

MINUTES OF THE MEETING OCTOBER 25, 2010

PRESIDENT SCHULMAN: Good evening ladies and gentleman and welcome to Canton City Council. We appreciate our citizenry coming down tonight. And with a quorum being present the Chair calls this meeting of Canton City Council to order. Roll call please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

12 COUNCIL MEMBERS PRESENT: (DAVID DOUGHERTY, TERRY PRATER, MARY CIRELLI, JOSEPH COLE, BILL SMUCKLER, GREG HAWK, THOMAS WEST, JIM 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. Tonight's invocation will be given by Ward 7 Council Member, Patrick Barton. Will you all please remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on October 25, 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 7 Council Member, Patrick Barton. The Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you Member Barton. We're now under Agenda Corrections and Changes and Members of Council you're going to be asked to suspend Rule 22A to add the 2nd Reading of Ordinances 10 through 15 to tonight's agenda. Leader.

MEMBER DOUGHERTY: Mr. President, I move Rule 22A be suspended to add 2nd Readings Ordinances 10 through 15.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2nd Reading Ordinances 10 through 15.. 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.

PUBLIC HEARINGS

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

OLD BUSINESS

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PRESIDENT SCHULMAN: We are now under Old Business and I will now turn this over to the Mayor. I believe he has a brief response to a issue that was raised last week. Mayor.

MAYOR HEALY: Thank you Mr. President. This won't be long. We had Nancy Markland was asking about the issues with the old Allen School and the effects it will have on her home and the neighborhood. We have addressed that one on one with her and I know that Fonda Williams and Robert Torres both have follow up meetings with her in reference to her individual property and what needs to be done so, that will be addressed first hand with her situation. Also one other thing you had mentioned a few weeks back in reference to the AirTran situation. I wanted to let you know, and of course there was a nice story in the newspaper that just came out this week, that talked about how positive they thought that was going to be for our community. Rick McQueen is the head of the Akron Canton Airport. He's extremely excited about what this means for the airport and the potential continued growth there but he is also willing if you would be interested, for to come down and address Council in person to let you know it's goings on it. So if you would like we could set that up.

PRESIDENT SCHULMAN: That would be wonderful. Thank you very much Mayor. That's great.

MAYOR HEALY: No problem, thank you. That's all I have.

PRESIDENT SCHULMAN: It's a great airport. We are lucky to have it.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We are now under Public Speaks. We have 8 speakers signed up this evening. Our first speaker is someone who should be known to all of us. Our County Auditor, Kim Perez. Kim, good evening. If you'll come forward and give us your name and residential address please.

KIM PEREZ: Kim Perez. 509 36th Street NW, Canton, Ohio 44709. First of all I'd like to thank Council President, Council Members, Administration, Law Director, Council staff and the audience for allowing me to have a chance to speak tonight. This is on the weights and measures part of my office. It's on fuel quality. I've talked to Member Cole about sponsoring an Ordinance that would give us the ability to do home rule so to speak. To be able to enforce, like Summit County does on fuel quality. Currently we don't have the testers to do the octane level but we do have...I sent my weights and measurers guys to Akron to get trained by them for the water, test the water and water's the most damaging thing in any gas tanks. It's a consumer protection item and what we'd like to do is come in the City of Canton and the home rule townships, villages and cities across Stark County to be able to inspect those tanks for that, and next year when I become President of the County Auditor's Association, we're in the process, we're going to write some grants to try to get the Zeltec testers to do the octane testing throughout the district so we can start testing the octane levels too to make sure that we're being provided the octane that we're paying for is the octane that we're getting. All I'm asking for is in return if you adopt the Ordinance is any fine money would return to the Stark County Weights and Measures Department so we can buy the paste and the sticks and help take care of some of the costs that we've incurred on doing that. Along with that, in my discussions with the Law Director last week, he suggested that I ask that he could maybe bring this to SCOG or have me speak in front of SCOGs so I can address all the townships, cities and villages in one voice and hopefully we can have just one meeting with Summit County coming down to show how they do the testing and be able to educate everybody in one voice on what's best. It's 100% consumer protection and it's good for the city. Summit County's doing it, the

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State of Ohio has failed in their responsibility in providing this legislation so home rule is the only way that we can do it and a month ago during my Northeast Auditor's Association meeting, Channel 19's Carl Monday came in and he was asking what could we do that they could help promote to get this testing done. And when we started thinking about it, we thought City Councils, villages, home rule townships would be a good start and hopefully then that would put enough pressure onto the state to be able to bring up a rule that we could all use and Mayor Healy adopted this. He actually wrote the legislation in the House. His wasn't adopted. What they did is, they took his down, his legislation, muddled it down and just said Department of Agricultural would do it and no rules have come out of that department cause their budgets been pretty much slashed. So, I would like to do it home rule and let's take care of our own people. Thank you. Any questions?

PRESIDENT SCHULMAN: No. Great, thank you very much Auditor. We appreciate it, thank you.
(APPLAUSE)

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Thank you. Thank you Auditor Perez. Auditor Perez and I worked together on that when I was in legislator and it is very much needed. We are one of only three states that does not have fuel quality testing and all the studies have shown that were out there that we do have issues, in fact we have become a dumping ground for bad fuel that wouldn't make testing, that wouldn't meet those guidelines in other states so if the State legislature is not able to make this happen on a State level, I am all for this. I appreciate you bringing this to us Kim, and as the administration here is going to be in support of this and looking to do everything that we can do to help and I hope that Council is willing to join us because this is definitely needed. Thank you.

PRESIDENT SCHULMAN: Thank you Mayor. Our next speaker is Judith Peters. Miss Peters if you'll step forward and give us your name and your residential address and welcome. You can come right up here if you want. That's not a problem. Thank you for coming and I'd pull that microphone down just a little so we can hear you. Great, thank you very much.

JUDITH PETERS: It's Judith Peters. 1019 McKinley Avenue 44703. I work at Canton Calvary Mission on Gibbs Avenue NE. The neighborhood right across from the elementary school. We have had problems with large numbers of young men roaming the neighborhood. It has impacted upon the Mission. Saturday night we had an incident. At the Mission we have a soup kitchen every Saturday evening from 6:30 til about 8:00. I had, some of our dinner guests could not get in the building. They told me there was about 20, 30 young men shoulder to shoulder blocking our doorways, filling our sidewalks. By the time they told me about that and I came up through to ask the young men to leave, they had gone. I did see about 12 of them down the street and they had disbursed by the time I came. We've had a lot of problems this summer with vandalism at the Mission. We've had windows broken, doors jammed and then today after school I called and asked for a cruiser when the high school bus drops the children, drops the kids off right at the elementary school, not that many high school students live in the neighborhood. There were about 30 kids fighting in our parking lot. Following the high school bus, the last bus coming, is our middle school children and when we have these large gangs roaming the streets causing problems, our middle school kids have to walk home from that. Our

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elementary school kids are home first but our children that are in the after school programs, they walk home about 4:30, 5:00, they're walking home through that. Is it unreasonable to ask if there's a cruiser that is not on an emergency call, could they come up and down Gibbs Avenue on Saturday night now that it's getting dark. It's getting more and more unsafe for your soup kitchen guests to leave. It's not safe for me to leave alone. Could perhaps a cruiser be in the neighborhood when the high school bus gets off. But part of the problem is there's more students gets off that bus than actually live in the neighborhood.

PRESIDENT SCHULMAN: Thank you very much and by the way, at the end of the meeting, believe me Director Ream our Safety Director will be here. You're more than welcome to address more concerns with him and I can assure you the Director and the administration are very responsive.

JUDITH PETERS: I know we've all been working hard.

PRESIDENT SCHULMAN: Well we appreciate you coming down to tell us. Thank you very much. *(APPLAUSE)* Our next speaker is Monique Conner. Miss Conner, good evening and you of course need no introduction but still if you'll give us your name and your residential address please.

MONIQUE CONNER: Monique Conner, 1022 Struble NE, Canton, Ohio 44705. I wanted to briefly speak on the NAACP. I know that several African American minority organizations have submitted applications for various Council Members and different things to become part of our organizations. So that when there is election time, they're not coming and questioning us "How can we get into the African American community." I mean we have that and I think we're all like up to here with that same question. We would definitely beg everybody to please become members of the organizations. Come down and visit, join the churches, visit the churches, whatever you need to do so that at election time we're not up against the wall trying to get somebody in our neighborhood to know who each other is. I do want to thank seven Members of Council that did take a membership. Bill Smuckler, Allen Schulman, Joe Cole, Chris Smith, Tom West, Mary Cirelli and Joe Martuccio who did take membership and is a member of the NAACP at this present time. I also want to thank Chris Smith, Bill Smuckler, Tom West and Joe Cole for taking a lifetime membership with the NAACP. Thank you very much.

PRESIDENT SCHULMAN: Thank you Monique. I was happy my name was mentioned, you know, but then I'm not a lifetime member so, thanks. Our next speaker is Cindy Cox. Miss Cox if you'll step forward and give us your name and your residential address please and welcome. Good evening.

CINDY COX: Cindy Cox. I live at 201 Brown Avenue NW, 44703. I'm just here to thank Greg Hawk, my Councilman and all the other city workers that worked so hard at getting the building torn down next to me. After it was torn down I found out that it was a safety hazard. There was propane tanks in there full and the man that had demo'd it told me that if anything would have sparked those, there would have been debris all over the neighborhood. And also, I've already informed Mr. Hawk that I'm interested in the lot if there is any opportunity for me to get it. But I just mainly wanted to thank everybody.

PRESIDENT SCHULMAN: Well thank you Miss Cox. Thanks for coming down. *(APPLAUSE)* And I'm sure there will be something with the lot for you. Our next speaker is Kathryn Ramsey. Miss Ramsey good evening. If you'll step forward and your no stranger either. Give us your name and residential address please

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and welcome.

KATHRYN RAMSEY: Good evening. My name is Kathryn Ramsey and I live at 2322 16th Street NE. Thank you for the opportunity to express my heartfelt thanks to the Mayor and Members of City Council for making my life a little more bearable by becoming members of the demolition derby that is going on in the city. It is such a shame that some of these beautiful older homes have to come down but I feel this is the only way to address the problem of vacant vandalized homes. Now we have investors who want to buy these homes and I noticed the address is North Canton by the way, and rent them out without adequate supervision by Code Enforcement. From the Repository I read, "If Canton were to adopt an investor friendly Code and attitude, I believe that there would be an influx of investment in Canton's housing." That is part of the problem in the city. Instead of aggressively obtaining these properties, which is probably impossible, and selling them at a reasonable price to young, homeless people who can't afford \$200,000.00 homes. We have renters who have no vested interest in the community. We have scrappers running scrap yards next door to lovely homes. We have renters running drug houses who just move on to the next neighborhood when it gets uncomfortable for them. We have pit bill owners who let their dogs terrorize the neighbors who own their own homes and can't move on. Yes, make Canton investor friendly so that all we have is a bunch of rentals which we will have to eventually tear down due to neglect and slum lords who never visit their investments. We tried to buy one of these next door to us. We even tried to acquire the vacant land with a beautiful garage which was torn down. Now we have a vacant lot which we will try to acquire even though the garage is really what we wanted. And I'd also like to say thank you to Officer Phil Sedlacko for all his help since his appointment. He's a wonderful young man and he's done an excellent job of rounding up stray animals in my neighborhood. Thank you.

PRESIDENT SCHULMAN: Thank you. (*APPLAUSE*) Our next speaker is Jennifer Lewis. Miss Lewis you're also no stranger. If you'll step forward and give you your name and your residential address please. And I'm on the edge of my seat because I want to hear what you have to say tonight.

JENNIFER LEWIS: It's good.

PRESIDENT SCHULMAN: Good. Now then I feel better.

JENNIFER LEWIS: Good evening. My name is Jennifer Lewis. I live at 805 13th Street NE. I have several points I would like to touch on but tonight I will start with community in the Gibbs area neighborhood. I would like to quote Mr. West at a recent neighborhood meeting. "I would love to hear more positive comments about this area. I would love to hear the good that is going on to attract new and good neighbors." No one wants to build up Canton and especially the Gibbs area more than my husband and I do. However, we can not honestly promote living anywhere near us safely at this time. In a recent 24 hour period, we had a fight at the corner of Plain and 13th, then a fire set in a yard of a vacant home, then a girl running at me screaming to help her because she had been hit in the head with a wrench. Lastly to top off our family evening after Mr. West left, we had gun shots fired. Now no one is more active on getting things cleaned up on our street than my husband and myself. We make phone calls, we walk the streets, we pick up trash, we pick up gun shells. We watch vacant homes now that are, now from stop sign to stop sign we have four that they are hanging out at, one of which a woman left after 42 years. She foreclosed because she was afraid. We cannot do this alone. We go outside when our neighbors call. We walk. We go right into the middle of

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it with our dog but we need help. We need more police. We need the cameras that were promised to us over eight months ago. I took off work to help these officers find areas to put these cameras up. I haven't heard anything back. It's been about eight months. Every single time the police respond they're kind, gracious and always apologetic to their response time. We cannot possibly build up a community where crime is still a major issue. I know that the numbers aren't there but that is just because no one's been shot and killed but there are back to nightly shootings. I don't even let my two kids in the front yard. I would just like to close with a statement made by Mayor Healy. "Our community is judged by the safety of our streets, the success of our education system, the strength of our neighborhoods and the ability to attract and retrain, retain jobs." No one wants this more than my husband and I. We pour time, energy into the kids around us, the houses around us but we're to the point again where we just can't do this by ourselves. Thank you.

PRESIDENT SCHULMAN: Thank you. (*APPLAUSE*) Thank you Miss Lewis. Our next speaker is Kevin Fisher. Mr. Fisher if you'll step forward. Again, if you'll give us your name and your residential address and good evening.

KEVIN FISHER: Good evening Mr. Schulman and Members of Council, Mayor and administration. My name's Kevin Fisher. 1641 Alden Ave SW, Canton, 706. Now I can see you appreciate the block letters ransom note style I put on the sign up sheet but, I've been coming down here for 6 years. I've never once signed up for Public Speaks so you may be curious what peaked my interest this evening and it was the Judiciary hearing this evening. I had just one problem with it and actually maybe three problems which would be Article 7, Section 1, Clause 2 of the United States Constitution along with the 1st and 14th Amendments. I checked that on my phone while you were having a committee, Droid does it just for the record. But the Article 7, Section 1, Clause 2 states that the United States Constitution that's the Supremacy Clause. And I'm sure we're all familiar with the 1st Amendment except for perhaps Christine O'Donnell but that guarantees the right to free speech. Now my question is, I really don't see anywhere in my quick search of the Constitution where Section, I believe it's 1130 of the Codified Ordinances, supersedes the right to free speech on political signs. I find signs that are left up two, three months after the election as annoying as anybody but if I wanna put up my Allen Schulman for Council President sign way early or even better yet my Kevin Fisher for City Council sign way early, I had to get that one in there, or even leave up a sign to show my disgust with the outcome of a particular election, I have that protected free speech under the U.S. Constitution. It's, I can't see really where the zoning inspector of the City of Canton would have really any authority to override that 1st Amendment right of me speaking that whether it's 30 days prior to election or after 5 days after an election. Not so much on the candidates but on the home owner or the resident if they choose to have that sign up, I believe that's their right so I would just like to encourage Council before it comes up for the 3rd Reading next week to look into an amendment removing that language from that Ordinance. I think the rest of it looks great and I think it goes a long way to setting what is a billboard, what's a sign, so forth but I could see the city ending up in a, ending up in federal court over that section of this Ordinance. Thank you.

PRESIDENT SCHULMAN: Thank you very much. (*APPLAUSE*) And the Law Director, Martuccio said that he could address that in Miscellaneous Business. Our last speaker is Antoine Hodges. Good evening. I did pronounce that name right, I hope. I do apologize if I mispronounced your first name. But good evening, welcome, and if you'll give us your name and your residential address.

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ANTOINE HODGE: Hi, good evening. My name is Antoine Hodge. I stay at 2124 3rd Street SE, Canton, Ohio. I'm here to announce the publication of a new non-profit public charity corporation CMB3 Corp. In October '09 we had purchased a building, the old Smith Corporation at 1221 3rd Street NE and 12, excuse me at Rowland, 3rd Street NE and Rowland. Our purpose here is to provide and have the ability to empower and be able to make and process a decision for the future and understand that people regardless of the economy or social conditions value the full range of human diversity and to seek diverse population in our staff, board members and volunteers. CMB3 Corp lessens the burdens of the government tension in urban community, relief of the poor and the distress and deprivation of the poverty stricken urban areas. The facts upon us of the non-profit public charity corporation CMB3 Corp specialize in the advancement of education, scientific and environment and public safety, provide human resource public service to urban communities and the presence to maintain of building of public and social benefits. Any questions, please contact me at 330-438-4086. I will be here after the meeting. Thank you.

PRESIDENT SCHULMAN: Thank you very much. (*APPLAUSE*) Thank you to all our Public Speakers tonight.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We are now under Informal Resolutions. Madame Clerk will you please read Resolution 49 by title.

#49. COUNCIL-AS-A-WHOLE: COMMENDING KATHY STRONG FOR HER HARD WORK & DEDICATION AS THE EXEC DIRECTOR OF THE J.R. COLEMAN CENTER. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Resolution 49.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 49. Any remarks?

MEMBER DOUGHERTY: Mr. President could I have that read.

PRESIDENT SCHULMAN: Leader Dougherty, yes. Madame Clerk, thank you.

CLERK TIMBERLAKE: *Whereas*, Kathy Strong, Executive Director, retired on September 30, 2010, after 36 years of meritorious service to J.R. Coleman and the Canton community; and *Whereas*, Kathy began her career in 1974 assisting Father John Robert Coleman in the creation of outreach programs that supported the citizens of Northeast Canton and the Canton community and established what is today known as J.R. Coleman; and *Whereas*, As a result of demonstrated ability and diligent work, became the Executive Director of J.R. Coleman in 1987 and continued its mission through the expansion and growth of services for children, seniors, and families; and *Whereas*, In recognition of her leadership, professionalism, and civic dedication and a reflection of the highest credit upon her; and *Whereas*, Throughout her career, Kathy has served the people of Northeast Canton and our surrounding communities with fairness, responsiveness, and exceptional service, further she has earned respect and admiration for her knowledge, efficiency and good will to all.

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NOW THEREFORE BE IT RESOLVED: that we, Members of Canton City Council do hereby extend to Kathy Strong our grateful appreciation for her many years of dedicated service to the Canton community and our congratulations on her well-deserved retirement, and our best wishes to her for continued success.

PRESIDENT SCHULMAN: Thank you Madame Clerk.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader Dougherty.

MEMBER DOUGHERTY: Member Smuckler will be presenting that tomorrow night at a function.

PRESIDENT SCHULMAN: Great, thank you. All those in favor of Resolution 49, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #49 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. The Resolution is adopted. Resolution 50 please.

#50. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF DEBORAH ROHRBACH & ROBERT THOMPSON TO FAIR EMPLOYMENT PRACTICES BD RETRO COMMENCING 2/28/10 - 2/28/13. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Resolution 50.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 50. Any remarks? Hearing none, all those in favor of Resolution 50 signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #50 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Motion carries. Resolution is adopted. Resolution 51 please Madame Clerk.

#51. PERSONNEL COMMITTEE: REQ CONFIRMATION TO RE-APPT ANGENITA DANIELS TO FAIR HOUSING COMM RETRO COMMENCING 8/31/10 - 8/30/15. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Resolution 51.

MEMBER PRATER: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded to adopt 51. Any remarks? Hearing none, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #51 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Motion carries, Resolution's adopted. Resolution 52 please.

#52. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF SUE ROSS TO BD OF ZONING APPEALS COMMENCING 1/1/11 - 12/31/13. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Resolution 52.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 52. Any remarks? Hearing none, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #52 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Motion carries, Resolution's adopted.

COMMUNICATIONS

PRESIDENT SCHULMAN: We're now under Communications. Let the journal show that all Communications have been received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED OCTOBER 25, 2010.

410. COUNCIL-AS-A-WHOLE: LETTER OF SUPPORT TO RETAIN THE SVCS OF ANIMAL CONTROL OFFICER SEDLACKO FOR CALENDAR YR 2011. - RECEIVED & FILED

411. FINANCE DIRECTOR ALGER: REQ AUTHORIZATION FOR SEVERAL SUPP APPROPS & APPROP TRANSFERS (FOR CITY'S CONTINUING OPERATIONS). - FINANCE COMMITTEE

412. LAW DIRECTOR MARTUCCIO: REQ AUTHORITY TO PREPARE AN ORDINANCE THAT WILL SETTLE CIVIL LITIGATION REGARDING CONSTRUCTING THE NEW CITY SERVICE CENTER. - FINANCE COMMITTEE

413. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF C1 C2 LIQ PERMIT FROM BETRA INC DBA MAGGIORES NO 9 TO BREEZE DRIVE THRU INC DBA MAGGORIES NO 9 @ 1837 CLEVELAND AVE SW. - RECEIVED & FILED

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414. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D1 D3 LIQ PERMIT FOR LA PARRILLA INC @ 111 CLEVELAND AVE. - RECEIVED & FILED
415. SERVICE DIRECTOR PRICE: REQ PLACEMENT OF GEORGE FAWVER (ASS'T SUPERVISOR OF DISTRIBUTION IN WATER DEPT) IN STEP 5 @ THE ANNUAL RATE OF \$56,343.00. - PERSONNEL COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We are now under First Reading Ordinances and Formal Resolutions. Let the Journal show that all Ordinances are 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 AND INCLUDING #9 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY, AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (MILAN DOLANSKI - PARCEL #02-33562 ON 15TH ST NW)
Referred to Community & Economic Development Committee
- #2. (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY, AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (DAVID & BEVERLY BROOKSHIRE - PARCEL #02-01291 ON LAWRENCE RD NE)
Referred to Community & Economic Development Committee
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- #3. (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY, AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (LEMMEL & MARY DOTSON - PARCEL #02-35106 ON ROWLAND AVE NE)
Referred to Community & Economic Development Committee
- #4. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2010, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$117,000.00 - 2328 PHEP - HEALTH DEPARTMENT)
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$140.83 TO BLACK, MCCUSKEY, SOUERS & ARBAUGH; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BLACK, MCCUSKEY, SOUERS & ARBAUGH IN AN AMOUNT NOT TO EXCEED \$30,000.00 TO PROVIDE SPECIALIZED LEGAL ASSISTANCE WITH WORKERS COMPENSATION CASES; AMENDING APPROPRIATION ORDINANCE NO. 1/2010; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #7. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF OUTLOT 576, PART OF LOT 27553 AND ALL OF LOTS 27551 AND 27552; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety and Thoroughfares Committee

- #8. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF ALL OF OUTLOTS 1294 AND 1295; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety and Thoroughfares Committee

- #9 (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY \$26,404.52 TO MOTOROLA FOR THE CITY'S PORTION OF THE MAINTENANCE AGREEMENT FOR THE 800 MHZ COMMUNICATION EQUIPMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances for their Second Reading. Madame Clerk will you please read Ordinances beginning with 10.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #10 THROUGH AND INCLUDING #15 FOR THEIR SECOND TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS):

- #10. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 1130, SIGNS, OF THE CODIFIED ORDINANCES **PUB HRG: 11/1/10 @ 7:30 P.M.**

- #11. (2ND RDG) AN ORDINANCE VACATING A PORTION OF QUEEN COURT N.W.; AND DECLARING THE SAME TO BE AN EMERGENCY

PUB HRG: 11/1/10 @ 7:31 P.M.

- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO FILE WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT A 2011 CONSOLIDATED ACTION PLAN FOR THE 2011 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM, 2011 HOME INVESTMENT PARTNERSHIP PROGRAM AND 2011 EMERGENCY SHELTER GRANT PROGRAM;

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RATIFYING SUBMISSION AND FILING OF SAID PLAN; AUTHORIZING THE MAYOR TO EXECUTE GRANT AGREEMENTS WITH THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND TO ACCEPT FUNDING FOR THE THREE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY

- #13. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2010, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$24,415.00 - 2328 PHEP - HEALTH DEPARTMENT)
- #14. (2ND RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO THE REPLACEMENT OF THE CITY OF CANTON'S WATER MAIN ON THE S.R. 172 STRUCTURE OVER THE WHEELING & LAKE ERIE RAILROAD AS PART OF THE OHIO DEPARTMENT OF TRANSPORTATION PROJECT STA. 172-17.28; AMENDING APPROPRIATION ORDINANCE NO. 1/2010; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15. (2ND RDG) **ADOPTED AS ORDINANCE NO. 199/2010** RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader.

MEMBER DOUGHERTY: I move we suspend the Statutory Rules for Ordinance 15.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule for Ordinance 15. 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. The motion carries. Leader Dougherty, you've heard the three readings.

MEMBER DOUGHERTY: Yea, Mr. President, I move we adopt Ordinance 15.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 15. 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.

#15 ADOPTED AS ORDINANCE NO. 199/2010

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and Ordinance 15 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for their Third and final Reading and vote. Madame Clerk, will you begin with Ordinance 16 please.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #16 AND #17 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS :

#16. (3RD RDG) ***POSTPONED UNTIL 11/8/10 AN ORDINANCE AMENDING SECTION 105.07, GRANT AND LOAN APPLICANT REQUIREMENTS OF THE CODIFIED ORDINANCES OF THE CITY CANTON***

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 16.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 16. Are there any remarks?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: I move we postpone Ordinance 16 until November 8th.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you postpone Ordinance 16. Are there any remarks? Any remarks under the motion to postpone? OK. All those in favor signify by saying aye. Those opposed no.

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: The motion carries. Ordinance 16 is postponed. Ordinance 17 please.

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#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 200/2010** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT AND EXECUTE THE 2011 RECYCLING MAKES SENSE GRANT FROM THE STARK-TUSCARAWAS-WAYNE JOINT SOLID WASTE MANAGEMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 17.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 17. 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.

#17 ADOPTED AS ORDINANCE NO. 200/2010

PRESIDENT SCHULMAN: Thank you Madame Clerk. Motion carries, Ordinance 17 has been 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 good sir. Finance Committee will meet Monday, November 1st at 6:30 P.M. right here in Council Chambers.

PRESIDENT SCHULMAN: Thank you Member Hawk. It's good to see you with the vim and vigor.

MEMBER HAWK: I'm feeling much better sir.

PRESIDENT SCHULMAN: It's good to see you much better.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Smith.

MEMBER SMITH: Public Safety and Thoroughfare will meet same time, same date.

PRESIDENT SCHULMAN: Thank you.

MEMBER SMUCKLER: Mr. President.

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PRESIDENT SCHULMAN: Member Smuckler.

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

PRESIDENT SCHULMAN: Thank you. Any other announcements?

MISCELLANEOUS BUSINESS

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

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: I can wait for your precedent setting court case for later. Mr. President a question and I see Mr. Converse is stayed here this evening and I'd like to ask a question about the brown water on the Northwest end.

PRESIDENT SCHULMAN: Good evening.

WATER SUPERINTENDENT CONVERSE: Good evening sir.

PRESIDENT SCHULMAN: Again welcome.

MEMBER SMUCKLER: Is this wide spread? Is this...I couldn't...out of what was in the newspaper, I couldn't get the scope of what we're talking about here but I've talked to a few people that are upset about this.

WATER SUPERINTENDENT CONVERSE: Right.

MEMBER SMUCKLER: Is this...

WATER SUPERINTENDENT CONVERSE: It's primarily in some hot spot areas in the Northwest end. To get a hold of that or get in front of that, we're going to flush the entire Northwest end.

MEMBER SMUCKLER: When you say you're going to flush the entire Northwest end....

WATER SUPERINTENDENT CONVERSE: Yes. *(LAUGHTER)* Not down the proverbial commode sir. We're going to clean.....

MEMBER SMUCKLER: I'm sure that was a Freudian slip, but that's OK. Will you explain to us what that really entails and will there be any disruption of water service that maybe a Ward Councilman or two would like to know about.

WATER SUPERINTENDENT CONVERSE: Yes, thank you for that segway because that's absolutely a possibility. Let me explain that as our water leaves the Water Treatment Plant it's very clean. It's well water from glacial aquifers that we take in. We add chlorine to it to kill any micro organisms and to precipitate out iron and manganese that are present naturally and then we filter it to remove solids, add fluoride to it and pump it out into the system. It's a very good quality however, we do have an aged drinking water system as

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far as the pipes are concerned. They're mainly iron pipes, whether that's cast iron or ductile iron and as this water travels through that pipe, it does accumulate iron and sediment from that pipe. If you don't stay on top of it or things change in the system, such as hydrant flushing, hydrant usage for fire fighting, main breaks, changes in flow pattern through, plants coming on and off line, or some of the issues we're into with these water treatment renovations. Any of those things will upset the equilibrium that's present and stir up that rust sediment that's present in the system and so what we need to do and what we are doing is working diligently to flush out that iron sediment that's in the pipe and we do that by opening hydrants, trying to increase the velocity. You know really get a good stream out of that hydrant. That water physically when it's coming out of the hydrant at that, at that velocity does a decent job of scouring the pipe from and removing iron and manganese sediment that's present, primarily iron and that's what we have to do and it's not going to happen overnight but we're working on it diligently and hope to get through the Northwest end within the next several weeks and may well....

MEMBER SMUCKLER: Tyler when you say the Northwest end, can you give us the parameters of where you're starting and where you're ending.

WATER SUPERINTENDENT CONVERSE: Yes. Well primarily we started at the Northwest Water Treatment Plant on 38th and Guilford, in that general area, just north of where Burrshire's Swim Club had been present and we're working out from the plant. We have been around to the west, over by Whipple and Woodlawn and we're working south in that direction along our western border, our western corridor between Woodlawn and Whipple heading south and we're also over at present in the area of 41st, 44th Street to the north, Market Avenue toward our east, in that general neighborhood where the Service Director presently resides and we're going to make our way through that area and we'll continue south along that corridor. Basically from Market on the east all the way over to the western portion of our system which is actually a little further west than Woodlawn and we'll head south to just south of Tuscarawas Avenue probably ending somewhere behind Central Catholic High School and then we'll evaluate whether we need to go back and hit some other areas.

MEMBER SMUCKLER: How long will this whole process of flushing the Northwest end take.

WATER SUPERINTENDENT CONVERSE: It's going to take several weeks at least and we'll just have to evaluate as we go.

Inaudible comment from the audience.

MEMBER SMUCKLER: The constituent's asking "How long have you been doing this up until now?"

WATER SUPERINTENDENT CONVERSE: Well we've been flushing off and on the entire summer. This concerted effort started last Wednesday where we've added manpower, some very experienced people and have taken a broader, more coordinated, more large scale approach.

MEMBER SMUCKLER: Now so if we get calls because people are experiencing this problem, we just direct them to the Water Department?

WATER SUPERINTENDENT CONVERSE: Yea, absolutely. We need to know, and certainly we don't, hopefully we don't come across this minding the phone calls because we need to know from the constituents, you folks are the ones that are out there that have the issues or not. And so if you call and you let us know you have a brown water problem, it gives us an indication that we need to do some work in that area and so

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we'll put our attention on that area. And as you mentioned earlier Councilman, during the this time one of the things or two of the things that can be expected at least temporarily are fluctuations in pressures in given areas and also potentially brown water itself because when we're doing this, we're stirring up the lines in the process of getting them and cleaning them.

MEMBER SMUCKLER: So when you clean them, is anybody going to experience no water for any extended period of time?

WATER SUPERINTENDENT CONVERSE: They should not short of a main break but as far as the flushing is concerned they should not.

MEMBER SMUCKLER: Could you please for the record put a phone number on record that they should call if there's a problem?

WATER SUPERINTENDENT CONVERSE: Yes. The number to our dispatcher is 330-489-3315. That's 489-3315.

MEMBER SMUCKLER: Thank you.

WATER SUPERINTENDENT CONVERSE: Thank you Councilman.

PRESIDENT SCHULMAN: Thank you Director.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yes, last week when we went to the, first of all I want to thank Gibbs Area Neighborhood Association for coming down and several members in that area. But we were at a meeting last week and the issue of the cameras came up again and we talked to them about the technical difficulties. After that I also received a call from another gentleman on Shorb area talking about those same cameras and one question keeps coming up is, are they, are the constituents asked to pay for the internet service if they put it on their house?

PRESIDENT SCHULMAN: Director.

SAFETY DIRECTOR REAM: No not involving the camera.

MEMBER WEST: OK.

SAFETY DIRECTOR REAM: They're shifting gears to get the cameras up sooner. They were attempting to do a rather complex system. They're going to simplify that so we can get them up in certain locations and get them moving. The Chief has committed to that and they should be up within the next week to week and a half.

MEMBER WEST: Excellent.

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SAFETY DIRECTOR REAM: The more robust system will still be developed and will go in place over time.

MEMBER WEST: And also, is it possible that maybe the Council people, including myself can get a copy of what that program will look like so that if we get any questions, people then can, we can verbalize that to them in an accurate way.

SAFETY DIRECTOR REAM: I'll speak with the Chief about that.

MEMBER WEST: Thank you so much.

PRESIDENT SCHULMAN: Is that it Member West?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Question to the Mayor. Mayor Healy, the Council Members have all received a email stating that the Recreation Department is being asked to move out of the Civic Center. I don't know the reason why or where they're supposed to go. Can you explain to us a little bit more what that's all about please sir?

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Sure. There was a Recreation meeting this afternoon. I think Councilman Griffin sat in on that one. We sat down with the Board as well as Nadine the Director there and discussed the possibility of relocating them. We have a contract that we put out to bid for the Civic Center and the Civic Center would allow for full management with this contract. We expected that contract will go into effect roughly the first of the year. It's still going to be, the selection process is just about done and it will be sent to Council here in the next probably two weeks and then it will go through it's normal process. So we're probably looking at the first of the year for that contract to go into effect. That's something that we've discussed and have been dealing with for quite some time now. One of the things that's of interest is, the space in that Civic Center that's used by the Rec Department is rent free and we have potential to rent that space out and generate some revenue. So we were looking at options in reference to the Recreation Department of whether they would want to potentially bid for that space to rent it or if the city had other space available and we came up with some possibilities of where else they might locate where we might be able to continue offering the space without rent and they're also going to look at Canton City Schools as one of the partners with the Rec Board to determine if there's any space with the schools that might be more appropriate as well. We're in the beginning stages of conversation with them about possibilities but again, this is as much about generating revenue or being more efficient and effective with our space and whether or not it makes sense for them to stay where they're at or go somewhere else. So, that conversation started with the Rec Board and the Rec Department today and it is in the very early stages.

MEMBER CIRELLI: Thank you Mayor Healy. Also Mr. President, let me put my specks on here. I was very much interested in this "Faster internet, more jobs" that they held out at Jackson Township and they talk about a broadband non for profit agency that had roughly 50 officials from the public and private sector attend a countywide summit. Is Canton included in that sir?

PRESIDENT SCHULMAN: Director.

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SAFETY DIRECTOR REAM: Yes, we're entertaining several different options concerning that at this time and we have a meeting later on this week with a vendor and our IT Department or MIS Department and we're going to be watching that very closely to see how that can benefit the city moving forward. We think it has great possibilities.

MEMBER CIRELLI: Mr. President and then Safety Director Ream, then to my understanding we are in possibly, in for the running of it cause there's quite a bit of government money that's coming that way and I just want to know that we're going to be a part of that. With the jobs and the accessibility of the internet. Also are they going to go, have any wireless, cause I had some people complain about we've done wireless in a block area around the inner city and they've questioned are we going to do that into the neighborhoods as well.

PRESIDENT SCHULMAN: Director.

MEMBER CIRELLI: I don't know who would answer that question. You know as we have free Wi-Fi...

SAFETY DIRECTOR REAM: Well taking that question first, there's costs associated with that. We will continue to look at that technology and explore it but in reality we're going to have to see how the finances fall on that. But as far as fiber optic tape cable which they discussed out at Stark State we are very interested in becoming a player in that arena and it's just a matter of how it is we enter it and what we do with it. So we have not made final decisions but we are a very interested party in that.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you Safety Director Ream. There's an old saying "The person that owns the road, charges the toll." So I certainly hope that we're going to be involved in that because of the dollar factor. So I appreciate that very much, thank you.

MEMBER WEST: Mr. President, I have one more thing.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yea, I failed to mention that the GAIN Neighborhood Association is hosting along with excuse me, Justice House of Prayer, Canton Calvary Mission and Love Canton, is hosting a fall festival and you're all invited. It will be held on October 29th from 4 to 7 P.M. We also asking the city if we can block that street off. There having a big event there and would like all of you out to attend.

PRESIDENT SCHULMAN: Thank you Member West.

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mayor, I'm sorry. Mayor Healy.

MAYOR HEALY: Thank you Mr. President. First I'd like to recognize Alice Sarver and, no stand up for all of us here. Stand up Alice. (APPLAUSE) Thank you. There was a nice article this weekend and it was great effort and commitment that you have for the city and I just want to say thank you for what you do and just

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wanted to point out that we had a chance to make you stand. Anyway, we do appreciate that. I appreciate all the folks from the Neighborhood Associations that are here, in fact everybody that's here to be involved in city government. You know, I just wanted to remind you that we do have an event tomorrow evening at 5:30 that's going to address neighborhood issues, particularly the vacant lots. We will have some information on how to acquire some of those lots. I think that came up in one of the Public Speaks as well as a few other things that were brought up today and again the more interaction involvement we have, the better it's going to be for all of us. So, I'm sorry, it's at the Civic Center at 5:30 and it will run til roughly 8:00 and it is open to all the public. Last thing I'd like to point out too and I can't let this go by, this is the last Council meeting before this event but Saturday is the Massillon-McKinley game. Do we have any Bulldogs in the crowd. We have a few, expect you all to be at the stadium. I'll meet you there. Go Pups. Thanks.

PRESIDENT SCHULMAN: Law Director Martuccio would like to respond to Mr. Fisher's remarks about the Supremacy Clause so Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. I wanted to compliment Kevin Fisher on his astute research. There are issues with political speech. Political speech is one of the most cherished forms of speech as it should be in this country under the 1st Amendment. A lot of neighbors, anyone who's an elected official knows, there are a lot of neighboring jurisdictions that have limitations on how soon signs can go up and how soon they have to come down. The language that restricts them is subject to challenge and when I first, when I last looked at this issue some years ago, there have been some court case rulings in Ohio that say you cannot discriminate. You cannot make one sign category a little more protected or a little less protected than another so, we'll continue that research again and before next week, we'll have some suggestions on whether we should combine the sign limitations with another category such as construction signs or something so as not to treat them dispartently. You raise a good issue. A lot of people have been reluctant to challenge those. A lot of candidates don't want to be the first to challenge it because of the court battle that may ensue but we will take a look at it and I believe the last time we researched that particular area of the law, political speech was protected and could not be discriminated against and changed arbitrarily.

PRESIDENT SCHULMAN: Any other Miscellaneous Business? Is there any other Miscellaneous Business? Leader.

MEMBER DOUGHERTY: Mr. President I move we adjourn.

MEMBER PRATER: Seconded.

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

CLERK TIMBERLAKE: Sit down Thomas.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: (*Gavel falls*) Meeting is adjourned. Drive carefully ladies and gentleman.

ADJOURNMENT TIME: 8:31 P.M.

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ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT