

**MINUTES OF THE MEETING JUNE 20, 2011**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. We have a full Agenda tonight so we want to get started. Before we do however, we have some boy scouts in the audience, and I'd like to recognize them, they're working on their Citizenship in the Community award through the boy scouts and I'd like them to stand, Dave Jenkins, Mark Volzer and Kyle Bond, would you all three stand up, congratulations. (*APPLAUSE*) Thank you for attending. If you want to leave early, you're more than welcome to do so. 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. I'm pleased to say that tonight our invocation is going to be given by Council Member at Large Mary Cirelli. Would you all please stand and remain standing for our Pledge of Allegiance.

*The regular meeting of Canton City Council was held on June 20, 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 Mary Cirelli. The Pledge of Allegiance led by President Schulman.*

PRESIDENT SCHULMAN: Thank you Member Cirelli.

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: We're now under Agenda Corrections and Changes. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinances 10 through 21, Communications 215 and 217 from the 6/5 agenda withdrawn.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A. Are there any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: The motion carries and Rule 22A is suspended and the Ordinances are a legal part of your agenda and the Communications have been withdrawn.

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

**OLD BUSINESS**

PRESIDENT SCHULMAN: Turning to under Old Business, I'll turn this part of the meeting over to the Mayor's Chief of Staff. Chief.

CHIEF OF STAFF PRICE: I didn't have any Old Business unless there is something that you wanted to cover.

PRESIDENT SCHULMAN: Oh, okay. Anything? Good.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We'll move on to Public Speaks. We have a number of speakers signed up this evening. Our first speaker will be Dan Moeglin who we all know and love.

DAN MOEGLIN: Thank you Council Members and Administration, I live at 1320 Buena Vista in Canton. All I want to say is thank you, it's a real honor and a privilege to be a public servant and quit honestly work for all of you and that's the feeling of all of our non-bargaining management folks tonight. So, I just wanted to step up on their behalf and number one say thank you for your support all year round with the progress we try and make on your behalf and the citizens and thank you for your support hopefully on the legislation to pass this evening. Thank you.

PRESIDENT SCHULMAN: Thank you. Our next speaker is Ruby Brogdon. Ms. Brogdon, good evening, welcome as always. If you'll step forward and give us your name and your residential address please.

RUBY BROGDON: My name is Ruby Brogdon, I live at 1617 3<sup>rd</sup> St NE. I'm going to talk about the weeds in front of me, they tall as I am. And on top of that the old vacant house that needs to be torn down, it's all growed up. It's not but four houses in the 1600 block of 3<sup>rd</sup> St NE and one of them is vacant and growed up. The trees are so tall we have to peep around you can't see nothing in the street but we could see a little bit better if we could get the weeds cut. Thank you.

PRESIDENT SCHULMAN: Thank you. Our next speaker is Lee Cote. Lee, good evening, welcome. I hope I didn't take you out of order Lee, I meant to put you at the kind of the end.

LEON COTE: My name is Lee Cote, I live at 1225 41<sup>st</sup> St NW. Good evening, our neighborhood wishes to thank the Administration and the City Council for this opportunity to recognize O.U.R. Gang with the hard work they have recently done on a City playground on 41<sup>st</sup> St NW called Bernard Avenue Playground that has been dedicated to the memory of Ray Denczak, longtime City Council President who was a strong advocate of neighborhood associations. These young people have spent many hours removing wild vines and weeds that were overgrowing the chain link fence that was terribly rusted and in disrepair. Through the cooperation of the City Park and Recreation Department who supplied paint, brushes and rollers, O.U.R. Gang did a wonderful job of painting the fence and the swing set and the basketball backboards. This has been a very positive first step in revitalizing a playground that has been neglected for forty years. A beautiful sign has been erected and wonderful landscaping has been done by our Association President, Linda Poole. This playground truly symbolizes the letters of O.U.R. neighborhood, opportunity, unity and respect. It all started

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three years ago when three of our young men knocked on our door and said we need to fix up the playground. And to be honest with you, I never really looked at that playground until they came and knocked at the door and said "Something should be done." And I said "Let me take a look at it." And I went over there and you never saw such a rusty chain link fence in your life and I said "You know what, you kids are great but we've got to clear it through the playground of Parks and Rec Commission." And they were very supportive and last fall we had a group of adults, a dozen young people and a half dozen adults and I'd like to at this time have them stand as I call their name for some very worth while recognition. What you're going to see here tonight is the old and the new in the City of Canton. Our generation, as Mr. Schulman will tell you, we were brought up in the Kennedy era when people were expected to give back to their community. Now it's a me, me, me generation and I think these people are the future of Canton and we're showing that we're giving back and that's so important. I'd like to call their names and I'd like them to stand up as I call them. Ben and Joel are on vacation so Zach, I have to call you because Zach...stand up, I'm going to have them all stand up. Zach was one of the three original young men that knocked on our door and said "We need to clean up this playground." After that, I've got to call on two young people, Austin and Damian, would you please stand up. These young people were our quality control supervisors....(Laughter)...If you try painting a chain link fence with a roller, you'll find it doesn't cover the whole thing. These two young men went by and I defy you to go..they went by and touched up every spot...one was on either side of the fence and they touched up every spot that our rollers missed and I defy anyone to go and find a spot that wasn't touched and they did a great job. Austin and Damian, thanks so much. And then, now we're going to have the roller bearings, you know this is in honor of Timken, you know, you got to get the roller bearings in there, so we had, in one family, we had Joseph, Isaiah and Darrious, would you stand up please. And there father Herb, was right there...would you stand up please Herb, was right there painting right along with them. And then we had.....

(INAUDIBLE)

LEON COTE: Yeah, keep standing. And then we had Domenick and Brian and all day I kept calling Brian, Jimmy and he smiled and would do whatever I told him but it was just the other day that I found out his name was Brian. He responded well anyhow. Linda Poole, would you stand up please? She's our President and she has done a marvelous job of planting around the signs in honor of Ray Denczak and naming our playground. Would the parents please stand up. (APPLAUSE) One last thing, Bill Smuckler, will you please come up here. I have to tell ya, if you ever have Bill help you paint, he got more paint on himself then he did on the swing set but I'll tell ya, we do not have to anchor that swing set down, with four gallons of paint on it, it's not going anywhere. Bill, from the bottom of our heart, (inaudible) appreciation for your hard work on that playground and he did a great job and he took a lot of ribbing, thanks so much.

MEMBER SMUCKLER: Thank you.

LEON COTE: Thank you very much.

PRESIDENT SCHULMAN: Thank you Lee and thank all of you. I wish we had pictures, we'll all have to go out and take a look at it, particularly the swing. Alright, our next speaker is Brian Swinford. Mr. Swinford, will you come forward and give us your name and your residential address please and good evening.

BRIAN SWINFORD: I'm Brian Swinford, 2312 11<sup>th</sup> Street SW. I'm the Chairman of the board of the Southwest New Hope Neighborhood Association and I'll be brief. I know there's a lot of things that need to

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be spoken here. We are trying to help our neighborhood, we're not getting a lot of cooperation. The Police will not take reports for City Ordinance violations so nothing gets done on that end. The Law Department cannot prosecute these Ordinances without police reports so nothing gets done on that end. Police will advise contacting the Law Department, the Law Department advises contacting the Police on these City Ordinance violations, nothing gets done. Every time an officer responds to the community, it's a different officer. These ongoing problems, the officers do not have any background information on these so, nothing gets done. We have major dog issues, pit bulls, other vicious dogs, excessive barking, these problems have passed from the Police to the Law Department to the Dog Warden, nothing gets done. This is actually our number one problem in our community, vicious dogs, the excessive barking. I've been to the Law Department twice on this issue, I've had a lot of help from Jim Griffin, our Councilman. But we need the support of City Government to help fix these problems. We have a couple other things to cover real quick. We've had two shootings at 2311 11<sup>th</sup> St SW, which is directly across the street from my residence. Two of them within six months, one attempted stabbing at the same location. We have suspects on video, the Police or detectives have refused to even look at the video. We as a neighborhood association need the help and support of City Government, most of these problems have easy solutions and are covered by existing laws. But we have no one to enforce those laws. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Swinford. We appreciate you coming down. As I tell all of the public speakers, if you will stay for the rest of the meeting, the Safety Director will be here, other Administration Officials, Council Members, who are more than willing to get to the bottom of your problems. Okay, but thank you very much sir and thank you for your service to your community. Our next speaker is Mr. Charles Killins. Mr. Killins, good evening, welcome. If you'll give us your name and your residential address sir.

CHARLES KILLINS: My name is Charles Killins, I'm at 2223 Market Avenue, North, Canton, Ohio. I've been here several times regarding conditions in the City and none of them have been changed regarding the Law Director, Mayor, Safety Director and Mr. West. Remember I told you about the condition over there on 10<sup>th</sup> Street? It's still coming down, one day you'll see that wall will go right into that church. Take a look at it. And the Safety Director, I was here to see you regarding some conditions in the City and you were in a meeting and I haven't heard from you regarding that. It violates Federal Law and at this time, I don't know how many Councilman are up for re-election or have opponents against them regarding this here. And I can say, if you don't get it done maybe the next election if I decide to run, I will try to do my best to do something about it. I also have the letter that I have to send to the Federal Government regarding the laws regarding the City and the Law Director...and the Law Director, you haven't done anything regarding the falsification of the memo that you sent me regarding my property and different things. Can I get a reply from you regarding that?

PRESIDENT SCHULMAN: You can, at the end of the meeting. I'm sure Law Director Martuccio will comment on your remarks.

CHARLES KILLINS: You mean he will meet with me after the meeting?

PRESIDENT SCHULMAN: He'll be here, I promise you Law Director Martuccio will meet with any member of the public, I guarantee that.

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CHARLES KILLINS: (*Inaudible*) ...the Mayor's re-election coming up, I haven't decided who I'm going to go with, but I'm going to try to help the one that's going to do the most for the City. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Killins. Our next speaker is Jeanette Stevenson. Ms. Stevenson, good evening, welcome. If you'll give me and us, your name and your residential address please.

JEANETTE STEVENSON: My name is Jeanette Stevenson and I live in the 4<sup>th</sup> Ward. First of all, I want to extend my condolence to the parents who lost their son the other....last week. The Repository made a big deal about whether the young man would have lived if the Fire Department ambulance had been in service that day. I don't know anything about emergency medicine if he would have lived. But I was shocked to find when reading the article to find that Canton Fire Department ambulance were closed only because Mayor Healy refused to authorize overtime to the Fire Department. I was further shocked to find out how long it can take private ambulance service to take to respond to medical emergency. I'm sure it is not because they are irresponsible or uncaring, they simply do not have the resources. The Canton Fire Department does have resources however. When I call 9-1-1 now, I don't know if I will have to wait a few minutes or twenty minutes. Twenty minutes can seem like two hours if you are having chest pains or can't breath or are about to give birth. It is sad to think that it took the death of that young man to bring this issue to the attention of the media and City Council. I want to know what Council is going to do about making sure that our ambulance stay open. Since the zero tolerance of crime, things isn't working out too well. It would be nice to know that there are police and ambulance around when things do get ugly. That's all I have to say about that. But the other thing I also want to know why the water park is not being built until August in the 4<sup>th</sup> Ward, you've taken everything away from us, it looked like you would give us that water park now. The kids will be going back to school and the summer will be over. So, why are we waiting until August to put it together? They took our swimming pool, why don't you just shut 4<sup>th</sup> Ward down period.

MEMBER SMITH: (*Inaudible*)

PRESIDENT SCHULMAN: Thank you ma'am very much, thank you. Our next speaker is Martha Stockdale. Ms. Stockdale, good evening, if you'll give us your name and your residential address and welcome to City Council.

MARTHA STOCKDALE: Thank you, my name is Martha Stockdale, I live at 721 Colonial Blvd, NE. I believe the current Administration is exhibiting fiscal mismanagement in its decision to close down Canton fire, paramedic services. When this issue was addressed last year during public speaks, Council Members seemed to dismayed to learn that the Mayor was throwing away opportunities to generate revenue for the City by letting private ambulances take over. Council Persons asked for more information from the Mayor and the Fire Chief. Was that information not forthcoming? Did you not get the memo? Are your collective memories that short? Why is this issue continuing to surface? How simple can this be? I will break it down for you. Not enough firefighters are on duty on a particular day for whatever reason, vacation, some of them are over in Iraq, some of them are sick. So the Mayor refuses to pay overtime to keep a sufficient number of men and women on duty and has to close medic services and sometimes close entire fire stations. No City ambulance service means the emergency calls are turned over to private ambulances. The private ambulances are happy to get the calls and make a profit through the fees they receive. The City of Canton gives up that income, that profit because they gave up the emergency calls. We're not talking about a paltry sum of money here, based on yearly averages and

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even taking into account that a percentage of fees are never collected and even taking into account all that is involved and the roll ups, so far this year, the City has given up a profit of over \$70,000.00 because the Mayor refuses to pay overtime to the firemen. If the City is hurting for money so much, why doesn't the Mayor utilize this revenue stream? The Repository quoted Mayor Healy saying that he would not even consider hiring other firefighters to keep the fire...paramedic services open because he may have to lay them off in 18 months. I don't know any businessman or businesswoman who would turn down the potential to make a quarter of a million dollars in a year because in 2 ½ years or a year and a half, they may have to lay those people off. Is the Mayor not listening? Forget about the money aspect of it, don't Canton citizens deserve the best, most timely response to their medical emergencies? Yes, I am a Canton City Firefighter for a few more months anyway, but I am also a taxpayer and a citizen in Canton, Ohio and I would like to see Canton Fire Department provide medical services to their citizens like major cities throughout Ohio, throughout the Midwest and throughout the east, do for their citizens. Thank you.

PRESIDENT SCHULMAN: Our next speaker is Tom Shreves, Mr. Shreves, good evening, if you'll step forward and give us your name and your residential address and welcome to Canton City Council.

TOM SHREVES: Good evening President Schulman and Members of Council. I live at 2163 Preswick Drive in Uniontown. I'm the Executive Director of the National Electrical Contractor's Association, the North Central Ohio Chapter and I represent all the union contractors who work in the City of Canton. I'm here tonight on their behalf to ask for support of the amendment that was recommended by your Construction Board that amends 1313.01 and 1315.01 with regards to the one line in the Ordinance on Apprenticeship ratios that allows the third person on a job to be Journeyman. This is the only thing that the Ordinance addresses. I was at the Judiciary Committee Meeting two weeks ago and there were some ancillary issues that were discussed that weren't part of the Ordinance with regard specifically but not alone, the enforcement of the existing Ordinance. This Ordinance tonight does not address that. However, if the Construction Board were to craft or recommend additional legislation to address the enforcement, we would support stricter enforcement of the existing Ordinance. This Ordinance tonight does not address that. However, if the Construction Board were to craft or recommend additional legislation to address the enforcement, we would support stricter enforcement as I think everyone. However, tonight you're being asked to vote on one issue and only one issue with regard to 1313.01 and 1315.01 and I would once again, on behalf of the Union Electrical Contractors in the City ask for your support of that amendment. Thank you.

PRESIDENT SCHULMAN: Thank you sir, very much. Our next speaker is Fritz Sprino, I hope I've pronounced your name. Good evening sir I apologize if I've mispronounced your last name.

FRITZ SPRING: Spring is pretty hard to come up with. *(Laughter)*

PRESIDENT SCHULMAN: No, it's just hard to read sometimes. Welcome and if you'll give us your name and your residential address please.

FRITZ SPRING: Fritz Spring, my residential address is 5014 Violet Knoll NE, Canton, Ohio. I represent Spring Electric and I'd like to first say that the Apprenticeship ratio that you're addressing is you have to consider that as a blended rate which will help us to become more competitive and stay more competitive in this industry. The second thing that I'd like to say is I represent NAI Spring Realty, we work hard in this community to bring

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customers to this area and if you're representing either a owner of a building or a tenant of an existing building and you're looking at filled out costs, many times those costs comes down to a fraction of a percentage and we need to be competitive and this little thing will make us be competitive and keep us competitive and should not ignore those issues, one little percentage makes a big difference in what we're trying is generate economic development in this City. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Spring, appreciate it. Our next speaker is Joe Friedman. Mr. Friedman, if you'll come forward and give us your name and your residential address please and welcome to Canton City Council.

JOE FRIEDMAN: Good evening Council my name is Joe Friedman, I reside at 6443 Sandava Avenue, Canton, Ohio. I am your Canton Construction Board Chairman. This issue arose on a previous violation awhile back, a contractor came in who wasn't registering his Apprentice on a HUD project in the City of Canton. He was brought before our board and he claimed that he was using laborers to do plumbing work, which he then classifies plumbing work, he was digging ditches, he was knocking holes in walls, he was doing demolitions and he said that those were going to be laborers not plumbing apprentices, so he was allowed...wasn't required to register. That puts the good plumbing contractor like myself, I'm President of the Kaufman Plumbing and Heating. We've been in the City of Canton since 1913, this issue puts us in a disadvantage to these people that will pick people off the street, use them to do one job and then lay them off. When I hire an Apprentice and if I could have an extra Apprentice, which is what this Ordinance is calling for, I will keep them working through a five year Apprenticeship program that will strengthen the plumbing industry, it'll get more young people to work and I think it's a good thing for the City. Number one, it lowers crew costs, which saves the citizens of Canton money and residential and commercial buildings. So, it's a good thing for that because it will bring business in like Fritz said, sometimes a half percent is the difference between a business coming to the City of Canton as opposed to Stark County. Stark County has no Apprenticeship ratio unless it's a prevailing wage job there is no ratio in the City of...in Stark County. We have it in our Ordinance right now, it's 1 to 1 and we're asking for one single Apprentice more. I think it's a good thing, our...our Committee approved it and some of the opposition actually is part of that Committee, they approved it too. I don't know why I'm here tonight, I really think it's a no brainer, I don't know why it's being opposed, we was all in agreement with it, so somehow it got turned around to where now it's a controversial issue and I don't understand why. If you would like to ask me my reasoning behind this after the meeting, I'd be glad to talk to you. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Freidman. Our next speaker is Ron Berger, again I apologize..Berger, sorry. Good evening sir, if you'll give us your name and your residential address and welcome.

RON BERGER: My name is Ron Berger, address is 10065 Louisville Street NE, Louisville. I am a member of the Construction Board. I've told you before I've actually served the City of Canton for approximately 30 years going back to when the Construction Board was the Plumbing Examining Board and as I've told you before, the entire time I've served on these Committees was only to benefit the citizens of Canton. Again the Ordinance that you're being asked to approve for the Apprenticeship ratio was approved by the Board, asked to go to the Law Director for the correct wording to present to you. The Law Director came back, we approved the wording, sent it down for approval. Everything actually has been said that I was going to say that it benefits the citizens in Canton by saving costs. There's been some...some concern that it's going to put Journeymen out of work. It's one additional Apprentice per project, that's not going to put massive numbers of Journeymen out of work, it's going to actually give the City of Canton the benefit of training an additional Apprentice, it's going to get a well paying job that can work in the City of Canton. So, with all this in consideration, that's why the Board

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recommended that this Ordinance Amendment be approved. Again, we're trying to...we're trying to cut costs for the citizens in Canton and we're trying to educate young people and that's....that's why we made the decision to ask the Law Director to present this to you for approval and would hope that you would approve it. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Berger, appreciate it. Our next speaker is Mike Abbott. Mr. Abbott, good evening. If you'll give us your name and your residential address please and welcome to City Council, I know you've been here before.

MIKE ABBOTT: Thank you President Schulman, I won't say much, I've been here before. Mike Abbott, 53<sup>rd</sup> St SW in Canton. I've had a business in 4 Ward for 30 years now and I just want to reiterate what a few of the last guys said that we think this is best for the community and we think it's going to be good for training young apprentices and again it was overwhelmingly voted on by the Canton Construction Board, 5 to 1. The one opposition actually is not here, hasn't said anything so I'm not sure where he stands. One of the yes votes is here following me to now change his mind on the issue, so I'm not sure where we stand on that and that's really all I've got to say.

PRESIDENT SCHULMAN: Okay, thank you very much sir. Our last speaker is then is Dave Kirven. Mr. Kirven, good evening, if you'll step forward and give us your name and residential address please and welcome.

DAVE KIRVEN: Dave Kirven at 926 Wise Ave SE, North Canton, Ohio. Thank you Council for giving me a few minutes to express my opinion tonight. Council Members, I'm here tonight to ask you to vote against the proposed changes and Journeyman/Apprentice ratio. The proposed ratio will not only affect the proper training of Apprentices but will also affect the quality of work and most importantly replace older workers. As a Business Agent of Plumbers and Pipe fitters Local 94, my main responsibility is to help secure work for my members. Over the past two years we have suffered over 35% unemployment and currently we are around 10% unemployed, all being Journeyman. With the majority of my membership being at the age range of 45 to 60, I feel the proposed change will replace the older workers which are important to the training process and the quality of work performed in the City. The current City ratio, already allows more Apprentices on the job then the State ratio and 77% of the registered contractors in the City aren't using Apprentices. The new ratio will add one more Apprentice per job which doesn't seem like a lot but if there are ten jobs in process that means another ten Journeymen are out of work. Plumbers and Pipe fitters local 94 has been in existence for over 100 years and has set the Apprentice ratio that we think is appropriate to properly train our younger members and maintain work for our older Journeymen. Again, I'm asking for your support and vote against the new proposed Apprentice ratio. Now, they want to say that...the folks that are for it, they are saying, just one more guy. Alright, let's break it down let's say the first three guys, the first guys a Journeyman, the next two are Apprentices. Okay, let's go to a five man crew, that's two Journeymen, three Apprentices, okay, when we have a five man crew one of those guys is a Foreman. Okay, so 75% of his time, he's going to be...he's going to be laying out work dealing with the customer, making out time, ordering material, so that leave one Apprentice to train three Journ...or one Journeyman to train three Apprentices or to teach them the trade. Okay, now that might not sound like that bad of a deal, let's take them over to the hospital okay, my guys...my plumbers, we...we...we install and repair the hot and cold domestic water that's sanitary in vent systems, all the medical wastes, medical gas, the majority of the heating and cooling systems, is that what...you want Apprentices putting that work in? I mean, when you get up to a bigger crew, that five man crew, you're going to have Apprentices install this. I mean, do you want to take that five man crew...let's take them to a school, you can build a school with five guys...five plumbers. Do you want Apprentices building your schools because you're going to have one Foreman, he ain't going to work, you're going to have one Journeyman working, you're going to have three Apprentices working....

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FROM THE AUDIENCE: He is improperly stating the Ordinance.

PRESIDENT SCHULMAN: Well no, no, no you had your opportunity so please, thank you.

DAVE KIRVEN: Let's take that crew over to waste water...or the Water Treatment Plant, do you want to worry about the quality of your water? We do...we repair water and fire mains in the refinery. Do you want that crew of Apprentices installing that? I'm just asking of your support to vote against the Ordinance.

PRESIDENT SCHULMAN: Mr. Kirven, do me one favor, could you explain to me the difference between the experience and competency of a Journeyman versus and Apprentice?

DAVE KIRVEN: There...it's a five year program, depends what level you have, you can have anywhere from one to five year on the job. If you have three Apprentices, you probably got a 5<sup>th</sup> year, a 1<sup>st</sup> year...you know like a 1<sup>st</sup> and a 3<sup>rd</sup> and 5<sup>th</sup>, depending on what you got to do. You know alot...there might be a job where you're building an apartment complex where there's a lot of hole drilling and you know, where you're just doing manual labor where you can get away with it. But when you get into the area where you need medical gas expertise, I mean whose going to..whose gonna wa...you're not going to have people (*inaudible*). It's going to be up to the, you know, the contractor.

PRESIDENT SCHULMAN: I guess my question is a little, and then I'll let you go, I don't want to take the time but a Journeyman's experience is what versus...why is a Journeyman and Journeyman and why is an Apprentice an Apprentice?

DAVE KIRVEN: You've got to go through five years of Apprenticeship school to be a Journeyman. Okay, for our Journeymen to become Journeyman Plumbers they have to pass the City of Canton plumbing exam. You'll go...we deal with everything from plumbing, heating, welding, you know, air cond...I mean, these guys go through, they go through the ringer, it takes five years to get through. It's basically just like going through college to be a...whatever you want to be, a doctor or whatever, you got to have five years of that training that makes you specialized in that trade.

PRESIDENT SCHULMAN: Okay, thank you very much, thank you. Thank you all for your comments.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions and we have none this evening.

COMMUNICATIONS

PRESIDENT SCHULMAN: Turning to 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 JUNE 20, 2011.***

221. COMMUNITY DEVELOPMENT DIR WILLIAMS: AUTHORIZE THE ACCEPTANCE OF PARCEL #02-40007 ON 7<sup>TH</sup> ST NE AS A DONATION FROM BISHOP OF DIOCESE OF YOUNGSTOWN (WARD 4). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

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223. HEALTH BENEFITS ADMIN MCBRIDE: MNTHLY COMPARATIVE RPT FOR MAY 2011 - INSURANCE CLAIMS. - RECEIVED & FILED
224. LAW DIRECTOR MARTUCCIO: AUTHORIZE COUNCIL TO TAKE STEPS TO ESTABLISH ELECTRICITY AGGREGATION PROG & SUBMIT BALLOT LANGUAGE TO STARK COUNTY BRD OF ELECTIONS PRIOR TO 8/10/11. - JUDICIARY AND ENVIRONMENTAL & PUBLIC SAFETY COMMITTEES
225. PLANNING COMMISSION: RECOMMEND DENIAL OF PROPOSED ZONE CHG AT 634 WALKER CT NE FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS) REQUESTED BY RICHARD RODRIQUES (WARD 2). - JUDICIARY COMMITTEE
226. PLANNING COMMISSION: RECOMMEND APPROVAL OF PROPOSED ZONE CHG AT 3745 KIRBY AVE NE FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PB-3 (PLANNED GENERAL BUSINESS) REQUESTED BY LAVERNE DALE (WARD 6). - JUDICIARY COMMITTEE
227. STARK METRO HOUSING AUTHORITY: RPT TO THE COMMUNITY FOR 2009 - 2010. - RECEIVED & FILED
228. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ENTER INTO 3 YR PROF SERV CONTRACT W/WARWICK COMMUNICATIONS INC, IN AMT OF \$37,020.00 FOR ONGOING SUPPORT & MAINTENANCE OF CITY-WIDE TELEPHONE SYSTEM. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
229. SERVICE DIRECTOR PRICE: REQ ADOPTION OF ALTERNATIVE TAX BUDGET OF CITY FOR FY ENDING 12/31/12 IN ACCORDANCE W/O.R.C. SECTION 5705. - FINANCE COMMITTEE
230. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A CONSULTANT CONTRACT BETWEEN THE CITY AND W.E. QUICKSALL & ASSOC, INC FOR ORCHARD VIEW/ARGYLE - ARGYLE/HEDGE ROWS INTERSECTION IMPROVEMENT PROJ, GP 1110; MAKE APPROP TRANSFER OF \$284,100.00 FROM 4506-201001 INFRASTRUCTURE BOND FUND - SERV DIR ADMIN TO 4506-202086 INFRASTRUCTURE BOND FUND - ORCHARD VIEW/ARGYLE INTERSECTION IMPROVEMENT PROJ, GP 1110; AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO COOP AGMTS W/OTHER STAKEHOLDERS INCLUDING: OSNABURG TWNSHP, THE COUNTY ENGINEER & ADJACENT PROP OWNERS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
231. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 5/31/11. -

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## RECEIVED &amp; FILED

232. TREASURER SCHIRACK: RPT OF DEPOSITS & PAY INS FOR MAY 2011 TO AMBULANCE LOCK BOX. - RECEIVED & FILED
233. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR MAY 2011. - RECEIVED & FILED
234. TREASURER SCHIRACK: BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF MAY 31, 2011. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

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

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #9 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE DECLARING THE WEEK OF JULY 25 - JULY 29, 2011 TO BE AMNESTY WEEK FOR ANY PERSON WITH UNPAID PARKING TICKETS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Judiciary Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION AND TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (FIRE DEPT)  
Referred to Finance Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A FIRE DEPARTMENT TRAINING AND EQUIPMENT GRANT IN AN AMOUNT NOT TO EXCEED \$3,250.00; AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$6,650.00 TO SOUTHWAY FENCE COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE

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SAME TO BE AN EMERGENCY (PROBATIONARY POLICE OFFICERS)  
Referred to Personnel & Finance Committees

- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A ONE-YEAR SUPPORT CONTRACT WITH THE JAMES GROUP IN AN AMOUNT NOT TO EXCEED \$38,022.22 FOR ONGOING SUPPORT AND MAINTENANCE OF THE CITY'S ORACLE SOFTWARE LICENSES PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee

***(COUNCIL RECESSED AT 8:14 PM FOR THE COMMUNITY AND ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCES #7 AND #8; RECONVENED AT 8:35 PM)***

- #7. (1<sup>ST</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 94/2011** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION AND REDEVELOPMENT AGREEMENT WITH CANTON CENTRE DEVELOPMENT LLC; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee

- #8. (1<sup>ST</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 95/2011** AN ORDINANCE AMENDING ORDINANCE NO. 61/2011; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee

***(COUNCIL RECESSED AT 8:13 PM FOR THE PERSONNEL AND FINANCE COMMITTEES TO DISCUSS ORDINANCE #9; RECONVENED AT 8:14 PM)***

- #9. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 96/2011** AN ORDINANCE APPROVING AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND CANTON POLICE PATROLMAN'S ASSOCIATION; APPROVING A TWO-YEAR CONTRACT EXTENSION BETWEEN THE CITY OF CANTON AND THE CANTON POLICE PATROLMAN'S ASSOCIATION; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Personnel & Finance Committees

PRESIDENT SCHULMAN: At this time the Chair would declare an in house recess for Community and Economic Development Committee to meet in regard to Ordinances 7 and 8 on your Agenda this evening and Personnel and Finance Committees to meet in regard to Ordinance 9. You're under your recess.

PRESIDENT SCHULMAN: Are we ready to reconvene? Good, Council will then reconvene after the recess. Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to place Ordinances 7, 8 and 9 back

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on tonight's agenda.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend Rule 22A to place Ordinances 7, 8 and 9 back on this evening's agenda. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk, the motion carries and Ordinances 7, 8 and 9 are a legal part of your agenda. Leader.

MEMBER DOUGHERTY: Yes, Mr. President, I move we suspend the Statutory Rules on Ordinance 7.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule on Ordinance 7. 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: Motion carries. You've heard the three readings, Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 7.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #7. Any remarks.....

MEMBER DOUGHERTY: Mr. President.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: ....Hearing none, Madame Clerk roll...oh I'm sorry, Leader.

MEMBER DOUGHERTY: I move we amend Ordinance 7 per the Amendment in front of everyone.

MEMBER PRATER: Seconded.

Amendment

*Pursuant to Rule 36, I move to amend Agenda Item No. 7 by replacing the pending ordinance with the attached ordinance.*

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PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 7 per the amendment before each Council Member. Are there any remarks under that motion?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I want to stand corrected here because as I was asking the questions, actually the Ordinance and the Amendment both state that it will be 1,000 within Canton for low and moderate income applicants over a three year period, not a seven year period. So, I want that on the record sir.

PRESIDENT SCHULMAN: That's fine, thank you Member Cirelli.

MEMBER CIRELLI: Thank you.

PRESIDENT SCHULMAN: Now we're voting on a motion to amend. All those in favor, signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, Leader.

MEMBER DOUGHERTY: I move we adopt Ordinance 7 as Amended.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 7 as amended. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#7 ADOPTED AS ORDINANCE NO. 94/2011**

PRESIDENT SCHULMAN: Ordinance #7 as Amended has been adopted. Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules of Ordinance 8.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend Statutory Rules on Ordinance 8. 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.

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

MEMBER DOUGHERTY: I move we adopt Ordinance 8.

MEMBER PRATER: Seconded.

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

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Again, also on this Ordinance it states that it will be locating will result in 1,000 jobs over a three year period. Just for point of clarification sir. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Leader.

MEMBER DOUGHERTY: I move we amend Ordinance #8 per the Amendment in front of everyone.

MEMBER PRATER: Seconded.

Amendment

*Pursuant to Rule 36, I move to amend Agenda Item No. 8 by replacing the pending ordinance with the attached ordinance.*

PRESIDENT SCHULMAN: There's been a motion and second to amend Ordinance 8 per the copy before each Member of Council. Any remarks? Hearing none, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Leader.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 8 as amended. 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.

**#8 ADOPTED AS AMENDED AS ORDINANCE NO. 95/2011**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #8 as amended has been adopted. Leader.

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MEMBER DOUGHERTY: I move we suspend the Statutory Rules on Ordinance 9.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 9. 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: Leader, you've heard the three readings.

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 motion? 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. 96/2011**

PRESIDENT SCHULMAN: Ordinance #9 is adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: Moving on to Ordinance #10.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #10 THROUGH #21 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

#10. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 97/2011** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONSULTANT CONTRACT WITH GPD GROUP FOR THE 41<sup>ST</sup> STREET NW STORM SEWER PROJECT, G.P. 1126; AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (\$80,956.00 INFRASTRUCTURE BOND FUND)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules for Ordinance 10.

MEMBER PRATER: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule for Ordinance 10. Any remarks? If not, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Leader you've heard the three readings.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #10. Any remarks under this Ordinance? Hearing none, Madame Clerk again, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#10 ADOPTED AS ORDINANCE NO. 97/2011**

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

#11. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 98/2011** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONSULTANT CONTRACT WITH HAMMONTREE AND ASSOCIATES, LTD. FOR THE NE CANTON INDUSTRIAL PARK PROJECT AND TO ENTER INTO A COOPERATIVE PROJECT AGREEMENT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION (CCIC) FOR THE FUNDING AND ADMINISTRATION OF THE DESIGN AND CONSTRUCTION OF THE NE CANTON INDUSTRIAL PARK PROJECT AND TO RECEIVE REIMBURSEMENT FOR CITY SERVICES PROVIDED TO THE CCIC; AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (\$212,175.00 INFRASTRUCTURE BOND FUND)

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rule on Ordinance 11.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 11. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 11. 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.

**#11 ADOPTED AS ORDINANCE NO. 98/2011**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #11 is adopted. Ordinance #12 please.

#12. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 99/2011** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONSULTANT CONTRACT WITH CTI ENGINEERS, INC. FOR THE 55<sup>TH</sup> STREET NE STORM SEWER PROJECT, G.P. 1125; AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (\$193,300.00 INFRASTRUCTURE BOND FUND)

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rule for Ordinance 12.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule for Ordinance 12. 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. Leader you've heard the three readings.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #12. Any remarks under this Ordinance? Member Butterworth.

MEMBER BUTTERWORTH: Thank you Mr. President. For the Chief of Staff, during the Committee Meetings, it was talked about and discussed, I did ask about the City Engineer, Mr. Moeglin, the completion time for the project, which he did state the fall of 2012 and also that there would be no curb from Market to

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Plain Center but there would be a sidewalk from Market to the railroad...there would be drainage the whole way, is that accurate?

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Thank you Mr. President. Dan, can you answer that for him?

DAN MOEGLIN: There will be curbs on the south side of the road from Market to Plain Center.

MEMBER BUTTERWORTH: Sidewalk?

DAN MOEGLIN:: Sidewalk, yes sir from Market all the way to the railroad tracks. Completion day will be the...tentatively start construction the fall of 2012.

MEMBER BUTTERWORTH: Thank you.

PRESIDENT SCHULMAN: Any other remarks? All those in favor, s...or worry, Madame Clerk, I think we're on a roll call vote.

CLERK TIMBERLAKE: Yes sir.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#12 ADOPTED AS ORDINANCE NO. 99/2011**

PRESIDENT SCHULMAN: Ordinance 12 is adopted. Ordinance #13 please.

#13. (2<sup>ND</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 100/2011** AN ORDINANCE ESTABLISHING THE CLASSIFICATION PLAN AND GENERAL SALARIES FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; REPEALING WAGE FREEZES AUTHORIZED BY ORDINANCE NO. 195/2008; AUTHORIZING WAGE INCREASE FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules of Ordinance 13.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinance 13. Any remarks? Hearing none.....

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

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MEMBER CIRELLI: I'm sorry....

PRESIDENT SCHULMAN: Okay, hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

MEMBER DOUGHERTY: I move we adopt Ordinance 13.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #13. Any remarks, Member Cirelli?

MEMBER CIRELLI: Thank you Mr. President. Mr. President and to the Administration, this past week, I think I got at least four, if not five messages on my internet about no medic units being available and stations closed. I've taken an oath to protect the health, safety and welfare of the citizens and it's all about the economy. I know at the last financial meeting we had, the Mayor said that we had money to make it pretty well through this year but we were going to have some...he had some concerns for next year. Well the raises that we would be giving here tonight will be carrying over into next year. So to me, if he's already seeing his foresight says next year we're going to have a problem, to me passing this Ordinance is only going to compound that problem and I cannot justify giving anybody in management a wage increase, or taking away their freezing or what have you whenever I cannot provide safety to the citizens by having EMT people there and fire...the fire stations open. Also Mr. President, I have real concerns over the fact that I heard people are leaving, I don't see a mass exodus of anyone leaving in Government. As a matter of fact, if there are plenty jobs out there in the general public that the people in Government would be making more money they would be a fool to stay with us. And I am comfortable in stating that if anybody in Government does not like what they are making now, please, you know, God bless you, go and go in peace and I wish you good luck. Because I see what's out there and I'm looking on the...not just the national level, on the global level and with all the problems that we're having globally and all the problems that we're having in the United States and all the jobs...problems that we're having with people that are coming out of college that cannot even find jobs, don't think that they can do any better than staying in Government. So if anybody has a problem serving in the capacity that they are serving and the wages that they are making now, as I said, I would advise them to go out into the public sector. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Leader, there is a an Amendment I believe on this is there not?

MEMBER DOUGHERTY: Yes there is. Mr. President, I move we amend Ordinance 13 per the Amendment in front of everyone.

MEMBER PRATER: Seconded.

Amendment

*Pursuant to Rule 36, I move to amend Agenda Item No. 13 by the substitution of the attached, revised*

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*Exhibit A for the Exhibit A attached to the ordinance pending before Council.*

PRESIDENT SCHULMAN: It's been moved and seconded that Ordinance 13 be amended per the copy before each Member of City Council. Are there any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it....

MEMBER CIRELLI: No.

PRESIDENT SCHULMAN: Thank you, you scared me Member Cirelli, don't do that please. *(Laughter)*

MEMBER CIRELLI: Duel noted sir, thank you .

PRESIDENT SCHULMAN: I'm getting old. Alright, the ayes have it and now we move to Ordinance 13 as Amended. Leader.

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

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: During the 1990's, I took this whole scale as Personnel Chairman and redid everything and those who are older employees will remember there was some pretty hefty adjustments made back in the '90s because we found ourselves in position where Elected Officials supervising were making less. But every once in awhile, based on the economy, this thing goes out of whack. Mayor, I agree with you, this is the worst time that I've seen since I've been here. Based on that...based on that one fact alone, I'm different, I don't want any of you to leave and I hope it's worth while for you to be here. However, in good conscience, I can't sit here and vote for this based on the adjustments, because that's what we're doing again, we always come and fine tune it and I know two months down the road, some of the same employees will be sitting in this room will be complaining about the adjustments that were made here tonight, not about that everybody got a 3% pay raise across the board but about the adjustments. And I know the back biting that goes on in this hall and all of you know the back biting that goes on in this hall and you will be upset when you find out what happened here tonight. You'll be happy that you got your 3 whatever % but you also will be mad about some of the adjustments that will take place. I, same way, can't sit here week after week and ask people, beg for police protection and people beg for police protection and people beg for ambulance service and say "We don't have any money." But on the other hand, hand out these adjustments. I still see some of the same directorships here that I actually cringe and yeah Mayor, I helped create a few of them because I was trying to support you when you first came in. Communication Director, that's one of my favorites. I can't do this anymore. Now I'm here all to look you all in the eye and tell you I am sorry, I think you deserve it but I think the people of this City deserve ambulance service, I think the people of this City deserve police protection and I can't support this tonight.

PRESIDENT SCHULMAN: Thank you Member Smuckler, before.....

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MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Hold on, I'm sorry Member Hawk. I don't think the Leader even had an opportunity to make the motion to adopt Ordinance 13 as amended before Member Smuckler wanted to speak which is fine but....Leader

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 13 as amended.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: Thank you. Any comments on the motion?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: I'm going to reluctantly support this because I believe that most of the people out here deserve a raise and I too am appalled as Mr. Smuckler stated by some of the positions that were created taken from 65, \$67,000.00 a year to \$94,000.00 a year by adjusting that. The Communications Director in particular went from about \$54,000.00, I don't have the numbers to maybe somewhere in the mid 60's, again a considerable adjustment upwards. I would challenge this Council through the Personnel Committee and the Finance Committee.....went from 66,000.00 to 94,126, the other one went from \$55,000.00 to 76,408....I would challenge this committee, Personnel and Finance to review this and look at the folks that truly deserve the raises, not some of the positions that were created, take a look at the peop....reward the people that work hard in our City and adjust this downward so we...some of these adjustments that will enable us to put policeman and fireman back in our streets. I'm going to vote for this tonight, trust me, it's reluctantly because I'm voting for the majority of the people who deserve a raise, and again I will challenge the rest of you to read this thing to see what we need to do. This is what we did when we we're in trouble in 2001, 2002, we brought this City back into...under a good fiscal responsibility and enabled this Administration to sit down with a \$3.5 million carryover and today we're struggling and it was done with help and cooperation from the labor unions in this City and every single employee because everyone of us looked at it and said this is what we want to do. I praise everybody for what they did but I also challenge you again to take a look at this and see what we really want to fund.

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

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: You know, we do have a rule, you can divide the question, so if you have a problem with one or two things in this, we can take it out. We don't have that opportunity when we do the other contracts, it's all or nothing. We have that opportunity to do that if you want to and not beat everybody else in the head.

MEMBER HAWK: Just received this today Mr. Majority Leader, it's awfully tough to sit here this evening and make a decision on something we just got in our hands....

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MEMBER DOUGHERTY: Mr. President...Mr. President, did he ask for the floor?

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Mr. President, I apologize, I've made my statement. Mr. Majority Leader, I apologize to you too sir.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. We are all aware of the dire state of our economy, we all know what we've been through since the balloon burst due to the predatory lending and the greed on Wall Street and the greed that deregulation unleashed on this planet, not just this Country but this entire planet and if we were serious about containing the budget and raises, we shouldn't have authorized raises for the 800 union members in the 5 unions that have come through this Council in the last year or two. We should have all take zeros as the Elected Officials volunteered to do. But we have and just this evening a few minutes ago, Ordinance #9 passed without discussion essentially, without deliberation, extending a two year contract between the City and Police Patrolmen's Association. When the contract came here for the FOP, yes it was clear that they were going to take on more work and reduce positions and work harder, they were going to get substantial raises. When the AFSCMEs came before us, they were going to get raises. We're talking about less than 10% of the remaining workers who doesn't have the voice of collective bargaining, who have gone years without raises, who help lead and take on more work when their colleagues are gone and not replaced. And I echo Majority Leader Dougherty's comments from earlier, you have to look out for them as well, this is their contract in essence as he said. And I am one of the Elected Officials who has a number of people who are affected by this who've worked very hard for a very long time without raises and I like the discretion and I hope I speak for the other Elected Officials, these affect Council employees, Auditor's employees, Treasurer's employees, Mayor's employees....the many Mayor's employees, please if you want to affect this there are other ways as was mentioned. Thank you.

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

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: I would also like to point out, I know it's nice when we talk about how we all care about safety and we do, there's not a person up here or in the audience that doesn't care about the safety of our City and safety being number one, we all get that. But I want to make sure that everybody understands that we're talking about the leadership, the Water Department and making sure that our water runs and is safe, we're talking about the Sewer Department, we're talking about the Street Department, when you get calls about plowing the roads and filling the potholes and cutting the grass, that's the Street Department. When you're talking about Sewer and all the different departments, these are all things that matter and again Council has no problem complaining when the grass is high or the potholes are out there or the snow ain't plowed, this is the leadership team that gets that done. The Engineer who puts all these projects together to make sure we meet State law and get all of our grants approved and they're all done appropriately and safely, the bridges and road work that we have done, that's all safety too. And not to mention the fact that the leadership of the Police and the Fire Department are included in this group who make less than their subordinates right now. So, we are talking about not just the services but the safety of our community and fairness for all employees of the City of Canton. So, I'd like you to applaud that and those people who run the City because it matters. Thank you.

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*(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you Mayor.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I have enough confidence in our employees that I believe that they would deliver the same kind of service even if they did not receive this wage increase. And Member Dougherty, if you have something to say, would you please say it to me.

MEMBER DOUGHERTY: Excuse me?

MEMBER CIRELLI: Alright, thank you.

PRESIDENT SCHULMAN: Alright...okay...

MEMBER DOUGHERTY: Don't be disrespectful in this direction.

PRESIDENT SCHULMAN: Alright, everybody.....

MEMBER CIRELLI: Thank you.

PRESIDENT SCHULMAN: ..... it's been a long meeting.

MEMBER CIRELLI: Usually when we go to a meeting, it's one person speaks at a time, I appreciate that. Thank you very much.

PRESIDENT SCHULMAN: Alright, alright....

MEMBER CIRELLI: If...if..

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: I wasn't talking.

PRESIDENT SCHULMAN: I understand. Member Cirelli.

MEMBER CIRELLI: I apologize Member Sm....Leader Dougherty. Mr. President, if we were flourishing with money, I wouldn't hesitate, I would be the first one to say everybody here deserves a big raise. But you know, something has happened in Government and we all know what it is, it's called the mechanical internet system that we have and what have you, so we also have to feed that system besides our employees and as long as I've been in Government, I've not seen, even though we have that system and we all know how much we're paying all the time to keep it going, I haven't seen us have to deplete or remove anybody from their positions. So, that is all taxpayers money also that is used that we have to supply for that. But we do not have

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a flush society and I am not...I don't live in a bubble, I read, as I told you earlier, the world news and what have you. I have some real concerns about our economy because we're based on world wide economy and with that in mind, I think everybody knows the situation they're having over in Greece and that will affect us too. And next year I think we're going to be in for a big let down and I have enough faith like I said in our workers that they will still do their jobs as they've done before and when we come into money I'll be the first person to say let's give them all a big raise and God bless them. Thank you sir.

PRESIDENT SCHULMAN: Any other remarks?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: We said yes to all the other contracts without bating an eye and I don't remember seeing all this money flowing everywhere. I don't understand the logic behind all this debate over this tonight when we spent two minutes...we spent more time voting on #9 then we did debating it. I'm...I'm at a loss.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: The other ones were all union negotiations of which the Mayor does and then brings them down here and Council more or less has to vote on it. And then, I've also heard the Mayor out there whenever people complain to him, he throws it back in Council's lap, "Well Council did this." Council voted it and they've approved it to take it off of his back and he brings it here...on this one here I want him to stand up front whenever somebody calls and says "Hey, we don't have a policeman here and we need police right away..." I mean when that gentleman got up and spoke that they have...the police won't even take police reports, we all know what's been happening just by reading in the paper. I happen to think safety comes first and I think every one of our employees feels the same way, that our safety forces, as long as we have them here working for us, we have to provide them to the general public or else Mayor then you should fess up and say if you want to privatize the ambulance service and move forward then you should do that if that's what you so choose. But I know what I receive in my emails all the time from EMT and from the Fire Department telling which ones are closed and I also notice they do not send them to anybody in the Administration, they only come to City Council. Thank you.

PRESIDENT SCHULMAN: Okay, thank you.

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mr. Mayor.

MAYOR HEALY: I would also just like to remind this Council that more than 60% of the revenue that's used for this is enterprise funds, funds that are generated from the work that these people do in the Water Department, Sewer Department, Sanitation Department and is not touching the General fund and cannot be used to hire Police and Fireman. So, you know, don't...don't confuse where the monies are coming from and what it can be used for. These are...more than 60% of this revenue is not money that can be used for Police and Fire.

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PRESIDENT SCHULMAN: Thank you. Any...

MEMBER SMUCKLER: Mr. President.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN:.....Member Smuckler.

MEMBER SMUCKLER: I've started some of my concerns in the past in Executive Session. I stated my concerns publically when we tried to hire another Assistant Chief of Police and I voted no down here on this floor. I stated my concerns when we tried to hire the Captains back that we took away in 2002 in the Fire Department and they were brought back by this Council, not this particular Council but City Council in general. I've continually stated my concerns about the number of management people. When it came to the Building Director, I stated my concerns and voted no. So let's remember in some instances, some of us have been consistent. As far as the raises, like I said, the raises I could probably swallow, the adjustments are what's going to end up hurting. It ends up costing extra thousands. And for those of us that think because it isn't General fund money that the tooth fairy brings the money in, those are called water rate increases, those are called sewer rate increases and those are called a whole bunch of other increases that we've snuck in over the years whether it's copying books or whatever but we've brought them all down to pay for this.

PRESIDENT SCHULMAN: Thank you Member Smuckler. Member Smith did you want to say something?

MEMBER SMITH: It's clarified.

PRESIDENT SCHULMAN: I'm sorry.

MEMBER SMITH: (*Inaudible*)...monies but the Mayor clarified it.

PRESIDENT SCHULMAN: Okay, any other remarks? I just want to say one thing because we have Members of the non union personnel of the City in the audience. You know we've...this whole debate is very fair, like I hear what Member Smuckler is saying, I hear what Member Cirelli is saying, I hear what the Leader is saying, I hear what the Mayor is saying but the fact of the matter is, for public record, our non union employees are clearly just as valuable as our union employees, we know that. And it's...it's gotten to the point in the United States where we, as I said last meeting, we snipe at one another instead of looking at where the causes are and Law Director Martuccio identified probably the single cause, which was the Wall Street greed that got us in this position and it's like a contagion spreading all over the world. However, having said that, these people deserve a raise. I don't usually comment on legislation, I don't think it's my place but for the record, we're talking about 3.3% increase in wages, you know, this is the United States, this is not the race to the bottom. I said I don't want to see our workers in America being paid Indian wages or Chinese wages, that's not where we should be headed. Not only that, finally I just want to say one other thing, these non union employees have taken furloughs, they've taken pay cuts, they've taken no salary increases for years, they deserve our recognition. And when you look at the bottom line, you're talking about \$91,000.00 according to our Finance Director and at most \$200,000.00. Am I concerned about the other matters that Member Smuckler raised and I know that Member Hawk have concerns about? Not particularly, I don't think the Mayor and this Administration is going to all of the sudden go berserk and start giving 30 and 40 and \$50,000.00 raises to employees. I trust the Mayor, I trust his Administration not to do that and by the way, this Council has the ability to check that kind of thing. So, having said that, these folks deserve a raise, they work real hard for this City, that's why we're in the position we're in, we could be a lot worse and but for these people, we're not.

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So with that said, there is a motion on the floor as far as I can recollect, I think this is Ordinance 13 as Amended. Any other remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 2 NAYS  
(MEMBERS CIRELLI AND SMUCKLER VOTED NAY)

CLERK TIMBERLAKE: Ten yeas, three nays...I'm sorry, nine and two.

PRESIDENT SCHULMAN: We added another secret Council Member.

CLERK TIMBERLAKE: Yes I did, I'm excited.

PRESIDENT SCHULMAN: Ten yeas, two nays. Ordinance 13 as Amended is adopted.

**#13 ADOPTED AS AMENDED AS ORDINANCE NO. 100/2011**

*(APPLAUSE)*

PRESIDENT SCHULMAN: I've never said this but this is one of the longest meetings we've had. Would anybody want a five minute break?

CLERK TIMBERLAKE: No.

PRESIDENT SCHULMAN: You alright? Okay, Ordinance 14.

#14. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (35<sup>TH</sup> ST NE PROJ, DOWNTOWN SID, AUDITOR)

#15. (2<sup>ND</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 101/2011** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT TO EXCHANGE REAL PROPERTY WITH THE CANTON CITY SCHOOL DISTRICT; AUTHORIZE DEED CONVEYANCE OF SAID PARCEL; AND DECLARING THE SAME TO BE AN EMERGENCY (LEHMAN SCHOOL)

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President. I move we suspend the Statutory Rules on Ordinance 15.

MEMBER PRATER: Seconded.

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

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

MEMBER DOUGHERTY: I move we adopt Ordinance 15.

MEMBER PRATER: Seconded.

MEMBER SMITH: I have a *(inaudible)*.

PRESIDENT SCHULMAN: I'm sorry.

MEMBER SMITH: *(Inaudible)*

PRESIDENT SCHULMAN: Not yet. It's been moved and seconded to adopt Ordinance 15. Any remarks? Leader.

MEMBER DOUGHERTY: Mr. President, I move we amend Ordinance 15 per the Amendment in front of Mr. Barton. *(Laughter)*

MEMBER PRATER: Seconded.

Amendment

*Pursuant to Rule 36, I move to amend Agenda Item No. 15 by replacing the pending ordinance with the attached ordinance.*

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance 15 per the copy before Member Barton and the rest of Council. Are there any remarks? Hearing none....

MEMBER SMITH: Yes.

PRESIDENT SCHULMAN: Oh, on the Amendment, we're talking about just a motion to amend, not the Ordinance to amend. Alright, so hold that thought. All those in favor of a motion to amend the Ordinance, signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Leader.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance 15 as adopted. Member Smith....as amended, I'm sorry.

MEMBER SMITH: Yes, Mr. President, I know earlier in Committee meetings I was not in support of this Ordinance to add Martin School. I'd like to ask Law Director Martuccio, is this the time I would....I would

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like to change that, I'm not comfortable with it but I will support it, especially with the necessary language that needs to be added to protect the City and I just would hope that in the future...and I'm going to support this simply because it is Canton City Schools, I do support the schools and in their efforts, especially for our youth and that it's going to be something productive in the community. And that I know that it's been an issue with Martin School and that we haven't had any tenants in there for years and I will support this.

PRESIDENT SCHULMAN: Law Director.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President, Member Smith thank you. Clarification, now that this Ordinance has been amended, what it does is...it exchanges property, it exchanges the Lehman School with the City of Canton for a lot near the Summit School by amending it, it also exchanges Martin School for a property I believe around 5<sup>th</sup> Street NE. So, it effects those two changes, that's all this Ordinance does. The next one you'll get to is the actual conveyance to the CIC. Now, you've been assured by Charley Hall, the Attorney for the School Board and the School Board Members that we will work very diligently, I know Mr. Hall has attempted to contact me a number of times to ensure that before...if you go through with this, the deed is filed, we will have an agreement that reflects the things that you were discussing earlier, that the interim costs for maintenance, utilities and so on would be borne by the schools, that in the event of the project not coming to fruition, there would be a way to either undo this or collect the necessary monies to abate the hazard. You heard the discussion from the people who want these properties and what they intend to do with them. The Mayor has the authority to veto as he pointed out astutely if these conditions aren't met and you as a Council have the authority to reconsider at the next Council meeting if these aren't met. So again, the deadline, the drop dead date for all of us is June 30<sup>th</sup> to have these things satisfactory to the Mayor, to the Council and to you, your Ward as well.

PRESIDENT SCHULMAN: Anything other remarks?

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mayor.

MAYOR HEALY: Just want to refresh what happened in Committee for all the Members of Council who will be voting on this. Again, I'm very uncomfortable with the two proposals only because we just have a lack of information and time to do due diligence on that. With that being said, I am obviously, as we talked earlier, Councilman Smith and other Council Members, I am committed to Canton City Schools and I will give them the extra 10 days, I have 10 days before I have to sign this or veto it or let it go in without my signature. I will hold the schools accountable that they will come up with the proper language to protect the City so we can go ahead and pull the exchange, get those properties out of the schools hands to protect the schools and give us time to develop and evolve these proposals that hopefully will create something for those two facilities. In the meantime, my first and foremost concern is the fiduciary responsibility of the City, the taxpayers, that we have protection if take these buildings, that it's not going to cost our taxpayers monies short term or long term. So, I think they understand exactly what we're looking for, they know the time line and if they meet those time lines, I will sign off on it, if not I will not forward this, I will veto it and send it back to Council. So, that's what I'm promising to the Council Members that you have a ten day period or the schools have a 10 day period to finalize this paperwork because we're all in such a time crunch. This allows it to get through Council if we get the wording that we need, we sign off on it and then move forward. If we don't it comes back to you after July 1<sup>st</sup>, which is to late for the schools to address it. Thank you.

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PRESIDENT SCHULMAN: Thank you Mayor. Any other remarks? What you're voting on is motion and second on Ordinance 15 as amended. Any other remarks? Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#15 ADOPTED AS AMENDED AS ORDINANCE NO. 101/2011**

PRESIDENT SCHULMAN: Ordinance 15 as amended is adopted. Ordinance 16 please.

#16. (2<sup>ND</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 102/2011** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY (LEHMAN SCHOOL)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: I move we suspend the Statutory Rules of Ordinance 16.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 16. 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: The motion carries. Leader you've heard the three readings.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 16. Any remarks? Leader.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: We've got an amendment on this too.

MEMBER CIRELLI: Sorry.

PRESIDENT SCHULMAN: That's okay.

MEMBER DOUGHERTY: Mr. President, I move we amend Ordinance 16 per the Amendment in front of all

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Members of Council.

MEMBER PRATER: Seconded.

Amendment

*Pursuant to Rule 36, I move to amend Agenda Item No. 16 by replacing the pending ordinance with the attached ordinance.*

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 16 per the copy before each Member of Council. Any remarks? Hearing none. All those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, motion carries, Ordinance is adopted. Leader.

MEMBER DOUGHERTY: Mr. President, I....

PRESIDENT SCHULMAN: The Ordinance is amended, sorry.

MEMBER DOUGHERTY: I move to adopt Ordinance 16 as amended.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 16 as amendment....as amended. Any remarks? Member Cirelli.

MEMBER CIRELLI: Mr. President, thank you. Mr. President, as long as I...I can recall, I don't think I've ever seen the City enter into an agreement with the schools to protect two very good buildings and make them very viable and the people that want to do so, not asking for anything but just the buildings themselves. So, you know, God bless them, I mean that makes me feel good because usually in Canton we have this darn habit of tearing everything down and I think this will really encourage people to look at the architect and what have you of these buildings and I think they both sound like very good programs so I don't have any trouble supporting them. Thank you.

PRESIDENT SCHULMAN: Good, I agree Member Cirelli, any other remarks? Okay, it's Ordinance 16 as amended. Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#16 ADOPTED AS AMENDED AS ORDINANCE NO. 102/2011**

#17. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$1,313.00 TO SIGNATURE CONTROL SYSTEMS, LLC; AND DECLARING THE SAME TO BE AN EMERGENCY (MILLENNIUM PARKING DECK)

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- #18. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE STARK COUNTY TRANSPORTATION IMPROVEMENT DISTRICT AND TO RECEIVE GRANT REIMBURSEMENT AS PART OF THE RECONSTRUCTION OF 12<sup>TH</sup> STREET N; AND DECLARING THE SAME TO BE AN EMERGENCY
- #19. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY; (MUNI RD FUND; STREET MAINT)
- #20. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (3120 PARKWAY ST NW - DR. DOMINGO)  
**PUB HRG 7/11/11 @ 7:30 PM**
- #21. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (2213 CLEVELAND AVE NW - GROFFRE INVESTMENTS)  
**PUB HRG 7/11/11 @ 7:31 PM**

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

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances and Formal Resolutions for their Third and Final Reading and vote. Would you please begin with Ordinance 22.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #22 THROUGH #29 FOR THE THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #22. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 103/2011** AN ORDINANCE AUTHORIZING SERV DIR TO ENTER INTO AGMT W/GATEHOUSE OHIO MEDIA INC FOR PROF SVCS TO MANAGE THE LAYOUT, AD SALES, PRODUCTION & PHYSICAL DISTRIBUTION OF THE CITY'S QUARTERLY NEWS PUBLICATION; EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 22.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 22. 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.

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PRESIDENT SCHULMAN: Ordinance #22 is adopted. Ordinance #23 please.

#23. (3<sup>RD</sup> RDG) **DEFEATED** AN ORDINANCE AMENDING SECTION 1313.01, DEFINITIONS AND SECTION 1315.01, DEFINITIONS OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (PLUMBING AND ELECTRICAL APPRENTICE)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 23.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 23. Any remarks under this Ordinance?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes Member Butter...I'm sorry, Member West.

MEMBER WEST: With respect to this Ordinance, this came through the Judiciary Committee and you know, I'm still confused basically on why we have it versus them deciding it in their own house. But it sounds to me that like it was a Democratic process and the Construction Board voted 5 to 1 to send it to us which tells me that the majority of the Union supports this. So, I'm going to support it based on the Democratic process versus the pros and cons of hiring older workers versus younger workers and I believe younger workers also deserve an opportunity to learn the trade. So, I'm going to support this.

PRESIDENT SCHULMAN: Any other remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I appreciate the people coming down and telling us their pros and their cons and I've contacted some people on my own and we're dealing with some very...you have to have the expertise and I cannot see one Journeyman who has worked five years to obtain the title of Journeyman to be running all over a place with delicate equipment that is a safety issue to have to be manning and watching more people than he's capable of. And the only people that I would see that would be making money on this I think would be the owners of the company. So, I really cannot support this.

PRESIDENT SCHULMAN: Any other remarks?

MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Member Cole.

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MEMBER COLE: I cannot support this Ordinance as well due to the fact that the ratio I believe is sufficient. But then there's several other issues. One, this will diminish the work, two it will eliminate training opportunities and finally create an unsafe work environment. Thank you.

PRESIDENT SCHULMAN: Thank you. Any other remarks?

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Member Griffin.

MEMBER GRIFFIN: I also....Thomas I don't know why in this Council they didn't take care of their own business in their own house. But I've also talked to various people and it seems like they...the fellas I've talked to were weakening the system as to the educational process for the younger Apprentice where one fella is going to be, you know, chasing maybe three Apprentices around. I cannot support this Ordinance.

PRESIDENT SCHULMAN: Thank you Member Griffin. Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. In answer to the questions posed by Members West and Griffin, the reason it came through Judiciary and is before this Council is you're being asked to amend a Codified Ordinance. The Codified Ordinances is already establishes a ratio and this Amendment changes that ratio for the reasons you heard pro and con earlier and a lot of people have come and put their time in to try and explain it. But it is something that Council has delegated to the Construction Board to consider through Codified Ordinances as well. It went to the Construction Board, they've considered it a number of times, voted and sent it back to you so that's why it's here, is for you to change the Codified Ordinances or not.

MEMBER WEST: Law Director.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: The Construction Board really advises us, isn't that correct? They're a Board that would advise us of how we should change the Ordinance or not. Is that correct?

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Law Director.

LAW DIRECTOR MARTUCCIO: Yes Member West, that's correct. They have a function like Planning, Zoning Board of Appeal or Planning Commission, they are made up of people in the trades who advise you, that's correct.

MEMBER WEST: So, am I correct in saying they voted 5 to 1 to send...or this Ordinance to Council and thus giving us the recommendation saying this is what we want to pass?

LAW DIRECTOR MARTUCCIO: Mr. President.

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PRESIDENT SCHULMAN: Yes Law Director.

LAW DIRECTOR MARTUCCIO: Member West, I believe that's true, I wasn't present for the vote but yes they...they considered it, voted on it and sent it to you with their advise to amend it.

MEMBER WEST: And my understanding is the Apprenticeship training, they would have another Apprentership...Apprenticeship person would then be training under a Journeyman. Is that correct? Somebody else can say that.

SERVICE DIRECTOR PRICE: The Apprentices as I understand are essentially laborers so they wouldn't be supervising each other, the Journeymen would be the lead person.

MEMBER WEST: So both of them would be basically laborers?

SERVICE DIRECTOR PRICE: Yes, the Apprentices are Journeymen in training. They are apprenticing to learn this work so no, they're not supervising.

MEMBER WEST: And they'll be supervised by whom?

SERVICE DIRECTOR PRICE: Well the Foreman supervises, you have a Journeyman whose a trained technician and then you have the Apprentices who are the laborers.

MEMBER WEST: So essentially, the Apprenters and the Journeymen will be trained by somebody, is that correct?

SERVICE DIRECTOR PRICE: Yes....

MEMBER WEST: I'm asking these questions for a reason.

SERVICE DIRECTOR PRICE: The Journeymen have gone through that process, they've apprenticed for whatever the period is, 5 years and then...so they're Journeymen, they're the experts. The Apprentices are learning that trade from...from the Journeymen, they're working with them and then the Foreman is in charge of the....

MEMBER WEST: I got it. The Construction Board is aware of all the talents that these people have, I would assume and when they sent this down, they would not probably neglect the fact that these individuals were...they're not trying to weaken the system I wouldn't think. And this is the same Construction Board that we have voted to sit on this Board that we're supposed to entrust, is that correct?

SERVICE DIRECTOR PRICE: I mean to...to put it as objectively as I possibly can, okay the Construction Board is voted to basically conform our Apprenticeship and Journeymen requirements to the rest of the world. I mean most of the rest of the State and other communities already have what...what...what they're asking you to adopt. Meanwhile, the...the...Dave Kirven is shaking his head...there are many communities...there are many communities that have these requirements in place, alright. But the union obviously, their point to you is, well we're better off this way. So for the community, the other communities that have requirements that we have in effect now that require more Journeymen a higher Journeymen to Apprentice ratio, the unions are

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telling you, that's better, okay. So, you're either going to sign...if the Construction Board, which is saying, you know, conform Canton to the surrounding areas you don't need the same ratio of Journeymen to Apprentices or your going to side with the unions who argue that you need to keep the...the requirement that you currently have in the Ordinance.

PRESIDENT SCHULMAN: I think...you know, Member West I want to follow up to, I think the problem that I sense and...and I've listened to this closely, is that this in some sense denigrates what a Journeyman is and what that means. The only example I can give you is a chef versus a server, somebody going in....yeah but a sous chef is trained rather than just having somebody off the street come in and do your pastries, you have a trained sous chef. I think what the...what the union is saying is there's a reason we have a Journeyman program, it's important, we train our people, they're experienced, they're competent, we...they have to be or they don't get through the program. I hear the...the contractors and who I'm certainly sympathetic to, saying "It's costing us a little bit more money." But on the other hand the Journeymen program is important and while again, I don't usually interfere with Ordinances, I think everyone should think twice about this. The single thing that I heard which was most significant is the enforcement of the Apprentice program, the enforcement of the Apprentices. Frankly, I was hoping that perhaps there would be something from the Construction Board to this Council for all of your benefits that would couple what they're asking for. That is tougher enforcement of the Apprentices making sure that the laborers are who they are and the Journeymen are who they are, that's what's missing it seems to me with this Ordinance. You're kind of striking a blow in the dark, which is somewhat unfair to all of you. But that's my view, so....

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes Member Smuckler.

MEMBER SMUCKLER: No, we're only changing one ratio here, that's all this boils down to is one ratio, we're not changing training, we're not changing....and I've had this discussion with everybody...what we're doing is we're changing the ratio when you have three people on the job, that's all we're doing. Now, I sympathize because there's something to be said for the 45 to 60 year old, which I fall in that class now, of maybe not getting called in that day because of the ratio but I also understand as a small businessman in the community that struggles everyday to make it work here, what that might mean, whether I have a job or not have a job, right Mr. West? So, we're changing a ratio for three people, you're not changing it for any other amount of people, am I correct Law Director?

LAW DIRECTOR MARTUCCIO: *(Inaudible)*

MEMBER SMUCKLER: Thank you.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I visualize this like as I'm the Journeyman and I have to train two people now, now they want me to train three people, I'm going to be doing....

*(INAUDIBLE)*

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PRESIDENT SCHULMAN: Well let Member Cirelli complete her remarks.

MEMBER CIRELLI: ...well whatever...yeah. Having an Apprentice...more Apprentices. The responsibility is going to fall...I just feel they are going to have more people doing grunt work and be called Apprentices....

MEMBER BUTTERWORTH: Mr. President.

MEMBER CIRELLI: ....and I don't think that's fair to the Apprentice.

PRESIDENT SCHULMAN: Member Butterworth.

MEMBER BUTTERWORTH: Point of Order...Point of clarification with the Law Director, what was just said is that one Journeyman training three Apprentices would not be in effect....in fact a scenario here because if there's four people on the job, it reverts back to the old ratio as Member Smuckler said, "This only applies when there's three people on the job," correct?

LAW DIRECTOR MARTUCCIO: I believe so but..yes.

MEMBER BUTTERWORTH: So, if there's four people on the job, there's two Journeymen and two Apprentices...okay, so there's a lot of things being said here and I think what Mr. Smuckler is saying is correct and I actually agree on the record...sorry but *(laughter)*..it is late, they're wearing me down here....

MEMBER SMUCKLER: Mr. President, I'd like to rethink my position. *(Laughter)*

MEMBER BUTTERWORTH: But there's being said here and it goes...it boils down to this and Joe, I really want you to emphasize this and clarify this, for three people on the job, it's one Journeyman and two Apprentices, if we go to four people on the job, it's two Journeymen and two Apprentices. If there's five people on the job....Joe...*(Laughter)* So, when it comes to three people on the job that's what we're talking about. So, if there's four people on the job, to make sure we clarify this, there is not one Journeyman trying to help three Apprentices, which God for bid, I would be even shocked then if these people don't...and all do credit because I have family members in this trade, I think they can handle the work and they're training on the job to learn this. But that being said, there's still going to be two Journeymen and two Apprentices, correct?

LAW DIRECTOR MARTUCCIO: I believe so, let me...let me let the record speak for itself. The reason this took awhile to get to you was that we wanted clarification of the language so that people could understand the ratio in its written form without charts and graphs. Let me read two sentences into the record because this is what you're voting on. For purposes of this section, the phrase "under the direct supervision of" means the ratio of electrical contractors to journeymen electricians to electrical apprentices. The ratio shall be one to one with the following exception: if there are a total of three plumbing workers engaged in work covered by this chapter, two plumbing apprentices shall be permitted provided that the third individual is either a plumbing contractor or journeyman plumber. If there are four or more plumbing workers, the ratio shall revert to the ratio of one electrical contractor or one journeyman electrician to one electrical apprentice.

PRESIDENT SCHULMAN: Is that clarified Member Butterworth?

MEMBER BUTTERWORTH: Crystal clear. Thank you. *(Laughter)*

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PRESIDENT SCHULMAN: Okay, Member Griffin.

MEMBER GRIFFIN: Mr. President, if you have four men on the job aren't you going to need a Foreman? And if that Foreman is doing the work of a Foreman, he can't be doing the supervision, he's got to be doing his Administrative work. So, I think they're back down to one Journeyman...

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Point of Order, we are not talking about over three people. Nothing in the Ordinance says anything about that. We're dealing with three people, three people, make a decision.

PRESIDENT SCHULMAN: Yeah, it's three people instead of having two Journeyman, you're to have one Journeyman and two Apprentices. That's going to be lawful. That's what....

MEMBER WEST: And just....

PRESIDENT SCHULMAN: That's what you're voting on. So, any other remark?

MEMBER WEST: Just one last remark.

PRESIDENT SCHULMAN: Sure.

MEMBER WEST: Just in my own basic common sense, if I'm going to get somebody to build me a building or do whatever and I would like to have Journeymen doing the work, then wouldn't I assess that, wouldn't I ask for that versus having two Apprentice and one Journeyman?

PRESIDENT SCHULMAN: Is that a question for anyone? *(Laughter)*

MEMBER DOUGHERTY: I'll answer it.

MEMBER WEST: Back to the...

MEMBER DOUGHERTY: Yeah you could have that, you just pay for it.

PRESIDENT SCHULMAN: Alright, I think we've pretty much hashed this out. This is Ordinance 23. No other remarks, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 4 YEAS, 8 NAYS

(MEMBERS DOUGHERTY, PRATER, CIRELLI, COLE, GRIFFIN, SMITH, BARTON & HORNER VOTED NAY)

CLERK TIMBERLAKE: Five yeas, seven nays Mr. President.

PRESIDENT SCHULMAN: Eight, I think it's eight isn't it?

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CLERK TIMBERLAKE: We had five, Smuckler, Hawk, West, Butterworth and Horner, that's five.

PRESIDENT SCHULMAN: Horner was a no.

CLERK TIMBERLAKE: Oh, I'm sorry, I thought he said yes.

PRESIDENT SCHULMAN: Member Horner, you were a no, were you not?

MEMBER HORNER: Correct.

CLERK TIMBERLAKE: Oh, I'm sorry, I heard wrong then. So it's eight and four. Eight nays, four yeas.

**#23 DEFEATED**

PRESIDENT SCHULMAN: Ordinance 23 is not adopted, it is defeated. Ordinance 24 please.

CLERK TIMBERLAKE: I apologize for that.

PRESIDENT SCHULMAN: It's alright, it's been a long evening.

#24. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 104/2011** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION ENGINEERING SERVICES FOR THE WATER PARK FACILITY PROJECT AT THE EDWARD "PEEL" COLEMAN CENTER; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE CONSTRUCTION PHASE OF THIS PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 24.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 24. Any remarks under this Ordinance?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Question, let's solve a problem real quickly, what's the time table for this?

MEMBER SMITH: *(Inaudible) (Laughter)*

MEMBER SMUCKLER: You got the hose ready? *(Laughter)* Realistically, what's the time table for this?

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PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Well, we're just finishing up our requests for proposals and that's going to be largely up to the contractor...what's... Corey do you have a...you have an estimated time on this, or Fonda?

COREY MINOR SMITH: The objective is to be able to open the proposals that we've received in order to put together the time frame so it would be based on what we have received thus far from the Engineering proposals.

MEMBER SMUCKLER: Are we hoping to get this opened this year, next year, two years from now?

COREY MINOR SMITH: Well it's the goal to have it opened this year but we don't have that in place right now but ultimately by June 30, 2012.

MEMBER SMUCKLER: Thank you.

COREY MINOR SMITH: You're welcome.

PRESIDENT SCHULMAN: Any other remarks? Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 2 NAYS  
(MEMBERS HAWK AND BUTTERWORTH VOTED NAY)

CLERK TIMBERLAKE: Ten yeas, two nays Mr. President.

**#24 ADOPTED AS ORDINANCE NO. 104/2011**

PRESIDENT SCHULMAN: Ordinance #24 is adopted. Ordinance #25 please.

#25. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 105/2011** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FUNDING AGREEMENT WITH JUMP START IN AN AMOUNT NOT TO EXCEED \$100,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 25.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 25. 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.

**#25 ADOPTED AS ORDINANCE NO. 105/2011**

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PRESIDENT SCHULMAN: Ordinance #25 is adopted. Ordinance #26 please.

#26. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 106/2011** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION (CCIC) TO PROVIDE A GRANT UTILIZING COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN AN AMOUNT NOT TO EXCEED \$500,000.00 FOR ECONOMIC DEVELOPMENT PROJECTS, LOANS AND ADMINISTRATIVE COSTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 26.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 26. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#26 ADOPTED AS ORDINANCE NO. 106/2011**

PRESIDENT SCHULMAN: Ordinance #26 is adopted. Ordinance #27 please.

#27. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 107/2011** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE STARK COUNTY BOARD OF COMMISSIONERS FOR THE TRANSFER OF A STORM SEWER WITHIN THE PARK FARMS PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 27.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 27. Any remarks under this Ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 1 NAY  
(MEMBER HAWK VOTED NAY)

CLERK TIMBERLAKE: Eleven yeas, one nay Mr. President.

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PRESIDENT SCHULMAN: Ordinance 27 is adopted. Ordinance 28 please.

#28. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 108/2011** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT AND LICENSE AGREEMENT WITH THE DOWNTOWN SPECIAL IMPROVEMENT DISTRICT AND KING PROPERTIES, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 28.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 28. 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.

**#28 ADOPTED AS ORDINANCE NO. 108/2011**

PRESIDENT SCHULMAN: Ordinance #29 is adopted. We are now under Announcement of Committee Meetings.

MEMBER HAWK: Mr. President.

CLERK TIMBERLAKE: No, that was 28.

PRESIDENT SCHULMAN: Oh, 28 is adopted.

MEMBER HAWK: I'm sorry sir, you confused me.

PRESIDENT SCHULMAN: This is 28?

CLERK TIMBERLAKE: We're on 29.

PRESIDENT SCHULMAN: Sorry Member Hawk.

#29. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 109/2011** AN ORDINANCE AMENDING APPROPRIATION NO. 245/2010, AS AMENDED; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER FUND - \$128,594.50)

PRESIDENT SCHULMAN: Leader Dougherty.

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MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 29.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 29. Any remarks?  
Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#29 ADOPTED AS ORDINANCE NO. 109/2011**

PRESIDENT SCHULMAN: Ordinance 29 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: Now we are on Announcement of Committee Meetings.

MEMBER HAWK: Thank you Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank Mr. President. The Finance Committee will meet Monday, July 11<sup>th</sup> at 6:00 PM right here in this very Council Chambers.

PRESIDENT SCHULMAN: Thank you.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet Monday, July 11<sup>th</sup> at 6:00 PM.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

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

PRESIDENT SCHULMAN: Thanks.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet that evening at 6:00.

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PRESIDENT SCHULMAN: Thank you. Any other announcements?

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: Miscellaneous Business.

SAFETY DIRECTOR REAM: Mr. President.

PRESIDENT SCHULMAN: Safety Director Ream.

SAFETY DIRECTOR REAM: I will try to keep short. I generally don't comment or follow up with people who speak at Public Speaks because it's certainly their right to get up and state their peace. However, with Ms. Stockdale tonight, who is a firefighter, I take offense to what she had to say, I think it's unsettling that a rank and file employee would get up and question the decision making of Administrators and commanders within her department. I don't agree with the figures that she stated tonight, if Council recalls, I did an EMS cost analysis and turned in on April 20<sup>th</sup>, prior to doing that, I ran it by the command staff of the Fire Department who was in agreement with the statements I made in that cost analysis. At the end of that analysis I opened up the possibility of further discussions if there were questions about topics and issues that I didn't want to include in that analysis and it would be appropriate to do those in Executive Session and if this Council wants in the future, I would be more than glad to bring the Chief up on board, go into Executive Session and discuss this issue..this issue further. Thank you very much.

PRESIDENT SCHULMAN: Thank you Director. Any other Miscellaneous Business? This has been probably the longest meeting we've had.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: I move we adjourn.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: Moved and seconded to adjourn. Any other....

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

ADJOURNMENT TIME: 9:50 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

ALLEN SCHULMAN  
PRESIDENT