

**MINUTES OF THE MEETING OCTOBER 3, 2011**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. You know the sad things about this position that I am privileged to hold is to periodically ask for moments of silence to remember those who have left us in our community and I know that Thomas...I know all of you know this, Thomas West's brother, George Jenkins died very recently as did Lori Stokes who is our Director of Fair Housing, her husband, Ron Stokes, died this week at the age of 38 years old, they had five children. They had just celebrated their 18<sup>th</sup> wedding anniversary and so, you know, life's not easy and we....at least have a moment of silence if you don't mind to recognize these two terrific community members.

*(MOMENT OF SILENCE)*

PRESIDENT SCHULMAN: Thank you. With a quorum being present, the Chair does call this meeting of Canton City Council to order. Roll call vote please, Madame Clerk.

*ROLL CALL TAKEN BY CLERK TIMBERLAKE:*

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER WEST ABSENT)

CLERK TIMBERLAKE: Eleven present Mr. President.

**EXCUSING MEMBERS**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader I'll recognize a motion to excuse Member West in light of his brother's untimely death.

MEMBER DOUGHERTY: Mr. President, I move we excuse Member West from tonight's meeting.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member West from this evening's meeting. Are there any remarks? Hearing none, Madame clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: The motion does carry and Member West is excused from this evening's meeting. Tonight our invocation will be given by my Ward 8 Council Member Mark Butterworth. Would you all please stand and remain standing for our Pledge of Allegiance.

*The regular meeting of Canton City Council was held on October 3, 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 Ward 8 Council Member Mark Butterworth. The Pledge of Allegiance led by President Schulman.*

**MINUTES OF THE MEETING OCTOBER 3, 2011****AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: Thank you Member Butterworth. We're now under Agenda Corrections and Changes. Members of Council, you're being asked to suspend Rule 22A to add 2<sup>nd</sup> Reading of Ordinances 4. Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinance #4.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: Are there any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries. Rule 22A is suspended and the Ordinances are a legal part of your agenda.

**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: Turning to Public Hearings, we have no Public Hearings tonight.

**OLD BUSINESS**

PRESIDENT SCHULMAN: Under Old Business, I would turn the...this over to the Mayor's Chief of Staff, Warren Price.

CHIEF OF STAFF PRICE: We have one item...Cindy, who was the...what was the first..

CLERK TIMBERLAKE: (*Inaudible*)

CHIEF OF STAFF PRICE: Okay and there were two issues. Oh the...yeah, Pastor Moss was here last meeting, September 26<sup>th</sup>, a couple of questions. The first regarding our summer jobs program. You know, we've...we've been able to..to continue to do that, the first...first time we're able to do the summer jobs program or bring that back after a period of I think a couple decades was a result of the Federal stimulus program and that enables us to hire, you know, probably 100...a couple hundred people, young people to help us out and that was great. We've been able to continue with our summer casual and seasonal program and we will certainly be looking for funding to continue the summer jobs for youth next year as well. That is funding dependent and we anticipate being able to do some sort of program, not at the level that we were able to do with the stimulus dollars but that's certainly something that we're looking to do in the spring. We have seasonal youth employed now with the City now for helping with leaf clean up and things like that. So, that is ongoing and certainly that's a priority for us as well. And then Pastor Moss had asked about a gun buy back program which I know the Mayor has worked on and passed that along to the Safety Director Ream for his consideration. Thank you.

PRESIDENT SCHULMAN: Thank you Chief of Staff and Director and anything else you are, okay.

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PRESIDENT SCHULMAN: We're now under Public Speaks. We have at least eleven speakers. Let's start with the County Sales Tax. First I'd like to introduce to the podium a person we all know and admire and respect, our County Commissioner, Tom Bernabei. Mr. Bernabei, welcome. That almost didn't even come to fruition of applause there. Would you give us your name and your residential address please.

TOM BERNABEI: Tom Bernabei, 2745 Dunkeith Dr NW, Canton, 44708. Thank you Mr. President for allowing me to be here tonight, Mr. Mayor, Mr. Majority Leader and Members of Council. The County Commissioners are asking Stark County voters...am I on?

PRESIDENT SCHULMAN: Yeah.

TOM BERNABEI: We are asking Stark County voters to approve in the November election a ballot issue for a sales tax of one half of one percent for a period of eight years for the purposes of criminal justice services. We have asked Council if they would consider adopting a Resolution in support of that, we are asking all 35 political subdivisions in Stark County to do that. I am here tonight to speak on behalf of the Commissioners on this issue and to introduce several other speakers who will follow me, will provide more details associated with this issue. The issue that we need a sales tax is because the current one quarter percent which has been in place for eight years expired on June 30<sup>th</sup> of 2011. In the State of Ohio, there are 88 Counties, Stark County is the 7<sup>th</sup> largest County in Ohio. Stark County is the only County in Ohio without a sales tax. When we had one quarter of one percent, we were the only County with that low of a sales tax. There are 81 Counties out of 88 in Ohio that have a sales tax of one percent or greater. This enables all of these other Counties in Ohio to generate very large sums of money for purposes of general Government purposes and in large part as our budget is, two thirds of our budget goes to public safety issues, the jail, the Sheriff, the Courts, the Prosecutor and we don't have any tax in place and therefore we are losing revenue, the half a percent will generate approximately \$22,000,000.00 in a full year (*inaudible*)...of receipts. I would emphasize again, we do not have a tax presently the sales tax in Stark County is 5.75%, of that 5 ½ or 5.5% goes to the State of Ohio, none of that is returned to Stark County, .25% goes to SARTA. People often say "But I pay my property taxes, live off of my real property taxes." I think it's important for all taxpayers to understand that Stark County Government, the general fund receives approximately 4% of all real property taxes paid. The vast majority, 96% goes to school levies, goes to Townships, Municipalities, developmentally disabled levies and different things of that sort, libraries, Stark County Government receives very little. Our financial condition, again very briefly, in 2009 Stark County had general fund revenues of \$56,000,000.00. This year they were \$48,000,000.00, there's been a reduction in two years of 14 ½% in the size of County Government there has been a reduction of 115 employees (*inaudible*)... in the past two years. Next year without a sales tax if it does not pass we will have revenues of approximately \$36,000,000.00. This means that there will be drastic cuts across the board, particularly the criminal justice, the reason that the Sheriff's Office is particularly hard hit is because the Sheriff is the largest single user of the fund between the jail, road patrol and otherwise and it's difficult to cut the budget without cutting the Sheriff. As a result, we are anticipating that there will be 40% cuts to the criminal justice system to the Prosecutor's Office, to the Courts and the Courts by the way have the ability to mandate or order County Government not to take any cuts and our Courts have agreed that they will take any cuts everyone else is taking. So, this is a unique situation in Stark County, it's an admirable situation in Stark County in that our Courts fully cooperate with us. But that 40% cut to the Sheriff in particular, that will be the most visible affect upon everyone in Stark County, it's going to have a very visible affect upon Canton probably in particular. 40% cut means that the Sheriff will cut back on road patrol, which doesn't

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affect us but what it means is that going from the previous capacity of 501 beds which we had in 2009 and 2010, we will be reduced to 122 beds. 122 beds means that there will be no misdemeanors housed there, our Municipal Courts will not be able to..to send any persons who are sent to the Municipal Court to jail and it presently means if you look at the current docket of the worst 122 people that are kept there, I think there is 11 or 12 murderers right there right now. But everyone is either a felon 1 or a felon 2. Any crime higher than or rather lower than felon 2 will be released, and this is the reality of the situation. It's going to affect jail, it's going to affect law enforcement, it's going to affect police and it's going to affect, most importantly, it's going to affect most importantly, it's going to affect public safety. We have with me tonight several speakers, the Sheriff is coming, he called in and said that he was going to be late but he wants to specifically address you...address Council about issues associated with the cutbacks in the jail and with booking issues, which again are going to be extremely important to the City Police Department. Judge Belden is here to discuss the impact upon the Municipal Court and in addition to that then I have two gentlemen who are the co-chairs of our levy campaign and that would be Mr. Bill Sherer, Sr and Mr. Dan McMasters and both of them were here tonight and they both wanted to take the opportunity and say a few words tonight. With that I'm going to turn this over to Judge Belden.

PRESIDENT SCHULMAN: Commissioner Bernabei, before Judge Belden speaks I want to ask you a question because I'm not...I'm not sure I'm understanding one thing. It seems to me the two critical concerns of our citizenry, particularly the City of Canton is our jobs and crime. You've addressed crime, in the jobs area, in the jobs arena, what you're telling us is that 81 Counties are...have imposed or have voted for some kind of revenue increase and they have the resources to use in Government to attract companies, to attract businesses, industries, people to that community to create jobs. Am I misunderstanding that?

TOM BERNABEI: The general fund is used for a variety of purposes again but the primary purpose every place is for criminal justice because of the nature of our budgets. But in Stark County, we also fund Stark County Government funds, the Stark Development Board which does a lot of work with the City of Canton and a variety of other entities that are associated with economic development.

PRESIDENT SCHULMAN: So we're really...

TOM BERNABEI: Without any funding next year, we will be unable to and we will be providing to all of those entities no dollars whatsoever.

PRESIDENT SCHULMAN: So all these other Counties have a leg up on our County.

TOM BERNABEI: They have a very large leg up. As I said, 81 have 1% or greater which is four times in place what we had in place. Looking at Cuyahoga County, Cuyahoga County generates well over \$100,000,000.00 a year just from their sales tax, the same is the case with Franklin County and again, it works its way all the way down through all of the 81 Counties in the State of Ohio. So when we go out of the County to shop, we help to support their general fund, their economic development, their jobs growth, their justice system and so forth. When they come here to shop or for the Hall of Fame or otherwise, they don't help or pay anything.

PRESIDENT SCHULMAN: Okay, thank you very much. Judge Belden, welcome, if you'll give us

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your...although we don't need it but for the record, will you give us your name and residential address please. Thank you Commissioner.

STEPHEN BELDEN: I'm Stephen F. Belden, B-e-l-d-e-n, 2915 Croydon Drive NW, Canton, 44718. We're a little out of order, the Sheriff is...is not here yet and I realize I don't carry as much weight as Sheriff Swanson but I shall try and do the best that I can. Commissioner Bernabei laid it out pretty well. The jail, should the budget cuts go into affect should the sales tax not pass, we'll be down to 122 beds, it's currently at about 325. Right now, I and the other three Judges of the Canton Municipal Court have 15 beds a piece allotted to us to house misdemeanor offenders including the DUI cases which have mandatory jail time as well as domestic violence cases, assault cases and various other offenses that fall within our jurisdiction. If the jail goes down to 122 beds, I will have no jail beds to house any offenders. That's going to cause significant problems for us obviously but the community is going to suffer the most. Now there's two reasons why you need a jail, one is to put people in there who belong in there and there are obviously people who do. We have people who have committed 9, 10 OVI offenses. We have people who have committed repeated petty theft offenses, I mean in some cases 25 or more. We have people who have refused to obey Court orders to stay away from victims who are named in protection orders. We could...I could go on and on you know. And we don't have a jail to put these people, they're out in the street. But I think even more important than having a jail to put these offenders in is having the threat of going to jail for those who would be tempted to offend. If you look at our criminal justice system, so much of it depends upon voluntary compliance and I get people who tell me that "Well, you know you just can use jail alternatives if you don't have a bed in the jail to put people. You've got house arrest, you've got treatment programs, you have community service, you have probation." And yes, we have all of these things but ladies and gentlemen I will tell you, if you don't have at least the threat of going to jail if you don't comply with these jail alternatives people won't do them because there will be no consequences if they don't, people won't show up for Court. I already...last week I...I was on Arraignment Court last and I had 30 people not show up for new offenses. The word is out there on the street already that come December no offenses. And finally, I think in particular interest to this Council, in 2010 through Court costs and fines and various other fees, there were...was a grand total distributed by the Judges of \$1.9 million. People stop showing up for Court, we're not going to collect any fines, we're collect a lot less Court costs and you're not going to get that much and we're all going to suffer because this City depends on that money, you depend upon that money and we depend on that money because we are your tenant. So, a lot of dire consequences, I don't want to sound like Jeremiah but I think it's necessary, it's absolutely necessary. The prophet spoke for a reason, I've got my reasons too.

PRESIDENT SCHULMAN: Thank you your Honor, appreciate it. Our next speaker is Bill Sherer, Bill you need no introduction but if you'll give us your name and your residential address we would appreciate it and good evening.

BILL SHERER SR: Thank you Mr. President and Councilman, it's a pleasure to be here. I'm William Sherer Sr, I reside at 4521 Yale Avenue NW and it's a pleasure to be here before you tonight. When I was called to ask to work on this campaign, I knew how vital it is for the County but I also know that it's vital for the City. Having served on the Court Committee to study the jail back in 2001 and the County's finances I knew first hand how important the sales tax levy is. Allen, you were right on I think when you spoke about new construction and attracting new business into the County. The County will not have any money to do any infrastructure work to...if someone came forward and said they'd like to locate a plant in Stark County, there would be no

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help at all for them and with all these other Counties having the sales tax they would have a leg up on us, you're absolutely right. Even if this half percent does pass, we'll still have the lowest sales tax in the State. So, when Tom talked about the Courts and the Sheriff's Department, the Courts are one that can mandate going to Court and mandate maybe get a little more money and not have to take the 40% cut. The Board of Elections is another one that has the power to do that and the Veteran's Committee also has a similar avenue to take to secure more funds from the County and that's what makes the Sheriff's Department so vulnerable in having the drastic cuts out of a...and I'm not...I don't want to take away from the Sheriff's...maybe I'll look at some of the other departments. It's not going to be uncommon for many of the offices...County offices to closed one or two days a week because of the lack of staff that adequately staff them. The Coroner is not going to be able to perform autopsies on the dead and will issue a....just a death certificate with cause unknown and there maybe problems with families collecting the insurance money from the policies that they have. But in the City, is...they all have a problem I believe since the County will not be able to book prisoners in just a few hours a day, they're going to have to do something with the prisoners they book....pick up which probably is going to mean having to renovate the jail here and I know finances are tough here with the City. So, it's going to affect everybody even though we live in the City we're not insulated from the problems it's going to create. So, I just come down tonight to ask that you would all support it, endorse this Resolution. No one likes to raise taxes but it's absolutely essential that we do this. So, thank you for the opportunity to speak.

PRESIDENT SCHULMAN: Thank you very much Bill. Thank you. Our next speaker is Dan McMasters. Mr. McMasters. if you'll step forward and give us your name and your residential address please. And welcome to Canton City Council.

DAN MCMASTERS: Thank you Mr. President. My name is Dan McMasters, I'm a resident at 132 22<sup>nd</sup> Street NW in the Ridgewood area of Canton. Born in Canton, raised in Canton...well kind of raised in Louisville but I...I got crazy, I moved back here, so. And my...my credentials tonight is co-chairman of this Committee as Mr. Sherer and just passed Chairman of the Mental Health Recovery Services Board and Alcohol and Drug Board as well as long time serving member of the Stark County Criminal Justice Planning Committee as the citizen representative and I'm here as a citizen to tell you that I'm...all these hats that I wear, I'm scared to death of what's going to happen in Canton as the (*inaudible*). Let me talk to it from the mental health and alcohol and drug program, a lot of our clients as you know are involved in the criminal justice system...the criminal justice system and we work very hard out at the jail to get programs out there. 80% of the people out there have mental illness and/or drug and alcohol issues, repeat offenders. We've got some programs into place out there, especially in the DUI area or the OVI area I guess they call it now. But...that's had an 80% success rate, that's going to go away. Multiple DUI offenders are now going to be more multiple DUI offenders. What scares me the most is domestic violence, that usually does not rise to an F1 or 2 but these people will be literally arrested, handed a summons and they'll get to go back and finish the job they started. That is frightening to me, that's absolutely frightening. But these are....you know, and I heard some of you have publically said you are not going to support this for this and that and the other reason and I don't like taxes, I don't...I...I'm not one who wants to raise any taxes, nobody does but all the arguments I've heard, they don't like Gary Zeigler, they think the Sheriff does this, they think that, they think the County wastes money, blah, blah, blah, it's all clutter. The things that are going to happen December 8<sup>th</sup>, among other things, Canton will lose about \$400,000.00 in revenue from...hello....

PRESIDENT SCHULMAN: You got it.

DAN MCMASTERS: ...from about \$400,000.00 in revenue, this is the number from the Auditor's office in

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income from the laid off employees of the County, that's going to happen, I don't know how you're going to pay for our Police Department, that kind of thing, I don't see a...you know, the plans on how to deal with this. I...I hope, you know, I guess you have to assume the thing isn't going to pass for all the various reasons, I sure hope it does but let's say it doesn't, December 8<sup>th</sup> the jail will close for all intents and purposes there will be no booking out there other than special booking for murderers and rapists and stuff like that. Shoplifting will cease to be a crime in Stark County, I'm not sure what that will do to any retail development....yes?

PRESIDENT SCHULMAN: You have about one minute, I'm sorry.

DAN MCMASTERS: Okay and...and the Coroner has said for example, it will take six months to issue a death certificate. Someone dies, good luck getting the life insurance, anything else will be put down as indeterminate as the cause of death, they'll have no staff for testing. So, there's...there's a thousand reasons that we need this tax. To think Stark County can operate on no money is (*inaudible*). So, the scare tactic is just the way it is and I am worried about my City. So, having said that I appreciate your attention and I..and I hope that we go forth and get this thing passed. Tell everybody you know, pass it...pass it. It's only a half cent, most of it is paid by out of town people.

PRESIDENT SCHULMAN: Thank you very much Mr. McMasters.

SERVICE DIRECTOR REAM: Mr. President.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR REAM: If I could have a moment. I communicate with the Sheriff and his Chief Deputy on a weekly basis. What these gentlemen are saying here tonight is not incorrect, it's very correct. Right now they've had to close two hundred beds we think it's affected our crime fighting here in Canton. If they close another 200 beds it will have dire consequences for the citizens in this City. Back in the later part of August I sent to this Council a letter and a list provided through the Clerk of Courts of re-offenders that have gotten out because of limited jail space in our County jail and re-offended once they got out. That list has been updated in September and it's shocking when you look at this list to find the Canton residents that should be locked up in the County jail that were released because of not enough bedding or bed space to hold them and they come back onto our streets and re-offend. And when they say that it's going to get worse, when they say that they have to cut the beds, when they say that the booking is going to be a problem for us, they are not kidding and it will affect the Canton community, our community more than any other community is Stark County and if you look at the re-offender list, it bares that out. It is very shocking and for that reason, I stand with these gentlemen in support of the sales tax to take place in November.

PRESIDENT SCHULMAN: Thank you Director Ream. Mayor Healy.

MAYOR HEALY: Thank you Mr. President. I just want to echo some of the..the...the statistics and information that Commissioner Bernabei brought in as the County is dealing with their end of this recession and the impact it's had on them and then you pile on with the...the sales tax expiring and then trying to figure out whether we should add it back on again. You know, the City of Canton has gone through the same type of evolution through this recession. We had a high of \$58,000,000.00 general fund budget and a low of 48,000,000.00 and we had to go through the same decision making factors of how we managed through that and again 70% of every dollar we spend goes to safety. So if you're cutting \$10,000,000.00, that tells you that

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a big chunk of that is going to have to come from safety and we've seen that in reference to the reduction in our police forces and our fire departments and the only option that have to making the cuts to live within your means is to go to the public and say we need more tax dollars. The City of Canton has not done that at this point in time but I want to share with you just how other levels of Government impacts the City of Canton. The Federal Government this past year made cuts to HUD funding nationwide by 16%. The City of Canton's 16% cut I think was about 6 or \$700,000.00 that we lost in our Development Department through across the board reductions from the Federal Government. The State of Ohio has cut the local Government fund by 50%, 50% and they staged in this year and next year and we're seeing a 6...\$6,000,000.00 to \$7,000,000.00 reduction between the cuts that we're taking from the State alone on top of the Federal. And now if you pile on the County's difficulties and say to us "Well hey, you're going to lose another \$400,000.00 just from income tax revenue from our layoffs, oh and by the way you're going to have to put a whole lot more resources in your...in your jail space to make it a functioning jail because we're not going to be able to do bookings." And let's pile on, on top of that the safety issue which says criminals who get arrested and then released the next day have no fear of committing that next crime. And the document that Tom Ream was referring to, I've got a copy of it here and it shows hundreds, hundreds of criminals who are rearrested shortly after they were released early from their first jail sentence and they don't...I mean some of them are right back at the same location doing the exact same crime, it's unbelievable. So I just want to share with you that we understand and...and I really appreciate the Commissioner and the Committee guys that come down to share the details with us, we wanted to hear a little bit more of the details from your end and I really appreciate you coming down and doing that. The...Commissioner Bernabei, I...this is...this is a personal conversation to you so everybody else just hold off a second. We had a conversation when you were at City Hall and in that conversation I said to you "You know Tom, you and I agree on about 98% of all the issues that we've come across." And you responded to me that "Yes and the other 2% I'm wrong." Remember that conversation? Well I will tell you that I do agree with you on this one as well and I am not only going to vote for this levy but I am also tonight endorsing the levy in doing...let me know what I can do to help you pass this because the City needs this, the County needs this and quite frankly we have worked too hard to move us in the positive direction to have it wiped out because of the tax. So good luck on this and let me know what I can do for you. Thank you.

PRESIDENT SCHULMAN: Thank you Mayor. Any other comments from Council Members? Alright. Gentlemen thank you very much, it's clear that there's a tie into the economy and jobs and crime and it's, you know it's circular. If the...if we have a high crime rate people are not going to come here and open up businesses and they're not going to hire people and be...if you layoff people they're not going to spend money and businesses will suffer and the community will suffer because they can't hold a payroll because there's not enough demand for the product. It is circular, all these things are combined and it's a half of percent and I don't want 87 other Counties beating us economically in this community. So, Mayor thank you very much.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you. I received a phone call about the Resolution and there's three Council Member's names who are not on the Resolution, I can't speak for them I can only speak for myself. I want the general public to be aware the three Commissioners can impose the tax themselves. If they really believe that strongly that it is needed they should take it upon themselves to impose the tax then it will be proven to the people. The people in the pass, it was imposed and they did a referendum but with everybody sitting here

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expressing how much it is needed then the general public would not do a referendum. So they have that option. As a matter of fact I think they have that duty to impose the tax and the general public I think will be quite satisfied with that. I made a email that I sent out to Mr. Martuccio because I was at a meeting of which we're trying to find how we can help prisoners get back on the work force after they've had their records potentially maybe expunged within 20 years of their crime and they're still being not permitted to get a position anywhere. So I'm working hard on that end there. By the same token I will be glad to read what I said to Mr. Martuccio because when I was at that meeting Nadine McIlwain brought up the fact that the legislators brought out a law that she in fact said "The School Board Members...." and she looked directly at me and said "...and Council Members are not supposed to take a stand on any levies because it would be considered a conflict." And so I sent that and I saw Mr. Martuccio and I mentioned it to him and he said "Yes, I've heard something about that." Then I heard nothing more so I wrote it to Mr. Martuccio after receiving from Cindy and I thank you Cindy cause she sent me the Resolution saying that the Honorable Majority Leader had a Resolution for all the Council to sponsor. So I said to him...I will go back where I...

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Yes sir.

PRESIDENT SCHULMAN: Would you do me one favor?

MEMBER CIRELLI: Sure.

PRESIDENT SCHULMAN: Could you just hold that because when we...no that's okay...when we get to the Resolution I think it's appropriate that we....

MEMBER CIRELLI: Okay, that's fine.

PRESIDENT SCHULMAN: ....talk about that....

MEMBER CIRELLI: That's fine, thank you.

PRESIDENT SCHULMAN: ...I...I felt that from a public official's standpoint with the Safety Director and the Mayor they should have an opportunity to say something but....

MEMBER CIRELLI: I understand, sure.

PRESIDENT SCHULMAN: ...if you'll your...and they're very valid concerns and comments and I don't want to cut you off. But can we do that? Plus I saw in the back that Sheriff Swanson is here, I think he's here....Bill...oh there you...I'm sorry Sheriff. Would you come forward and give us your name and your residential address. We've heard a great deal before you, we appreciate you coming down. If you could...if you could go right up there Sheriff and....

TIM SWANSON: Tim Swanson, Stark County Sheriff, 6695 Big Spring, North Canton, Ohio.

PRESIDENT SCHULMAN: Good evening Sheriff.

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TIM SWANSON: Thank you Council President. I'm sorry I'm late, I was at calling hours for a dear friend and it went over a little bit. I wanted to address Council and please...I really appreciate the opportunity to do so. I've been Sheriff since 1999 and we have struggled and struggled at the Sheriff's Office and the County Government in regards to proper funding to do our job properly. The moment we've come out of a hole, a year would pass and the next thing we knew that we were right back in a hole. Let me explain to you over the years what's happened, many years ago when I was a real cop and worked on the streets, there was three places you booked prisoners, if they were arrested west of Whipple Avenue, you booked them at Massillon, if they were arrested east of Parks Avenue, you booked them at Alliance and if they were arrested anywhere in between, you booked them at Canton. For many reasons, all three jails closed and we became the booking facility for everyone. So all of the 23 plus police departments, law enforcement agencies in Stark County book at the Stark County jail. In December of last year, I laid off 41 additional people and I asked the Common Pleas Court Judges first in August to reduce my jail population from 500 to 400 and then to reduce it to 300 by December 8<sup>th</sup>, December 8<sup>th</sup> being the new fiscal year for the payroll and that was the day that we were going to have to make the layoffs. I'm going to have to do that again if we don't get this taxed passed. The County (*inaudible*) are drying up our (*inaudible*) local Government funds are dwindling. I'm operating on approximately 57% of the budget I started with eleven years ago. It's almost impossible to do our job. If we are cut an additional 40.5% in funding, we will have to reduce the jail population to 122 beds. Some people wonder how I come up with the 122, the new jail that we built and opened just a few years ago, holds 122 prisoners. It's a pod style jail and it's the easiest to manage and takes the least amount of people to do so. The older jail that was built in 1964 is a linear style jail and is manpower intensive in regards to supervising the prisoners. So I will only be able to operate the new area that we opened at 122 beds, that's all the amount of people I'll have to be able to staff the areas as I'm required by law to provide staffing and proper security for those inmates incarcerated. What compounds that is every agency having booked at the Stark County Jail will find it very difficult to book anybody at the Stark County Jail. The employees that are employed in the jail on a 24 hour, 365 day a year basis won't be there anymore. Those that aren't laid off will be working the housing area as required under the statutes. So I won't have anyone at the back door to answer those officers and I hate to put this back on the officers and I have said to the Police Chiefs in this County that we would do everything in our power if they have a rapist, if they have a murderer or someone who has committed a felony of great magnitude and it's a serious offense that we would book their prisoner in some way or fashion we'll get them into the jail. I do not expect those officers to have to have to take them home with them. I don't know where else they'll put them so the ones that are incarcerated on a daily basis, incarcerated on a weekly basis won't be coming to our jail. Our jail will not be able to hold them with only 122 beds, we'll have the worst of the worst in there and that's it. I won't be able to accommodate those arresting officers so they'll be issuing summonses to those individuals that they would normally be incarcerating. Now this affects everybody, this doesn't affect just the Canton Police Department or the Massillon or the Alliance, it affects the North Lawrence, it affects Wilmont, it affects Minerva, it affects Louisville, it affects everyone in this County and it affects your neighborhood. There's no place for them to take those people that need to be incarcerated whether they're drunk and intoxicated, high on drugs, whatever the case may be and for us to incarcerate them until they become...before they go in front of a Judge. Our beds should be at full capacity, we should be at 501 prisoners, in fact when we were able to man the jail properly at 500, we were...we at one time got as high as 560 two years ago. So you can see that the need was there and that's why we built the additional beds for the prisoners in Stark County. Not too long ago you can remember when there was 5,000 prisoners plus waiting to do time at the Stark County Jail and with the helps of a lot of folks in County and Municipal Government, we got through that. We've remedied that, we were feeling pretty good about all of that until recently, until this has happened. So I am begging and pleading with the folks, my people are begging and pleading that we just want to do our jobs, we just do not have the dollars to do so. I would ask Council to pass

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a Resolution to do so. The hospitals are going to be affected by this, normally where you had prisoners going to jail and then us taking them to the hospital, they're just going to go straight to the hospitals and they're going to have to deal with them, those nurses and doctors and security people are going to have to deal with those people that are drunk and intoxicated or possibly shot or wounded or stabbed, whatever the case may be. Crime is not running rampant in Stark County but you wait until next year and I can tell you that they'll just thumb their nose at everything, those criminals, they know better than we do. Don't think they don't hear the news or see what's in the local media in regards to whether or not they'll be punished, incarcerated or even sent to prison.

PRESIDENT SCHULMAN: Sheriff may I ask you a question, it seems to me what you're saying is we regionalized our jail, is that right?

TIM SWANSON: We regionalized our booking.

PRESIDENT SCHULMAN: Our booking and we put people out there instead of putting them in Alliance and Canton and Massillon and these other areas. So...

TIM SWANSON: It saved...saved tons of money by being able to take them to one location. We were able to get the officer back on the street within about 15 minutes.

PRESIDENT SCHULMAN: Right and so when you hear people say we want to regionalize, we want to save money, we want all these things brought in one Countywide grouping, that's what you've done and now they (*inaudible*) the opportunity to fund it.

TIM SWANSON: Yes.

PRESIDENT SCHULMAN: Okay, anybody have any questions for the Sheriff? Yes Director.

SERVICE DIRECTOR PRICE: You know and just so everybody knows because Canton residents in particular, I mean you know, as in any City we pay an income tax and you know, with that I think that sometimes on the County sales tax issues there's a perception that it doesn't affect us here in Canton. We don't have a jail just so everybody knows and I think that it's important to point out to the citizens of Canton that while we might have a big room down in the level beneath where we're sitting right now with bars, you know, jail cells, that....that's not a jail and the State...we meet none of the State requirements. The...the dollars that would be involved from my understanding to renovate that facility, to...it just couldn't...I mean, it's impractical. And, I mean, anything's possible with enough dollars but the last prisoner that went through that jail, or that....that room that was a jail down in our basement, Ronald Reagan was President...or...or Mr. Butterworth perked up for that (*laughter*)...it might have been Bill Cl...I mean the jail (*inaudible*)...So that room down there is not a jail, so if there is a perception by Canton residents that we have some sort of jail or holding facility, we don't. And in terms of what's down there, I mean, we would be happy to show it, anybody who'd like to see what "facility" we have in the basement, we'll show it to ya and...and I think it'd be worth seeing because you'll see what it would take to demo that thing. Deming that alone...the cost is inconceivable. Facilities that were part of that room down there, they just don't exist anymore. There's no...there are no cooking facilities, they're just inadequate facilities on that level, even where it's located. I mean, you have...you have to figure, this buildings 50 years old. When it was built in 1960, that jail was built underneath of where we sit now. I mean, it's not...it's not conducive to demoing...I can't even imagine how

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you'd...how you'd reactivate that. So for people that think "Oh well you know, if we lose out on this, we just...we just open our jail back up." It...it's not going to happen.

PRESIDENT SCHULMAN: Sheriff we really appreciate all that you've done and tried to do under very trying circumstances and we're going to....

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes Member Cirelli.

MEMBER CIRELLI: May I ask a question of the Sheriff please?

PRESIDENT SCHULMAN: Sure, yes.

MEMBER CIRELLI: Sheriff Swanson, thank you for coming tonight. Why is it that you have not approached the Commissioners and asked them to earmark a tax strictly for safety and nothing else within the County sir? Because first of all, I've had a Mayor here that's been telling everybody crimes down and we all disagree but that's what I've heard at many of the meetings and so I'm interested in why you didn't go to the Commissioners and ask strictly for a safety levy and I think you know what I'm talking about because you could...that could have been doable. And I think that would have been very much supported by the citizens but I think the citizens are looking at the other departments where some of them are seeing some wasteful and some unfortunate circumstances that came up. So could you explain to me why you didn't ask for just strictly a safety levy sir?

PRESIDENT SCHULMAN: Sheriff, do you want to respond briefly?

TIM SWANSON: Yes thank you.

PRESIDENT SCHULMAN: Thank you.

TIM SWANSON: I did Ms. Cirelli, I did ask for a safety levy. It was investigated, there's only certain thing...levies you can put on and certain things that you can say when you want to create a levy to generate funds. I thought they could put a levy on strictly for the Sheriff's Office, I'm told that, that can't happen, it has to go for criminal justice and administrative services. So that's why it's called what it's called. They've said to me in open meetings that they will...if that tax passes they will before the end of this year, bring me up to the 29...the 2009, I'm sorry the 2010 levels that I had and then by 2013 I will start working back up to the 500 beds, so..or 2012 I'm sorry...back up to the...at the end of 2012 we would be working back up to the 500 beds so. It's just what the law makes you do in regards to what you call the levy and if I could do one that's strictly for the Sheriff's Office that said this is a Sheriff's levy, I'd jump on it. I'm told that, that can't happen, it has to be called criminal justice and that's why it's called it.

PRESIDENT SCHULMAN: Okay Sher....

MEMBER CIRELLI: Mr.... Mr. President....

PRESIDENT SCHULMAN: Yes Member Cirelli.

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MEMBER CIRELLI: ...and to the Sheriff. To my understanding, it's a sales tax, I did not understand it to be strictly for criminal justice. What I'm hearing you...and I don't want to put words in your mouth but a criminal justice in my mind simply means all the money will go for the Courts, it won't go for the Engineer's Office, it won't go for any other offices but other than criminal justice and that's not what I have perceived this to be and maybe I've been misled. So, can you fill me in on that sir?

TIM SWANSON: I think Mr. Bernabei would be better to answer that than me.

PRESIDENT SCHULMAN: And Sheriff, I think with all due respect Member Cirelli, I think Commissioner Bernabei did say that. It is to reimpose what has been the half percent income tax or sales tax that has been in existence for the last eight years. So it does go for general Government as well as the Sheriff's Office and...and the criminal justice system which as I understand from what Commissioner Bernabei said amounts to about 70 to 80% of the budget to begin with. But we can talk about that when we get to the Resolution itself. Sheriff, again thank you very much, we appreciate your public service. Obviously Council's three minute limitation has been exceeded by probably, I don't know, three hours I would say. But in any case, it's that important and that's why the Chair gave this more time than we normally do and permit. So thank you all very much and this will be coming up in a few minutes as soon as we're done with the rest of public speaks. Our next speaker is Cindy Hall and Ms. Hall if you'll step forward and give us your name and your residential address and if you would restrict your remarks, I'm not trying pick on you, to three minutes we would appreciate it. Thank you.

CINDY HALL: Good evening, my name is Cindy Hall, I live at 1018 14<sup>th</sup> Street across from Lehman High School. I've lived there with my husband for 25 years. Throughout the years I've heard all the proposals for the property. When Mr. Hensley and Mr. Stewart told me of their plans I was skeptical that a free clinic could successfully bring Lehman to a usable condition. Bits and pieces of information have not added up. After all, a free clinic still needs funds to operate. The complete picture was not revealed. It was not until North Lehman Neighborhood contacted Mayor Healy and he granted our request to attend the CCIC meeting did we finally learn the rest of the story. I find it hard to believe this northwest section of Canton with its residents and businesses and our church would be best served by locating a treatment/or reentry program at Lehman. Perhaps this will succeed or perhaps it will be our worst nightmare, what guarantees do we have? There needs to be a public meeting with all parties concerned as there are still many questions remaining. Thank you.

PRESIDENT SCHULMAN: Thank you very much Ms. Hall, we appreciate it. Our next speaker is Bruce Brewer. Mr. Brewer good evening, if you'll step forward and give us your name and residential address and welcome to Canton City Council.

BRUCE BREWER: Thank you Council President for having me in and thank all the Council People and Mayor. I...again, I represent Vassar Park Neighborhood Association comprised of 560 homes. With the help of the Safety Director, the Mayor and the Chief McKimm, we have knocked down some of the crime in our neighborhood. We do appreciate their time and their effort. We have a long way to go. Tonight I (*inaudible*) approached, a lot of people know me here, a lot of people don't but I just want to let you guys that we do appreciate you coming to our meetings, standing behind us so we can move forward to try to get our areas cleaned up. And if I may, I'd like to ask Tim, I can't believe you still have your hair. (*Laughter*) Thank you.

PRESIDENT SCHULMAN: Thank you. And Mr. Brewer's address is 1520 Harvard Avenue NW. Okay, our next speaker is Constance Brown. Ms. Brown if you'll step forward and give us your name and your

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residential address and welcome to Canton City Council.

CONSTANCE BROWN: My name is Constance Brown, I reside at 1247 Cottage Place NW. As I ponder this marvelous invention that's called Government, I realize how much has to come together for it to succeed, I realize that communications could be one of our biggest challenges and that's what I wanted to address tonight. Some of us do fairly well with communications and some of us as neighborhood people are still having difficulties despite all the technologies that is in place. So, I know that we can contact you at home, we can contact you through your Council number, we can contact you by email but despite all of that, we're still having a number of occasions when our messages are going unanswered. So, I was curious and I found out that almost everyone on Council is on Facebook but I believe it's highly underutilized. I would just like to call attention to the fact that several of our neighborhoods are also on Facebook and I'd like to encourage you to look up the name of your neighborhood organization where you represent the people and see whether they have an organizational age and use that so we can communicate with each other. When it comes to communications there are two strikingly opposing styles. One is not to communicate and hope that the difficulties that we perceive that might come of our direction if we do communicate will be swept under the rug, people will forget it and accept a situation that we consider to be unacceptable if we were to present them with the full information. The other way is to attack everything from the stem point that certainly there has to be some nefarious design behind whatever is being done. There ought to be some place in between where we can tactfully come together with our communications and I will tell you that after many years of experience with classroom teaching that it does not work to just push an issue under the rug. Attacking doesn't work well either but at least you know what people are thinking. So I would like to encourage our communications to improve that we utilize all facilities that are in place and if your constituents tell you they are not getting through to you, please take them seriously because nothing frustrates them more. Thank you, you have a big job and we can make it easier.

PRESIDENT SCHULMAN: Thank you very much. Thank you Ms. Brown, I just mentioned to our clerk that maybe City Council should have a Facebook page, it's probably a very good idea. Our next speaker is Veronica Callahan. Ms. Callahan, if you'll step forward please and give us your name and residential address.

VERONICA CALLAHAN: My name is Veronica Callahan, I reside at 3406 34<sup>th</sup> Street NE, Canton, Ohio 44705. Don't start my three minutes, you know the rules. Tonight our neighborhood associations are here representing so I would everyone that's a member of N.A.V.E. please stand. Don't start my three minutes now. To President Schulman and all of City Council, we thank you for the opportunity to always come out. We usually come to City Council, as you guys know, twice a year. And as the Chairperson and I've been so for quite awhile, I think this is going in our 14<sup>th</sup> year that Neighborhood Leadership Council, which is the group from Stark Community Foundation, which brung us all together. N.A.V.E. is only probably I believe if I'm not mistaken in our 7<sup>th</sup> year? In our 7<sup>th</sup> year. We decided after we got involved in our neighborhoods that the only way to make effective change is to work with our Government entities which is City Council, the Mayor and his Administration and so forth. So every year N.A.V.E. has been working to educate people in our community about the political process about what can be done if we get behind our politician and our leaders. So we're really, really happy to say that this year N.A.V.E. has registered 50 more additional voters through our voter registration drives and so forth. Usually we get up here and we have a lot to say and Mr. President last time we came to Council I think some of our remarks were taken offensively but we...we have all since talked to different entities and we know that we're not here to be offensive, we're here to thank you all, each and every one of you for the jobs that you have done and continue to do but unless we talk about the problems and issues then we can't resolve them right? I have a policy with my events and committees and

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things that I personally have my hands in, you can say “Oh you look good today and this went well.” That’s fine and I appreciate it and respect it but I like to hear what didn’t we quite get so that we can continue to make improvements. I’ve heard a lot sitting here tonight and for all the representatives of the issue and our Neighborhood Leadership Council, some of the things that remain after 14 years you guys and I think I might be one of the babies of the bunch besides our high school students, I been hearing the same thing, it’s still crime, it’s still living wage jobs. It’s one thing to have jobs but if I can’t take care of my family it doesn’t matter that you’re bringing jobs. Our families are struggling, they cannot afford their rent, they cannot afford their food let alone any type of entertainment or things that will provide dollars and resources to be able to have these extra taxes. We still have a problem with housing in our communities. We are tearing down houses and I can’t figure but I know the City got x a many....x amount of hundreds of thousands to continue to tear down houses, this is fine but it’s still not enough, it’s still not enough. We don’t have the solution as individuals but I want to be remindful of a piece of pie. We all have a real good piece of pie of the pie here in this room and if we work collectively, we could continue to make a difference. We need Government, we need the Government, we need churches, we need non-profit organizations, we need social services. We also need business community to come together. We need our neighborhood associations. I once said a long time ago, I was sitting at meeting way back when Mahoning Road Corridor first to its...to the table for discussion back where welfare reform came to Stark County, you know what I told them? “If you don’t include the community service component and if we don’t address the ills and Sheriff Swanson and his team has identified those so I don’t have to repeat them and you’re all aware of them, we’re going to tear this City down and what I mean by that is let’s empower each of us who hold a piece of this pie to do our job. Let the neighborhood associations bring our families together...and I’m hurrying. Let us bring the families together. When we first started this group Marilyn Thomas Jones and the Foundation, I remember one of the things was we couldn’t chastise each others neighbors like we used back when my parents were kids. We couldn’t even look at our neighbors kids, we didn’t even know our neighbors. But through the neighborhood associations we’re starting to know our neighbors and we can communicate (*inaudible*)...we’re empowered to come here and talk to you at Council, call your phones and what have you. So I just want to encourage us that yes we made a little bit of progress, now you can’t lie and say we weren’t there. So we have so much work to do but in our planning let’s be inclusive. I love what Constance was saying about communications and maybe Facebook is not the only way but just remember this, don’t try and come and tell us what to do in our communities, make us a part of creating the solution because we’re here to help you. Thank you.

PRESIDENT SCHULMAN: Thank you very much Veronica. Thank you and again thank you all for your public services, it’s so greatly appreciated. Our next speaker is Kathryn Ramsey. Ms. Ramsey if you’ll step forward and give us your name and your residential address please and good evening, it’s good to see you.

KATHRYN RAMSEY: My name is Kathryn Ramsey and I live at 2322 16<sup>th</sup> Street NE and I am a member of the Crystal Park Neighborhood Association and I had no intention of speaking tonight but I spent the afternoon passing out Crime Watch flyers with my friend Mary and she convinced me that I should speak tonight. Thanks for letting me speak. I...you know, there’s a lot of people who know me but they don’t really know me personally because I’m somewhat of a romantic and people don’t really know that about me because I think I come across as being that mean ole woman, you know. I love all things old and that means all Members of Council included too. (*Laughter*) I especially...

PRESIDENT SCHULMAN: Okay Ms. Ramsey your time is up. (*Laughter*)

KATHRYN RAMSEY: No...

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PRESIDENT SCHULMAN: So, our next speaker is...

KATHRYN RAMSEY: No fair, no fair. No, I love old houses and I love antiques and it's sorry to say I have become attached to all my old possessions. And there's an old saying that God works in mysterious ways his wonders to perform, I was not going to speak, I had no idea that the sales tax was on the Agenda. Mary convinced me to speak. Okay but I love my old possessions and recently a thief destroyed a possession of mine of 50 years. It was my antique gate that my husband gave me that I was putting in my flowerbed, it was stolen from my yard and I presume it was by one, I could be wrong, you know what they say about assumptions but I assume that it was one of the many scappers who inherit...who inhabit our neighborhood. Now, we need to tighten surveillance on the scrap dealers and the sellers. They're going through private property, private dumpsters, ripping off siding of houses, water meters, wiring and destroying houses which then become vacant lots which are then uncared for by owners. Thank you Mayor for the demolitions in my neighborhood, you don't know how much I appreciate that. But now we need to put these vacant lots in the hands of responsible property owners who will take care of them and pay County sales tax...I mean County taxes...property taxes. Please vote for the County sales tax so that we can keep these thieves in jail. Support the Sheriff and the Dog Warden, keep the pit bulls and the thieves of the streets.

PRESIDENT SCHULMAN: Thank you. Well once again Ms. Ramsey, you tied all those loose strings together right at the end. Great job, thank you and thank you for your public service. Our next speaker is Brenda Kimbrough. Brenda Kimbrough, good evening, welcome, if you'll give us your name and your residential address please.

BRENDA KIMBROUGH: My name is Brenda Kimbrough, I live at 902 Lippert Road NE in Canton, Ohio. I thank you for everything. I have to make one announcement because I know my time is running. One, N.A.V.E. wants to invite you to come to our Meet the Candidates Night, Monday at 10...5:30, that's Monday October 10<sup>th</sup> at the Marriott Grand. So that's my commercial message and also I'd like to also thank you. *(Inaudible)*..these are some words of descriptive for the day we've had, such an intense meeting, so we want to thank you. I have some things we did do right and I just wanted to make sure we bring that up too. One thing I'd like to say, we're glad for the litter clean up, thank you for the BAN LITTER program, everyone that's here that's done one, we thank the City for that because it helps us help you and as they said "If you include us we can help you." Alright so, snow removal, we're really glad about that, we could get out of our houses because of the City department coming out and doing some things. We could go remove our trash so we can earn our cash. So, we thank God for the opportunity, the trash people often picked up and they're very good, you can depend. We thank God for the street cleaning department, they're our grateful friend. The Water Department is good and we're glad about the things they do, I'm told and we're really glad about the Street Department because they fill all those holes. The Police Department is good, they protect us if we obey the law and we thank the Fire Department because they put out the fires too. We also thank for the health and wealth because health is making you safe and also keeps you from going to spend all your cash at the hospital. So we thank you for the people who come and the Parks which is where we have our fun and we thank you because their open all year round for us to have a good time. Also I thank you for Public Speaks and a chance for us to tell that we have something all to do that we all do very well. Thank you.

PRESIDENT SCHULMAN: Thank you. Our last speaker is Edward Daniels. Mr. Daniels if you'll step forward, good evening sir, if you'll give us your name and your residential address please.

EDWARD DANIELS: Good evening Council, Mr. President, Mr. Mayor, everyone that's with us tonight.

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Basically my name is Edward Daniels, I reside at 401 Girard Ave SE. Basically I'm here tonight to invite everyone here to a group that I'm a part of, a Humanitarian Awards dinner that we're having, it's called...my group is called the Brother's Production Inc. and basically what we do, it's a group of African American men that got together about three years ago to basically make a difference within the community that we live in. We do partner with other non-profit organizations as well as schools within the community. Right now we're working with Hartford Junior High School where we do mentoring as well as security for the football games, things of that nature. We are a 501C3, non-profit organization, we are listed with the Ohio State Attorney General's Office as a non-profit organization as well. Basically what I'm here for is just to bring light to our organization and to invite you all to our Humanitarian's Dinner on October 22<sup>nd</sup>. I do have fliers here for everybody before you leave, grab them from me. I also wanted to highlight one of the honorees who's listed here tonight, Ms. Ruby Brogdon, she will be one of the honorees. If you could give her a hand for all her community service that...*(Applause)* and everything that you've done for people that have not been recognized. That's what we want to do and show that you're not forgotten and that someone is thinking about you and we want to make sure that your name is out there as well as others that have been unrecognized and that's basically what I'm here for. Thank you all for your time, I appreciate it.

PRESIDENT SCHULMAN: Thank you. Okay and that concludes Public Speaks and speaking personally I thought that was really a lot of fun.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: So, we're now moving on to Informal Resolutions. We're now under Informal Resolution 28 and Madame Clerk would you please read the Resolution 28 by title.

#28. CNCL MBRS DOUGHERTY, PRATER, COLE, SMUCKLER, HAWK, GRIFFIN, SMITH, BARTON, HORNER: IN SUPPORT OF THE PROPOSED STARK COUNTY SALES TAX. - ADOPTED

LEADER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader,

MEMBER DOUGHERTY: Yeah, I move we adopt Resolution, what is it 28?

PRESIDENT SCHULMAN: Yes.

MEMBER PRATER: Seconded

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 28. Are there any remarks? Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. *(Inaudible)*...so I'll just use this. As I was saying earlier, my concerns is the fact that if this sales tax is passed...can you hear me sir?

PRESIDENT SCHULMAN: Yes.

MEMBER CIRELLI: Oh okay, thank you. If the sales tax is passed, the...what I hear tonight, I can't believe that all these neighborhood groups were not contacted because what I hear them not saying is they would be a part of the pie to go out and sell this sales tax to the community. Now, you're looking puzzled like you didn't

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hear that.

PRESIDENT SCHULMAN: No, it's just that I think that they actually are going to be contacted if they haven't already.

MEMBER CIRELLI: Right and so that's why I'm saying, maybe the Commissioners were not aware that we had all these people within the City that if they did impose the tax, these people would be the first people to go against a referendum if one came out, we don't even know that would happen. So I personally feel, because I've been a Commissioner, been there and done that and I think they have an obligation to impose the tax and that would happen immediately all three of them and I've really not heard a good reason other than the fact that they would have a referendum. But what I'm hearing here tonight is that there would possibly not be a referendum so I still don't know why they're skirting their responsibility and not only that, I want one of....somebody there to explain to me did they get a Resolution from Massillon, Alliance and all the other districts that I think I heard them say that they did. Did they go there and speak and did they have the Resolutions in hand with all the support from all the other Elected Officials within this County?

PRESIDENT SCHULMAN: You know Member Cirelli, you've raised some very good points and I was thinking about what you said about an imposition of a tax and I find that somewhat contrary to your customary stand which is that the people should be vested in what they do, I'm not critical of you but I think it is important that our community participate in its own democracy and that it vote on when and under what circumstances our community members will pay more in taxes. It's not simply three Commissioners who impose from on high, it is our community that brings it up from the bottom. That's democracy and I understand exactly what you're saying and you've raised a very good point but in answer to that I think it's important for our community to understand where its money goes and where its money goes is to protect the citizens of this community from crime and from harm and you've always been a strong believe in the police powers of the State and moreover, it's to develop economically and create jobs in our community. So it goes hand in hand. If you...if you..and I was trying to say that, if there's no demand in the private sector for goods of products then someone has to step into the breach and that's Government. So we employ people who spend money in the community who then create a demand for products that are built in our community and sold in our community and those companies then higher people because the demand has been increased and the demand is greater. So I think the public has a right to be heard on this issue. That's number one, number two, I'm...I know that the Sheriff and I certainly know the Commissioners have gone out all over the community and have held public meetings and have asked other Councils and Townships to endorse this Resolution and I think that they certainly do have them. That's number two and the third thing I think you said was...you said three things, why they didn't impose it, has this passed in other Municipalities or Councils or Townships and the third point was, I can't remember, okay.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Can I have this read please?

PRESIDENT SCHULMAN: Yes.

CLERK TIMBERLAKE: *Whereas*: Due to revenue decreases County government including primarily the

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jail, courts, prosecutor and other offices providing criminal justice services have been cut by 15%; and major additional cuts of up to 40% to these offices need to be made in 2012; and, **Whereas:** Stark County voters are being asked to vote for a one-half percent sales tax (Issue 29) on the November 8, 2011 ballot to pay for Criminal and Administrative Justice services for a period of 8 years; and, **Whereas:** Without the sales tax the county jail with a capacity of 501 beds will be reduced to as few as 122 beds, which means that only the most serious criminals will be held in jail; and, **Whereas:** The impact will be felt across Stark County regardless of where you live and regardless of whether your own community has its own police department, police can still arrest but there will be no place to house criminals beyond the 122 limit; and, **Whereas:** The sales tax rate in Stark County is 5.75%; 5.5% goes to the State of Ohio and .25% goes to SARTA, none goes to Stark County Government; and, **Whereas:** Stark is the only county in Ohio without a sales tax for county operations, if the sales tax is passed in November Stark County will still have the lowest sales tax rate in Ohio; and, **Whereas:** The sales tax is needed for continued public services, public safety and quality of life in Stark County. **Now, Therefore Be It Resolved That We:** Members Dougherty, Prater, Cole, Smuckler, Hawk, Griffin, Smith, Barton and Horner **Supports and endorses the proposed sales tax issue for Stark County, Issue 29.**

PRESIDENT SCHULMAN: Thank you. Leader, anything else? Any other remarks? Hearing none, by voice.....

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Am I to understand...and I would like to direct this I suppose maybe at...is Mr. Bernabei...Commissioner Bernabei still here?

PRESIDENT SCHULMAN: I'm not sure, what's the question and he'll tell you whether he's here....

MEMBER CIRELLI: This is completely, all this sales tax money will go only for the criminal justice and no other systems within the County....

PRESIDENT SCHULMAN: Well I think...

MEMBER CIRELLI: ....is that correct?

PRESIDENT SCHULMAN: I think he made clear Member Cirelli, that this an entire Governmental...

MEMBER CIRELLI: Alright, this is going on record then....

PRESIDENT SCHULMAN: Yes, Governmental general fund, yes.

MEMBER CIRELLI: Pardon me sir.

PRESIDENT SCHULMAN: It's the...I believe the County has a general fund like we do and this tax, this sales tax goes to support that.

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MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER CIRELLI: The general fund encompasses more than just the safety and the criminal justice.

PRESIDENT SCHULMAN: Yes, and that's exactly what I think Commissioner Bernabei and everyone who stood up said, yes.

MEMBER CIRELLI: So it will go in fact for every other department as well? Ms. Bates, can you mention that?

KRISTEN BATES: I have been watching a very animated gentleman in the back who I think has that answer.

PRESIDENT SCHULMAN: Mr. McMasters do you want to come up and tell us the answer to that?

DAN MCMASTERS: This..this sales tax, this half percent....

MEMBER CIRELLI: Excuse me, Mr. McMasters will you go to the microphone please so that it's on tape. Thank you sir very much.

DAN MCMASTERS: This sales tax, at half percent, 70% of it is approximately is paid by out of County people. It is not taxed on food or medicine. So the senior citizens, the people...it's not a burden, it's a very...a very fair tax. To think for...well I just comment on that, to think for a minute, taxation without representation, I would vote against it. I won't stand for an imposition of taxes, that's me personally, that's why we have a tea party and I'm not part of that group but...now let me get to the fact that this money...this money goes into the general fund of Stark County.

PRESIDENT SCHULMAN: Right.

DAN MCMASTERS: A large, large percentage has been stated goes to safety. If Judge Haas were here, he could probably speak much more eloquently than I about what he does for a living, the Sheriff has told you about what he does for a living, I could go on for about half hour about consequences to every citizen of Stark County.

PRESIDENT SCHULMAN: We don't have half hour...

DAN MCMASTERS: I understand that...

PRESIDENT SCHULMAN: ...and..and the only, the answer to Member Cirelli's question is, it goes to departments other than simply criminal justice, correct?

DAN MCMASTERS: Well...

PRESIDENT SCHULMAN: No, is that just yes or no?

DAN MCMASTERS: Yes...yes it does....

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PRESIDENT SCHULMAN: Okay, that's fine, thanks Dan.

DAN MCMASTERS:...because it keeps from layoffs from happening in other departments.

PRESIDENT SCHULMAN: Right, we understand that. Okay, I'm going to call the vote. All those in favor of Resolution 28 signify by saying aye, no.

NO REMARKS

RESOLUTION #28 PASSED BY VOICE VOTE  
(MEMBER CIRELLI VOTED NAY)

PRESIDENT SCHULMAN: One no, the ayes have it, the motion carries. Resolution 28 is adopted.

**COMMUNICATIONS**

PRESIDENT SCHULMAN: We're now under Communications. And by the way, if anybody wants to leave, I know we have some Public Officials here, you're more than welcome, it's not in insult to the City Council, we're used to it, so. We're now under Communications, let the journal show that all Communications are received as read.

***NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED OCTOBER 3, 2011.***

344. FINANCE DIRECTOR DIRUZZA: AMEND O#245/2010 FOR \$16,000.00 SUPP APPROP FROM UNAPPROP BAL 1001 GENERAL FUND TO 1001 501101 HUMAN RESOURCES ADMIN. - FINANCE COMMITTEE
345. HAWK , G. WARD 1 CNCL MBR & GRIFFIN, J. WARD 3 CNCL MBR: AUTHORIZE LEGISLATION TO ACCOMPLISH THE GOAL OF REDUCING OR ELIMINATING ILLEGAL POSSESSION OF WEAPONS BY CHILDREN AND CRIMINALS; \$35,000.00 SUPP APPROP FROM 1001 UNAPPROP BAL OF GENERAL FUND TO 1001 102000 POLICE - OTHER. - FINANCE COMMITTEE
346. HEALTH COMMISSIONER ADAMS: REQ \$110,000.00 APPROP FROM UNAPPROP FUNDS OF 2328 PHEP FUND TO OTHER LINE ITEM FUND 2328 PHEP FOR BUDGET PERIOD 8/10/11 - 8/9/12. - FINANCE COMMITTEE
347. MAYOR WILLIAM HEALY: REQ APPRVL FOR RE-APPT OF MR. CHARLES DEGRAFF TO STARK COUNTY REGIONAL TRANSIT AUTHORITY BOARD FOR 3 YR RETRO TERM OF 9/1/11 - 08/31/14. - PERSONNEL COMMITTEE
348. SAFETY DIRECTOR REAM: REQ COUNCIL TO ACCEPT AND APPROP \$2,000.00 DONATION FROM WEST PARK NEIGHBORHOOD ASSOC FOR PURCHASE OF TWO SECURITY CAMERAS AND EXPENSES RELATED TO INSTALLATION OF EQUIP. - FINANCE COMMITTEE
349. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR TO SUBMIT APPLICATION TO OHIO DEPT OF DEV, EXECUTE GRANT AGMT W/THE ODOD & ACCEPT UP TO \$3,000,000.00 IN JOB READY SITE FUNDS; CCIC WILL PROVIDE REQUIRED MATCH FOR PROJ;

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AUTHORIZE AUDITOR TO ESTABLISH A SEPARATE FUND FOR RECEIPT & DISBURSEMENT OF JOB READY SITE FUNDS AND DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

350. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ENTER INTO A 15 YR POWER PURCHASING AGMT WITH ENER-G SOLUTION PARTNERS FOR PURPOSE OF INSTALLATION OF SOLAR PANEL FIELDS ON CITY OWNED PROP; CITY WILL HAVE OPTION TO PURCHASE SYSTEM IN YR SEVEN OF THE AGMT. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE

**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 ORDINANCE #1 THROUGH #3 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FUNDING AGREEMENT WITH J.R. COLEMAN IN AN AMOUNT NOT TO EXCEED \$145,000.00 TO PROVIDE FACADE AND STREETScape IMPROVEMENTS ALONG THE MAHONING ROAD CORRIDOR; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee

PRESIDENT SCHULMAN: Folks, we don't mind you leaving but you'll have to be quiet when you leave. Thank you. Resolution...or Ordinance 2 please.

- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF VARIOUS VEHICLES FOR THE PARK DEPARTMENT; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT AND/OR OHIO DEPARTMENT OF TRANSPORTATION PURCHASING AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee
- #3. (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 SAME TO BE AN EMERGENCY (ADMIN CLERK - WATER RECLAMATION FACILITY)  
Referred to Personnel Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

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PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for the Second Reading. Madame Clerk would you please read Ordinance #4.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #4 FOR ITS SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS):***

- #4. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO SELL THE CURRENT BASKETBALL FLOOR AND BACKBOARD UNITS AT THE CIVIC CENTER BY SEALED BID OR PUBLIC AUCTION; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances and Formal Resolutions for the Third and Final Reading and vote. Would you please begin with Ordinance 5.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #5 THROUGH #17 FOR THE THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (ORDINANCE #5 WAS REFERRED BACK TO COMMITTEE AND ORDINANCE #6 IS POSTPONED UNTIL 10/17/11)***

- #5. (3<sup>RD</sup> RDG) ***REFERRED BACK TO COMMITTEE*** AN ORDINANCE AMENDING CHAPTER 749, ITINERANT RETAILERS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 5.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 5. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we send Ordinance 5 back to Committee.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to send Ordinance 5 back to Committee and postpone the vote tonight. Any discussion on that motion?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes Leader.

MEMBER DOUGHERTY: We had a meeting and came up with a totally different version than the first one and should have had that meeting prior to all the readings, so hopefully we're headed in the right direction and we don't want to take this quickly, we want to get it back to Committee, get some of the ideas that came about in the Ordinance and bring it back to this Body.

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PRESIDENT SCHULMAN: Any other remarks? All those in favor to postpone the vote and send Ordinance 5 back to Committee, signify by saying aye. Those opposed no.

NO REMARKS TO REFER ORDINANCE #5 BACK TO COMMITTEE PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Madame Clerk, Ordinance 6 please.

#6. (3<sup>RD</sup> RDG) **POSTPONED UNTIL 10/17/11 AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH THE 2531 NIMISILLA PARK FUND**

PRESIDENT SCHULMAN: Leader.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 6. Are there any remarks? Leader.

MEMBER DOUGHERTY: Mr. President, we need to postpone Ordinance 6 this evening.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you postpone Ordinance 6 under this evening's agenda.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes Leader.

MEMBER DOUGHERTY: Yeah, this was in Member West's Ward and also the Law Director is not here tonight and there's an Amendment in the works.

PRESIDENT SCHULMAN: Very good. Any remarks? Further remarks? Hearing none, all those in favor of the motion, signify by saying aye. Those opposed no.

NO REMARKS TO POSTPONE ORDINANCE #6 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries Ordinance 6 is postponed. Ordinance 7 please Madame Clerk.

#7. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 167/2011 AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO AMEND THE GEORGETOWN ROAD COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENT (CEDA) TO INCLUDE THE BROAD AVENUE ANNEXATION AREA; AND DECLARING THE SAME TO BE AN EMERGENCY**

PRESIDENT SCHULMAN: Leader.

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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 under this Ordinance?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. Mr. Price, will this solve the problem there sir?

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Broad Avenue...what...what problem are you referring to?

MEMBER CIRELLI: Oh this is they're adding...they're adding it on to, yeah on to Georgetown. Got it, thank you, I was thinking of another issue. Thank you.

SERVICE DIRECTOR PRICE: Sure.

PRESIDENT SCHULMAN: Any other remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

**#7 ADOPTED AS ORDINANCE NO. 167/2011**

PRESIDENT SCHULMAN: Ordinance #8 is adopted. Ordinance #9...I'm so...7, excuse me, Ordinance #7 is adopted. Ordinance 8 please.

#8. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 168/2011** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS AND APPROPRIATION TRANSFERS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (FOR CITY'S CONTINUING OPERATIONS)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 8. Any remarks under this Ordinance? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Eleven yeas, Mr. President.

**#8 ADOPTED AS ORDINANCE NO. 168/2011**

PRESIDENT SCHULMAN: Ordinance #8 is adopted. Ordinance #9 please.

#9. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 169/2011** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010; AND DECLARING THE SAME TO BE AN EMERGENCY (HEALTH DEPARTMENT)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 9. Any remarks under this Ordinance? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

**#9 ADOPTED AS ORDINANCE NO. 169/2011**

PRESIDENT SCHULMAN: Ordinance #9 is adopted. Ordinance #10 please.

#10. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 170/2011** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 245/2010, AS AMENDED, BY MAKING THE SUPPLEMENTAL HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$10,000.00 COUNCIL CITY STREET VACATE EXPENSE)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

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

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes Member Cirelli.

MEMBER CIRELLI: Yeah, question to Mr. Price sir. On the City Council, we're putting \$10,000.00 there in a funding to vacate what we normally would do through our process anyway. So, is...I'm still not clear why we are doing this and not following our usual vacation (*inaudible*).

PRESIDENT SCHULMAN: Director Price.

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SERVICE DIRECTOR PRICE: This money is for the advertising and legal fees to effect these vacations. We...we would need this in the budget to do any alley or street vacations. This will enable us to continue doing those.

MEMBER CIRELLI: So Mr. President, what you're saying more or less we're moving the money there just for the advertising and such.

SERVICE DIRECTOR PRICE: Correct. The...the issue is as...number one, we...we continue to have requests by residents to vacate alleys or...or...and that's an obvious one, you got an alley, it's...it's falling into disrepair, the neighbors don't use it or they've kind of begin to occupy it. This...this enables...for any vacation this deals with public right of way. So, any alley or street is public right of way and to vacate that for that to cease to become City right of way, you have to go through a statutory process. Part of that process requires us to publish notice of the vacation and have a public hearing. The other thing this enables us to deal with is, throughout the City of Canton and throughout any community and...and really probably the County, there are paper streets and alleys that exist that were platted however never developed and there's always a risk when you have those paper streets and alleys out there, somebody's going to ask your petition for it to be developed. Where there's no likelihood of development, these paper streets or alleys, it enables them to get us...get those off of our books. Also, for Council if you have an alley that's an issue or a street that you think needs vacated, this just..this is just what we think is reasonable funding to...to deal with those...those issues that are coming up and frankly, you know, in areas where we're demoing homes or that people have left, you know, there are going to be alleys and streets that...that don't need to be maintained and could be vacated.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirell.

MEMBER CIRELLI: Mr. Price, do I hear you also say some of the monies may be used to help pay to have that work accomplished.....

PRESIDENT SCHULMAN: Director.

MEMBER CIRELLI: ....besides the advertising.

SERVICE DIRECTOR PRICE: Well, this money would cover the...the public notice fees, any of the transactional fees that would be required with the County and...and any surveying that would need done, any fees associated with an alley and street vacation could be covered from this fund.

MEMBER CIRELLI: Okay, thank you sir....

PRESIDENT SCHULMAN: Any other remarks?

MEMBER CIRELLI: ....Thank you Mr. President.

PRESIDENT SCHULMAN: Any other remarks? Thank you Member Cirelli. Any other remarks? Hearing none Madame Clerk, roll call vote on Ordinance 10.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

**#10 ADOPTED AS ORDINANCE NO. 170/2011**

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance #10 is adopted. Ordinance #11 please.

#11. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 171/2011** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A COOPERATIVE AGREEMENT WITH AKRON METRO FOR THE CONSTRUCTION OF THE WEST SIDE PARKS TRAIL PROJECT, GP 1093; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

**#11 ADOPTED AS ORDINANCE NO. 171/2011**

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

#12. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 172/2011** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A COOPERATIVE AGREEMENT WITH AKRON METRO FOR THE CONSTRUCTION OF THE WEST SIDE INTERCEPTOR SANITARY SEWER REHABILITATION PROJECT, GP 1138; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that Council adopt Ordinance 12. Any remarks under this Ordinance? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Eleven yeas, Mr. President.

**#12 ADOPTED AS ORDINANCE NO. 172/2011**

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance 12 is adopted. Ordinance #13 please.

#13. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 173/2011** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE UPGRADING OF INTERSECTIONS; AND DECLARING THE SAME TO BE AN EMERGENCY (NAVARRE RD SIGNAL SYSTEM)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 13. Any remarks under this Ordinance? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

**#13 ADOPTED AS ORDINANCE NO. 173/2011**

PRESIDENT SCHULMAN: Ordinance #....Thank you Madame Clerk Ordinance #13 is adopted. Ordinance #14 please.

#14. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 174/2011** AN ORDINANCE AUTHORIZING AND CONSENTING TO REPAIR OF THE BRIDGE ON THE OFF RAMP FROM EASTBOUND US 62 TO NORTHBOUND I77 OVER I77; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 14.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 14. Any remarks under that Ordinance? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

**#14 ADOPTED AS ORDINANCE NO. 174/2011**

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PRESIDENT SCHULMAN: Ordinance 14 is adopted. Thank you Madame Clerk, Ordinance 15 please.

#15. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 175/2011** AN ORDINANCE AUTHORIZING AND CONSENTING TO RESURFACING OF US 30 FROM SR 43 TO THE EASTERN CORPORATION LINE WITH MISCELLANEOUS BRIDGE WORK WITHIN THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 15. Any remarks under this Ordinance? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

**#15 ADOPTED AS ORDINANCE NO. 175/2011**

PRESIDENT SCHULMAN: Ordinance #15 is adopted. Ordinance #16 please.

#16. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 176/2011** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$36,950.00 TO BELL EQUIPMENT COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 16. Any remarks under this Ordinance? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

**#16 ADOPTED AS ORDINANCE NO. 176/2011**

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance 16 is adopted. Ordinance #17 please.

#17. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 177/2011** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE OHIO

**MINUTES OF THE MEETING OCTOBER 3, 2011****POWER COMPANY TO PROVIDE ELECTRIC ENERGY TO THE N.E. WATER TREATMENT PLANT; AND DECLARING THE SAME TO BE AN EMERGENCY**

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 17. Any remarks under this Ordinance? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

**#17 ADOPTED AS ORDINANCE NO. 177/2011**

PRESIDENT SCHULMAN: Ordinance 17 is adopted. And that concludes the Ordinances.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

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

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will meet 6:30 October 17<sup>th</sup>.

MEMBER PRATER: Mr. President.

PRESIDENT SCHULMAN: Member Prater.

MEMBER PRATER: Personnel Committee will meet October 17<sup>th</sup> at 6:30.

PRESIDENT SCHULMAN: Thank you. Any other announcements?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

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

PRESIDENT SCHULMAN: And just so the public is aware, we do not have a meeting next Monday so that's the reason these are scheduled for October 17<sup>th</sup> at 6:30. Any other announcement Committee Meetings?

**MISCELLANEOUS BUSINESS**

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PRESIDENT SCHULMAN: We now move to Miscellaneous Business. Member Cirelli do you have any Miscellaneous Business?

MEMBER CIRELLI: Yes Mr. President, thank you very much. Question to Safety Director Ream, in the Spring, we passed out smoke detectors. I had requested the smoke detectors to be 10 year non removable battery smoke detectors when in fact I was down there the day they passed them out and they were just regular smoke detectors and now I'm getting calls from people because they were led to believe that these were indeed a 10 year non removable battery and they're a 9 volt battery and they're smoke detectors are now beeping and I also had spoke with a gentleman at the time and was assured we were possibly going to order some more and I believe I even went to Menard's and brought one to show everybody what I wanted to have purchased, which we could have afforded but now the ones we passed out, I have an ad here from Kmart, they're selling them for \$4.00. This is not...this is ones that we passed out. So, I was very disappointed and I just wanted to apprise all the Council People if they get calls, they'll understand what I had asked for is not what we got.

PRESIDENT SCHULMAN: Okay, Director Ream.

SAFETY DIRECTOR REAM: Yes Mr. President. Ms. Cirelli, the Fire Department did pretty extensive research to buy what they felt was the best smoke alarm on the market that they would best serve our citizenry and I trusted that their research was appropriate and accurate and those are the smoke alarms that we came up with.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: The whole idea about the 10 year non removable battery was the fact that come holiday time and people get children toys or what have you and what do they do, they need a battery, if you don't have the money, you'll take the battery out of there and give it to the kids. I felt that grant could have been used wiser and we could have covered all the citizens with something that I thought would save people's lives. These ones here are just anything you can get run of the mill.

PRESIDENT SCHULMAN: Director.

SAFETY DIRECTOR REAM: Well I've received none of those complaints coming to my office and I stand by the Fire Department that they purchased the best that they felt for our community.

PRESIDENT SCHULMAN: And I think probably Member Cirelli, the appropriate thing to do would be to talk to Chief Rich and try to find out if maybe the next purchase can meet your expectations. I...I think you raised....

MEMBER CIRELLI: Thank...thank you Mr. President and...

PRESIDENT SCHULMAN: ...a good point.

MEMBER CIRELLI: ...thank you Mr. Ream, I will do that. The Mayor's not here to answer to answer this question, is he still within the area or has the Mayor left?

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PRESIDENT SCHULMAN: I think the Mayor had to go to a meeting tonight so....

MEMBER CIRELLI: Perhaps Mr. Price could answer this. I've had several people call me because they were putting...calling Global Solutions to put in applications and some are going online and they were told they weren't receiving..they were not taking applications when in fact a quarter page ad was in Sunday's paper. Can you verify or can I have them call your office and you can tell them what happened so, I'm not sure....

PRESIDENT SCHULMAN: Director Price.

SERVICE DIRECTOR PRICE: Councilwoman Cirelli, I...I can certainly look into it, I'm not aware of the facts there so I'll have to check into it.

MEMBER CIRELLI: I appreciate that very much sir. Mr. President one more thing...

MEMBER SMITH: Mr....

MEMBER CIRELLI: ....or somebody else, I'll let Member Smith...

PRESIDENT SCHULMAN: Well you may as well finish Member Cirelli, go ahead.

MEMBER CIRELLI: I wanted to simply say the reason that I voted the way I voted is the fact that I have been a County Commissioner. The people did in fact vote the tax in and nothing changed. We had Member Smuckler worked very hard at trying to get some...and I've got it here, consolidation of the Health, Building as well as 9-1-1 and none of that occurred. So my question that I stated to Mr. Martuccio is when a Government Official to attempt to make a sustainable Governmental system, all we provide is service. Now we also have went hi-tech, the monies that we have spent on our hi-tech and that is voice mails, emails and what have you, and it's a very good tool. However, we now have people...every office that you call and my people are out there telling me they call, all they get are answering machines and they never get called back. I take my phone calls and I'm assuming my fellow Council Members take their phone calls but I think we are sort of abusing the fact, when I was a County Commissioner, I prevented voice mail from going into the County Commissioner's Office because I felt it allowed people to not be where they really wanted to be for the money but not have to take the position that they were all so important they didn't have to answer the phone to help the constituency. So we have two systems that we're going now and can we really afford both of those systems.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Member...

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Well....

MEMBER HAWK: Thank you.

MEMBER SMITH: Ah, excuse me.

PRESIDENT SCHULMAN: ...Member Smith.

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MEMBER SMITH: Thank you Mr. President. I have before me....

PRESIDENT SCHULMAN: Beauty before age. *(Laughter)*

MEMBER SMITH: Okay, I'll take that, well then you can go ahead Hawk. *(Laughter)* Okay, Mr. President...

MEMBER HAWK: Sir, I will honor that anytime, thank you.

MEMBER SMITH: Okay Mr. President, I have before me a complaint investigation form, I probably need to be addressing our Safety Director so that our next meeting our Chief of Staff can have some form of answers for us and it is a dumping complaint and it was against Groffre Investment Company and I have discussed this with the Law Department and we would like to know where it is going to go from here but we wanted it noted on record that it was brought to our attention tonight and I will leave you with a copy of it so you can follow up on it please. Thank you.

PRESIDENT SCHULMAN: Thank you Member Smith. Member Hawk.

MEMBER HAWK: Thank you good sir, I appreciate it. On a lighter note this evening, Constance Brown brought something to light today that's very important and that's communication between all of us and I appreciate that and I'd like to take this opportunity to please ask that my email address gets corrected in the next copy of the Canton Connection because the managing editor seemed to have got everybody's email correct except mine so it makes it a little impossible to get an email when it's not correctly done and that in line with communication, I thank you for bringing that up. Thank you.

PRESIDENT SCHULMAN: Our Clerk of Council would like to respond.

CLERK TIMBERLAKE: Please apologize, that is my mistake it is not anybody else's but myself's...

MEMBER HAWK: Thank you we'll get it....

CLERK TIMBERLAKE: ...and it is corrected, I did talk to the managing editor and they are going to correct it in the next addition....

MEMBER HAWK: Thank you.

CLERK TIMBERLAKE: I apologize.

PRESIDENT SCHULMAN: That I think is our Clerk's first mistake ever in....*(Laughter)*

CLERK TIMBERLAKE: I doubt that.

MEMBER HAWK: Well I... sir with all the work that they do, I appreciate it Cindy, thank you so much and I appreciate your efforts.

CLERK TIMBERLAKE: No problem.

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PRESIDENT SCHULMAN: And they do great work. Any other Miscellaneous Business?

SAFETY DIRECTOR REAM: Mr. President.

PRESIDENT SCHULMAN: Yes, I'm sorry...Director Ream.

SAFETY DIRECTOR REAM: I would just like to extend a personal invitation to those present tonight and also to all the Council Members even though we left them in the office earlier. We're going to have the grand opening and dedication of the new fire station at 25<sup>th</sup> and Cleveland this Saturday at 2:00 PM. The public and everyone is invited and we certainly hope to have a good turnout. Thank you.

PRESIDENT SCHULMAN: Thank you Director. Leader.

MEMBER DOUGHERTY: Mr. President I want to make...on the Postponement on Ordinance 6, just so everybody understands, that is postponed to October 17<sup>th</sup>.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: I move we adjourn.

MEMBER PRATER: Seconded.

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

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: *(Gavel falls)* Meeting is adjourned. Thank you ladies and gentlemen, please be careful on your way home.

ADJOURNMENT TIME: 9:16 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

ALLEN SCHULMAN  
PRESIDENT