

MINUTES OF THE MEETING JANUARY 9, 2012

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. We haven't started formally yet. I want to welcome all of you and wish each and every one of you a healthy, happy and prosperous New Year. We appreciate the tremendous attendance. I don't know why you're all here but we do have some idea. If any of you would like to take photographs of the newly elected Council Members, family, friends, feel free to do that, you will not interrupt the meeting that's not a problem. And I'd just like to...before we begin since we're a little bit behind the 7:30 start, I want to congratulate each of our newly elected Members of Council. Councilman Morris, Councilman Mack, Councilman Fisher, Councilman Babcock, welcome. We look forward to a great year with all of you and tremendous success, not just for us but for the City that we love. I think we are ready. Are we Madame Clerk?

CLERK PRO TEM TIMBERLAKE: Yes.

PRESIDENT SCHULMAN: And with a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please Madame Clerk.

ROLL CALL TAKEN BY CLERK PRO TEM TIMBERLAKE:

12 COUNCIL MEMBERS PRESENT: (DAVID DOUGHERTY, PATRICK BARTON, JAMES BABCOCK, MARY CIRELLI, JOE COLE, GREG HAWK, THOMAS WEST, JIM GRIFFIN, CHRIS SMITH, KEVIN FISHER, EDMOND MACK & FRANK MORRIS)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK PRO TEM TIMBERLAKE: All present Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight's invocation will be given by our Majority Leader and Ward 6 Council Member, David Dougherty. Will you all please stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on January 9, 2012 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 6 Council Member, David Dougherty. The Pledge of Allegiance led by President Schulman.

PRESIDENT SCHULMAN: Thank you Leader. We're now under Agenda Corrections and Changes and there..... oh, okay we're now going to swear in the Members.

CLERK PRO TEM TIMBERLAKE: If you'll all rise please Council Members. And anybody can come up and take pictures at this time if you'd like.

LAW DIRECTOR MARTUCCIO: Yes, you can come up if it's okay with the President and the Majority Leader. You can come up in front of the bar for the photographs.

THE FOLLOWING ARE THE NAMES AND TITLES OF COUNCIL MEMBERS SWORN INTO OFFICE AT 7:30 P.M. ON MONDAY, JANUARY 9, 2012 BY LAW DIRECTOR JOSEPH MARTUCCIO IN THE CANTON CITY COUNCIL CHAMBER, CITY HALL, CANTON, OHIO. COPIES OF NOTARIZED OATHS OF OFFICE ARE ON FILE IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE

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DATED JANUARY 9, 2012.

NAME & TITLE:

Allen Schulman, President
James Babcock, Council At Large
Mary Cirelli, Council At Large
Joseph Cole, Council At Large
Gregory Hawk, Ward 1 Council Member
Thomas West, Ward 2 Council Member
James Griffin, Ward 3 Council Member
Chris Smith, Ward 4 Council Member
Kevin Fisher, Ward 5 Council Member
David Dougherty, Ward 6 Council Member
Patrick Barton, Ward 7 Council Member
Edmond Mack, Ward 8 Council Member
Frank Morris, Ward 9 Council Member

PRESIDENT SCHULMAN: I actually think it's easier to take the oath of office for President of the United States then it is that one. That's a...that's a good one.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We are now under Agenda Corrections and Changes. There are none tonight.

PUBLIC HEARINGS

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

OLD BUSINESS

PRESIDENT SCHULMAN: I will turn the new year over to Director Price if there is any old year business.

CHIEF OF STAFF PRICE: *(Shook his head)*

PRESIDENT SCHULMAN: There is none tonight.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We do have a number of Public Speakers this evening. I recognize a lot of names who have spoken before....

(PRESIDENT SCHULMAN AND CLERK TIMBERLAKE HAD A BRIEF DISCUSSION)

PRESIDENT SCHULMAN: Sure yeah....that's why we have a great Clerk of Council. I'm...what we're going to do is we'll get to the Public Speakers in just a couple minutes. I don't want to keep the Police Officer that we're commending tonight, and that would Informal Resolution #5. Leader.

#5. COUNCIL-AS-A-WHOLE: COMMENDING TOM BOWMAN FOR HIS HEROIC ACTIONS. -
ADOPTED

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

MEMBER BARTON: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution #5. All those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #5 PASSED BY VOICE VOTE

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

MEMBER DOUGHERTY: Mr. President, I'd like that read.

PRESIDENT SCHULMAN: Madame Clerk.

CLERK TIMBERLAKE: An Informal Resolution Respectfully Submitted by Council As A Whole on this 9th Day of January 2012. *WHEREAS*, What started out as a typical Saturday afternoon for Police Officer Tim Marks and Canton resident Tom Bowman turned into a day of turmoil; and *WHEREAS*, On December 3, 2011 Police Officer Marks was handling what was to be a trouble call that quickly turned into a fight for his life; and *WHEREAS*, Officer Marks approached a man who had just kicked a car and was yelling obscenities at the driver. The situation quickly escalated to a full blown fight and Officer Marks was in trouble; and *WHEREAS*, Tom Bowman who was doing yard work heard the commotion and saw what was happening to Officer Marks and immediately headed in that direction. Mr. Bowman came up behind the assailant, wrapped his arms around the man, took him to the ground and got on top of him so Officer Marks could get away; and *WHEREAS*, If not for the swift and heroic actions that Tom Bowman enacted that day the circumstances for Officer Marks could have been tragic. *NOW THEREFORE BE IT RESOLVED* that we, the Members of Canton City Council, do hereby go on public record commending and thanking *TOM BOWMAN* for his courage and willingness to come to the aid of one of Canton's finest Police Officers.

(STANDING OVATION)

MEMBER DOUGHERTY: Thank you, thank you. I feel pretty safe right now. *(Laughter)* Mr. Bowman, you just...once we saw this in the paper we...here at Council thought we should have a little Resolution for you to let you know that the City as a whole appreciates what you did...amazing. You are a hero and we really appreciate this and on behalf of Canton City Council, I'd like to present you with this Resolution.

(APPLAUSE)

MEMBER DOUGHERTY: Do you want to say a few words?

TOM BOWMAN: Not only do I appreciate this award but Officer Marks deserves some recognition here too. I believe after everything that we went through, I believe that Canton City has America's finest on the streets protecting us. *(Applause)* Absolutely, thank you Mayor, I appreciate that. Tim? This guy right here, he's a fighter, he fought to the very end and when I went to rescue him I knew that once I was able to apprehend the...the

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suspect, that Tim would come to my rescue and he did...he did. Great guy right here, we're brothers. (*Applause*)

OFFICER TIMOTHY MARKS: I've got nothing to say. (*Laughter*) Meeting somebody like Tom makes me more proud to be a Canton Police Officer. So, once again Tom, thank you. I'm still recovering from my injuries. I've had one surgery so far, I know I look good, I guess I must feel good. (*Laughter*) I have one more surgery to come so I'll be off a couple more months. You'd be what Cortizone shots and Vicodine can do to somebody. So if you can't really tell I'm in pain but I am. So but once again Tom, if it wasn't for you, I wouldn't be here right now. Thank you.

PRESIDENT SCHULMAN: Thank you very much. Alright...and you do look good.

CLERK TIMBERLAKE: Yes he does.

PRESIDENT SCHULMAN: We have eight speakers signed up this evening for Public Speaks. A number of you have spoken before. Just to remind the people that haven't, I am going to hold you to three minutes tonight, we do have some other things to do with Council, not that we don't want to hear from you. As I say every week, we're all going to be here after Council and we'll be here to answer and...any questions you might have or listen to any complaints that you have or anything of that nature. So, with that, let's start with Richard Drake. Mr. Drake, good evening, welcome to City Council. If you'll give us your name and your residential address please. And happy New Year Dick.

RICHARD DRAKE: Last time you couldn't hear me very well. Can you hear me now?

PRESIDENT SCHULMAN: Can now.

RICHARD DRAKE: (*Laughed*) Verizon. My name is Richard Drake, I live at 3020 Sycamore Avenue, SE in Canton. I'm a certified Arborist. I want to welcome the new Council meetings and I'm honored to be here tonight to meet the hero and see it. I want to quote a famous saying by President John F. Kennedy. "Ask not what your Country can do for you but ask what you can do for your Country." Well, I want to rephrase that and say ask not what you can do for your City...ask not what your City can do for you but you can do for your City, excuse me. And I put that into play and everyone should do that here, the new Members work together as a team and I hope it works well with Council...all the new guys. I will describe myself, an Arborist. Everybody wants to know what an Arborist is. Well an Arborist is a professional who is trained in the art and science of planting, caring for and maintaining trees and wooden plants. Well I'm a certified Arborist. Now an Arborist goes to college for four years, (*inaudible*) Urban Foresters and work in Ohio State University extension so forth and Forestry. A certified Arborist is someone who has been in the field of trees, cutting them, working with them over three years and then you have to get three letters of recommendations and you have to take a real test to become this certified Arborist. And it includes what I just mentioned about an Arborist and then we have continuing education which an Arborist has to do. So we stay ahead and learn all the new technology and...and network with each other and learn all the new techniques of tree care. Excuse me...there's a lot of tree organizations, chapters you can join, a lot of courses and classes you can take and you can form your own chapter or own tree care place, that doesn't make you an expert. My same with your Tree Commission you're going to put up. A Tree Commission is only as good as the people who are in there and the trees are only as safe as the two Arborists who care for them. So, I want you to think of that real close

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when you are working on this Ordinance and tree inventories and tree care with commissions and all that is very costly. It's going to cost you over \$100,000.00 and then it runs like the Auditor's Office, you have to stay on top of your trees all the time. But the tree inventory is null and void after every storm. There is someone that cuts one down and you don't know, this works like the Auditor's Office, somebody has to be there to stay on top of it all the time. So, I wanted to let you know what you're getting yourselves in for. It's a good thing having a Tree Ordinance or a Tree Commission but the City really can't afford it. What you guys really need is what the City had years ago. You need a Tree Inspector and I want the City to be a leader not a follower. Get on top of it, get someone to do it right and take care of all the problems. Now this Arborist....

PRESIDENT SCHULMAN: Dick, I'm sorry you have about 10 seconds more.

RICHARD DRAKE: I'm sorry?

PRESIDENT SCHULMAN: About 10 more seconds.

RICHARD DRAKE: Oh okay. I was going to say as an Arborist, some of them are specialized in certain areas like Lawyers and I'm really good at certain things. I'm good at pruning and I'm good at identifying (*inaudible*). So I just wanted everybody to know that. And I've been around for over 20 years working with all the City, a lot of different departments and I'm also inspecting the trees for you. And I do this, as what I said earlier. I'm doing it at no cost, I'm helping all I can. So, you guys need me, any assist or any information I can bring or anyone from any Division of Forestry, Davey Tree, any of them I know them all and we all work well together.

PRESIDENT SCHULMAN: Thank you very much Dick. Thank you and again Happy New Year. And just for those who are interested in the Tree Ordinance, I know that the Law Director indicated it's going to come down as an Ordinance and you can follow right along and if you have any questions, we have a great Council staff and they'll be happy to answer any questions about when it comes and you...we want to hear from you. But thank you very much. Our next speaker is Mr. Charles Killins. Mr. Killins, good evening and Happy New Year to you sir. Give us your name and your residential address please.

CHARLES KILLINS: My name is Charles Killins, I live at 1223 Market Avenue North, Canton, Ohio. I would like to thank the Mayor, he's off to a good start. City Hall looks good outside. Now if the other Council Members can follow you and get their Wards in order, the City would be great. The new Members, I'd like to get your cards so I can communicate with you regarding if these conditions exist in your Ward. And Mr. Mayor as I told you before, if you would have walked around the corner, you would have saw what needs to be done and I hope that you will go to the Building Department and start them off with the direction you got City Hall going into in relations to the conditions in some of the same in the...uh like to say prejudice attitudes people have in regarding to district and housing locations and if you can do this here, I think we will go into a successful new year. Like I told you, I missed you on this election but next election I'll be out there after you. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Killins. And by the way Mr. Killins, you're....all the business cards for Council Members are in the back there.

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CHARLES KILLINS: Oh and I would like to say to all the ladies, I didn't know all you was going to be here, I would have brought more flowers.

PRESIDENT SCHULMAN: Thank you very much. Happy New Year again Mr. Killins. Our next speaker is Cindy Hall. Ms. Hall if you'll step forward and give us your name and your residential address please. Welcome and Happy New Year to you and your family.

CINDY HALL: Thank you, good evening. My name is Cindy Hall, I lived at...I live at 1018 14th Street. We've lived there for 25 years, my husband and I. Our home is across the street from Lehman...the old Lehman High School. I'm a member of Calvery Presbyterian Church and I'm also a board member of my neighborhood association. My husband and I have made many improvements to our home which will never be realized because this area has been severely ravaged by crime, deterioration and significantly reduced real estate values. You can barely make it from your car to your house without meeting up with a panhandler or worse, getting assaulted or robbed. I'm tired of sugarcoating problems, these issues are why no one will live near Lehman except for low income renters who have no other options except to live in a rundown building and it's usually those same people who cause problems. Dollars are not being used to improve properties because there is always another desperate person who cannot demand more and the deterioration continues. Canton City Schools also contributed to the decline of this area by leaving Lehman defenseless. Initially there were no boards, no lights and no security. City Council is also culpable and a code issue that should have not been tolerated. That property should have stayed as a school. I feel the Lehman project you are considering has the potential to add another burden to a serious situation that is growing at an alarming rate. Do these residents deserve more foot traffic, more desperate tenants, more low rent buildings and more crime? Most occupants are unaware of any proposed project because they were never notified. The NLNA has worked diligently trying to bring accountability to all of these issues. Lehman will directly affect constituents, how? We can only speculate. The Council should know that those of us who remain will remember the past and hold you accountable for the future failure or success of this project in our neighborhood. Thank you.

PRESIDENT SCHULMAN: Thank you very much Ms. Hall, appreciate it. Our next speaker is Dan Fonte. Dan if you'll step forward and give us your name and your residential address and Happy New Year to you and your family.

DAN FONTE: And also Happy New Year to you. My name is Dan Fonte, I reside at 4415 Dawnridge Circle NW in Canton. Mr. President, Members of Council, congratulations on you're being elected, I know most of you. I'm here to talk about electric aggregation and hopefully I can get just a hair more than three minutes because I don't know if I can get it all in. As you know, we have voted on this in November, which I did vote for because I didn't know what to expect so I thought well, it might be better to get into this. But what I've seen come out of it as I've done some research into it, is there was a bad law passed by the State. What's going to happen and as most of you know, I advocate for seniors....most seniors and a lot of other people try to budget their bill yearly. So, their on a fixed income and they need to know what their expenses are going to be as best they can, although you have to adjust in the summer, which they call the reconciliation month. With this new situation coming up, which I didn't know and I've talked to the Law Director and Councilman Cirelli, you'll only be able to budget the AEP portion of your bill. You're not going to be able to budget the other part of the bill, there's four parts of electric bill. There's the generation service, the transmission service, which will be covered under First Energy Services, which owns Ohio Edison and then the AEP portion which is distribution charge and the customer charge. You'll only be able to budget the AEP portion, the other portion you're not going to be able to budget which is going to cause a lot of confusion for seniors

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and also younger people that's trying to live on a budget. This has nothing to do with the City, you've done...you've played the cards you were dealt with. It's a State problem and I think we need to correct it. Also in this legislation, they've done away with Ohio Consumers' Council, which was another set of eyes that was watching the PUCO. They take that out of the picture because they said it wanted to save money for the budget which had nothing to do with the budget. So just in my own case, if you take my total...my total generation charges and transmission charges and ya add em up and at 9% savings, which they say their going to save you, that'll amount to \$64.03 a year for me which will in turn be \$5.33 a month. If you take it at 10%, it'll realize a yearly savings of \$71.15 and a monthly savings of \$5.93. That is actually not going to help people at all on their budget, that little bit of a savings. The other thing is, once you get into First Energy, it's going to cost you \$100.00 if you get...if you opt out after 7 days. There's \$100.00 cancellation fee. I wonder just how easy it is. The whole problem of this is and what I don't understand is that I've talked to my friends that live in the western part of Stark County who are under Ohio Edison, their bills are traditionally always higher than American Electric Power. So now how all of the sudden is First Energy going to be able to give us a better deal which by law they have to, which they have to be under what AEP has, we've been getting letters from AEP and we call AEP and they say "Well that has nothing to do with us." But if you look at the logo, it's got AEP on it. You see how confusing legislation becomes when you do it? So I ask my own friends, I says "Wait a minute, how did this become law?" How many people in this audience lobbied their State Rep to change the law? Raise your hand. Nobody. So who goes to the table and makes these changes that we, the residents are going to pay for? Now, I'm up here, you know, making it sound like Council did a good job and the City but I'm telling ya, there's a lot of confusion, I've called Ron Ponder and been on it but people don't understand it. I've talked to Jeff Gauger and the Repository and they said they'd run a piece but I'm telling ya, all the seniors that I've talked to and I deal with seniors everyday, not a one of them understand this, not a single one. They're going to get trapped in this fiasco and when they try to get out they're not going to be able to get out, they're going to pay another \$100.00 to get out, if they can get out. I'm telling ya, what I'd like to see Council do is get a Resolution and ask our State Reps to look into this and get the Ohio Consumers' Council back. This is a travesty for the residents of Ohio, not just Canton but everywhere. And I think I would like to see you all coalesce with the County Commissioners, with all the other Councils and Villages and Townships and hold our Elected Officials in Columbus to the fire because I'm telling you they do not know this was here because I've talked to one State Rep and he didn't understand it. So please, let's take care of this for the benefit of not just the seniors, I'm sure there's young people out here that budget just like we do. So please do something about this and thank you very much for your time.

PRESIDENT SCHULMAN: Thank you Dan. I know that no one works harder than...for seniors than Dan. We appreciate you being here, thank you. For Mr. Bowman and Officer Marks, you do not have to sit through this meeting if you don't want to and I know that you said you were in a little pain, go home, relax, watch the game. Take care and thank you again. Our next speaker is Michael Swintosky. Mr. Swintosky, good evening, if you'll give us your name and your residential address please and I wish I would have know you were going to talk about Lehman, I would have brought you and Cindy up together but Happy Hol...Happy New Year and your name and address please sir.

MICHAEL SWINTOSKY: Thank you, thank you. My name is Michael Swintosky, I'm president of the North Lehman Neighborhood Alliance and I live at 1106 18th Street NW. And I wanted to state that while we are very much...we very much support the Planning Commission's recommendations on this project. Because...and I...my remarks so largely go along with what I stated at the Planning Commission meeting that I attended. Although we are very much in favor of reuse of the building, we have been a little bit concerned about how quickly things have moved. It seems to us that not necessarily every procedure has been followed

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as...as you might expect, not that anything wrong has occurred but it's...we're just a little bit anxious about the way things have occurred at the Lehman property over the years and we just are concerned that unless everything is done properly, it could, instead of being a better situation that we certainly hope it will become, it could easily become a worse situation. And so, some of the concerns that we...we just wanted to mention so that neighborhood residents, the applicant...the business applicants and the City of Canton can all be on the same page with our concerns, I thought I would just list these. 1. We would..are against any potential 24/7 operation, none have been stated but we just want to come out and state that. We're not...we would not even want to see a two shift operation. Twelve hour operation would be fine. We've not seen any specific plans for the full amount of off-street parking that the project calls for, I understand that provisions can be made after the fact but we just want to come on record as stating that we do not want to see any kind of on-street parking. We do not want to see any kind of housing at the site, temporary or permanent. Along those lines, we don't want to see the building used as a safe haven for the clientele. We don't want to see people...we'd like to see people come in there for treatment, we don't want to see them just hanging out for no apparent reason either in the building or on the property. We are...want to ask about he take back provision that the City and the City Schools have come up with, the idea.....

PRESIDENT SCHULMAN: About 10 seconds.

MICHAEL SWINTOSKY: Okay. The...we understand that the time frame for the project has been modified and we're not clear that the provision covers that time frame and we don't know what the actual time frame is and we respectfully request that the neighborhood association be included on any project updates that are held with the City of Canton. Thanks.

PRESIDENT SCHULMAN: Thank you very much Mr. Swintosky, appreciate it. Our next speaker is Kathryn Ramsey. Ms. Ramsey, good evening, welcome, Happy New Year to you. And by the way, what I said to the Officer and Mr. Bowman, anybody that wants to leave, you're....don't...you know, just be quiet but you're...you don't have to sit here for the whole meeting. Good evening again.

KATHRYN RAMSEY: Good evening to you, thank you.

PRESIDENT SCHULMAN: If you'll give us your name and your residential address please.

KATHRYN RAMSEY: My name is Kathryn Ramsey and I live at 2322 16th St NE. And I'd just like to welcome the new Members and all the old Members and congratulations on your elections. Thank you for the opportunity to speak. I live just up the street from the young man who was shot in the neck while breaking into a house to allegedly steal the plumbing. There was several big articles in the Repository about the situation. And I also live across the street from his grandmother who is really a hard working woman, she goes to work everyday and she's an older lady. I've been a victim of theft myself and it isn't any fun. I...I...apparently from the circumstances reported in the Repository, the young man was in the house allegedly to steal the plumbing...the copper plumbing. And it's my firm belief that the City needs to do more to regulate the scrapping industry. I realize times are hard and people have to make a living but they are destroying beautiful houses and they're causing destruction of the neighborhoods by leaving the blighted houses that eventually cost the City money to tear down and also these people who are doing the scrapping live right in residential neighborhoods. They cause grief to the neighbors, some of them in our neighborhood were up at the crack of dawn hammering and sawing and burning but this person was eventually moved out of the neighborhood. We don't understand why more can't be done to regulate the scrapping by stealing industry.

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Thank you.

PRESIDENT SCHULMAN: Thank you very much as always. Our next speaker is Patricia Kirk. Ms. Kirk, you've been here a number of times before. Good evening, Happy New Year to you and your family and if you'll give us your name and your residential address please.

PATRICIA KIRK: Happy New Year. My name is Patricia Kirk, 131 5th Street NE. And hello everyone and hello new Council Members. And Mr. President, are they allowed to raise their hands if I ask a question?

PRESIDENT SCHULMAN: Sure.

PATRICIA KIRK: How many know what a Tree Ordinance is? This side knows, the rooms going down. Okay, how many think it's going to cost the City a lot of money? One person, okay....

PRESIDENT SCHULMAN: Two....two.

PATRICIA KIRK: Two people, there's more...okay.

PRESIDENT SCHULMAN: Four.

PATRICIA KIRK: Alright, I have here from Lola Lewis, who is our Regional Urban Forester, five applications for the Tree Commission Academy which is being hosted in Canton starting March and if you go and you pay \$35.00 per class and trust me, it is worth it, you get a Bachelors if you go all four classes. You get a notebook like this and trust me, it is worth it, you really do learn a lot. I have already today filled out, written a letter of recommendation for someone who has degrees from a Doctorate on down and wants this one. It is...this TCA or Tree Commission Academy is ODNR, Ohio Department of Natural Resources course for people that are going to be on Tree Commissions. It is done for them, it is done for people that are on the actual Council, for people that are going to be on the actual Tree Commission. And yes, the Tree Commission Academy...the Tree Commission is for ordinary folk too. But Lola told me to concentrate on you folk and I am. So here you go, I have five copies, copies can be made. Pass them on down. Now, it's \$35.00 per class, each class is two days, it starts in March, each class is every other month. You can't say it takes too much time. It is not a guarantee that even if you pay you will attend this class. It is held to 25 members and these members come from different Cities, not just Canton and not everybody passes when they go. This is not a cake course, you learn, you have homework, you take tests, okay? Got that straight? *(Laughter)* But let me tell you....

PRESIDENT SCHULMAN: You have about 15 seconds.

PATRICIA KIRK: But let me tell you, it is worth it. The second question is, the Tree Commission is open to the public and Mayor Healy, you are our honored guest and you get to attend free. *(Laughter)* And it's going to be held across the street and the City of Canton is hosting it in Church of the Savior. The first class is in March. Now my second question is, if you want to receive the mailings of Shake-A-Leaf email list, put your email list down here. Okay, thank you very much.

PRESIDENT SCHULMAN: Thank you very much as always. Thank you very much Patricia and I know you'll remind us of that meeting as it comes up. Our last speaker is James Parker. Mr. Parker if you'll step

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forward and give us your name and your residential address please. And welcome and Happy New Year to you and your family.

JAMES PARKER: Thank you, thank you and all the best to everyone her, Happy New Year as well. Name is James Parker, 630 Penny Street SE, City of North Canton. Grew up in Canton from the age of 13, working down here on 3rd and Market Street SW, I love the City of Canton, I come here to spend my money. I'm a little bit concerned about Central Plaza what started all this hub bub last March is that you had a winter banners and candy canes in your Central Plaza acorn topped lamp posts after Easter and in the spring. My ten year old son wouldn't let a candy cane on my front door past January, I can tell you that much. Right now, it's very austere, the trees are lit up but the Chamber of Commerce, who seems to be in charge of these lamp posts has not decorated that plaza whatsoever. Which to me shows their negligence and malfeasance or rather nonfeasance on their part. And so the worst management seems to be no management but what concerns me even more so is what is occupation and what about this Occupy Wall Street. You know, during World War II, the Nazis occupied France, it was the Vichy Government that were the true collaborators. Those that fought against them became the resistance. The USA occupied Japan under MaCarthur. Berlin was occupied, this clearly means a victorious invading force taking over, not taking back. The Occupy Wall Street movements website clearly states their objective that the only solution is world revolution. Does Zuccotti Park ring a bell with anyone? Unlike the Tea Partiers who assemble peacefully, pay for their security, permits and clean up when leaving after their prescribed time, well all one has to do is pay attention to the current media events to know that the opposite is true of the Occupy Wall Street Movement, drinking, drugs, homeless and out of work people, camping in our plaza, using it as a bathroom, beating their drums, ringing that bell all day does not amuse me. They shut down the shipping ports on the West Coast. Did anyone pay attention after the Rose Bowl Parade? They had their own parade, there were over 25 arrests and the City had to pay for a complete SWAT Team riot gear squad to follow behind them, are you ready to foot that bill? Riot squads had to follow the Occupy Wall Street Movement that staged a protest march immediately following the second largest parade in the nation. Who is the third largest parade in the nation? Where do you think their eyes are set on next? The Hall of Fame Parade of course. I'm requesting that our Safety Director, Thomas Ream start a contingency planning now towards thorting and subduing any take over ideas that this movement maybe conspiring, they had their meeting last week but they maybe conspiring and that is a true word towards football's greatest weekend. Our Law Director, Joe Martuccio should be carefully considering the potential for a worst case scenario and how to counter this threat. We don't wait till you thirsty to dig a well, you don't wait till there's a war to forge your weapons. These type of people view professional sports as corporate greed on steroids instead of a private business enterprise. The American way.....

PRESIDENT SCHULMAN: You have about 15 seconds.

JAMES PARKER:and football as our National pastime. I say that we make plans now to have our Central Plaza already busy and booked for events during our Hall of Fame weekend so that we can tell these occupiers that, that area is already booked solid, sorry but if you had only called sooner. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much. Okay, that ends Public Speaks tonight.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Resolutions. Madame Clerk would we...would you please begin with Resolution #1.

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- #1. COUNCIL-AS-A-WHOLE: APPROVING & ADOPTING THE RULES OF PROCEDURE FOR CANTON CITY COUNCIL EFFECTIVE JANUARY 9, 2012. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty

MEMBER DOUGHERTY: Mr. President, I move we adopt Resolution 1.

MEMBER BARTON: Seconded

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution #1. Any comments? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #1 PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries. Resolution #2 please Madame Clerk.

- #2. COUNCIL-AS-A-WHOLE: ELECTIONS OF COUNCIL VICE-PRESIDENT AND FIRST VICE-PRESIDENT. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty

MEMBER DOUGHERTY: Mr. President, I move we adopt Resolution #2.

MEMBER BARTON: Seconded

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Last week when we had a meeting and we discussed who our Majority Leader was going to be, I had voted no. I tried to speak with Member Dougherty prior to tonight's meeting to make a unified body and that was not doable. Now I have no problem welcoming Pat Barton as the whip but I do have a problem that I respectfully decline to support Majority Leader...David Dougherty for our Majority Leader so I will vote no. Thank you sir.

PRESIDENT SCHULMAN: Okay, thank you Member Cirelli, there was a...a second on that. Any other remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #2 PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries, the Resolution is adopted. Resolution #3 please.

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#3. COUNCIL-AS-A-WHOLE: ELECTIONS OF CLERK OF COUNCIL & OFFICE STAFF; CLERK OF COUNCIL: CYNTHIA TIMBERLAKE; ADMINISTRATIVE ASSISTANT V: PATRICIA DOROSKY; ADMINISTRATIVE ASSISTANT V: MICHELLE SENTER. - ADOPTED

PRESIDENT SCHULMAN: Leader.

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

MEMBER BARTON: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 3. Any remarks? We have the best staff in the world, I will say that.

CLERK TIMBERLAKE: Thank you.

PRESIDENT SCHULMAN: All those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #3 PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries, the Resolution is adopted.

CLERK TIMBERLAKE: Thank you.

PRESIDENT SCHULMAN: Ordinance #4....or Resolution #4 please.

#4. COUNCIL-AS-A-WHOLE: AUTHORITY TO ADVERTISE ORDINANCES, RESOLUTIONS & NOTICES. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Resolution 4.

MEMBER BARTON: Seconded

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution #4. Any remarks? Hearing none. By voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #4 PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries, the Resolution is adopted. We've already discussed and voted on Resolution #5. Resolution 6 please.

#6. CNCL MBRS BABCOCK, CIRELLI, COLE, WEST, GRIFFIN, SMITH, FISHER, DOUGHERTY,

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BARTON, MACK AND MORRIS: APPROVING THE APPT OF MAYOR WILLIAM HEALY TO JACKSON TOWNSHIP JEDD AGMT BOARD OF DIRECTORS. - ADOPTED

PRESIDENT SCHULMAN: Leader.

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

MEMBER BARTON: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 6. Any remarks? Hearing none. By voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #6 PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries. Resolution is adopted. Resolution #7 please.

#7. WARD 6 CNL MBR DOUGHERTY: SUPPORT FOR NAMING THE OLD LOBBY SECTION OF CANTON CITY HALL, "THE DELBERT AND VICTORIA SULLIVAN MEMORIAL LOBBY" IN HONOR OF THE LATE DELBERT W. SULLIVAN WHO DIED IN THE CONSTRUCTION OF OUR BLD ON MAY 3, 1961. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER BARTON: Seconded.

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

MEMBER DOUGHERTY: Mr. President.

CHIEF OF STAFF PRICE: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Yes, Chief of Staff, could you kind of give a little history on this?

PRESIDENT SCHULMAN: Chief.

CHIEF OF STAFF PRICE: Yes Mr. President, Majority Leader, thank you. Thousands of Government buildings throughout the Nation, most of them named after public officials, which is great. However, I think we have an opportunity to probably do, I mean I guess lightheartedly one of the least political things we all

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maybe doing this year and that is to name an important public space in our building, City Hall, after not..not one of us, not a public official but rather a working guy who helped not only construct the building but was a representative of the kind of person we built this building for. Delbert Sullivan came to Canton in 1956 from Hillsborough, Tennessee, he was employed only three months earlier with the company that manufactured and installed the curtain wall to the building and...and if you're not familiar with the construction of...of Canton City Hall, it's an early steel and concrete reinforced building. None of the walls in the tower are load bearing, they're all...it's basically a steel skeleton. And then the curtain, the windows and the stainless steel on the exterior of the tower, they...they simply drape the structure of the building. Mr. Sullivan was 27 years old, he had been employed for 3 months with this firm, he was operating an electric drill on elevated scaffolding just outside of what's now my office, he's 108 feet in the air, he's attaching...if...where you can see it is on the bottom of...of the structure on the sidewalk, that stainless steel flashing that goes all the way around the building, it's mirrored on the top and he was installing that. Somehow while pushing on the drill with both hands trying to drill a hole through the edge of the roof and to attach that flashing, he somehow lost his footing and was able to slip underneath of the guardrail on the scaffolding and fell 108 feet to his death just above the 2 inch...well he was on the 2 inch reinforced concrete roof that's above what is now the Clerk of Courts area. Now the way I know that and the way the Majority Leader and...and folks that have been serving and volunteering their time on a kind of ad hoc committee that's been trying to, you know, decorate and handle the things that need done with the new addition and to kind of preserve the history of the building as well in City Government. We found this out when an intern worked for us up on the 8th floor, Mike Hudak did great research when we were coming up on the, not only the 50th anniversary of the construction of this building but also this Courtyard renovation project and the 13,000 square foot in fill of the former open air lock and one of the articles that he'd found in one of the pieces of historical research was a May 5, 1961 Canton Repository article that was simply titled "Plunge fatal to worker at City Hall" and that sort of benign headline really caught me by surprise, I had no idea and really nobody who'd been here for a very long time knew that this had happened and it seemed to me just very tragic when you have this 27 year old guy, he'd been married 7 months who you know, literally died in the construction of this building and he's really forgotten. There's been no memorial to him and so I had the immediate thought and I think a lot of people shared it that we ought to do something. And the challenge is that when you're 27 years old and...and you're an iron worker and you're, you know, employed with this company for three months, there's really no family we were able to identify. The...the research didn't reveal much until just on a whim I was sitting at home and I had my laptop on my lap while I was watching television and honest to God just for the heck of it, I googled the guys name again, put it in parentheses...or quotations followed by the name Canton and what popped up was an obituary for a Victoria Bowers Sullivan and as I read the obituary, I get to the last sentence of the first paragraph and it...and it had listed some of the surviving relatives and the last sentence said "She is also preceded in death by her husband, Delbert Sullivan who died May 13...May 3, 1961." Well I immediately knew then that must be him, that article led me to the funeral home which I called the funeral director who after we talked a moment said "You know, I remember that funeral..." and this was literally days after the funeral of his wife had happened, he said "I remember the funeral because there was a picture and it was an old picture and nobody had seen it before, nobody knew who the guys was. So I was asked so much that I asked Mrs. Sullivan's nephew who that was and she pointed out that...or the nephew had pointed out, well it was her late husband." And Mrs. Sullivan never remarried, she...they had been married again like I said, 7 months. She was a waitress here in Canton, ultimately retired from housekeeping at Aultman Hospital in 1988 and you know, in...in terms of the...the story, I tried to feel the nephew out as to if there was anything more to the story as to why she hadn't remarried and essentially his...his reaction to my phone call suggesting that we may name a space in the building after him kind of told the story. Honestly, he became very emotional and he said "I just wish that my aunt had been alive to hear that you'd found this out and that Canton may very well name a space after him." I fe....I appreciate

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Majority Leader Dougherty's assistance in this, I know he has an interest in history and you know, had committed to supporting this effort. What we'd like to do and with your approval, we'd like to name the original lobby to the building which is now basically the elevator lobby but it's certainly an area where a lot of people, there's a lot of traffic, we'd like to name that the Delbert and Victoria Sullivan Memorial Library, not only to honor Mr. Sullivan but his wife who by, you know pretty much the family's account, you know, never remarried, broke her heart and they had been together for a couple years earlier. In fact he also sent me a picture from Christmas, 1960 with them together and this is the only known photograph I guess aside from the one of them together in 1960 to exist. We'd like to display this in...in the lobby and I guess for the first time probably since May of 1961, this is Delbert Sullivan. *(Applause)* So that's basically it and we'd ask you to support the Resolution. Again I want to thank the Majority Leader for helping me out on this. Thank you.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Additionally too this is going to come about when we do the dedication.

CHIEF OF STAFF PRICE: There's a rededication for the building planned on the first Friday in February. There will be more details coming out on that but this would be an opportunity to, you know, number one, check out the new building, take a look but also we'll have a ceremony rededicating that particular area of the building to Mr. Sullivan. And as well as the time capsule and the contents that were originally in the building placed 50 years ago will be replaced and we also intend and have been working by committee to place a new time capsule to be reopened 50 years from now.

PRESIDENT SCHULMAN: Thank you Warren. Okay, we have a motion and a second. Any other remarks? All those in favor of Resolution #7 signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #7 PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. The Resolution as it should, is adopted.

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JANUARY 9, 2012.

1. APPLICANT, SCHOOLHOUSE FINANCE, LLC.: REQ ZONE CHG @ 1500 AND 1530 SUPERIOR AVE NE FROM R1-A (SINGLE FAMILY RESIDENTIAL) TO PCS (PLANNED COMMUNITY SERVICE). - PLANNING COMMISSION
2. AUDITOR MALLONN: REQ FOR ADDITIONAL AMENDED CERT DATED 10/19/11. - RECEIVED & FILED

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3. AUDITOR MALLONN: REQ FOR ADDITIONAL AMENDED CERT DATED 11/1/11. - RECEIVED & FILED
4. AUDITOR MALLONN: REQ FOR ADDITIONAL AMENDED CERT DATED 12/13/11. - RECEIVED & FILED
5. AUDITOR MALLONN: REQ FOR ADDITIONAL AMENDED CERT DATED 12/21/11. - RECEIVED & FILED
6. AUDITOR MALLONN: MONTHLY RPT BY FUND 12/1/11 - 12/30/11. - RECEIVED & FILED
7. AUDITOR MALLONN: YEARLY RPT BY FUND 1/1/11 - 12/30/11. - RECEIVED & FILED
8. FINANCE DIRECTOR DIRUZZA: AMEND O#220/2011 FOR \$273,300.00 SUPP APPROP FROM UNAPPROP BAL 4510 2006 CONSTR/RECONSTR BND FUND TO 4510 201001 SERVICE DIRECTOR ADMIN TO COMPLETE WORK ON FIRE STATION & CITY HALL PROJECTS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
9. FINANCE DIRECTOR DIRUZZA: REQ ORDINANCE TO RATIFY GRANT ADVANCE NEEDED TO KEEP FUND SOLVENT FOR YR ENDING 12/31/11; AUTHORIZE REPAYMENT OF GRANT ADVANCE FROM 2213 NEIGHBORHOOD STABILIZATION 3 TO 1001 GENERAL FUND; AND REQ \$5,016.05 SUPP APPROP, AMENDING O#220/2011 FROM UNAPPROP BAL 2213 NEIGHBORHOOD STABILIZATION 3 TO 2213 506001 COMMUNITY DEVELOPMENT ADMIN OTHER. - FINANCE COMMITTEE
10. LAW DIRECTOR MARTUCCIO: REQ AUTHORIZATION TO PREPARE (3) ORDINANCES FOR AUTHORIZATION TO PURCHASE EQUIPMENT, SUPPLIES AND SERVICES FROM & THROUGH STATE OF OHIO, DIVISION OF ADMIN SVCS UNDER REVISED CODE SECTION 125.04, STATE COOP PURCHASING AGMT; FROM & THROUGH OHIO DEPT OF TRANSPORTATION UNDER REVISED CODE SECTION 5513.01; AND FROM & THROUGH U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE UNDER REVISED CODE SECTION 9.48. - FINANCE COMMITTEE
11. LAW DIRECTOR MARTUCCIO: REQ AUTHORIZATION AN AMEND AGMT EXTENDING MASTER SERV AGMT W/VECTREN SOURCE (PURCHASED BY DIRECT ENERGY) FOR TWO ADDITIONAL YRS ENDING 3/31/14 FOR GAS AGGREGATION PROGRAM; CITY WILL BE ENTITLED TO UP TO 10 FREE ENERGY AUDITS WITHIN THIS TIME PERIOD. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
12. LAW DIRECTOR MARTUCCIO: REQ AUTHORIZATION TO SUBMIT A REVISED DRAFT OF THE TREE COMMISSION ORDINANCE. - JUDICIARY COMMITTEE
13. LIQUOR CONTROL DIVISION: REQ NEW D1 AND D3 LIQ PERMIT FOR GLENDALE PLAZA INC @ 1210-12 30TH ST NW. - RECEIVED & FILED

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14. LIQUOR CONTROL DIVISION: REQ TRANSFER OF C1 C2 LIQ PERMIT FROM SARAI PROPERTIES LLC DBA SARAI MARATHON 4 TO R & J PETROLEUM INC DBA R & J MARATHON @ 2201 9TH ST SW. - RECEIVED & FILED
15. MAYOR WILLIAM HEALY: ADVISING OF APPT OF TERRY PRATER TO CANTON PARK COMM TO REPLACE UNEXPIRED TERM OF FRANK MORRIS III EFFECTIVE 1/1/12 - 12/31/12 AND RE-APPT OF ANDY BLACK TO CANTON PARK COMM FOR TERM OF 1/1/12 - 12/31/14. - RECEIVED & FILED
16. MAYOR WILLIAM HEALY: REQ AUTHORIZATION OF RE-APPT OF RICK GECKLER TO CANTON RECREATION BOARD FOR TERM OF 1/1/12 - 12/31/16. - PERSONNEL COMMITTEE
17. MAYOR WILLIAM HEALY: REQ AUTHORIZATION OF RE-APPT OF NICHOLAS RAMPHOS TO BOARD OF BUILDING APPEALS AS THE REGISTERED ENGINEER FOR TERM OF 1/1/12 - 12/31/14. - PERSONNEL COMMITTEE
18. MAYOR WILLIAM HEALY: REQ AUTHORIZATION OF RE-APPT OF PAULINE DOWNING TO FAIR EMPLOYMENT PRACTICES BOARD FOR RETRO TERM OF 5/1/11 - 4/28/14. - PERSONNEL COMMITTEE
19. MAYOR WILLIAM HEALY: ADVISING OF RE-APPT OF MARILYN FRAZIER TO STARK METRO HOUSING AUTHORITY BOARD FOR TERM OF 2/1/12 - 1/31/16. - RECEIVED & FILED
20. PLANNING COMMISSION: RECOMMEND APPRVL OF ZONE CHG @ 3120 PARKWAY AVE NW FROM PB-1 (PLANNED OFFICE DISTRICT) TO PB-3 (PLANNED GENERAL BUSINESS) (PARCEL #1480024 & #0283460, DR. DOMINGO). - JUDICIARY COMMITTEE
21. PLANNING COMMISSION: RECOMMEND APPRVL OF ZONE CHG @ 1500/1530 SUPERIOR AVE NE FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PCS (PLANNED COMMUNITY SERVICE) (PARCEL #280250, #280301, #280548, #280002, #280004, #284406 AND #280301, SCHOOLHOUSE FINANCE). - JUDICIARY COMMITTEE
22. PLANNING COMMISSION: RECOMMEND APPRVL OF ZONE CHG @ 1120 15TH ST NW FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PCS (PLANNED COMMUNITY SERVICE) WITH CONDITIONS THAT NO CURB CUT BE CREATED ON OXFORD AVE NW, NO HOUSING OF ANY SORT PROVIDED AND THE APPLICANT HAVE 12 MONTHS TO COMPLETE THE PROJ (PARCEL #280008 LEHMAN SCHOOL). - JUDICIARY COMMITTEE
23. SAFETY DIRECTOR REAM: REQ AUTHORIZATION FOR SAF DIR TO ENTER INTO PROF SVC CONTRACT WITH ANGELA CAVANAUGH TO SERVE AS THE CITY'S CHIEF BUILDING OFFICIAL FROM 2/1/12 - 1/31/13 OR UPON TOTAL EXPENDITURES OF \$108,993.00. - PERSONNEL & FINANCE COMMITTEES
24. SAFETY DIRECTOR REAM: REQ AUTHORIZATION FOR SAF DIR TO ENTER INTO PROF SVC CONTRACT WITH PHILIP SEDLACKO FOR ANIMAL CONTROL SERVICE IN AMT NOT TO EXCEED \$27,129.00 FROM 2/1/12 - 1/31/13. - PERSONNEL & FINANCE COMMITTEES

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25. SAFETY DIRECTOR REAM: REQ AUTHORIZATION FOR SAF DIR TO ENTER INTO LEASE AGMTS WITH STARK CTY COMMISSIONERS FOR USE OF PARKING SPACES AT MILLENNIUM PARKING GARAGE COMMENCING &/OR RETRO FROM 1/1/12 - 12/31/12 IN AMT NOT TO EXCEED \$6,500.00 FOR JURORS OF STARK COUNTY COMMON PLEAS COURT AND LESSEE AGREES TO PAY THE SUM OF \$50.00 PER MONTH FOR EACH COURT EMPLOYEE UTILIZING THESE SPACES; TOTAL SUM OF CONTRACT SHALL NOT EXCEED \$33,000.00 FOR LENGTH OF AGMT. - FINANCE COMMITTEE
26. SAFETY DIRECTOR REAM: REQ AUTHORIZATION FOR SAF DIR TO ENTER INTO LEASE AGMT WITH CANTON REGIONAL CHAMBER OF COMMERCE FOR USE OF PARKING SPACES AT MILLENNIUM PARKING GARAGE COMMENCING &/OR RETRO FROM 1/1/12 - 12/31/12 FOR LESSEE TO PAY THE SUM OF \$45.00 PER SPACE, PER MONTH FOR STANDARD PARKING & \$50.00 PER SPACE, PER MONTH FOR PREFERRED PARKING. - FINANCE COMMITTEE
27. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION FOR LEASE AGMT BETWEEN CITY OF CANTON AND CANTON JOINT RECREATION DISTRICT (CJRD) FOR CITY OWNED PROPERTY @ 1414 MARKET AVE N. - FINANCE COMMITTEE
28. SERVICE DIRECTOR PRICE: REQ PURCHASE OF EASEMENTS FOR HARTVILLE/LAKE TOWNSHIP WATER MAIN EXT PROJ AND APPROP \$74,525.00 FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207026 APPROP BAL 5201 FUND. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
29. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR AND/OR SERV DIR TO ACCEPT A DONATION OF LAND FROM JAMES F RICH REVOCABLE TRUST, JAMES F. RICH, TRUSTEE FOR FUTURE BICYCLE/PEDESTRIAN TRAIL PURPOSE; ENTER INTO AGMT WITH JAMES F RICH REVOCABLE TRUST & MONTABELLO ESTATES HOMEOWNERS ASSOC, INC REGARDING RIGHTS AND RESPONSIBILITIES REGARDING SUBJECT PARCEL; AND AUTHORIZE MAYOR AND/OR SERV DIR TO MAKE MINISTERIAL CHANGES TO CORRECT PROP OWNERS NAMES, PARCEL NUMBERS & OTHER NUMERICAL DESCRIPTIVE OR TYPOGRAPHICAL ERRORS SHOULD THEY OCCUR. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
30. SERVICE DIRECTOR PRICE: AUTHORIZE AUDITOR TO ENTER INTO ANY ADDITIONAL CONTRACTS NECESSARY TO FACILITATE THE \$1,600,000.00 NOTE ISSUANCE FOR PURPOSE OF PROVIDING FUNDS TO PAY COURT-APPROVED SETTLEMENT CLAIM AGAINST CITY. - FINANCE COMMITTEE
31. SERVICE DIRECTOR PRICE AND SAFETY DIRECTOR REAM: REQ AUTHORIZATION FOR MAYOR, SERV DIR AND SAF DIR TO COMPLETE THE EXECUTION FOR 96 ORDINANCES THAT DID NOT GO INTO FULL OPERATION DURING THE TERM FOR WHICH ALL MEMBERS OF SUCH LEGISLATION DID ENACT PURSUANT TO O.R.C. SECTION 731.48. - JUDICIARY COMMITTEE
32. SERVICE DIRECTOR PRICE AND SAFETY DIRECTOR REAM: REQ AUTHORIZATION FOR SERV AND SAF DIR TO ADVERTISE, RECV BIDS AND ENTER INTO CONTRACT FOR

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SUPPLY ITEMS, MATERIALS AND PROF SVCS FOR CITY OF CANTON'S OPERATION DURING 2012 CALENDAR YEAR; REQ AUTHORIZATION TO ALTERNATIVELY ENTER INTO CONTRACT FOR PURCHASE OF SAID ITEMS IN ACCORDANCE WITH O.R.C. SECTION 125.04, STATE COOP PURCHASING AGMT, OHIO REVISED CODE SECTION 5513.01, OHIO DEPT OF TRANSPORTATION PURCHASING AGMT AND OHIO REVISED CODE SECTION 735.05, NONPROFIT AGENCIES . - FINANCE COMMITTEE

33. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 12/30/11. - RECEIVED & FILED
34. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR DECEMBER 2011. - RECEIVED & FILED
35. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX ACCT FOR DECEMBER 2011. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: Moving to Ordinances for their First Reading. We have none tonight.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Similarly, under Second Reading Ordinances, we have none this evening.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: And Third Reading Ordinances. We have none this evening, which will be the only time this year that will happen.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER DOUGHERTY: There will be no Committee Meetings.

PRESIDENT SCHULMAN: And that will be the last time that will happen.

MISCELLANEOUS BUSINESS

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

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Member Griffin.

MEMBER GRIFFIN: As Chairman of the Canton Park and Joint Recreation Board, I'd like to announce that Canton recently received at the 80th National Amateur Softball Association Meeting held in Myrtle Beach, SC, Canton took home 3 awards in excellence at the Wilson Sporting Goods Ceremony. ASA is considered a National Governing Body for softball. This ceremony honors those Cities for both excellence and ASA

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services as well as excellence and hosting national championship tournaments. The James Ferrell Award for excellence is named in honor of the former St. Louis ASA Commissioner and National Office Staff Member. To receive this award the City must obtain an overall rating of 95% for great or greater from ASA representatives, Umpires and Chief and National Offices. Canton received this award for hosting both the girls B 16-18 and under, National ASA Fast Pitch Championship in July and the James Ferrell Certificate for Excellence was given for hosting the men's class C Eastern National Championship over Labor Day weekend. It was given to those Cities that produced the ratings in National Championships that fell just short of excellence award obtaining 90 to 94% rating. These were Canton's first National Championship Tournaments. It was estimated that these three tournaments which consist of 65 teams representing 13 different states brought in over one and a quarter million dollars into our community through the number of rooms along with retail shopping and food purchases. It is because of this dedication and commitment to ASA Softball that Canton Ohio district N has been awarded the 2012 National Eastern Co-ed Tournament and the 2013 National C and D Tournaments. I'd just like to say we could not have received awards if we did not refurbish Willig Field. This was a joint venture.... *(Applause)* ...this was a joint venture between the Rec Department, the Park Department and the Chamber of Commerce for getting them here and doing the hard work that they did for the whole weekend. So...

PRESIDENT SCHULMAN: Congratulations Member Griffin, that's great. Plus it brings important and needed economic impact.

MEMBER GRIFFIN: Since we didn't have the Hall of Fame Game.

PRESIDENT SCHULMAN: I know, terrific. Any other Miscellaneous Business. Leader.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: I'm sorry, Member Smith.

MEMBER SMITH: To announce two events that's going on this week for Martin Luther King, on Thursday morning, the Martin Luther King Breakfast where Reverend Arrington of People's Baptist Church is the speaker. On Monday at 12 noon, none other than that, the Southeast Community Center, our guest speaker will be none other than Mr. Vince Watts of the Greater Canton Stark County Urban League. So we'd like to...

PRESIDENT SCHULMAN: Who is he again?

MEMBER SMITH: Vince....

PRESIDENT SCHULMAN: Okay. *(Laughter)*

MEMBER SMITH: So we'd like to invite everyone out to that. Thank you.

PRESIDENT SCHULMAN: Great, thank you Member Smith. You know I'm kidding Vince.

MEMBER WEST: Mr. President.

MEMBER FISHER: Mr. President.

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MEMBER SMITH: Breakfast is at 8:00.

PRESIDENT SCHULMAN: 8:00, thank you.

MEMBER SMITH: At the McKinley Grand.

MEMBER WEST: Mr. President.

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: Yeah, I just want to take a minute to, I know Mr. Bowman left already but since I'm his new Councilman as about 9 days ago, I wanted to also go on the record thanking him for his heroic actions. You know, the...you can read everyday, you know, of any issues we have in the City but, you know, individuals like...like Tom Bowman show what impact a single individual can make when they get involved on behalf of somebody else. So I wanted to thank him and also, you know, if Ed from the Repository would pass the message along, I want to tell him he can name the time and the place and the first drink is on me. Okay so, if he wants to put that in. Also, I just wanted to thank, you know, my kids are out here, sat through this thing and my son has said on numerous occasions how boring he thinks these meetings are so I wanted to promise them this will be the last time you're here. Joey (*inaudible*)...

PRESIDENT SCHULMAN: He said they were what?

MEMBER FISHER: He said everyone was boring except the esteemed President Schulman....

PRESIDENT SCHULMAN: Thank you, thank you.

MEMBER FISHER:those were his exact words.

PRESIDENT SCHULMAN: Candy bars for the kids at the end of the meeting.

MEMBER WEST: I know that's right. Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yes just for the Council Members, Ordinance #31, has 96 Ordinances in it....Communication, excuse me. Make sure you get a copy of the Communication and look over the 96 Ordinances so that we don't have any problems next week when we bring it for....or the following week when we bring it for our Caucus Meeting. And then I also wanted to say to Mr. Drake and Pat, believe me, we are blessed to have these two individuals to look after our trees and we did sign a...today, a Communication for that Ordinance to go back...to go forward. Okay? And Mr. Drake, I would say put your input in because I know you always have a lot of valuable things to say. Thank you.

PRESIDENT SCHULMAN: Thank you Member West. Member Cirelli.

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MEMBER CIRELLI: Thank you Mr. President. Maybe some of them have left but I think it would be nice if some of the family members are here of the new Council People if they stood up and maybe some that are here that are of the old Council People if we just have them stand up sir.

PRESIDENT SCHULMAN: Sure, family members would like to stand up, we'd love to recognize you.

(APPLAUSE)

MEMBER SMITH: Excuse me, my son Tory in the back, you did not stand up honey, stand up son. Beverly, Harvey, stand up and ya'll know Miss Brogdon.

PRESIDENT SCHULMAN: Alright, very bossy, jeeze, I'll tell ya. Congratulations to all of you because without you, they don't sit here, I do know that. And Ryan Brahler is here and he's our new Canton Board of Education Member.

(APPLAUSE)

PRESIDENT SCHULMAN: Okay, you know, people just walk in, introduce them. Anybody behind you Ryan by any chance? Okay. Leader.

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Yeah, did you have something to say Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President, Mr. Majority Leader. I wanted to briefly respond to Dan Fonte's remarks about electric aggregation if I could. Especially since so many people here can help spread the word, not only Council Members to your Constituents but concerned people in the audience. Dan is a very powerful speaker and he raised some very good points about what happened in Columbus, particularly with the Consumer's Council and the alleged budget cuts that led to the removal of that position and part of that stuff. But more to your bills and what you can do, 11 years ago, the State of Ohio through the General Assembly deregulated utilities and we started out experimenting with that with natural gas. Eleven years ago, the voters of the City of Canton and many cities around Ohio went to their ballots and agreed to let their Cities and Townships and Counties be brokers for natural gas. Canton did that too and I'd say 10 out of those 11 years, we were able to save you money on your annual gas bills, on your monthly gas bills by having brokers go out to bid companies who were now competing. The State of Ohio erregulated, meaning they let utilities be unregulated and start to market price gas and electricity. We had to do that early with gas because with gas...the only way you could get cheaper gas was to compete...competitively bid it and we did that and again, I'd say 10 out of 11 years we were able to save all our homes that were on the program and all our small businesses money. Now if you think it's only a couple hundred bucks a year for gas for the average home or small business, when you multiply that by 30,000 homes and small businesses that's a lot of money that's being saved in this community that can be reinvested economically into the community. Electricity, Mr. Fonte is right, we did not have to aggregate electricity because AEP was one of the lowest cost electric providers in Ohio all this time until now. Their infrastructure is aging and there are environmental concerns that mean that they have to spend to clean their product so their prices are going up and the only way to help offset those prices is to go to the ballot like we did in November and ask the voters of the City to see if they wanted to aggregate electricity and they said yes and that's what we're doing. So, our broker, who is not paid by City

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funds at all went out and got competitive bids and First Energy Solutions said "We will give you 10% off your electricity bill every month for three years, off whatever the rate...the prevailing rate of what AEP is at that given point in time. It'll be 10% off of their rate to compare. Now, Mr. Fonte raises the point about budget billing, it's true because this is new and they haven't been around as long as gas aggregation, you will continue...those...our program is an opt-out program meaning everybody who is eligible. Everybody who is not on a percentage of income participation, everybody who is not in the arrears will automatically be included, every City resident and small business is eligible will be included in our gas opt-out program come March and you will be in it unless you take the affirmative step to step out by phone call or by computer website or by returning a postcard which will come to you in the mail. Everyone will be notified in the mail, you can come out of this program if you want to, you have freedom of choice. We're not going to make you be a part of this program if you don't want to be, you can opt-out for free and Mr. Fonte is right, if you don't do it when you get that letter from First Energy or when you get the follow up letter from AEP and you wait a few months, there is a penalty to exit the program. However, if you stay in it, you are guaranteed a 10% savings on your monthly bill. The problem he raised and I had these email conversations with Member Cirelli and phone conversations with Mr. Fonte and several of you and some of your spouses on Council, the...it's true, if you are used to a budget, say your budget is \$60.00 a month every month for electricity and you like that, you like having a \$60.00 budget, about 1/3 of that can be budget still because it's the AEP portion, so out of the 60, about \$20.00 will be the same budget every month because that's the AEP portion, AEP will send you one bill just like Dominion does but the bill will be broken out. You will see the charges that you pay for the supply of the electricity from First Energy Solutions. That cannot be budgeted, that cannot be the same month...same amount every month. It will vary depending on your usage. Most people's electric bills go up in January because their furnace runs so much and they go up in the summer if they have air conditioning because their air conditioners run a lot. So they will be paying more in those months when they use the most electricity. If...if you can plan for that, put a little money aside in those months when your bills are low, you'll have enough to pay them when those months that are high. However, let me say this, again based on our emails and our conversations, if you prefer to have a budget, even though it means you're not going to save 10% each month, stay on the budget and opt out of the program, that's your choice. If you prefer to have the 10% off and only 1/3 be budgeted each month then you could stay with the program. Thanks for the time to let me explain that.

PRESIDENT SCHULMAN: Thank you Law Director. Mayor Healy.

MAYOR HEALY: Thank you Mr. President. I'd just like to take a moment to...to welcome the new Council Members and congratulate all of you on your victories last November and all the Council Members who won, obviously all you won in November but I just want to say that this is the 5th year of me being in the Mayor's chair and this has to be the finest first day of the New Year meeting that we've ever had. It started out with a hero and...and a great Police Officer and a great story, the voting of new Members and a memorial to somebody who had almost long forgotten. So, I just want to say this looks like it's going to be the start of a great year. Welcome everybody, congratulations. We look forward to 2012.

(APPLAUSE)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Just to remind everybody, we will have Caucus at 7:00 PM, not next Monday but the following, correct Clerk?

CLERK TIMBERLAKE: Yes sir, the 23rd.

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MEMBER DOUGHERTY: And so we will do it at 7. I have somebody that wants to come in and speak to address Council for about 15 minutes so we'll do the Agenda then do that and we should be alright for 7:30 then. I move to adjourn.

MEMBER BARTON: Seconded.

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

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: (*Gavel falls*) Meeting is adjourned. Be careful on your way home. Enjoy the game if you're watching it tonight.

ADJOURNMENT TIME: 8:44 PM

ATTEST: JANUARY 13, 2012
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: JANUARY 13, 2012
ALLEN SCHULMAN
PRESIDENT