant homes. When you have to, you know you'd be wrong if you don't admit that it's all about the economy, so we need to work in that direction but, Law Director Martuccio I had a thing that I sent you about professional landlords but you'll be getting a communication on smoke alarms so you might as well start your homework on it because you know I will be doing that sir and I think it's imperative that we have to look out for those that cannot look out for themselves. We have a lot of Section 8 housing in this city of Canton and if you understand any of the people that are the renters, I don't hear anybody here talking on behalf of the renters. I hear a lot of the landlords all they have to say and they're collecting the

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money. You know that's on the public dole. The money that they get is on the public dole and we have to look out for the renters that cannot look out for themselves and should not be placed in a position where they have to be intimidated or feel any intimidation if there going to call in because they have perhaps a frozen which I had a week ago Friday, a frozen bathtub pipe and nobody would have known that if they drove by the property and looked at it and the same way nobody would have known that the carriage light outside of the house was not connected to electricity if they drive by the house and look at it. It doesn't even have a switch on the inside. And no disrespect but Safety Director Ream you don't live in Canton, I do. And I've lived here a lot longer than you have probably in life and I've seen Canton at its best and I don't like what I'm seeing it become and I can remember when Dan Fonte got up last week and spoke about PIGS which was started by Tom Kell. You may know Tom Kell because at one time we said to the Police Department you have to live in the city but what we ended up doing there is the policemen bought properties in the city but they didn't live in them. And then we had the police policing the police and they rented those out and that's kinda how it became a lucrative business for a lot of people. So I believe we have to look in the avenue of what do we want for this city. Mike Kell was the PIGS person at the time and he was retired policeman I believe and we have to look out for the people and their safety. It's not about money. There's not anybody here would trade one member of your family for any amount of dollars and I think that's what we have to think of first is the safety of people. Thank you. (APPLAUSE)

PRESIDENT SCHULMAN: Thank you Member Cirelli. Any other Miscellaneous Business? Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. I have a couple of weather related comments. The first one is directed at Mr. Fonte. Natural gas aggravation is how is known by some. Natural gas aggregation for those of you who are not familiar with it. It was authorized by the voters of the city of Canton several years ago in a November general election ballot. 70% of you said the city could retain brokers to buy your natural gas for you in bulk, in theory leading to lower prices and for many years it did that. Last year it did not. We had to strike at a time when gas was going through the roof with speculators and their bubbles and it was on the rise and we ended up a price that was pretty steep, over \$11.00 per MCF (thousand cubic feet). I'm happy to say that contract is expiring this winter and with the gas flow commencing in March to be billed in April I believe we'll be getting new pricing. We have a good broker and he is the one that has done really good pricing with Stark County and for SCOG the Stark Council of Governments public buildings. He's advising us and he recently got the Service Director and the Purchasing analyst and a number of us involved and educated us again about all the things that influence the price of gas but what he did was go out and get several providers of gas, several gas marketers to bid, cause one of the prices that affects the price you all pay, we all pay is the transportation of it through pipes. He got us an excellent deal with the company called Vectron again. They gas us the best two year price. Now the rest of the component, it's a \$1.00 something plus, it's not for MCF it's the price of carrying the gas through the lines but it's tied to the amount it carries. That price was good. What is happening with the base price of the gas itself is we have to strike that and when left to his own devices our broker has achieved some wonderful prices around the state of Ohio in the 6's, Mr. Fonte for other communities and we're hoping to do the same. Now we've gone fixed for the winter when most people use their gas. Most people use about a hundred MCF per the heating season and another 25 or 30 for the rest of the year so we've tended to go fixed prices during the cold times and variable market rates during the warm. We'll see whatever tends to be the best for us there as well and it looks hopeful. Prices are good right now. Also weather related I wanted to put a plug in for the First Friday's. I saw the Mayor and some of you downtown this past First Friday. We were able to be there because of the team of snow plowers and so on. I was amazed at how many people actually made it to First Friday this Friday. The Art District, Mr. King's art district and other art galleries were hopping, restaurants were hopping, the Players Guild had a play, the Palace Theatre had some functions. Chocolate was the main draw, I think for a lot of people but I must say for those of you who want to go places around the world and can't afford to go there, go to the Saxton Art Gallery and look at the beautiful work that a photographer has there. He's a National Geographic incredible,

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award winning photographer. A lot of you know the picture of the Afghan girl with the piecing eyes. That's the photographer and that's his work. It's an incredible opening and it was extremely well attended so, economically speaking when you stay downtown and spend your money at our restaurants and our art galleries, you're helping the economy. I know it's art but it gave some of the feeling, the same woohoo that people had yesterday with the who dats those Saints.

PRESIDENT SCHULMAN: Thank you Law Director Martuccio. Any other Miscellaneous Business? Leader Dougherty.

MEMBER DOUGHERTY: I'd like to make a motion that we go into Executive Session to discuss the tentative agreement, the contract with AFSCME. All Members, Mr. President, the office staff and the Administration and the Law Director.

PRESIDENT SCHULMAN: You want to do that in here?

MEMBER DOUGHERTY: No we will go to the back room.

PRESIDENT SCHULMAN: That's what I thought, OK.

MEMBER DOUGHERTY: So moved.

MEMBER PRATER: Seconded.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

MEMBER SMITH: Excuse me, Mr. President.

PRESIDENT SCHULMAN: Member Smith we are in Executive Session.

CLERK TIMBERLAKE: You can't Chris.

PRESIDENT SCHULMAN: We'll come back though. Course nobody will be here but we'll come back.

***(COUNCIL RECESSED TO EXECUTIVE SESSION AT 8:33 PM AND RECONVENED AT 8:58 PM)***

MEMBER DOUGHERTY: Mr. President, I make a motion to come out of Executive Session.

PRESIDENT SCHULMAN: Movement seconded to come out of Executive Session.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: Madame Clerk.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I move we adjourn.

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

CLERK TIMBERLAKE: Good night everyone.

PRESIDENT SCHULMAN: Stay safe.

ADJOURNMENT TIME: 9:05 P.M..

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

ALLEN SCHULMAN  
PRESIDENT