

MINUTES OF THE MEETING MAY 7, 2012

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. It's good to see all of you here tonight. Before we begin the meeting, our friend Don Singer passed away this last week. He was a stalwart as an activist in the political community and he'll be greatly missed and let's take a moment of silence to remember Don.

(MOMENT OF SILENCE OBSERVED)

PRESIDENT SCHULMAN: Thank you very much. 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, JAMES BABCOCK, MARY CIRELLI, JOE COLE, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, CHRIS SMITH, KEVIN FISHER, EDMOND MACK & FRANK MORRIS)

ELEVEN COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Everyone is here tonight so, we'll have our invocation given by my friend Council Member At Large Member Joe Cole. If you'll all stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on May 7, 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 Council-at-Large Member, Joe Cole. The Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you very much Member Cole. We have no Agenda Corrections and Changes tonight.

PUBLIC HEARINGS

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

OLD BUSINESS

PRESIDENT SCHULMAN: Turning to Old Business. We have no Old Business tonight.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: So we're now under Public Speaks. We have seven speakers tonight. Our first speaker is James Parker. Mr. Parker, good evening. If you'll....

JAMES PARKER: *From the audience* - May I request to go last please? *(Inaudible)*...of order of the last four meetings...

PRESIDENT SCHULMAN: Well, James if you don't mind, we'd like to hear from you so, I think first is

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always better anyway. But thank you. If you'll step forward and give us your name and your residential address and again always welcome here.

JAMES PARKER: Thank you kindly President Schulman. James Parker. 630 Penny Street SE, city of North Canton, Ohio 44720. I put down two topics to touch on tonight. One was Central Plaza. It is Goodwill Week, National Goodwill Week for Goodwill Industries so I'm glad to see and pleased to see that's recognized on our flagpoles, that they're being utilized. We have these wonderful 17 expensive flagpoles that have been naked. It's kind of like having a gray pair of shoes with no shoe strings in it and going around town so, let's keep in mind though that Goodwill is a one week deal and not a six month deal and those flags don't need to be up there until they're ragged and gray. I was waiting and hoping and keeping my fingers crossed for some nostalgic flags up there so, I hope they're doing their best on that. Secondly, you know there was a lot of fuss about this T-shirt business, I think you know, we got sold a little bit of a pig in a poke when it came out where their items are manufactured. I think if you look at solutions during the presentation, there were categories where they could pop in different merchandise. I would highly suggest that these solutions be utilized to the fullest of their advantage. That the Councilman Joe, we all make mistakes. It's hard work that will pull you out of it and get a proper solution so that this can be addressed. That they showed on the presentation different areas beyond what we were shown and I'm hoping we can hear and expand on that and that, you know we take into considerations what we call emergency measures, that because of this there will be more scrutiny and I'm going to ask for looking into when people call buying hats and T-shirts emergencies. It bypassed the scrutiny it would have gotten, that would have a checks and balances system that's in place. There was no reason to call that an emergency. When questions are asked by Councilman Morris or Fisher and we get these curt, terse responses from Council Pres, Leader Dougherty, I don't find that a good sales pitch, the way you go to a bank and ask for a loan, you don't get terse and like, you know, that's what it takes and that's the deal and please don't ask any more questions. I wish they'd have a more welcoming agenda to that. Thank you very much. Good night.

PRESIDENT SCHULMAN: Thank you Mr. Parker. Our next speaker is Pastor Walter Moss. Pastor Moss, good evening. Welcome to Canton City Council. If you'll give us your name and your residential address please.

PASTOR WALTER MOSS: Yes, Pastor Walter Moss. 1601 Harvard Avenue NW here in the city of Canton. Today I stand to share two programs or projects. One that's going on in the city of Canton through the Municipal Court and I wanted to remind Council Members if you can let your constituents know, people who have misdemeanors can get those worked out even though it's not official, but unofficially with the Court. With the Common Pleas, I'm sorry the Municipal Court Judges. A couple of years ago we worked that project and I talked to the administrator today and he said they're still doing it. It's kind of unofficially, they haven't really did a lot of PR on it but I think it would be helpful for a lot of people who are running around Canton with misdemeanors who would probably want to get those taken care of. Secondly, and this is the main reason why I came today. Tomorrow at 7:30 at Monroe Center, there's a vigil for Precious Love. She used to be a member of my church and she was killed in Akron by her boyfriend who I understand is also from Canton and I remember last year, Mr., Councilman Hawk I believe led a bill that was passed for a gun buy back program. And so I've kind of been waiting to see what the city's going to do with that. I know some money had been appropriated and so I'm just here today to ask you all as Council Members, the administration, you know, you've got to start thinking proactive. We can't keep waiting till things happen but I mean, there's a lot of guns on the streets of Canton, Ohio with people who have not been through training. They're illegal. I had

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a former football friend of mine who used to sell guns and ended up he died but, unfortunately there's a lot of people who are in the gun business and so I know there's a lot of guns on the streets of Canton and cities around us. Akron, Cleveland have done gun buy back programs and Canton we haven't really done anything so, I'm asking the Council. If you all would be proactive and I don't know, we got \$20,000.00, \$25,000.00 left in the fund, I just want to see us do something. The churches, we're willing to help. Whatever it takes but we got to do something to get some of these guns off the street because you know, I get tired of going to these vigils and I don't want to see other people getting killed and so that's why I'm here today to beseech you all, do something. Be proactive. Thank you.

PRESIDENT SCHULMAN: Thank you, Pastor Moss. (*APPLAUSE*) Our next speaker is Richard Drake. Mr. Drake good evening. If you'll step forward and give us your name and your residential address and always, welcome to Canton City Council.

RICHARD DRAKE: Good evening everyone. Name is Richard Drake. 3020 Sycamore Avenue SE in Canton. I've talked before about my profession and the trees, about how dangerous it is. Last month we lost another eight people to death and I think there was 8 or 9 serious injuries. Some by electrocution. So that's what I wanted to say tonight. A lot of people aren't aware of this, about electricity and how dangerous it is and you always handle every wire whether it's energized or not as it's energized so it can save a life. But the main thing I want to talk about is, what do you do if electrical wire falls across your vehicle or you're working a piece of machinery and it gets energized when you run it into the wires. Does anyone have any idea, what do you do? Well you're told to stay in your vehicle or on that piece of equipment but what if it starts to catch on fire? Then you've got to get off of it. So what do you do? How do you get off safely so you can save yourself? Well you have to jump off and you have to land on both feet. And just visualize a bull's eye, a circle that just keeps moving. That's the way electricity moves. So you can't walk, you can't run because you're a step across on them lines, you're instantly grounded and you die. So you have to hop. You have to hop three meters, 33 feet to be, to get away from the point of contact, so I just wanted to inform everyone this today, tonight. It may save a life someday. It might save one of yours or one of your family but this is what comes from going to safety programs and getting the training because most people don't know what to do so this is what I just wanted to say tonight. Maybe it will help in save a life someday.

PRESIDENT SCHULMAN: Thank you very much Mr. Drake.

RICHARD DRAKE: You're welcome.

PRESIDENT SCHULMAN: Appreciate it. (*APPLAUSE*) Our next speaker is Linda Campbell. Miss Campbell...

LINDA CAMPBELL: *From the audience* - I already spoke with the Safety Director and he said he's going to handle my issue.

PRESIDENT SCHULMAN: OK, great. Wonderful. Thank you for coming down though, we appreciate it and I'm glad to know that we're going to have that resolved. Our next speaker is Patricia Kirk. Miss Kirk good evening. Welcome as always. If you'll give us your name and your residential address please.

PATRICIA KIRK: Hello. I'm Patricia Kirk, 131 5th Street NE and this will be short this evening. And my

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one question that I did want to ask is, where can I get an updated copy of the land bank properties and their addresses. And I also wanted to mention our Tree Commission Academy class which did start last week at Church of the Savior and it was very, very good. It was smaller than the class that I attended and graduated from in Alliance but that's better even for Canton. There are four different cities that are represented including Canton. But it's a smaller class which means better interaction among the class members. It's very, very good because there is a mix of professions and interests and backgrounds which is exactly what you need for the class and also for the Tree Commission Academy or for the Tree Commission coming up at Canton. That's all I wanted to say.

PRESIDENT SCHULMAN: Great.

PATRICIA KIRK: And I hope Mayor that you will be able to return. Thank you.

PRESIDENT SCHULMAN: Thank you Miss Kirk. *(APPLAUSE)* Our next speaker is Leon Cote. Mr. Cote good evening. Welcome. You're looking good. If you'll come up and give us your name and your residential address please.

LEON COTE: *Inaudible comment as he was coming to the podium.* Good evening. My name is Lee Cote. I live at 1225 41st Street NW in Canton 44709. Mayor Healy, President Schulman, Majority Leader Dougherty, Members of the Council, I've been reading in the paper about the possibility of a levy for Police and Fire, maybe an income tax increase and I'd like to throw a suggestion out. All of us that get us here to, at Public Speak, we're not up here just to complain. Sometimes we have an idea that maybe the city can run with. I'd like to read you an article out of Readers' Digest. It's called "Make a Wish". The recession has been tough on small Tennessee city of Athens, population 13,000. Local tax revenues have not kept pace with inflation and city government has had to cut back. At the same time though, new bleachers were donated to the city, trees have been planted in city parks and an exercise trail has been blazed through one of them. Eight new "Welcome to Athens" signs have also been erected, approximate cost \$18,000.00. All but a fraction of the items were donated by local citizens and businesses which pick projects from a 16 page brochure. New communities, now communities from Baltimore to Oregon City are publishing "Wish Lists" of services and items they cannot afford. These municipal beggars are soliciting tax deductible gifts either in cash or in goods or services. Baltimore smashed, splashed a list of 2,500 wishes across two newspaper pages. More than half have since been granted. City offices got duplicating machines, schools were fumigated, vans for transporting senior citizens were repainted, estimated value of the goods and services \$10,000,000.00. So, I'm just suggesting that if the Mayor were to send a letter to every department head and ask them for a wish list, maybe a new ambulance, a new playground. You don't know, maybe 10 lawyers would get together and throw \$10,000.00 each in a pot and build that new playground but you don't know unless you ask. And I'm saying if Mayor Healy, if you were to work with The Repository and they would work with you on this, I would be willing to volunteer my hours and a volunteer does not get paid. I would be willing to volunteer initially to get this off the ground and running if you wanted to adopt this. So, the ball's in your court, God bless.
(APPLAUSE)

PRESIDENT SCHULMAN: Thank you as always. Lee mentioned that by the way, that Baltimore did that in the 1980's and it was an incredibly successful program so, thanks for that recommendation. I saw a lot of heads nodding in the audience. I know it's a very good one Lee, thanks. Our last speaker is Dan Fonte. Mr.

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Fonte, good evening. If you'll, you're no stranger either. If you'll give us your name and your residential address please and as always, welcome to Canton City Council.

DAN FONTE: Thank you Mr. Chairman, Members of Council, Members of the Administration. My name is Dan Fonte. I reside at 4415 Dawn Ridge Circle NW in Canton. The reason I'm here is I seen in the paper about the promotional items, the hats, the shirts, the mugs, this and that and as I read it in the paper I thought, I wonder if anybody asked if these are going to be made in America and I assume people did. Then I was shocked to read that it passed on emergency and it passed 11 to 1. Now it's bad enough that we're going to do these promotional items and they're not going to be made in America from what I understand. It's unconscionable for this Council, in my opinion, to pass an Ordinance for these kind of items and not have it be made in America. Passed under emergency, makes it twice as bad because it doesn't get the full vetting of three readings and then we can maybe talk about it. And then, when it wasn't vetoed by the Mayor. And then I sit and read the paper the following week that we have anywhere from a 4 to a \$4,500,000.00 deficit in the General Fund and I'm thinking, now wait a minute. We're going to send \$25,000.00 over here that with all, maybe with all good intentions it was a good idea, but let me tell you something, it's a bad, bad idea now. What I would like to see done is have one Council person make a motion, gets second by another Council person to do away with this Ordinance and say we made a mistake, we're going to just put it on a back burner, cancel it and we got to talk about the deficit. We're going to look at because there's no reason we should be spending money as pitiful, I shouldn't say pitiful, as pittance as it is to some people, \$25,000.00 is a lot. So I think Council needs to do the right thing. It takes a lot to do the right thing because you're doing the right thing by the people out here that's going to pay for it and if I want a hat or a T-shirt or a mug, I'll certainly go out and buy one but I'll guarantee you, it will be made in the USA. That's, I think it's very important. You're charged with taking taxpayers money and spending it wisely. I think this is a bad, bad piece of legislation so I would ask that Council, somebody put a motion on the floor, second it and I would like to see it be passed unanimous instead of how it was passed the last time, 11 yes and 1 no so please, do the right thing and change this legislation and bury it. Thank you very much. *(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you Mr. Fonte. Thank you very much and thanks to all our speakers tonight.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: Turning now to Informal Resolutions. Madame Clerk would you please read Informal Resolution 38.

#38 **RETAINED IN COMMITTEE 4/30/12** PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF JOHN STRAUSS TO ARCHITECTURAL REVIEW BOARD TO FILL VACANT SEAT OF JACK HAWK EXPIRING 12/31/14. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Resolution 38.

MEMBER BABCOCK: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 38. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye, those opposed no.

NO REMARKS

RESOLUTION #38 PASSED UNANIMOUSLY BY VOICE VOTE

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

COMMUNICATIONS

PRESIDENT SCHULMAN: Turning to Communications. Let the journal show that all the 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 MAY 7, 2012.

191. AUDITOR MALLONN: REQ FOR ADDITIONAL AMENDED CERT DATED 4/27/12. - RECEIVED & FILED
192. AUDITOR MALLONN: MONTHLY RPT BY FUND 4/1/12 - 4/30/12. - RECEIVED & FILED
193. AUDITOR MALLONN: YEARLY RPT BY FUND 1/1/12 - 4/30/12. - RECEIVED & FILED
194. MACK, E, WARD 8 CNCL MBR: REQ DRAFT LEGISLATION THAT SYNCHRONIZES & CLARIFIES THE INTERPLAY OF CODIFIED ORDINANCES PERTAINING TO "GROUP HOMES" TO REMEDY POTENTIAL UNCERTAINTY & TO PROVIDE CONCRETE DIRECTION TO THE CITY'S ZONING DEPT. - JUDICIARY COMMITTEE
195. SAFETY DIRECTOR REAM: REQ APPROVAL OF TEMPLATE PARKING AGMTS & RATE SCHEDULES FOR MILLENNIUM & CORNERSTONE PARKING GARAGES. - FINANCE COMMITTEE
196. SERVICE DIRECTOR PRICE: REQ TO AUTHORIZE CITY TO AWARD CONSTRUCTION CONTRACT & FOR MAYOR/SERV DIR TO EXECUTE CONTRACT FOR WRF BIOFILTER MEDIA REPLACEMENT PROJ IN AMT NOT TO EXCEED \$105,750.00; REQ \$105,750.00 SUPP APPROP FOR PROJ. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
197. SERVICE DIRECTOR PRICE: REINSTATEMENT OF O#201/2011 TO TRANSFER APPROX ½ ACRE OF PROPERTY (PARCEL #284617) TO CCIC AND THEN TO SARTA. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
198. SERVICE DIRECTOR PRICE: REQ AUTHORITY FOR MAYOR &/OR SERV DIR TO ENTER INTO A CONSULTANT CONTRACT BETWEEN CITY & ARCADIS US, INC FOR 12TH ST NW, BRIDGE REPLACEMENT & STREETScape PROJ, PID 90671, GP 1160; MAKE \$325,512.00 APPROP TRANSFER; REQ AUTHORITY FOR MAYOR &/OR SERV DIR TO ENTER INTO

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COOP AGMTS W/OTHER PROJ STAKEHOLDERS INCLUDING BUT NOT LIMITED TO: SARTA, COUNTY ENGINEER & ADJACENT PROP OWNERS AS NEEDED; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

199. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION TO ENTER INTO 5 YR CONTRACT W/DIREXORY FOR PURPOSE OF INSTALLATION OF INTERACTIVE PUBLIC DIRECTORIES ON CITY OWNED PROP IN CONJUNCTION W/ENGINEERING DEPT'S WAY-FINDING PROG THIS WILL BE DONE AT NO COST TO THE CITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
200. SERVICE DIRECTOR PRICE: REQ AUTHORITY FOR MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR HAMILTON AVE STORM SEWER PROJ GP 1168; MAKE \$360,000.00 SUPP APPROP; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
201. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR APRIL 2012. - RECEIVED & FILED
202. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX FOR APRIL 2012. - RECEIVED & FILED
203. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 4/30/12. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We are now under Ordinances and Formal Resolutions for the First Reading. Madame Clerk would you please begin with Ordinance 1.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011, AS AMENDED, BY MAKING THE INTERFUND ADVANCES AND INTERFUND ADVANCE REPAYMENT HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$38,500.00 INTERFUND ADV. REPAY TO GENERAL FUND)
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

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- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Judiciary Committee
- #4. (1ST RDG) A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF THE 2012 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Judiciary Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY TO STARK COUNTY, UPON PROPER AND APPROVED INVOICE, RECURRING MAINTENANCE FEES FROM MOTOROLA SOLUTIONS FOR THE MERGED RADIO COMMUNICATION SYSTEM, THE CURRENT AMOUNT BEING DUE \$156,287.78 AND TO B&C COMMUNICATION, INC., UPON PROPER AND APPROVED INVOICE, RECURRING MAINTENANCE FEES FOR THE PORTABLE AND MOBILE RADIOS, THE CURRENT AMOUNT DUE BEING \$46,223.04; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH AGENCY FUND 7508, THE "JACKSON-CANTON J.E.D.D. CLEARING FUND"; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We have no Ordinances for their Second Reading tonight.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Turning now to Ordinances for their Third Final Reading and vote. Madame Clerk would you please begin with Ordinance 7.

- #7. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 74/2012** A RESOLUTION ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECOMMENDATIONS REGARDING ENTERPRISE ZONE TAX ABATEMENT AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER BABCOCK: Seconded.

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

MEMBER DOUGHERTY: Mr. President I move we amend Ordinance 7 per the copy in front of all Council Members and...

MEMBER BABCOCK: Seconded.

AMENDMENT

Pursuant to Rule 36, I move to amend Section 1 of the Agenda Item No. 7 by the substituting "Withdraw from the EZ Program" with the new subheading "Terminate and Withdraw from the EZ Program."

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance #7 by virtue of the copy before each Member of Council. Are there any remarks? By voice vote then, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

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

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #7 as amended. Any remarks under the Ordinance as amended. 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 AMENDED AS ORDINANCE NO. 74/2012

PRESIDENT SCHULMAN: Thank you Madame Clerk. The Ordinance is adopted. Ordinance #8 please.

#8. (3RD RDG) ***POSTPONED UNTIL 5/14/12 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH TAYLOR CHEVROLET FOR THE PURCHASE OF 12 2012 CHEVROLET POLICE CRUISERS IN AN AMOUNT NOT TO EXCEED \$387,756.00, TO ENTER INTO CONTRACT WITH TAYLOR CHEVROLET FOR***

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THE PURCHASE OF 4 2012 CHEVROLET DETECTIVE VEHICLES IN AN AMOUNT NOT TO EXCEED \$119,868.00, TO ENTER INTO CONTRACT WITH GERMAIN FORD FOR THE PURCHASE OF ONE 2012 FORD E350 CARGO VAN IN AN AMOUNT NOT TO EXCEED \$20,199.00, AND TO PURCHASE ADDITIONAL EQUIPMENT FOR THESE VEHICLES IN AN AMOUNT NOT TO EXCEED \$48,000.00 FOR THE POLICE DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER BABCOCK: Seconded.

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

MEMBER DOUGHERTY: Mr. President. I move we postpone Ordinance 8 till Monday, May 14th.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you postpone consideration of Ordinance 8 until Monday, May 14th. Any remarks?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader.

MEMBER DOUGHERTY: There was an issue with the amendment that is going to need to go back to the Law Department to get corrected.

PRESIDENT SCHULMAN: OK, thank you. Any other remarks? Hearing none by voice vote on the motion to postpone, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Motion carries and the Ordinance is postponed until May 14th. Madame Clerk Ordinance #9 please.

#9. (3RD RDG) **ADOPTED AS ORDINANCE NO. 75/2012** AN ORDINANCE AUTHORIZING THE MAYOR TO: FILE A SUBSTANTIAL AMENDMENT TO THE 2011 AND 2012 CONSOLIDATED ACTION PLANS FOR THE CITY OF CANTON'S HOMELESS EMERGENCY SOLUTIONS GRANT (HESG) PROGRAM FKA EMERGENCY SHELTER GRANT PROGRAM; TO REVISE AND/OR AMEND THE 2011 AND 2012 CONSOLIDATED ACTION PLANS AND HESG BUDGETS FOR FISCAL YEAR 2011 PHASE II AND FISCAL YEAR 2012; TO ENTER INTO CONTRACT WITH

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SUCCESSFUL NON-PROFIT AGENCIES WHO RESPOND TO THE REQUEST FOR PROPOSAL AND MEET THE STRICT HESG REQUIREMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER BABCOCK: Seconded.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS, 1 ABSTAIN

CLERK TIMBERLAKE: Ten yeas, one abstain Mr. President.

#9 ADOPTED AS ORDINANCE NO. 75/2012

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

#10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 76/2012** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO; ESTABLISH A HOUSING REHABILITATION PROGRAM UTILIZING HOME PROGRAM FUNDS IN AN AMOUNT NOT TO EXCEED \$240,000.00, ADOPT THE HOME PROGRAM POLICY MANUAL AND RESIDENTIAL REHABILITATION STANDARDS WHICH HAVE BEEN APPROVED BY THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) FOR CANTON'S HOME PROGRAMS, TO REVISE AND/OR AMEND CANTONS' HOME PROGRAM TO CONFORM TO ANY CHANGES ADOPTED BY HUD IN THE FUTURE; TO ENTER INTO CONTRACTS WITH LOW AND MODERATE INCOME APPLICANTS WHO APPLY FOR REHAB ASSISTANCE AND MEET THE STRICT REQUIREMENTS OF THE HOME PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER BABCOCK: Seconded.

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

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#10 ADOPTED AS ORDINANCE NO. 76/2012

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

#11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 77/2012** AN ORDINANCE APPROVING AND ACCEPTING THE CONSOLIDATION OF LOTS 3052 THRU 3059, 39670, 40166 THRU 40176, 40207 THRU 40211, 6519 THRU 6521 AND PARTS OF OUT LOTS 82 AND 83; AND DECLARING THE SAME TO BE AN EMERGENCY (NW CORNER OF 5TH ST SW & CECIL CT)

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader.

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

MEMBER BABCOCK: 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. 77/2012

PRESIDENT SCHULMAN: Ordinance #11 is adopted. Ordinance #12 please.

#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 78/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PERMIT AMERICAN DEMOLITION, INC. TO REMOVE RAIL, TIES AND BALLAST AGGREGATE FROM A RAILROAD SPUR AT THE TREATMENT FACILITY OF THE WATER RECLAMATION FACILITY AT NO CHARGE TO 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 12.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you 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. 78/2012

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Turning now to Announcement of Committee meetings.

MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Member Cole.

MEMBER COLE: Finance Committee will meet at 6:30 May 14th.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

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

PRESIDENT SCHULMAN: Thank you. I think that's it isn't it?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Under Miscellaneous Business. Is there any? Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. I had and, Safety or Service Director Ream isn't here tonight so I guess I will maybe put this question to the Safety Director. When did we go to 10 hour parking meters?

PRESIDENT SCHULMAN: Director.

SAFETY DIRECTOR REAM: Long before my tenure. I don't know the exact date or years that they did that.

MEMBER CIRELLI: There's....

PRESIDENT SCHULMAN: Mayor Healy did you want to respond?

MAYOR HEALY: Thank you Mr. President. Yea, the parking meters, the ones that are in high action areas where there's a lot of businesses and activity, those have always been the shorter time frames but those that are in the outskirts of the city, they've always been 10 meters for many, many years. So the 10 hour meters have been out there, it's just not all of them.

MEMBER CIRELLI: Mr. President and Mayor Healy, then I hear you say those around Global, by X Global is in the outlying area. Because those are all 10 hour meters there and also there are no meters, there's only four in that whole block in the front as well as a law firm, we took three of them out completely so they don't have to pay anything to

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park. I just drove all around and with the one way streets it takes quite a while and I was surprised to see quite a few of these 10 hour parking meters placed there and we're saying every penny counts but by the same token, somebody can feed a meter if they're going to work or for 8 hours, that's \$2.00. And I'm, I would invite anybody in Council to go with me or go themselves and drive around and see where they're at and you'll be quite enlightened in what you see. I also want to speak Mr. President on the issue that Mr. Fonte spoke of. Now in defense of my coworker Member Cole here, who presented that Ordinance to Council. It was presented to Council that this was also to help the youth, of which we're always hearing that the kids have nothing to do, so we're going to help the youth to become entrepreneurs. It was going to be part of I believe Kiwanis was going to take part in it and the Junior Achievement, I believe if I'm not mistaken was going to take part in that. Also I can back that up to the fact when I spoke with the Mayor in his office on, when he invited each Council person up there individually, he had told me, I said to him and those products that you have coming to Council for \$25,000.00, they are going to be made in the United States and he said, if they're not, I will veto it. He did not do that and I approached him about that after last night, or last Monday's meeting and he said well, you're right I remember I told you that and there was somebody there but I guess I forgot. So now we are upset. I sent a lot of links to Derek Gordon and he's a fine young man and I did a lot of research myself and I've had some people in the community approach me that are businesses that can buy products made in the United States and have asked, you know why they're not going be on the list or can they get on the list. Council Members, we can address this issue, somehow, you know it wasn't too long ago, we all passed an Ordinance to have all the things that we purchase in the city, as best we can to be made in America, made in the United States of America and I think we need to be cognizant. We've got to get people working because if we, if we don't have any people working, all we're going to do is make a bigger burden on those that are working and coming up if we do pass, would consider passing any kind of a tax the ones that have the money and the ones that are working are the ones that are going to get hit the most and sometimes it will make people wonder why they're bothering. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Any other remarks? Member Mack.

MEMBER MACK: Yea, I just wanted to follow up on the vibrant conversation we had during Committee regarding the financial situation of the city. I mean I do understand that the city has serious financial problems and I've been elected to represent Ward 8 which as most of you know is the very northern part of the city and the problem is felt very severely up there with the closing of Fire Station #10. The residents in Ward 8 can't stand for that Fire Station to be closed the way that it is now and going the other direction is completely intolerable and I think that as City Council persons we have an obligation to explore all funding opportunities that can be used to offset and to deal with what's coming in the future. And in that vantage I just want to thank Mr. Cote and not just because we're friends but because of the great suggestion that he had with the "Wish List" because anything that we can do to offset these cuts, these costs that we all know are coming down the pike, I think will all be better off, so I just wanted to say thanks a lot.

PRESIDENT SCHULMAN: Thank you very much Member Mack. Any other remarks? I want to follow up if I might. God knows I have made many mistakes in my life and obviously quite a few of them I'm not particularly happy about. I don't intentionally try to go out looking to make mistakes but I have and I've taken my lumps for it. Saying that and the reason I'm saying that is I want to say two things. I want to say one thing that I heard tonight in Caucus from one of our Members of Council I thought was inappropriate, unfair and deserves an apology. We all are in our hearts wanting to do the best for our city and we become very passionate about that and we believe that we are always doing the right thing but sometimes we make mistakes and one of our Council Members tonight in my judgment, made a very grievous mistake and I don't think it was a fair comment. I understand the passion behind it. I understand the thought behind it but, it deserves an apology. Secondly with the promotional items, we heard from

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Dan Scuiry and Dan Fonte tonight. I didn't say anything when the Ordinance was brought up. I didn't, first of all, I didn't feel it was appropriate because I generally don't comment on Ordinances. That's your responsibility but, I think it probably was a mistake and I have to agree with Mr. Fonte. I think Council should reconsider that. I say that not because it wasn't made in good faith. It was and it was a genuine belief that it would give some spirit to the city. It needs that kind of spirit so I understand it's intent however, in light of what we're talking about and in light following up on what Member Mack just spoke of, the closing of fire stations, the necessity of going out and asking our citizens to give back to their community, I think it's probably not a good idea that we spent \$25,000.00 on hats, T-shirts in this economy. I think it's probably the wrong move and so with that I would strongly recommend that Council reconsider that and when we get to a position where we're doing better and we're doing well, then we can revisit this and we can make a determination at that time whether it's worth spending that kind of money. But it's probably not a good idea now when we're asking all of us, and that's us included, to pay more in taxes or real estate taxes to help our community. So, with that, any other remarks?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: I'd like to thank Pastor Moss for his commitment to helping the city with their amnesty program and trying to get out and market that amnesty program for people with misdemeanors. I also want to thank him for his involvement in my Ward. As you know, there's been several community chats and prayers and even a National Day of Prayer. He was very involved in that and of course, you started it, correct? OK, you just help lead it here, I mean up in here, yea. He also came down this past weekend at Nimisilla Park and did a two hour prayer with many other community leaders and I just want to thank him for his ongoing support for our community. And that's it, thank you. And I want to say one last thing, you know through those marches and through the information I'm getting from our community, people do want to see officers on the street and I know we're faced with this huge decision whether we're going to put a tax on, or property tax or income tax on the ballot but one thing is for sure that we definitely know that we got to get young people in productive things, productive programs that's going to help our kids stay away from harms way and not just put them in jail and then secondly, we have to keep our safety forces in place. Thank you.

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

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I want to thank Reverend Moss for coming tonight and I just wanted to refresh his memory, maybe he didn't recall this but Council did, Council Member Hawk and I'm not sure, Council Member Griffin did bring an Ordinance to Council and we voted in the affirmative for that to happen. But that lies in the Director, in the Safety Director's realm as to whether he's going to do anything with that. So we thank you for that. Secondly, I know who you're talking about and what you're speaking about who owes an apology. In your mind maybe so sir, but you know, I've said all my life I would rather deal with a thief than I would a liar because a thief will rob you and go away but a liar will just continue on and on and on. Now, whenever I ask somebody something directly and they tell me they're going to do exactly something and they don't do it, well then to me, that's a lie. So if I felt an apology was necessary to the Mayor, I would do so sir but I don't feel that an apology is necessary especially after he

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told me, oh yea, you're right and I heard somebody else was there and they heard it, heard me say it too but I forgot to veto it. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Any other remarks? Mayor Healy.

MAYOR HEALY: Yes thank you. I'd like to also recognize Lee Cote. I really appreciate your idea, bringing that up here and one of the things we did last year knowing that a lot of cuts from the state were coming and would be hitting us sooner or later, was we asked for all elected officials, union members, city employees, neighborhood association leaders, anybody in the public to come to us with suggestions and ideas and we got many of them and we have been going through and trying to review what's possible, what isn't, what we can do or should do. This is one that we had not heard before and quite frankly, I really like the idea and I absolutely will look into seeing on how we can move forward on that. If you'd like to sit down with me and help try to make that happen, I certainly would appreciate it. Thank you so much for being a part of that and bringing it to us and if anybody else has ideas, we certainly would welcome them as well but I did want to recognize you and thank you for that.

PRESIDENT SCHULMAN: Thank you Mayor. (*APPLAUSE*) Leader. Member Babcock did you have anything? OK, I'm sorry. Leader.

MEMBER DOUGHERTY: Mr. President. The merchandising Ordinance was my idea. Nobody else's, OK, and I'm sorry you don't like it. You know, I got the support of the majority of Council to do this. I think it's a great idea actually for a lot of reasons that have already been told time and time again and you know, on this side of the isle, I mean we have to make the votes and it's not easy so, I just, we could have had this conversation just me and you, cause that to me is a personal attack tonight. I move we adjourn.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: Well, I want you to know it was not.

MEMBER DOUGHERTY: We adjourned Mr. President. Once I make that motion there is no more talking.

PRESIDENT SCHULMAN: Yes I understand, I want you to know that wasn't. Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas.

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

ADJOURNMENT TIME: 8:13 P.M.

ATTEST: MAY 14, 2012
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: MAY 14, 2012
ALLEN SCHULMAN
PRESIDENT