

MINUTES OF THE MEETING APRIL 5, 2010

PRESIDENT SCHULMAN: Good evening Ladies and Gentlemen and welcome to Canton City Council, we appreciate all of you coming down on this beautiful night. We do have a basketball game later. 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: We have a full compliment tonight, I'm glad to see everybody here. We're now under.....

CLERK TIMBERLAKE: Invocation.

PRESIDENT SCHULMAN: Oh Invocation, yeah where is it. We're going to have our invocation...sorry, given tonight by Council Member at Large, Mary Cirelli. Would you all please remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on Monday, April 5, 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 Council at Large Member, Mary Cirelli. The Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We are now under Agenda corrections and changes and you're going to be asked as you always are to suspend Rule 22A to add the 2nd Readings of Ordinances 6 through 9, Leader.

MEMBER DOUGHERTY: Mr. President I move we suspend Rule 22A to add 2nd Readings of Ordinances 6 through 9.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2nd Reading of Ordinances 6 through 9 to this evening's Agenda. 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. Rule 22A is suspended and the Ordinances are a legal part of your Agenda.

MINUTES OF THE MEETING APRIL 5, 2010**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: We are now under Public Hearings. And we have no Public Hearings this evening.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We are now under Public Speaks. And we have four speakers signed up this evening. Our first speaker is Christine Peterson. Ms. Peterson, good evening. If you'll come up to the microphone and give us your residential address. It's good to see you.

CHRISTINE PETERSON: Thank you. My name is Christine Peterson, I live at 1319 14th St NE in Canton and good evening. In the past week since Jennifer Lewis spoke at the last Council Meeting, the same area has experienced escalated crime and gang activity. One being life threats on a family of a well known gang member that lives one block from where I live. I've witnessed car windows, their car windows being broken out, a charcoal bag with lighter fluid with the intent to set the car on fire and this was across from Gibbs Elementary School. That same night, approximately between 10:30 and midnight there were rounds of gunfire all up and down Rowland up into 20th Street where I witnessed two shot...two vehicles, two shots...shots being fired and I have...I had two shell casings that I recovered from that scene. I witnessed the guns being fired, they were chasing each other. The car then turned left on 21st Street. As a sign of the times, it's not about accepting crime as a norm in the City in the neighborhoods and allowing it to escalate. A sign of the times is when our Elected Officials are only interested in their own agenda and not concerned with the people who voted them into office. I hope this is not the truth about the City of Canton. Mayor Healy, I respect your platform that you ran of zero tolerance. You ran a political form...platform on zero tolerance to crime. I hope and pray that the truth of what you wanted to accomplish with this was not about politics or political rhetoric. I do hold you and your Administration accountable to deliver on that into the safety of the neighborhoods, as should everyone in this Chamber Council and in this City. These gangs have monopolized the safety of our children, families, homes schools and neighborhoods. The last round of shooting took place in front of Bellstone Elementary School. So these...they're going into areas where there's children, these are occurring at night but that doesn't mean that these random shootings aren't going to start occurring during the day. We have lived in Canton for ten years and I hope and pray that, no I'm expecting you to honor your word on safety in our neighborhoods because we do have a lot of innocent people that are going to get hurt if this isn't taken under control. Thank you.

PRESIDENT SCHULMAN: Thank you. Our next speaker is Jennifer Lewis. Ms. Lewis, good evening again, welcome, thank you for coming back.

JENNIFER LEWIS: Thank you, I wasn't going to speak tonight, I wanted to give things a rest but I have too many elderly neighbors. Jennifer Lewis, 805 13th Street NE.

PRESIDENT SCHULMAN: Just for our record...

JENNIFER LEWIS: Sorry.

PRESIDENT SCHULMAN: I'm sorry, thank you I hate to interrupt you.

JENNIFER LEWIS: I have a lot of elderly neighbors and people who are afraid to come up here and I promised that I would take a stand for them. I do not want to stand up here and give you a sob story week after week nor do I wish to point any fingers. This community will only improve if we all stand together. However, I do feel

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my husband and I often left standing alone. A committee task force or Council needs to put some kind of solution or plan together to concur the northeast end problem. Last night, my husband and I watched as gang members met at the house next door to us. The members of this group continually watched us and our home. As the evening progressed an SUV that I have reported before, I have his plate memorized, 7LITTLEBIG backed out of this home and pulled into the middle of the street right in front of our home and begin to stare. Pulled his window a quarter down like he was going to shoot or do something towards our house. Fearing retaliation or gun shots, I immediately called the police screaming. My husband proceeded to open the door and look only for the vehicle to continue to sit in the middle of the road and intimidate. I feared for my husband's life. The police called me an hour later asking if the vehicle was still there and told me they were very busy and would now dispatch a unit if I wanted to make a report. Please can anyone tell me, should we take a few officers advice and just foreclose? Or is there a more constructive solution?

PRESIDENT SCHULMAN: Thank you very much. Thank you Ms. Lewis. Our next speaker is Patricia Kirk. Ms. Kirk good evening, if you'll give us your name and your residential address.

PATRICIA KIRK: Hi, my name is Patricia Kirk, I live at 131 5th St NE. I'm presenting a petition to Council that samples people in Canton who are tired of watching Canton die. This petition was suggested by our legal representative on Council because a very important decision was made that should never have been bypassed through Council. The Concert in the Park has been held on the steps of McKinley Monument for 29 years and is the one place people can bring their families for free for a picnic. 15,000 people are drawn, it's history and it's tradition. The Hall of Fame Parade is the next biggest event. It's what makes Canton, Canton. Making a decision to put it on the tiny Kresge Lot downtown and combine it with Zing in the City is a huge mistake and a slippery slope downhill. And Council, please don't think because this is not in your Ward that this doesn't mean anything to you. This is the worst time of all to cut down on things that are important to our families. You'll have to make a copy of this, but I do have 134 signatures here. Thank you very much.

PRESIDENT SCHULMAN: Great, thank you Ms. Kirk very much. Our last speaker is Dr. K. Ragnanthan. Doctor, yeah I apologize if I didn't pronounce your name correctly. Good evening, if you'll give us your name and your residential address sir.

DR. K. RAGNANTHAN: Good evening President and Mayor and Councilman. I go by Doctor Ragu.

PRESIDENT SCHULMAN: Okay.

DR. K. RAGNANTHAN: I have my business in 603 13th Street NW on the corner of Cleveland Avenue and 13th Street. And then Councilman West, our beloved Councilman is our Councilman for Ward 2. I am coming in here with the heart broken Mr. President because I have been in that office for last 15 years. Never seen the problems like this. We have addressed that problem with Councilman West very clearly and also the businesses this afternoon we met with Steve Taylor, Bill TV and Anderson Flowers. All these owners, we are very concerned about the violence and the neighborhood issues are going on. Besides that, I only want to thank the Policeman who always retroactive to come to our place. Which is we make the complaints for them to come in but I wanted proactive, I had a chance to talk to Chief and give him my handshake and said "Chief, install the cameras." We have these neighborhood meetings years after years, nothing is happening Councilmen. I am very disappointed and I heard the other people in that area. I'm very worried about the whole community and an immigrant, I have a choice to pick up anywhere I live in the United States, I picked Canton Councilman because

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I love Canton. This is heartbreaking to me to see the neighbor going down and my colleagues, the same colleagues in '89 who graduated with me from Case Western, they are in Belden Village building without any problem and they're having a good business, why I should suffer. That's my answer for the Council and the Mayor and for all of them here. And besides that, a neighborhood issue happened, the neighbor who never even lives in 1315 Cleveland Avenue erected a fence. Since 1999, I believe in due course and we have been fighting with that. You know what happened? Finally went into the Zoning Board Appeal, I was here in this room, I recognize a few of them here in the Zoning Board. They said no, the fence is not allowed, it's illegal. He went appealed on one clause, I'll read that for you Mr. President, please allow me. "Further the permit issued in '99 did not contain any resistance on replacing the fence." And the permit issued in '99 was never revoked. How the City people can drop the ball on me and the businesses around it. This is very disturbing, I'm sorry Mr. Councilman, President and the Council, I am very disappointed with the whole thing going on. As businesses, they all want me to tell they are thinking about moving to different places from Canton. (*Inaudible*) I heard the earlier meeting, Mayor and the Council want to bring more businesses here, I am part of it, I'll hire more people if I do (*inaudible*) And here we are 15 years my girls and I paid the taxes for you guys. What's going on sir? I am very sorry, I'm extremely disappointed with the City's rules and what they are trying to do for the businesses. Sorry I am a little bit emotional but I care about the City like you guys do. God Bless America. Thank you.

PRESIDENT SCHULMAN: Thank you. Thank you Doctor, thank you all for coming down. It is heart breaking and we hear you. We do hear you. I just hope we can do something for you.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We are now under Informal Resolutions. Member Smuckler.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: I forgot about this, I have a Resolution to add to the Agenda. I'd like to suspend Rule 22A to add Resolution #26 to the Agenda. It's a congratulatory Resolution.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Rule 22A to add Resolution #26 to this evening's Agenda. Are there any comments?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: We really didn't just forget about this. There is a Councilman here that I have told every Councilperson since him that has walked through this door that I thought I did a wonderful job in the Ward that I represented. But the Ward 6 Councilman lobbies, he advocates, he exhorts, he insists upon, he manipulates, he pressures (*laughter*)...

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CLERK TIMBERLAKE: I second that.

MEMBER SMUCKLER:he pulls strings, he coaxes, he yells, he sweet talks and he is by far, without exception the best Ward Councilman I've ever served with down here. Now he took a trip to California and he is also now recognized as the number one Safety Officer in Campus for Aultman Hospital in the United States. And most of us all have other jobs out of here and Dave Dougherty is not only doing an excellent job in City Council but also out of City Council. And Dave, we've got a plaque for you tonight to recognize this. Could we have that Resolution read Mr. President.

PRESIDENT SCHULMAN: Yes Member Smuckler, Madame Clerk.

CLERK TIMBERLAKE: **WHEREAS:** On Tuesday, March 30, 2010 in Long Beach, California, David Dougherty was bestowed with the honor of being named "2009 Campus Safety Director of the Year" nationwide by the Campus Safety Magazine; and **WHEREAS:** David was nominated for this prestigious award by Aultman Hospital Security Services Department. David has served as Director of Security Services, Parking and Valet since 1990; and **WHEREAS:** David has built the Security Department to what it is today over the past 20 years. Throughout his leadership the Security Department has over 50 officers maintaining 24/7 security with 8 officers minimum per shift, with each officer being equipped with appropriate professional attire and ballistic vests if so desired; and **WHEREAS:** Aultman Security Department is in control of over 2 million square feet of space to monitor and over 45 acres of campus to patrol. The security command center is constantly monitoring over 220 surveillance cameras and 100 duress buttons throughout the campus. The Department responds to well over 3,000 assist calls each quarter; and **WHEREAS:** When a triple homicide occurred less than a block from the hospital's main campus, Aultman Hospital Security was monitoring the situation and responded to the crime scene mere seconds after the shooter fled. Under the leadership of Director Dougherty, Aultman Hospital Security Department was instrumental in the arrest. Security Officers and other hospital staff members who responded to the scene were understandably shaken by the event but David was able to utilize his experience and expertise to calm staff member's fears and concerns and prevent any sort of panic from materializing. **NOW THEREFORE BE IT RESOLVED:** that we, the Members of Canton City Council do hereby go on public record congratulating **THE HONORABLE DAVID R. DOUGHERTY** for being named 2009 Campus Safety Director of the Year.

(APPLAUSE)

#26. COUNCIL AS A WHOLE: CONGRATULATING DAVID DOUGHERTY FOR BEING NAMED
2009 CAMPUS SAFETY DIRECTOR OF THE YEAR - ADOPTED

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: I know you'll probably want a roll call vote *(laughter)* but I move we adopt Resolution #26.

MEMBER PRATER: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 26 and it was also moved and seconded to suspend Rule 22A to put Resolution 26 on tonight's Agenda. By...rather than roll call vote, by voice vote, all those in favor of both motions, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #26 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Leader Dougherty congratulations, a well deserved award.

(APPLAUSE)

PRESIDENT SCHULMAN: Leader, would you like to say anything?

MEMBER DOUGHERTY: I'd just like to say thank you, I was very surprised. It was a nice trip to California, I'm glad everybody knows why I was there *(laughter)*. I did have a good time though and it was...I was very surprised and humbled. There was a lot of qualified people and I got to meet a lot of nice people out there that deserved this also. Thank you.

PRESIDENT SCHULMAN: Well you do a remarkable job. Thank you very much.

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 APRIL 5, 2010.

155. AUDITOR MALLONN: CERT OF TOTAL AMT FROM ALL SOURCES FOR 2010. - RECEIVED & FILED
156. AUDITOR MALLONN: MONTHLY RPT BY FUND FOR 3/1/10 - 3/31/10. - RECEIVED & FILED
157. AUDITOR MALLONN: YEARLY RPT BY FUND FOR 1/1/10 - 3/31/10. - RECEIVED & FILED
158. OHIO EPA: NOTICE OF LTD ENVIRONMENTAL REVIEW & FINDING NO SIGNIFICANT IMPACT TO CITIZENS ON NORTHEAST WATER TREATMENT PLANT PROJ FS-390421-01. - RECEIVED & FILED
159. SAFETY DIRECTOR REAM: REQ PAYMENT OF \$106,894.78 TO MOTOROLA, INC. FOR 2010 SERVICE AGMT. - FINANCE COMMITTEE
160. WATER SUPERINTENDENT CONVERSE: 2009 ANNUAL REPORT, WATER DEPT. - RECEIVED & FILED

MINUTES OF THE MEETING APRIL 5, 2010**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for their First Reading. Let the journal show that all Ordinances are being given their reading as required by state law. Madame Clerk would you please read the 1st Reading Ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #5 FOR THEIR FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AMENDING SECTION 150.02, POWERS AND DUTIES OF CHAPTER 150, SYSTEMS PLANNING BOARD
Referred to Judiciary Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH TRINITY GOSPEL TEMPLE TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$25,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #3. (1ST RDG) **ADOPTED AS ORDINANCE NO. 68/2010** AN ORDINANCE DECLARING 72 BUILDINGS TO BE PUBLIC NUISANCES; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE DEMOLITION OF SAID BUILDINGS; AUTHORIZING THE CLERK OF CANTON CITY COUNCIL TO CERTIFY THE COSTS OF DEMOLITION TO THE STARK COUNTY AUDITOR; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

(COUNCIL RECESSED AT 7:52 P.M. FOR COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #3; RECONVENED AT 7:55 P.M.)

PRESIDENT SCHULMAN: Council will reconvene after the recess. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we suspend Rule 22A to place Ordinance 3 back on this evening's agenda.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend Rule 22A to put Ordinance 3 back on this evening's agenda. Are there any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve ayes, Mr. President.

PRESIDENT SCHULMAN: Motion carries and Ordinance 3 is a legal part of our agenda. Leader Dougherty.

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MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 3.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance #3. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve ayes, Mr. President.

PRESIDENT SCHULMAN: The motion carries, you've heard the three readings, Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 3.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #3. 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 ayes, Mr. President.

#3 ADOPTED AS ORDINANCE 68/2010

#4. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACTS IN AN AMOUNT NOT TO EXCEED \$38,000.00 FOR THE PURCHASE OF ONE (1) 2011 HEAVY DUTY CREW TRUCK CHASSIS AND IN AN AMOUNT NOT TO EXCEED \$43,000.00 FOR THE PURCHASE OF ONE (1) 2011 HEAVY DUTY DUMP TRUCK FOR THE WATER DEPARTMENT; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH GERMAIN FORD IN A TOTAL AMOUNT NOT TO EXCEED \$32,921.58 FOR THE PURCHASE OF TWO (2) 2010 SERVICE VANS PURSUANT TO O.R.C. SECTION 125.04; AMENDING APPROPRIATION ORDINANCE NO. 1/2010; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

#5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO A CONSTRUCTION CONTRACT FOR THE CLEVELAND AVENUE N.W. RESURFACING PROJECT, G.P. 1109; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION ENGINEERING SERVICES WITH OMNI PRO SERVICES LLC; RECEIVE AMERICAN RECOVERY AND REINVESTMENT ACT (ARRA) FUNDS IN THE AMOUNT OF \$102,345.00 FOR THIS PROJECT THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT);

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RECEIVE FEDERAL TRANSPORTATION FUNDS IN THE AMOUNT OF \$1,728,000.00 TO FUND THE COST OF BOTH THE CONSTRUCTION AND CONSTRUCTION ENGINEERING CONTRACTS; AMENDING APPROPRIATION ORDINANCE NO. 1/2010; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for the Second Reading. Madame Clerk, would you please read Ordinance 6 by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #6 THROUGH #9 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#6. (2ND RDG) ***POSTPONED UNTIL 4/12/10 AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 164/2001, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR ALL MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (COMM DEV & PLANNING)***

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 6.

MEMBER PRATER: Seconded.

MEMBER DOUGHERTY: It's been moved and seconded to suspend the Statutory Rules on Ordinance 6. Are there any remarks? Hearing none, Madame Clerk roll call vote please.

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: The motion carries, Leader you've heard the three readings.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 6.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #6. Are there any remarks under this Ordinance.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

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MEMBER SMUCKLER: If we're going to go through this with this tonight, I'm just going to say this for the record. I've said it for the last two meetings and I'm going to say this again. I've met with the people that represent us that talked to HUD. We need less people in the Executive Branch and more people do the grunt work of what needs to be done to get this stuff done for the NSP money. I'm not in favor of creating a new position, nor am I in favor of paying \$71,000.00 for this new position. If you want to wait another week and figure something else out, that's fine but if we're going to go through with this tonight, you don't have my support.

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

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Yes, Mayor Healy.

MAYOR HEALY: I...it was recommended by several Members that this be amended to cap the starting wage that matches the outgoing rate of Carmen West, I believe it was 59.2 and I don't know if this something that this Council wants to amend tonight or if they would like to have that done next week. But I'm fine with that if Council prefers. Thank you.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: The Law Director person, I apologize, Dave...okay. It's not a simple amendment is it sir to just change the finances because the position would still be there at the \$71,000.00. Am I correct or not sir?

PRESIDENT SCHULMAN: Law Director.

ATTORNEY DAVID SMITH: I do claims and collections for the City (*Laughter*) But it's my understanding that (*inaudible*).

MEMBER CIRELLI: Mr. President. With all due respect sir, the fact that you do the claims and what have you for the City and I'm not an attorney but when I read into that, even if we make the amendment to cap it at that level, it still has in there the creation of the other position at the higher pay and I cannot support that.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: In talking to the Chairman of the Committee, I move we postpone Ordinance 6 for one week.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to postpone Ordinance 6 for one week. Roll call vote please Madame Clerk.

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NO REMARKS

ROLL CALL 8 YEAS, 4 NAYS
(MEMBERS CIRELLI, HAWK, WEST AND BUTTERWORTH VOTED NAY)

CLERK TIMBERLAKE: Eight yeas, four nays, Mr. President.

PRESIDENT SCHULMAN: The motion carries and Ordinance #6 is postponed for one week, thank you.
Ordinance #7 please.

- #7. (2ND RDG) A RESOLUTION ACCEPTING THE COMMUNITY REINVESTMENT AREA HOUSING COUNCIL'S RECOMMENDATIONS REGARDING COMMUNITY REINVESTMENT AREAS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #8. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH BOBCAT COMPANY IN AN AMOUNT NOT TO EXCEED \$32,991.00 FOR THE PURCHASE OF ONE (1) SKID STEER LOADER MODEL 300 FOR THE COLLECTION SYSTEMS DEPARTMENT PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement & Finance Committees
- #9. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH ZAYO BANDWIDTH TO PERMIT CONSTRUCTION OF A "FIBER PLANT"; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances and Formal Resolutions for their Third and Final Reading. Would you please read Ordinance #10 please by title.

- #10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 69/2010** A RESOLUTION CREATING THE ALLIANCE-CANTON STANDING COMMITTEE ON WATER; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: I move we adopt Ordinance 10.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #10. Any remarks under that 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.

#10 ADOPTED AS ORDINANCE NO. 69/2010

PRESIDENT SCHULMAN: Ordinance #10 is adopted. Ordinance 11 please.

#11. (3RD RDG) **ADOPTED AS ORDINANCE NO.70/2010** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PART OF LOT 6360; AND DECLARING THE SAME TO BE AN EMERGENCY (1203, 1211 & 1217 13TH ST SE - EASTSIDE HOMES LTD)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 11. Any remarks? Hearing none Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 70/2010

PRESIDENT SCHULMAN: Ordinance #11 is adopted. Ordinance 12 please.

#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 71/2010** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS 2842 AND 2843 AND PART OF LOT 2844; AND DECLARING THE SAME TO BE AN EMERGENCY (932 & 938 STRUBLE AVE NE - EASTSIDE HOMES LTD)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 12.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 12. 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.

#12 ADOPTED AS ORDINANCE NO. 71/2010

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PRESIDENT SCHULMAN: Ordinance #12 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you. Finance Committee, Monday, April 12th at 6:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Judiciary will meet on April....same time, same place.

PRESIDENT SCHULMAN: Okay, thank you. Any other?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Smuckler.

MEMBER SMUCKLER: Community Development, same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet on the 12th at 6:30.

PRESIDENT SCHULMAN: Thank you. Any other announcements?

MISCELLANEOUS BUSINESS

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

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: You know I'm not sure Safety Director how numbers are counted. I don't know if numbers are counted by the number of calls that just come in, numbers are counted that, the calls that don't

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come in but we know something happened. If it's the same crime, how many calls do you take on the same crime. But I do know one thing, you and I went out to Gibbs School, Mary Cirelli was there also, yes. I know that a year ago this was a problem, a year later it remains still to be a problem and I know that this stuff isn't being made up since here is two of the casings that were handed to me tonight. But I know one thing, we're doing a lot up on I-77, I think it's time we came back to the neighborhoods. (*Applause*) Jen, I'm going to tell you what I told you at that meeting and I'm going to tell Christine Peterson the same thing, I wasn't afraid to go to the Past Time Inn, I wasn't afraid to go to the Hob Nob and they were both after midnight and I'm not afraid to come down there also. My cell phone number, you folks have and you call me, you won't have to wait for an hour for me to get there. Thank you.

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

MEMBER WEST: Yes, Mr. President. You know I have advocated pretty heavily for cameras, I've advocated for houses and demolitions, thank God we got some coming down now. I've advocated for a number of things that...crime prevention measures that can help a lot of areas but for some reason we can't get the Gibbs area together. I don't know what it is, last week we were there at Gibbs School and we had a rally with the Community Coalition Against Violence and a number of all of us were there and we were really in support of that neighborhood. We had people praying for that area, going out and walking the streets and praying. We got people who are up all hours of the night, looking at each other, calling each other but for some reason their not getting the help. We've talked about cameras, we've talked about neighborhood crime watches, we're talked about driving through the neighborhoods. But...you know, they are living with bullets flying in the air and I don't know how to deal with that. You know, I'm a part time Councilman and I spend a lot of time over in that neighborhood. As a matter of fact on Friday, when everybody was going home and it was nice weather, I was driving through the Gibbs neighborhood trying to make certain that these kids wasn't gathering in groups and that's not a good way to live. I mean....and I...I...we need help and I don't know if I can appeal to Dave, Dave just got the Safety Award (*laughter*). We need Mr. Safety to help out. No, I'm...I'm just joking about that. But literally, you know, I thank you guys for coming up here each week. I know when I first came into Council, we only had one person come up here all year and that was Kenny Ash. Today we have four people up here advocating for their communities at the top of lungs. We have a Doctor who doesn't even live in the neighborhood but he cares about the neighborhood more then anybody else that lives in this neighborhood. We need some help guys and when I said Chicken Little, you know, sometimes I feel that way left and right, the sky is falling. Guys the sky is falling. When I talk about building houses in Ward 2, believe me, that's a preventive measure not something that I want to toot my horn because those houses that are going to be built, are going to bring more people like Jen and like, you know, the Doctor and Christine. These are people who I look for...look towards every week and know that they got my back and I got theirs but we need some help from the City. Thanks.

PRESIDENT SCHULMAN: Thank you Member West. Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. Today in my email and I don't know if I have the date correct because I saw it just before I came to Council, I was at another meeting that I attend also. Bruce that's retired, Bruce Allison from our Police Department and Safety Director Ream, maybe you can help me out with this, has scheduled a meeting. I think we ought to see that...and he's....for gangs and what have you, how to handle them. I want to request...say that all these comments on these issues here tonight go to Officer Allison, I don't know if he still is considered an Officer or what, but they are having a meeting and he is there to reduce gang

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violence and maybe the Councilman got it in their emails also. And I think it is important if we can for every Council Member maybe to attend that meeting and I'll ask our girls to recheck the one they sent me and if they, you know, if it wasn't sent to the other ones please see that they do get it. But I think he needs to hear what happens here tonight even though they maybe read it in the paper. But we are spending extra dollars and we've got to see that these dollars are spent wisely. So therefore, you know, I think it's ridiculous for someone to have gunshots going off and it takes an hour before you even get a callback. I mean that is really unheard of. I..I just, officer, I mean Safety Director Ream, if you can address that I would really appreciate it because, one hour, I suppose, you know, like when we were at the meeting that the other neighborhoods had over there at Deliverance Church and what I heard there is poor police response, they make the decisions whether...what's more important and what isn't important, a person had someone in their garage and no police response. And they possibly could have caught somebody that's been breaking into other places. But now to hear them come down and tell us that there's gunshot wound and.....

PRESIDENT SCHULMAN: Ma'am...please *(to an audience member)*

MEMBER CIRELLI: ...Ma'am...please, please...Councilman Barton asked me if I heard the gunshot wounds in our neighborhood just the other day and I didn't like hearing that from him. And I don't think, if it was in the Mayor's neighborhood, if it was up in North Canton where you live Safety Director Ream, I'm sure you wouldn't like it either. I mean this is uncalled for, those stray bullets are gonna stop somewhere and stop in a body and then...then what we do is we gather later and have vigils. That doesn't make me happy, I think we need to have prevention and see that this is not occurring at all. And anytime somebody's got a weapon and shooting in a neighborhood, there has definitely got to be a response, I don't care how many traffic tickets their writing on 77. I have something else I need to talk to you too later, I mean under this.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Okay, one second Member Hawk. Ma'am....ma'am *(to an audience member)* I know you just came in and we appreciate you're attendance but if you could hold your thoughts to yourself, and then we'll be here afterwards to listen to whatever you have to say. Thank you very much. Member Hawk.

MEMBER HAWK: Thank you sir. Gunfire, gun shots in the City are becoming higher, the rate is higher and higher all the time. I received two phone calls this week, one on the near northwest side, near Shorb Avenue and 8th Street. And the other one out on 8th Street NW out near Broad Avenue. It's truly disturbing that our people are awoken to gunshots or they have to face this. But I want to compliment the Chief on...I read in today's paper that there were some felony arrests from traffic stops in the neighborhood and I think that's absolutely wonderful and that truly shows that if we concentrate the traffic patrols into the neighborhoods, we have the ability to pull other felons off the street for drugs and other things. I think that's a very positive thing we must look for in this...in this terrible times. The other more important thing folks is we have 15 less police officers then we had a year ago out in the street to do these jobs...fifteen less police officers. We should find away to use some of our CD dollars to find out how to put Policemen back in the street instead of somebody's butt in the seat in the 8th floor.

PRESIDENT SCHULMAN: Thank you Member Hawk.

SERVICE DIRECTOR REAM: Mr. President.

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PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR REAM: We are quite aware of the area of 13th and Plain and the problems going on up there. We don't like them anymore than what the residents living there like them. We're addressing them. The Chief has developed a comprehensive strategy going forward. Retired Captain Allison is working for us on a project that is unfolding as we speak. I can go back several years to where we were having these same issues of gang problems and drugs in the area of 2nd and Belden NE. Unfortunately, when those develop in an area, it takes us time to root that out. It's going to take us time to root out the problem at 13th and Plain. We will be there, we will respond. And we, unfortunately, cannot do it probably as fast as what the neighborhood would like but we will pay it the attention and we will get to the root, causes of the problems. I had a phone call about 4:00 this afternoon with our investigative commander. He assured me that some of their investigations are coming to fruition in the near future and we hope that that will have an impact of some of the issues going on up there and we will keep addressing it until we have a strong enough impact to bring these issues to a conclusion. So, Chief, you and I are both hearing this tonight and we need to move in this area and continue on and be consistent with our enforcement efforts as we go through these summer months here. Thank you.

PRESIDENT SCHULMAN: Thank you Director. Mayor Healy.

MAYOR HEALY: Thank you Mr. President. I just wanted to thank the residents from the City to come down here and speak and share your concerns with us. I know many of you have contacted me and Members of Council and Members of our Administration. And obviously that contact and information is huge for us to be able to target these areas. I can tell you that when...when we got her two years ago that these types of conversations were unfortunately way too frequent and too common and it wasn't just your neighborhood. Again, as the Safety Director mentioned, 2nd and Belden was probably the hottest spot at the time when we walked in the door and we also had problems in Shorb...in the Newton Zone. We've got them there, we've got them on Harmont up by the C.H.I.P.S Housing, we had them down by the old Highland Park, what's it called now...Skyland Terrace and there was multiple areas around the City where we had these types of things happening and people were coming in and sharing with us. I think the Police, and I'd like to compliment the Chief and the Director and all the Members of the Police Department as they have been working very hard to attack these areas with the gang task force and targeted approaches to these problems. They've been very effective in some areas and others they haven't been. And of course we have somebody here from the fairground area, that's becoming more of a problem and some issues that are rising there. We know that this time of year is very challenging because when the weather changes the activity increases dramatically and they've been on alert for what, three months now preparing for this. This is something that they've been working on very diligently. I can tell you from the Mayor's seat that the 13th and Plain area is the top priority for myself and directed to the Safety Director on down to the Chief to do whatever we possibly can to make an impact as soon as possible. And again, that doesn't mean that we're not going to address the other areas because we can only spread our resources so far at any given time. That's going to be our top priority now, to whatever we can to make an impact as we have done in other neighborhoods. And again, the goal is to push back to the point where the people in our community have a lot of pride and excitement and know that their kids can go out front and play in the front or backyard or go to their neighbors house without fear. That's what we all want and that's what we're fighting for. Thank you for being here, we're going to do everything we can.

PRESIDENT SCHULMAN: Thank you Mayor. Are there any other remarks?

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MEMBER HORNER: Mr. President.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Horner.

MEMBER HORNER: I would just like to take a minute if I could to let everybody in this room know there's been a plaque erected in this room and it's a plaque of somebody I've known my whole life and respected greatly. And his name is Joe Carbenia, so please on your way out after we adjourn take a look at the new plaque on the wall back there of Joe. Thank you very much.

PRESIDENT SCHULMAN: Thank you. Member Cirelli.

MEMBER CIRELLI: On the positive note, on Good Friday, and I wish the Law Director was here to hear this, I received a call from Captain Rich of our Fire Department. And you all know I've been...Chief...thank you very much, Chief Rich of our Fire Department, the head man and I was delighted cause I just read in the paper that the Fire Department had received a grant and he assured me that they were going to put \$20,000.00 of that money aside to purchase the tamper proof, ten year life span smoke alarms that I've been on Mr. Martuccio's back about for quite sometime. So he said within a month he will have that program structured and you can take that back to him and tell him, tell Joe that the Chief, you know, assured me that that is going to happen. And if it saves one life, these are the smoke alarms that they cannot remove the batteries and they'll last for ten years, they will go into....and Mr. West and Smith and Griffith and I'm trying to think....Horner, will go into your Wards into our CD areas and if we save one life with these, and I'm sure we will and it's something we won't read about. But it's something that I'm really pleased with, he called me on Good Friday, he made my weekend. So I just wanted to share that with everyone. Thank you sir.

PRESIDENT SCHULMAN: Thank you and congratulations on that Member Cirelli. Any other Miscellaneous Business? Leader.

MEMBER DOUGHERTY: Mr. President, A few comments, additional comments. My coordinators at work are the ones that put me up for this award, I didn't have any idea they were doing it, so it's pretty special. And I got a good team over there and Member West, you're talking, you know, when...you know, we're just a hospital but right there, there's 1.3 million square feet, you know it goes from almost Tusc. to 9th Street, we have our issues there too. Recently one of my officers at 3:00 in the morning, caught a 13 year old breaking into a car at 3 in the morning, so he was caught and arrested. And we had an employee who was coming out and saw someone breaking into a vehicle. The very next night.....

PRESIDENT SCHULMAN: Chief, would you do me a favor? Would you escort this woman out please?

(CHIEF MCKIMM ESCORTS A DISRUPTIVE AUDIENCE MEMBER OUT OF THE COUNCIL MEETING)

PRESIDENT SCHULMAN: Thanks Chief. I'm sorry Leader, go ahead.

MEMBER DOUGHERTY: So the employee was going out and saw someone...it wasn't on the hospital property but saw someone breaking in a vehicle on a street over, from people just visiting that house and was able to get one of our officers and we caught him also and the police came and he was arrested. So, we have these issues. The camera idea is an excellent idea, it doesn't stop things from happening but you can go back and put people away because you have the documentation that you need. But it adds as a deterrent too if they

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know that you're there. But you know, they know we're at the hospital and we still have some issues but we don't have a lot but you know. And the neighbors love us, I think Member Griffin unders....that's his Ward where the hospital is and there's times that we've went to community meetings for him and stuff like that and talked and we're a good neighbor from that standpoint. But you gotta have a good team and they make me look good and that's a good thing. The other thing is the Administration supports because without that, you have problems. So from the top down, I'm fortunate to have that. When I need something, I go see my VP, go to Mr. Roth and we get what we need and it's good. So, I started there, there was 28 of us and it..over the years it went down to 17 so being up to 50 officers is an amazing thing. So they...they understand that and my team, I tell them 3 things, you want to make sure you laugh, think and care. Laugh because we need to do that every once in awhile, it's good medicine and you know, I can tell a joke every now and then so....*(laughter)* Think, think about what you're supposed to be doing every minute of the day because I set high standards and I stick with them and you gotta go there and you care, care about your customers, everybody that steps foot on our property, you gotta care about, for their safety. So, that's what they do. So, I want to thank you for this, when you're honored by your peers that's special. I move we adjourn.

(APPLAUSE)

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: Thank you Leader. Chief, thank you very much, sorry to put that on you. *(Laughter)* I just figured she was going to wonder around the room a couple more minutes. It's been moved and seconded to adjourn. If not roll call vote please Madame Clerk

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAY

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Meeting is adjourned. Thank you ladies and gentlemen. *(Gavel falls)* .

ADJOURNMENT TIME: 8:29 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT