

MINUTES OF THE MEETING MARCH 7, 2011

PRESIDENT SCHULMAN: Good evening ladies and gentleman. Welcome to Canton City Council. *(Pause)* Good evening again ladies and gentlemen and welcome. With a quorum 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, 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 Council Member at Large Mary Cirelli. Will you please all remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on March 7, 2011 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 Member at Large Member Mary Cirelli. The Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you Member Cirelli. We're now under Agenda Corrections and Changes and Members of Council as you always are, you're be asked to suspend Rule 22A to add the 2nd Reading of Ordinance 6. Ordinance #7 will be retained in Committee. Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to add 2nd Reading Ordinance #6 with 7 staying in Committee.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add 2nd Reading Ordinance 6 to tonight's Agenda, Ordinance #7 will be retained in Committee. 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, the motion carries. Rule 22A is suspended and the Ordinances are a legal part of your Agenda. _____

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. We have one Public Hearing this evening. We have one Public Hearing this evening, it is scheduled for 7:30 and it's AN ORDINANCE AMENDING

MINUTES OF THE MEETING MARCH 7, 2011

ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY; THE PLANNING COMMISSION HAS RECOMMENDED APPROVAL OF THE SAME AT 1700 55TH ST NE FOR GERVASI VINEYARDS FROM MA (MUNICIPAL AGRICULTURE) TO PMA (PLANNED MUNICIPAL AGRICULTURE) IN WARD 8. Is there anyone in the audience wishing to speak for or against this Zone Change, would you please come forward. Okay, is there anyone, again in the audience wishing to speak for or against this Zone Change. Seeing no one step forth, the Chair declares this public meeting is over and the matter will now rest in the hands of Council. And I just want to say that we're so pleased tonight to have Ted Swaldo and his son Scott here, who are the brains and the masterminds behind probably one of the coolest places in Northeastern Ohio, if not the State of Ohio, really, if not the Country. It's like going out to a different place. So, we want to thank you for being here and since you are here and rather than making you sit here all evening. We're going to go right to Ordinance #8. So, Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 8.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 8. Are there any remarks?

CLERK TIMBERLAKE: Would you like that read?

MEMBER DOUGHERTY: Please.

PRESIDENT SCHULMAN: Madame Clerk.

#8. (3RD RDG) **ADOPTED AS ORDINANCE NO. 34/2011** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (1700 55TH ST NE, GERVASI VINEYARD)

PRESIDENT SCHULMAN: Thank you Madame Clerk. So, it's been moved and seconded to pass Ordinance #8. Any other remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#8 ADOPTED AS ORDINANCE NO. 34/2011

PRESIDENT SCHULMAN: The motion carries and the Ordinance is adopted. And thank you again very much for all that you do for Canton. We really appreciate it.

(INAUDIBLE FROM THE AUDIENCE)

PRESIDENT SCHULMAN: Yes Mr. Swaldo, sure. Come on up and give us your name, although I've said it

MINUTES OF THE MEETING MARCH 7, 2011

and your address and we'd be happy to hear from you.

TED SWALDO: My name is Ted Swaldo, I live at 7170 Farmdale Avenue in North Canton. First of all I want to thank you for approving this tonight. We're very excited and looking forward to getting started. I wanted to go on record and say that I'm not a developer and when I approached the different departments of Canton City, I'm pretty stupid about this whole thing and how you go about doing these things. And I want to tell you that your departments in your City were extremely helpful to me. I went there, I told them what my vision was, what my idea was and they took the time to explain to me the processes that I had to follow in order to get our project through. So I wanted to tell you they did a great job. So thank you very much, I appreciate your time.

PRESIDENT SCHULMAN: Thank you, again thank you.

(APPLAUSE)

OLD BUSINESS

PRESIDENT SCHULMAN: Okay, we're now under Old Business. Director Price, is there any?

CHIEF OF STAFF PRICE: Yes, thank you Mr. President. I'm going to cover the Public Speaks we had last night, first...or last meeting. First though I wanted to share with you what I think is some interesting information and some good news associated with what we generally consider of course bad news and that was our recent flooding event in the City. There is a gauge located at the Martindale bridge that's maintained by the US Geographical Survey that monitors both the depth and volume of water flowing through that area along the Nimishillen or the...yeah. We have the data from that gauge and I wanted to give you the comparison between the recent flooding event and 2003 and then another more serious flooding event we had in 1959. That gauge has been operating at that point in some form or another since that time. During the most recent flooding event, the depth in the early morning hours peaked at 6.82 feet with a peak flow of 2,500 cubic feet per second. Comparing that to the flooding event in July of 2003, the maximum depth 8 years ago at that time was in fact less, it was 6.63 feet with a peak flow of only 16,00 cubic feet per second. The flooding event in 1959, the depth of that same station was only 6 ½ feet compared to the 6.82 feet we experienced in the most recent flooding event. And what I would pass along to you and Mary Cirelli happened to be at our last Public Works meeting and there was some in depth kind of postmortem amongst the department heads regarding that flooding event. And while these flooding events occurred certainly at different times during the year and those peak flows and depth are not the only indicator of the severity of the event. Because in 2003 we actually had more rain fall, the peak wasn't as high but we had around 4 inches, which was much heavier than this most recent event but that data still suggests that the changes that the City has made spanning now 2 Administrations and I'm sure some of you folks on Council were here as well and I want to pass along the same compliment I passed along the same compliment I passed along to the department heads, it's difficult from Administration to Administration and over the years to maintain a storm management program and stay focused on bettering that system, you know, as priorities change. But given your commitment to the Fair Hope Nature Preserve, which is essentially a retention base and that's what it was first and foremost that we've been able to turn that into a preserve is kind of icing on the cake. But the City's commitment to this situation over the years clearly, had we not implemented, and we being the City over...over, you know, multiple Council's and multiple Administrations, had we not stayed on target as a City with storm water management, this most recent event, while bad could have been far worse. And so the good news is the

MINUTES OF THE MEETING MARCH 7, 2011

changes you've authorized over the years and the things that have been done have certainly made a difference. When a peak flow, it's the highest flow we've had there according to the USGS and as I pointed out, it's the highest flow our Water Reclamation Facility has ever seen. And so, given that event, I think that is good news for us that those changes have...have truly made a difference. Going to Public Speaks from last week, we heard from Joe Thompson regarding the Code Enforcement process. I do know that the Safety Director spent 10 or more minutes with him after the meeting, I think I see Mr. Thompson out there, I don't know if that addressed all of his concerns but I know that Mr. Ream did speak to him. Pete....I think it's DiGiacomo was concerned about the problems at the teen club that opened at Pastime Inn and relayed his concerns, I know that the Safety Director heard those and has passed those along to the Police Department. Roger Zachary and Gus Mackey raised concerns about flooding issues in Georgeview Estates. As Mr. Zachary pointed out, that is nothing new and he had me at the site, he has been sort of advocating on behalf of that neighborhood now for sometime. The..what I'll call the big fix that Mr. Zachary is advocating for, which would tie in on I think on 4th....but to a...bottom line is, he wants Hamilton tied into a trunk storm sewer line that would cost well over a million dollars to do. It's a fix that while...and...and, this is per the Engineering Department. It's a fix that the Engineer's Office is not confident it will fix the specific problem that they've got in Georgeview Estate. However, I can tell you that our Development Director, Fonda Williams, was out in the area the day after, my understanding is that Fonda and Chris Barnes from the Engineer's Office, they are going to go out there I believe tomorrow and take another look at this situation. To Mr. Zachary, you know, another visit, another meeting but in talking with Fonda and in talking with Chris Barnes, they are looking at another potential solution that maybe less money. It would be a different solution Mr. Zachary than the....than the kinda quick fix or band-aid fix as you've described it that would take the line from the french drain to the storm sewer basin there in your allotment, which you didn't think would fix the situation. It would be a different solution to that. They're going to go out there, they're going to discuss it. They don't have cost estimates yet but I guaran...it would involve a more detention or retention basin installation. It would be a heck of a lot cheaper than tying into a storm sewer that we're not really sure would fully correct the problem. And so, while I know you've been working on it for years and the last think you probably want to hear is we're sending somebody else out for a meeting. I think that we are moving in the right direction. This situation at least in this Service Director's opinion is...is a combination of a poorly designed drainage system for the allotment combining with subdivision regulations in the '90s or early 2000s, whenever this subdivision was built that predate the requirements we have now to run individual lot grading and drainage through our subdivision review process. When this allotment was built, you didn't have to do that. And so, that allotment fully complied with our subdivision regulations at the time but those regulations at the time did not force the individual lots and those builders to tell us how they're going to drain it and how they're going to grade it. And so, while I don't want to pass the buck, I also do want to point out, I mean this is a problem that's been in...in...a problem for a long time and I would love nothing more than to be the Service Director who can sign the paper that fixes it. The issue is always money and...and we're looking at over a million dollars to tie into that trunk, I don't know that, that'll work but it sounds like Engineering, given the continued advocacy by Mr. Zachary, may have another plan. And I guess that's all I can add at this point. There will be folks out there looking at again tomorrow. Jennifer Lewis had questioned why her street, which was 13th NE had not been plowed during the last two snowstorms. I did talk with the Street Department, we believe that according to our records, it was plowed. But I certainly put that on their radar and if...if it was not, we don't want that to happen again. We show that it was but I've asked them to pay more attention to that area given her concerns. Thank you.

PRESIDENT SCHULMAN: Thank you Director, very much.

MINUTES OF THE MEETING MARCH 7, 2011**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We're now under Public Speaks. We have a four speakers signed up this evening. Our first speaker is one who was identified by the Service Director, Joe Thompson. Mr. Thompson, if you'll step forward, give us your name and your residential address and I would just remind you again sir, there is a 3 minute limitation, so thank you.

JOE THOMPSON: Yes, yes, thank you. My name is Joe Thompson, I live at 318 Schwalm Avenue NE, Canton, Ohio and I'm here to readdress the Ordinance 1351.01, which last week I did talk to the Safety Director, we didn't come to any agreement, I even slightly talked to our Law Director but I still haven't had my questions answered. That's why I'm here now. And I wanted to first of all, tell you that the way this was brought to me, the way I even heard about this was when I got a letter in the mail on February 12th okay, of this year. I understand that you guys had passed this Ordinance on January 11th which automatically would eliminate any chance of anyone having a referendum on this law which is crazy. And that doesn't give us due process, that doesn't give us the chance, I know that this has been going on for a longtime. I know that probably last year when it was brought up by our Code Enforcement Executive, Mrs....what's her name Cav....Cavanaugh? Okay, and I was told "Well it was in the paper." "Well it was on the news." Well, I don't get the paper and I don't look at the news, I look to you to inform me, just like you informed me on February 12th that I had 2 weeks to pay this fine or be penalized triple the amount and just like I heard on February 12th that my last time that I had my house checked by the Code Enforcement, that was eliminated. And just like I heard the last time...well on February 12th that this Ordinance was...was...was originally supposed to be \$150.00 I understand and it went down to \$100.00. What I...what I want to talk about just briefly, I know I ain't got but a second or two, is that the way that this was presented to us was not fair. And like I asked the Safety Director over and over again, I said "Well what about banks, what about mortgage companies, what about realtor...ah...real estate companies, were they affected?" And your language alone says that all nonresident owners, okay? And I want and talked to 4 bankers this past week, I talked to 1 mortgage company and they all said that until that title changes hands, that ownership belongs to the bank. The ownership belongs to the mortgage company but to my...to my understanding, they were not included in this. And then, you have to understand, you're losing thousands, if not hundreds of thousands of dollars. And some of these mortgage companies, some of these banks, some of these holding companies, they're the worst violators of these eye sores that we see around here. I know I don't have much time but I said, the only alternative that I have is to try to get the initiative petition going. I have to do that, that's my due process. But the next time that you guys put out a law, let the people vote on it. Don't...okay, you can have representation but make sure that you have a consensus of all the people and not through the Repository, I put a letter in the Editor trying to explain my situation. And yeah....okay.

PRESIDENT SCHULMAN: Well I gave you an extra 30 seconds.

JOE THOMPSON: Thanks, I appreciate it.

PRESIDENT SCHULMAN: You're welcome. Thank you. Our next speaker is Christine Peterson, Miss Peterson, good evening. If you'll give us your name, despite the fact that you don't have to but, your name and your residential address.

CHRISTINE PETERSON: My name is Christine Peterson, address is 1319 14th Street NE, Canton, Ohio. Mr.

MINUTES OF THE MEETING MARCH 7, 2011

President, Members of Council, Mayor and Administration, good evening. It is with great honor that I am standing here again for the third straight year to present you with a valuable resource. This resource supplies each of you truth, truth that offers guidance, understanding, wisdom, hope, joy, peace and forgiveness. Seek God for the City 2011, Prayers for Biblical Truth is a tool being presented to you as a compliment from the House of Prayer Restoration House Ministries International, Gateway Church in Canton, Ohio. It is to be read daily beginning March 9th, Ash Wednesday through April 17th, Psalm Sunday and it's to pray for your City, Nation and the world. It also provides Guidance for everyday living. I believe at this time, with the upcoming May primary election, the truth is very important for the future of Canton and its citizens. Truth can offer hope to a City that is currently experiencing financial restraints, gang population and related crime, struggling businesses and a reduction of its safety forces. Mayor, the truth does bring healing and healing brings freedom. Freedom not to be concerned with your opponents upcoming campaign agendas and concerns about their resurrecting the past. Mayor, the truth will set you free to conduct your campaign with honor, truth and integrity and without you doing the resurrecting. You must stop resurrecting the past, the past must go and the future of this City and the citizens must be the vision. Council, pray and seek daily for your City and your constituents, show them what hope and truth will do. Truth through prayer provides you freedom to wise and responsible governance of this City. I pray this resource will be used daily by each of you to seek God for Canton, Ohio. May it be a blessing. Thank you.

PRESIDENT SCHULMAN: Thank you. Thank you Christine very much. While we're passing out the books, our next speaker is Ernest Moles. I believe I pronounced that right, Mr. Moles, good evening, at least I hope I have. If you'll step forward and...as soon as they let you out back there. If you'll step forward and give us your name and your residential address please. And good evening.

ERNEST MOLES: Good evening. My name is Ernest Moles, I live at 610 Shoen Avenue NE, Canton, Ohio but I live in the Township. I live right behind Georgetown Estates. Every time it rains...I've lived for 25 years, now I'm getting flooded. I haven't had no water problems until they built the homes there. Now, it seems like I'm on my own because I'm in the Township. I called, make phone calls, make phone calls and I never got a phone call back. And I'd just like to problem situated...taken care because it backs...see I'm on septic if that septic explodes, somebody is gonna have to clean it up and it's not going to be me. Now, I don't know what the situation is with them building them homes there but now I'm getting flooded. My whole backyard looks like lake. Mrs. Richardson lives on Wood Owl, she looks like she got a lake back there. If it's hitting my septic I don't know what I'm going to do. I don't have the money to, you know, have that all cleaned up and stuff. I called the Township, the Township can't help me. So who is going to help me, that's what I'd like to find out.

PRESIDENT SCHULMAN: Did you say sir...sir, do you live in Canton Township or Canton City?

ERNEST MOLES: When they built the homes there in Georgetown Estates they went around me. Now there's one, two, three, four houses in the Town..in the City.

PRESIDENT SCHULMAN: You're saying the drainage from the City properties are coming onto your property, okay. I just wanted to be clear. I'm sorry.

ERNEST MOLES: I don't know what I'm going to do, now my insurance, my home insurance, they told me

MINUTES OF THE MEETING MARCH 7, 2011

why don't I have a drain in my shed, I said "Why should I have a drain in my shed, where is it going to go?" It don't go no where, it's backing up towards me. See and I asked to go in the City a long time ago when Mr. Purses was there. And I told him, I said "You get me on sewer, I'll be glad to go in the City." Nobody don't want to put me in the City.

PRESIDENT SCHULMAN: Did you say your close to the Georgetown Estates?

ERNEST MOLES: I am right behind Mr. *(inaudible)*

PRESIDENT SCHULMAN: Okay, did you hear Director Price talk about the water problems?

ERNEST MOLES: *(Inaudible)*

PRESIDENT SCHULMAN: No, did you hear him tonight sir?

ERNEST MOLES: Yes.

PRESIDENT SCHULMAN: Okay, alright.

ERNEST MOLES: They build something up on Hamilton, that's really going to flood me out, I mean, I don't know what they're going to do.

PRESIDENT SCHULMAN: Alright, well if you'll stick around, we'll be here after the meeting and your time is up then. I'm not trying to...I'm not trying to push you out but stick around. We're all here after the meeting, the Service Director, Safety Director, the Mayor, the Administration, Council Members, we'll try to see what we can do for you. Alright?

ERNEST MOLES: Thank you very much.

PRESIDENT SCHULMAN: Thank you very much sir. Our last speaker is Louis Shurman. Mr. Shurman, good evening. If you'll give us your name and your residential address please and welcome.

LOUIS SHURMAN: Thank you. My name is Louis Shurman, I live at 1627 North Market.

PRESIDENT SCHULMAN: Sir, you're going to have to pull that micro...you're kind of a quite talker so you're going to have to pull that in there a little bit. There you go. Thank you.

LOUIS SHURMAN: Can you hear me now?

PRESIDENT SCHULMAN: Go ahead.

LOUIS SHURMAN: Louis Shurman, 1627 North Market Avenue. My topic is lack of police response to an apparent crime wave that's sweeping Canton. I want to point out right off the bat that our Policeman, I believe, work probably as hard or harder then most of the other service people in town from what I've seen. My brother was a Policeman...

MINUTES OF THE MEETING MARCH 7, 2011

PRESIDENT SCHULMAN: Member Horner, do me a favor, sir we're going to let you hold that microphone. We cannot hear you and it's not helpful if we can't hear you and....just put that right up...

LOUIS SHURMAN: Yeah.

PRESIDENT SCHULMAN: There ya go.

LOUIS SHURMAN: Sort of like karaoke. (*Laughter*) But...did everybody hear my main address was the lack of police response to an apparent crime wave that seems to be sweeping Canton. I believe the Policeman work very, very hard but it's a lack of priority among other things that is making our policy a failed policy. I see we've got about a 1,000% increase in heroin deaths. And from what I'm hearing from the people that I know at Mercy Hospital, the near deaths or the treatments support this. They say that heroin and hard drugs are just rampant in Canton. The Police that do the patrols, we're talking about 18 men out of 140 man police force. They spend about all or half their time on burglaries and this is basically documentation. There is very little enforcement, they just can't catch...seem to catch these people. They say that they're undermanned, they've got 140 man Police Force, they used to have 200, that's when we had more population but everybody, all businesses are having to do more with less. I see that we've got 400% increase in traffic citations. From what I'm in the Courts, this is seatbelt violations, driving over the painted line, expired license plates, at the like. And I really don't care if my neighbor has expired license plates, I don't care if he don't wear his seatbelt once in awhile, if he's driving over the painted lines, that's not so bad. But I am very concerned about the violent crime that's just going unchecked in the City and burglaries which directly effect me. I'm seeing stabbings on a regular basis in the paper. The Police are aware that there's a couple of very active arsonists in town. As a property owner that scares the hell out of me and I can see their work all over town. There's robberies, burglaries, molestations, in the like. In 2010, I filed 14 Police reports on my properties and representing a loss of about \$64,000.00 in personal property. I have homes all over the City but the bulk of the expense was in 5 homes that I own in Ridgewood, which is supposed to be one of the better prop...one of the better neighborhoods.

PRESIDENT SCHULMAN: And you have sir, about 15 seconds left.

LOUIS SHURMAN: Okey dokey. This year I've got 5 reports in and it's much the same. I knew I was going to take up all my 3 minutes on this. But I had recommendations, which would take about 2 minutes if somebody wants to ask the question on it, on proven technology that would take us from a 3% conviction rate on burglaries involving copper piping and catalytic converters and electric wire would take us to a 95% conviction rate and give us the equivalent eventually of 9 extra Policeman on our Police force just on a basis of time that it would free up. Thank you for listening.

PRESIDENT SCHULMAN: Thank you very much sir. And if you would stick around until the meeting is over, I think some of us may like to hear your idea.

LOUIS SHURMAN: I'd be glad to. I wrote a letter on this (*inaudible*) Safety Director's office but I doubt if it was read but I'll stick around.

PRESIDENT SCHULMAN: Okay, thank you and thanks for coming down and sharing your concerns.

INFORMAL RESOLUTIONS

MINUTES OF THE MEETING MARCH 7, 2011

PRESIDENT SCHULMAN: We're now under Informal Resolutions. We have two this evening, our first is Informal Resolution 10, Opposing House Bill 133. Leader.

#10. COUNCIL-AS-A-WHOLE: OPPOSING HOUSE BILL 133. - ADOPTED

MEMBER DOUGHERTY: Mr. President, I move we adopt Resolution #10.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 10. Any remarks?

MEMBER CIRELLI: Mr. President, may we have our Clerk of Council read it please, thank you.

PRESIDENT SCHULMAN: Yes, Madame Clerk.

CLERK TIMBERLAKE: The passage of House Bill 133 would create the Oil and Gas Leasing Board and establish a procedure by which the Board may enter into leases for oil and gas production on land owned or under the control of a state agency for the purpose of providing funding for capital operating costs for the agency; and *WHEREAS*, Drilling on state lands would negatively impact the aesthetics and environmental qualities of state lands; and *WHEREAS*, The natural beauty of our State parks should be preserved; and *WHEREAS*, Allowing such drilling could adversely affect our water, air and land through potentially serious nuisances and pollution of various types; and *NOW, THEREFORE, BE IT RESOLVED* that we, Members of City Council of Canton, Ohio go on record opposing House Bill 133 which would allow drilling in state owned recreational and park lands.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Any remarks other than that, Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. I know that all of Council is going to support this because to me and I think everybody else, our State parks are kind of like sacred places that we want to keep them as they are for the betterment of our youth, for the people today and for the people of tomorrow. I don't think we need to turn them into commercial developments. Thank you sir.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Any other remarks? Hearing none, by voice vote, all those in favor of Informal Resolution 10, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #10 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it and the Resolution carries. Thank you Member Cirelli. We're now on Resolution #11. Leader.

#11. COUNCIL-AS-A-WHOLE: RECOGNIZING THE CANTON COMMUNITY KIDSUMMIT AGAINST DRUGS FOR THEIR COMMITMENT TO OUR YOUTH. - ADOPTED

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

MEMBER PRATER: Seconded.

MINUTES OF THE MEETING MARCH 7, 2011

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 11. Are there any remarks under this Resolution? Member West.

MEMBER WEST: Yes Mr. President, can I have that read please.

CLERK TIMBERLAKE: Certainly. *WHEREAS*, Canton Community KidsSummit Against Drugs, Inc. has now surpassed the \$1,000,000.00 mark in their 20 years of service from local, state, and federal funding; and *WHEREAS*, There have been over 2,000 Stark County families with children ages eight through adolescence to receive the benefits of these helpful agencies; and *WHEREAS*, Canton Community KidsSummit Against Drugs, Inc. was established in 1990 to increase self esteem, recognize and resist negative peer pressure; understand strong family relationships; respect and obey laws and value and maintain sound personal health; and *WHEREAS*, The mission of Canton Community Kidsummit Against Drugs, Inc. is to engage in community-based, culturally sensitive addiction prevention activities; promote a drug free, productive lifestyle and create an awareness of the problems associated with the use and abuse of substances; and *WHEREAS*, This customer driven, non-profit, community and faith based agency continues to help in education, training, awareness and alternatives for the youth of Stark County. *NOW THEREFORE BE IT RESOLVED* that we, Members of Canton City Council, do hereby go on public record recognizing **Canton Community KidSummit Against Drugs** for their efforts in promoting a drug free environment for the families of Stark County.

PRESIDENT SCHULMAN: Thank you Madame Clerk. All those in favor of Resolution #11, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #11 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the Motion carries. Member West, you have a plaque I believe to give out? Good.

MEMBER WEST: Many of you guys who've lived in Canton for sometime know Joe. Everybody knows Joe because anytime there is something to do with children, Joe is in the room. Anytime there has to be something to do with improving a neighborhood, Joe is in the room. When it comes down to alcohol and drug prevention, drug is....drugs? *(Laughter)* Joe is in the room. He's definitely here and I gotta say this, I was happy to hear that they had an event that honored their organization that's been working in our community for over 20 years. That to me is significant for a non-profit organization, especially during hard economic times. Many organizations go by the wayside because they don't have the resources but what I've learned working in the same community, people like Joe have done so much with so little for so long that they're capable and able to do almost anything with nothing. So, we should give him a hardy round of applause and give him a chance to speak.

(APPLAUSE)

JOE PARIS: Thank you Councilman West and all the luxurious Members of the Council and our Mayor and some of the Councilman that I've worked with down through the 20 years that I've been associated with KidSummit and Project Rebuild and a couple other non-profits down through the years and to my wife. When I got the call tonight from Mr. West, I had to consult my wife because this is our date night, you understand, so we have to go to the movies when we leave here. *(Laughter)* Without her, I would not be at the place I am

MINUTES OF THE MEETING MARCH 7, 2011

today and I am really thankful for that and I want you to know that I appreciate your help and your support and you never want to give her permission (*inaudible*) it's kind of like a preacher, you know, we always got something to roll out to you and let you know that you can make a difference in a young person's life just by setting a good example as an adult. We don't only serve youth, we serve families in Stark County with children between the ages of 8 through adolescence and we're doing it through the funding of the Mental Health and Public Services Board, whom we also thank very much. Thank you.

PRESIDENT SCHULMAN: Thank you. And I know you two are excited to be here on your date night. This is probably the most exciting date night you've had, I don't know, maybe 3 days or so. (*Laughter*) But you do not have to stay, so you will not hurt our feelings if you leave and go out and have a great time and thank you again.

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED MARCH 7, 2011.

70. AUDITOR MALLONN: MONTHLY RPT BY FUND 2/1/11 - 2/28/11. - RECEIVED & FILED
71. AUDITOR MALLONN: YEARLY RPT BY FUND 1/1/11 - 2/28/11. - RECEIVED & FILED
72. COMMUNITY DEVELOPMENT DIR WILLIAMS: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A FUNDING AGMT W/J.R. COLEMAN UTILIZING CDBG FUNDS IN AMT OF \$125,000.00 TO PROVIDE FACADE AND STREETScape IMPROVEMENTS ALONG THE MAHONING RD CORRIDOR. - COMMUNITY & ECONOMIC DEVELOPMENT AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
73. DEVELOPMENT DIRECTOR TORRES: AUTHORIZE SAF DIR TO ENTER INTO COOP AGMT BETWEEN CITY OF CANTON & SMHA IN AMT NOT TO EXCEED \$40,000.00 FOR PURCHASE AND INSTALLATION OF SECURITY CAMERAS AT REFURBISHED SMHA SITES FUNDED WITH CDBG-R DOLLARS. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
74. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D1 D2 D3 LICENSE FOR JASMINE ASIAN BISTRO LLC DBA JASMINE @ 1122 30TH ST NW. - RECEIVED & FILED
75. MAYOR WILLIAM HEALY: ADVISING OF RE-APPT OF MR. DANNY THOMPSON TO COMMUNITY REINVESTMENT AREA HOUSING COUNCIL FOR 3 YR TERM FROM 3/1/11 - 2/28/14. - RECEIVED & FILED
76. MAYOR WILLIAM HEALY: ADVISING OF APPOINTMENTS TO MAYOR'S NEIGHBORHOOD COMMISSION. - RECEIVED & FILED

MINUTES OF THE MEETING MARCH 7, 2011

77. REYNOLDS, BRAD: RECEIPT BY GOVERNOR'S OFFICE OF RESOLUTION #1 (HYDROFRACKING). - RECEIVED & FILED
78. SMITH, CHRIS WARD 4 CNCL MBR: REQ LEGISLATION FOR A STREET NAME CHG OF NIMISILLA COURT SE FROM SHERRICK RD TO THE DEAD END OF NIMISILLA COURT SE CHANGED TO WILBUR ALLEN JR AVE SE. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
79. TREASURER SCHIRACK: RPT OF THE PARKING METER REVENUE FOR FEB 2011. - RECEIVED & FILED
80. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY-INS FOR AMBULANCE LOCK BOX ACCT FOR FEB 2011. - RECEIVED & FILED
81. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 2/28/11. - RECEIVED & FILED
82. WEST, THOMAS WARD 2 CNCL MBR: REQ LEGISLATION FOR RETAINING WALL TO BE BUILT ON RISHER CT NE BETWEEN IRWIN AND 9TH STREET NE. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: Next on the Agenda is First Reading Ordinances. Let the Journal show that all Ordinances are being given their reading as required by State Law. Madame Clerk would you please read the First Reading Ordinances by title.

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

- #1. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (NSP - \$110,783.74)
Referred to Community & Economic Development & Finance Committees
- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (YOUTH DEVELOPMENT - \$3,513.62)
Referred to Community & Economic Development & Finance Committees
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AMENDED FUNDING AGREEMENT WITH MULTI-DEVELOPMENT SERVICES UTILIZING NEIGHBORHOOD STABILIZATION PROGRAM (NSP) FUNDS IN AN AMOUNT NOT TO EXCEED \$20,000.00 TO BENEFIT LOW AND

MINUTES OF THE MEETING MARCH 7, 2011

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

Referred to Community & Economic Development Committee

- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CHANGE ORDER WITH ENVIRONMENTAL MANAGEMENT SERVICES IN AN AMOUNT NOT TO EXCEED \$56,154.56 FOR ADDITIONAL COSTS RELATED TO THE LEAD SMELT PROJECT AT THE STEIN INDUSTRIAL PARK; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, APPROPRIATION TRANSFERS AND INTERFUND TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (NECESSARY TO CONTINUE TO OPERATE THE CITY EFFICIENTLY)
Referred to Finance Committee

PRESIDENT SCHULMAN: Thank you Madame Clerk.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for their Second Reading, Madame Clerk will you please read Ordinance #6.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #6 FOR ITS SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (ORDINANCE #7 RETAINED IN COMMITTEE)

- #6. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY \$50,818.42 TO JWF SPECIALTY COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #7. (2ND RDG) ***RETAINED IN COMMITTEE AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH GATEHOUSE OHIO MEDIA, INC. FOR PROFESSIONAL SERVICES TO MANAGE THE LAYOUT, AD SALES, PRODUCTION AND PHYSICAL DISTRIBUTION OF THE CITY'S QUARTERLY NEWS PUBLICATION; AND DECLARING THE SAME TO BE AN EMERGENCY***

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Next on the Agenda is Ordinances and Formal Resolutions for their Third and Final Reading and vote. Madame Clerk, will you start with Ordinance #9.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #9 THROUGH #10 FOR ITS THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

MINUTES OF THE MEETING MARCH 7, 2011

#9. (3RD RDG) **ADOPTED AS ORDINANCE NO. 35/2011** 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

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance #9.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #9. 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.

#9 ADOPTED AS ORDINANCE NO. 35/2011

PRESIDENT SCHULMAN: Ordinance #9 is adopted. Mayor, you wanted to make a comment?

MAYOR HEALY: Yes, thank you Mr. President. With us in the audience we have Brother Dave from Trinity Gospel. He's here and also one of his partner sister churches, Cathedral of Life and I believe you have the Pastor from Cathedral of Life with you. They both together have joined us the last couple of years, I certainly want to thank you for that and if you want to share with us today. Thank you.

BROTHER DAVE LOMBARDI: Yeah, I really would like to thank the Mayor and Mr. Torres and all of you and Council for voting this. Last year when you gave us the \$25,000.00 grant, we were able to facilitate in a fair way, some of the neediest people in the community. Not only did we utilize the \$25,000.00, we added to that, the two churches, \$20,000.00 which gave us a total of \$45,000.00. And thank you, it seems like not very much to people who have a lot but I had a lot of people thank us profusely and I saw some guys that had masters degrees, one guy was an Engineer, a Civil Engineer that had been laid off, used up all his unemployment, he was glad to get the \$20.00. It doesn't seem like much but when you're broke, it seems like...And I want to thank you, I thank you for the confidence you have in us to fairly distribute that and just give you thanks.

PRESIDENT SCHULMAN: Well we want to thank you for all the good things that you do for our community. Thank you Brother Dave.

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Oh, I'm sorry Mayor.

MAYOR HEALY: Thank you, just a follow up. One of the things that I'd like to point out in why this has been so successful for us is because the City has put up funds, which of course they had a huge match to, but

MINUTES OF THE MEETING MARCH 7, 2011

they put up the volunteers and that allows for every cent that we put out there to go to somebody in need where we're not paying money to administrate for workers and so on. So, again I just want to thank them and all their volunteers.

PRESIDENT SCHULMAN: Thank you Mayor. We're now under Ordinance #10.

#10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 36/2011** AN ORDINANCE AUTHORIZING THE LEASING OF AVAILABLE SUBFLEETS OF THE CITY'S 800 MEGAHERTZ COMMUNICATION SYSTEM; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, 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 this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 36/2011

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #10 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Our next point on the Agenda is Announcement of Committee Meetings. Member Hawk.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you good sir. The Finance Committee will meet Monday, March 14th at 6:30 PM in Council Chamber. Thank you very much.

PRESIDENT SCHULMAN: Thank you Member Hawk.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

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

MINUTES OF THE MEETING MARCH 7, 2011

PRESIDENT SCHULMAN: Thank you. And Member Cirelli, you have an important announcement I know.

MEMBER CIRELLI: Thank you Mr. President. This Thursday, March 10th from 4:00 until 7:00 PM, we're going to have a meeting on the horizontal hydrofracking/oil and drilling that has been a very controversial issue and I want to invite all the Council People, all the general public. We're going to have some people here that will be speaking on the positive side of it and we will have, unfortunately, we're only going to have one person on that because they're having a big yearly meeting of the oil and gas companies down in...with our State Legislature on the same day, so they apologize and couldn't make it. And I didn't get that confirmation until 4:30 today. But we have some people coming in to apprise the general public and what have you. There will be a gentleman that passed the...a Councilman from Pittsburgh, Douglas Shields, that got a Ordinance passed there. We'll have Mr. Ben Price whose from an environmental committee and then we'll have Dr. Stoles who will speak on the technical issue of things. So, I hope we have...everybody is welcome...will come bring their questions and maybe help educate everybody on something that is very important. Thank you.

PRESIDENT SCHULMAN: Great, well Member Cirelli, you've done a magnificent job of researching this for all of this both pro and con and I know I'm looking forward to the meeting. Mayor.

MAYOR HEALY: Thank you Mr. President. Just a reminder, we do have our second monthly Finance Meeting that's going to be tomorrow from 5:30 to 7:00. This one will be at the Southeast Community Center. You should have all been notified long before now but just a reminder. It is open to the public and we, at the last meeting, asked for recommendations, suggestions. We received over 90 recommendations and we'll have a chance to present them and kind of go through them for the first time. So, I look forward to seeing you all tomorrow.

PRESIDENT SCHULMAN: Thank you Mayor.

MISCELLANEOUS BUSINESS

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

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West, sorry.

MEMBER WEST: Sounded like 10 people after that.

PRESIDENT SCHULMAN: It's hard...it's weird on this...I can't pick up where the voices are coming from.

MEMBER WEST: This for the Service Director, I would have talked to you before this but actually listening to Joe earlier about the incident that happened on Route 30, my concern is 12th Street has some huge holes from the storm and we understand that the weather hasn't been too nice to fill them but if we can do something around....sometime this week, filling some of them large holes because I'm afraid that some...somebody's wheel is going to get busted or whatever. I know I keep dodging on 12th Street. So, if you get a chance just ride by there and you'll see that those potholes need filled.

MEMBER SMITH: Mr. President.

MINUTES OF THE MEETING MARCH 7, 2011

MEMBER WEST: Excuse me Mr. President, one more thing.

PRESIDENT SCHULMAN: Thank you Member West. Yes?

MEMBER WEST: Now would that, maybe this is to the Law Department. If that's a State Route, why wouldn't that be ODOT's responsibility to fill those hot....potholes?

PRESIDENT SCHULMAN: Director?

SERVICE DIRECTOR PRICE: I'm sorry, Councilman West, you're talking about 12th Street?

MEMBER WEST: Yeah....

SERVICE DIRECTOR PRICE: 12th Street is our responsibility.

PRESIDENT SCHULMAN: Anything else?

MEMBER WEST: No, I'll talk to you after the meeting.

PRESIDENT SCHULMAN: Okay. Member Smith.

MEMBER SMITH: Director Price, Mr. Zachary did not sign up to speak but he do have some concerns and some issues that he would like to discuss with you afterwards. Thank you.

PRESIDENT SCHULMAN: Thank you Member Smith.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: This is to the Mayor, referring to last weeks meeting when we had the vote of which you broke the tie, which even I think surprised yourself, I have here where you acknowledged me and then I acknowledged you back and then I quoted "Mayor Healy, does anybody on your Administration on the 8th floor make less of this amount of money?" This was referring to the \$26,000.00 to start the fire cadets. And the Mayor stated "Yes." And I then I asked the Mayor how many and Mayor Healy stated "There's four staff people on the 8th floor, one of them makes less than this, one of them makes \$30,000.00, so two of them would be in this category. So, half of our staff would be in this range, yes." But I have from the Auditor's information, however, I find only one person that makes 26,000, yes one makes 30 but nowhere could I find any other that made less in that...\$26,000.00 so I didn't know if you wanted to respond to that. And then on that very same issue I have here, the article in the paper about the finances and I had a bunch of questions with those and I didn't know if you wanted me to hold those until tomorrow night at the Finance Meeting or what have you but that's up to you Mayor.

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Thank you Mr. President. We have one person who makes \$26,000.00 that's what she started at, she's been with us for two years. She doesn't get any raises, step increases, annual increases or anything that the Police Officers would get. So, she's been at 26 from the day she started and with the wage

MINUTES OF THE MEETING MARCH 7, 2011

freezes, she's still at 26. And oh by the way, she took furloughs last year, so yeah she made under 26,000 last year. Also, Derek Gordon, who is the Management Assistant to the Mayor makes \$30,000.00 and he's been with us for three years and that's the starting wage top ends of the Police Department. So, yes we have two people, one at 26 and one at 30, both of which took furloughs last year. If that answers your question, the...if you have other financial questions, we can always talk about that, you can come up to the office, anything you have, we'd be more than happy to talk to you anytime. Thank you.

MEMBER CIRELLI: I appreciate that. Thank you.

PRESIDENT SCHULMAN: Thank you Mayor. Anything else Member Cirelli?

MEMBER CIRELLI: Thank you Mr. President. One other issue that come up, it was sort of a controversial issue and for a while, people thought it was a dead deal and that was the Corinthum column that's going to go outside there and unfortunately, I guess it's still going to go in. I understand from Mr. Kochera from the Courts, the reasoning and what have you. But I did have some people come forward and say that they thought it would of been kind of nice if they had a column that looked like a goal post since this is the Pro Football Hall of Fame and they said that they could have....we could have flied different flags of different teams that were coming here on the goal post and acknowledging this as the Hall of Fame City. So, I told them, I mean, this sounds like it's a done deal but I'll throw it out there anyhow for them. Thank you.

PRESIDENT SCHULMAN: Okay. Thank you Member Cirelli. Actually kind of a pretty crazy idea but...and I did not surprise myself Member Cirelli. I wasn't surprised, I did not to go "Oh my gosh." Where am I? Any other Miscellaneous Business? Mr. Thompson, when you stood up tonight, I was...I listened very intently and carefully. I believe that Member West was Chair of that Committee. That Committee met for a year, a year and announcements went out all over the City. We had people from the real estate sector here almost every meeting. And there were meetings between the real estate sector and Member West and the tenant community and the local neighborhoods. I'm sorry you didn't get the message, we apologize but I think it's somewhat, well this is Miscellaneous...it's somewhat unfair frankly, you know, this is a...and I think you recognize, this is a representative body and the Members of Council and the Mayor's Administration represent the will of the people or we hope so. And by and large, this Council does a magnificent job, in fact not even by and large, this Council does a really good job of staying in tune with the community and what it needs and I'm very proud of this body as well as I am the Mayor and his Administration. So, I appreciate your critique, I don't think it's quite justified but I wanted you to know that and I'll stick around if you want to talk about it later. Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: To dovetail on that. It was mentioned that, by Mr. Thompson I think, that there is a necessary point of time for referendum. We never attach emergency clauses to those Ordinances that change the Codified Ordinances. The Codified Ordinances as you all know are the ones that go in the green book and remain permanent until some future date that they're amended. We never put an emergency on those, so there is a 30 day time period for anyone to start a referendum and achieve it if they want to. Once that time period has gone by I think you mentioned initiative, which is a possibility. Some of Council Members have asked me periodically about emergencies and do we use too many and...we never put emergency clauses on changes to Codified Ordinances. We often put them on routine Ordinances so we can speed up purchases, bids, grants and all those things that should happen as quickly as possible so that we don't incur additional charges or impose delays on projects. And again, I don't want to go into it now but if anyone ever has any questions about the use of emergencies and we rarely pass things on first readings, so I think we're good in that sense. Thank you.

MINUTES OF THE MEETING MARCH 7, 2011

PRESIDENT SCHULMAN: Thank you Law Director Martuccio. Any other remarks? Leader.

MEMBER DOUGHERTY: Mr. President, just a friendly reminder to everyone that we...I would appreciate, we need to stay within the Agenda and follow it through and not readjust things as we're going. So if we're on third readings, we need to complete third readings and comments and inviting people to the microphone should be left at Miscellaneous Business. Thank you.

PRESIDENT SCHULMAN: Okay, thank you Leader. Although I'm not sure I necessarily agree with everything you said but I hear you.

MEMBER DOUGHERTY: That's fine. I move we adjourn.

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas.

PRESIDENT SCHULMAN: Meeting is adjourned. Be careful going home everybody. Thank you. (*Gavel falls*)

ADJOURNMENT TIME: 8:22 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT