

MINUTES OF THE MEETING MAY 21, 2012

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. We appreciate you all being here tonight 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 TIMBERLAKE:

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight we'll have our invocation given by Ward 2 Council Member, Thomas West. Will you all please stand and remain standing for our pledge of allegiance.

The regular meeting of Canton City Council was held on May 21, 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 2 Council Member Thomas West. The Pledge of Allegiance led by President Schulman.

PRESIDENT SCHULMAN: Thank you Member West.

AGENDA CORRECTIONS & CHANGES

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

MEMBER DOUGHERTY: Suspend 22A to add the 2nd Reading Ordinances 4 through 10.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2nd Reading Ordinances 4 through 10 to this evening's agenda. Are there any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. We have none tonight.

OLD BUSINESS

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PRESIDENT SCHULMAN: Turning to Old Business. I'm informed by the Mayor's Chief of Staff, Director Price there is no Old Business.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks. We have speakers tonight. Our first is Francisco Gomes. If I hope I pronounced the name. Is that correct sir?

FRANCISCO GOMES: Gomes.

PRESIDENT SCHULMAN: Gomes. Please step forward, right up here if you would and welcome to Canton City Council and if you'll give us your name and your residential address please.

FRANCISCO GOMES: My name is Francisco Gomes. I live at 623 Young Avenue NE, Canton, Ohio.

PRESIDENT SCHULMAN: Go ahead sir. Thank you.

FRANCISCO GOMES: I'm here today because I received a document written by Detective Risner. It involves an individual getting shot at Walther's Café about a year and some change ago. I was at Walther's about 11:00 that night, got a drink, spoke to a childhood friend. 5, 10 minutes later, I hear gunshots. Hear gunshots, somebody come running back inside the bar wounded. I go home, next morning my parole officer calls me at 9:00 in the morning. She advised me to come in immediately. I get there, Detective Risner's there and he wants to speak to me. Obviously the victim, he seen on camera, not the victim but the person that they was supposed to say shot the person, I had a conversation with him. It was on camera. He asked me what did we speak about. I told him briefly nothing. He asked me where was my cousin, he hasn't seen me in a while. Make a long story short, I didn't know anything. Risner told me I could go. A relative of mine found this paperwork that I have here which is a Motion of Discovery. Risner wrote on the afternoon of 1/26/2011 he responded to the third floor at a county building and met with Parole Officer Carrie Simonson in her office. Carrie had me, Francisco Gomes who wanted to speak to him about the events, the early hours, of 1/26. This paperwork is floating around on the streets and it's become an uproar. The Police, I mean the people are thinking that I contacted him to give him information by the way he wrote this. Everybody is sending messages and threats, talking about I'm a snitch. Obviously this paperwork in the wrong people's hands is, could cost me my life. It was a very high profile case. I went and spoke with Risner and asked him, why did you state this? My parole officer called me, said you wanted to talk to me. Why did you state in this paperwork that I wanted to speak to you about the events. This could cost me my life. I have children. He asked me was I offended or were I afraid. I said both. He told me and my mother cause she went to the Police Station with me, he told me and my mother to, if we were afraid, basically we should just move out of town to where they couldn't get to us. I have six children. My children's mothers are scared and afraid because of the things that they're hearing on the streets about what Mr. Risner wrote. They won't even let me see my children and the way I feel, this paperwork came and got sent home from prison or county, wherever it came from, which Risner told me I wasn't supposed to see because this is for lawyers only. I feel in fear for my life and I was told to come here for help. I went to him and asked him why did he do this to me, he told me he wasn't going to speak about it and for me and my family to just up and move. This isn't right to what he did to me and I need something to be done about this because I'm not allowed to see my children or I don't even feel safe even leaving from here going to the gas station or even pulling up at home. I have this because it was sent home and I feel like action was supposed to be taken about what Mr. Risner said about me and none of

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this is true.

PRESIDENT SCHULMAN: Thank you very much sir. We appreciate it. Our next speaker is Patricia Kirk. Miss Kirk if you'll step forward and give us your name and your residential address and welcome.

PATRICIA KIRK: Hello my name is Patricia Kirk. I live at 131 5th Street NE. I have three questions. My first question is why aren't the Caucus meetings held in the City Council room where there is room for everyone from Council, speakers and the public. As it is now, people have to stand outside the Caucus room where they can't hear. The object is to make it open to the public. That was my first question. My second point is I'm grateful for the return of the calls that I made to Mr. Zumbar's office and the Department of Development but I'm still waiting to receive any information on properties that will be concerned for any futural, future land bank program in Canton. My third point is please continue Canton's good showing with the four other cities at the Tree Commission Academy. The Sophomore class is in July. Thank you very much.

PRESIDENT SCHULMAN: Thank you Miss Kirk very much. Our next speaker is Leroy Lynch. Mr. Lynch good evening sir. Welcome to Canton City Council and we're going to, in light of your interpreter, we're going to give you an extra minute so thank you for being here.

LEROY LYNCH: Thank you very much. My name is Leroy Lynch and I live at 3911 Highview. Many deaf people are here this evening from the community that live here in the city and it's very sad that Trillium may loss their deaf services going to Greenleaf. The interpreting services going up to Greenleaf and we feel that this is wrong, that our tax money should stay here in the city and should stay here. And we cherish and want to keep the jobs here and we want to support the city and keep the tax money local just as there are many deaf people here, they are frustrated, there are also children that are mainstreamed in schools and they may be sent up to Akron because of the interpreting situations. You know, I don't know about you, they might not be able to call you late in the afternoon or all night or whatever. It's wrong that the interpreters, you know should be kept here and kept in the community just as these deaf people are about to explain. You pay money and United Way funds have supported this in the past and there's lots of teamwork and stuff. Now everything's gone and this is all moving up to Greenleaf in Akron. We want your support to get a new agency set up here for the deaf. OK, thank you very much.

PRESIDENT SCHULMAN: Thank you sir very much. (*APPLAUSE*) Our next speaker is, and I again apologize. I'm having trouble reading the last name. I think I've got it. Roland Dordt. Is that correct sir?

ROLAND DOUBDT: Roland Doubdt.

PRESIDENT SCHULMAN: Doubdt. Thank you sir.

ROLAND DOUBDT: Of Beverly View. Hello everyone here. It's a very friendly town. You know I am from Findlay, Ohio and I recently moved and I really enjoy living here and trying to help the deaf community from my experiences in Findlay. You know it's a small business world up there and a lot of similarities here in Canton but, unfortunately, you know it's sad to learn that family services will be cut and sent to Summit County. It's not a proper procedure of the way it's been done. We would like to keep our services here to be provided. Please turn off your voice interpreter. OK now you can talk. See as my point was, I was trying to

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make to you was that as I'm explaining the deaf community really will feel lost without interpreter services. It will hurt this city tremendously in Stark County and this area of Ohio. We should do something and we appreciate your time. Thank you very much.

PRESIDENT SCHULMAN: Thank you sir. (*APPLAUSE*) Our next speaker is Bianica Smith. Good evening Miss Smith. If you'll give us your name and your residential address please.

BIANICA SMITH: Hello my name is Bianica Smith and I live at 6880, 6848 Student Avenue Street in Navarre. I have used interpreter services through Trillium for a long time and since I found out that they may be leaving you know, and I would have to depend on like someone like my Grandma or my sister to do personal interpreting. That would just be such a conflict of interest and I would like to have some support and advocacy. Kids around here need this. We don't need the service to leave, we need the service to stay here in the city. Thank you.

PRESIDENT SCHULMAN: Thank you very much. (*APPLAUSE*) Our next speaker is Dee Tackett. Miss Tackett good evening. Welcome to Canton City Council. If you'll give us your name and your residential address please.

DEE TACKETT: Hello my name is Jodie Tackett, 945 Ullet Street SW in East Sparta, Ohio. I feel very concerned about the deaf children in the area. My point is why can't we get funds for the children for their summer programming you know, to go around the games or whatever activities they had planned on being involved. When I got the newspaper last Saturday, I saw this article said summertime kids grants and I read through that. It's very long, see how long this is. All these grants have been given out except the DID which is Do It Deaf for deaf children wasn't listed on here and I feel badly because they need to have you know, enjoyment just as hearing children do and they same way. It's in my heart that I need to know for sure that you will help out. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much ma'am. (*APPLAUSE*) Our next speaker is Susan Martz. Miss Martz good evening. Welcome to Canton City Council. If you'll give us your name and your residential address please.

SUSAN MARTZ: Hello everyone. My name is Susan Martz. I live at 604 Buffalo Ridge Street. The reason why I came here this evening is that I am concerned about the interpreters. My husband is looking for a job currently you know, and needs an interpreter and to be able to have access quickly. You know if services were all the way up in Akron it wouldn't be as fast. There are other people right now that are looking for jobs and they can't get an interpreter. We need something here in Stark County providing services and accumulating tax money through that. We want to keep things running in Stark County. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much ma'am. (*APPLAUSE*) And thank you very much for your interpretation. We appreciate it. Thank you. Our next speaker is Brianna Barton. Brianna if you'll step forward and give us your name and your residential address please.

BRIANNA BARTON: Brianna Barton, 618 Broad Avenue NW.

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PRESIDENT SCHULMAN: Welcome.

BRIANNA BARTON: I've been part of Timken's Marching Band for four years now. Every year I look forward to representing my school, showing my pride and all it represents. However, it is hard to show, sorry it is hard to show when I, I'm sorry....

PRESIDENT SCHULMAN: That's OK. Take your time.

BRIANNA BARTON: However, it's hard to show when I and all my fellow band members are wearing old, tattered uniforms. Uniforms that poke you. Uniforms that before every game have to be altered, pinned and hemmed. When we see other bands, we all notice how nice their uniforms are and we all compare. But now with your generous contribution, our amazing band parents, a wonderful principal, generous School Board and our community support, we finally get what we deserve. As Frederick C. Harold once said, I've got Timken in my heart and I bleed blue and gold. Now I too can bleed blue and gold, show my pride and inspire others as I approach my senior year. We all thank you at Timken Senior High Band and we intend to make you all proud.

PRESIDENT SCHULMAN: Thank you. *(APPLAUSE)* Our next speaker is Robert Stevenson. Mr. Stevenson if you'll come forward and give us your name and your residential address please.

ROBERT STEVENSON: Sorry. *(Michelle working on microphone adjustment)*

PRESIDENT SCHULMAN: It's OK. No, we're not going to start your time until you talk. Take your time. Unless it goes into tomorrow and then were going to have to move you on....*(LAUGHTER)*

ROBERT STEVENSON: I'm sorry it just all fell down. Oh my gosh. I'm like kind of nervous right now so I got to get it all in order.

PRESIDENT SCHULMAN: That's OK. That's alright. Don't be nervous.

ROBERT STEVENSON: OK. My name is Robert Stevenson. I live on 800 Broad. I am coming as saying this not only from the whole Timken Band and from me also. We are all so thankful for all that you have done. Because of you monetary support we are all able to afford the new uniforms. We have all been waiting for them and the new uniforms will help bring out who Timken is and what Timken is about. The Timken Band is now not only able to play our best but look our best at that. When I first came out to Timken Band, I found out that our uniforms was over 18 years old. I was ready for the new uniforms and to find out that because of you and everybody else that support, we're now able to afford them and because of that, I just want to say thank you. We are now able to show our Timken pride just as much and more. *(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you very much. Our last speaker is Joe Eldred. Mr. Eldred good evening. Welcome. If you'll step forward sir and give us your name and your residential address please.

JOE ELDRED: My name is Joseph Eldred. I reside at 638 Bellflower Avenue SW. A couple of months back I was speaking with Councilwoman Smith, Councilman West at Timken Senior High School and they

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encouraged me to come down here and speak to you as a group. And at that first meeting, everybody in the crowd has tried to get us to meow and I thought, what am I getting into. (*LAUGHTER*) I'm here on behalf of Timken Senior High School and the Band Boosters organization and I just want to thank you for your private donations and your great support. It's wonderful to be able to use this agenda for something as important as our children. I'm hear to tell you that we have been able to order our uniforms. If you notice Miss Brianna Barton has our old uniform on. Mr. Stevenson has the new one on. (*APPLAUSE*)

PRESIDENT SCHULMAN: Wow.

JOE ELDRED: The only difference is, the only difference in that uniform is "We Bleed Blue and Gold" on the one sleeve, the right side will have more gold in it. Or, I'm sorry, yellow, so it will truly be the blue and gold again. I just want to say thank you for your support. There is still a great debt for these uniforms. Through the help of Timken Senior High School and all the private donations that we have received, we have been able to oversee the down payment that we needed and we will be doing a lot more fundraising this summer, hopefully to raise up the rest of the money. Thank you.

PRESIDENT SCHULMAN: Thank you sir. (*APPLAUSE*) I'd like to thank all our speakers for coming down this evening and just remind anyone here, if you don't care to remain in the meeting room, that's your prerogative, there's, we will not hold it against you if you'd like to leave and we'll go on to other business.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: Turning now to Informal Resolutions. We're now under Informal Resolution 41. Would you please read that Madame Clerk.

#41. COUNCIL AS A WHOLE: RECOGNIZING & CONGRATULATING AMERYST ALSTON. -
ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Resolution 41.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 41. Madame Clerk would you please read that Resolution.

CLERK TIMBERLAKE: **Whereas**, Canton McKinley Bulldog's Ameryst Alston is the 2012 Ohio Division I and the Stark County Girls Player of the Year; and **Whereas**, As a two time winner of Ohio's Ms. Basketball award, she is the first recipient ever from Stark County and only the fourth to receive this as a junior; and **Whereas**, In her senior year Ameryst averaged 25.4 points, 5.1 rebounds, 3.0 assists and 2.1 steals and she set the County career scoring record by scoring 2,032 points in her four years as a starter and will now go on to play for the Ohio State Buckeyes; and **Whereas**, Ameryst received The Repository Player of the Year for an unprecedented third time and can add this to her awards including two time Federal League Player of the Year and four time All - Ohioian; and **Whereas**, Although the McKinley girls team tied for second in the State this

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year, Ameryst finished her season with a game high 29 points against top ranked Reynoldsburg; and **Whereas**, Not only is Ameryst a complete all around basketball player, she is a stellar example of a student athlete. **Now, Therefore, Be It Resolved:** that we, Members of City Council of Canton, Ohio go on record to recognize and congratulate **Ameryst Alston** for her athletic accomplishments for making the community proud. Good luck and we wish you all the best as an Ohio State Buckeye. (*APPLAUSE*)

PRESIDENT SCHULMAN: Are there any other remarks? Hearing none by voice vote, all those in favor of the Resolution signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #41 PASSED UNANIMOUSLY BY VOICE VOTE

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

MEMBER DOUGHERTY: Is she here in the audience? Did she come in? (*APPLAUSE*) Are you getting used to this yet? Ameryst on behalf of Canton City Council we want to give you this Resolution for all your hard work. You set a great example and anybody I talk to, they always say what a great person you are, not just an athlete and that's important. Good luck to you. I will be watching you at Ohio State, trust me. I used to play with your dad years ago. Many, many years ago but he was a good ballplayer too but you're outstanding. You ought to be really proud of yourself and we just wanted to take a few minutes to recognize you and thank you for everything. You really put Canton on the map there and made us all proud. Thank you. (*APPLAUSE*)

PRESIDENT SCHULMAN: Wait, wait don't go anywhere yet. Mayor Healy would like to present you with recognition and a certificate. Thanks.

MAYOR HEALY: Hi, how are you. I wanted to also take a moment to do this. We tried to coordinate this so we can catch you on the same night cause you've been awful hard to get a hold of. I know that you're finishing up your schooling and getting ready to go to college. I have had the opportunity to come down and watch you play several times over the last couple years and being a McKinley grad and being a Bulldog myself, I couldn't be more proud of what you were able to do personally and what you were able to do for the team and represent our school and our city and what I have today is a Proclamation from the Mayor echoing the same comments and achievements of your career and just want to let you know, we couldn't be more proud and more happy for you and for what you've accomplished and more importantly for what your future is going to bring you. So congratulations and best of luck with everything. (*APPLAUSE*).

AMERYST ALSTON: I just want to say thank you guys for all your support. This really means a lot to me. So, thank you. (*APPLAUSE*)

PRESIDENT SCHULMAN: Thank you.

COMMUNICATIONS

PRESIDENT SCHULMAN: We are now under 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

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210. DEVELOPMENT DIRECTOR WILLIAMS: REQ TO AUTHORIZE \$37,073.13 MORAL OB BE PAID TO BRAUN & STEIDL ARCHITECTS FOR PROF SVCS RELATED TO SPRAY PARK @ EDWARD "PEEL" COLEMAN COMMUNITY CENTER. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
211. LIQUOR CONTROL DIVISION (OHIO): REQ D1 D2 D3 D3A LIQ PERMIT TRANSFER FROM STERN & MANN BAR AND GRILLE LLC TO DST DBA BASIL ASIAN BISTRO LLC @ 585 MARKET AVE N 1ST FL. - RECEIVED & FILED
212. SERVICE DIRECTOR PRICE: REQ \$7,917.47 TRANSFER FROM UNAPPROP BAL OF 5216 NORWOOD HILLS FUND TO UNAPPROP BAL OF 5201 WATER FUND TO CLOSE THE FUND. - FINANCE COMMITTEE
213. SLIMAN, S, AGENT FOR PETITIONER: RECEIPT OF PERTINENT DOCUMENTS IN REGARD TO THE BROAD AVENUE ANNEXATION AREA. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: Turning to First Reading Ordinances. Let the journal show that all Ordinances are being given their reading as required by State law. Madame Clerk would you please read the First Reading Ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #3 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION & CORRECTION FOR RECEIPT OF THE FY 2013 COMMUNITY CORRECTIONS ACT GRANT IN AN AMOUNT NOT TO EXCEED \$170,601.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO CONTRACT WITH N AND T RAILROAD, REPUBLIC STEEL IN THE AMOUNT OF \$1,672.00 TO PROVIDE PROSECUTORIAL SERVICES RETROACTIVE TO MAY 1, 2012; EFFECTIVE THROUGH DECEMBER 31, 2012; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT FROM THE 2012 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN AN AMOUNT NOT TO EXCEED \$39,369.00 FOR THE POLICE

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DEPARTMENT; TO RATIFY ANY AGREEMENT ENTERED INTO WITH THE STARK COUNTY COMMISSIONERS REGARDING THE DISTRIBUTION OF GRANT FUNDS; AND AUTHORIZING THE AUDITOR TO RENAME FUND 2771 FROM THE 2011 BYRNE LOCAL SOLICITATION GRANT FUND TO THE 2012 LOCAL SOLICITATION BYRNE GRANT 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 very much Madame Clerk. We're now under Ordinances for their Second Readings. Would you please begin with Ordinance #4.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #4 THROUGH #10 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #4. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (CORNER OF 6TH ST SW & BEDFORD AVE SW - AULTMAN HOSPITAL) **PUB HRG 6/4/12 @ 7:30 PM**
- #5. (2ND RDG) AN ORDINANCE APPROVING THE RATE SCHEDULES FOR THE MILLENIUM AND CORNERSTONE PARKING GARAGES; AND DECLARING THE SAME TO BE AN EMERGENCY
- #6. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO EXCEED \$105,750.00 FOR THE WRF BIOFILTER MEDIA REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY
- #7. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO COMPLETE THE CONTRACTING PROCESS FOR A CONTRACT PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY JANUARY 1, 2012; AND DECLARING THE SAME TO BE AN EMERGENCY (O#201/2011 - CRENSHAW PARK TO SARTA)
- #8. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONSULTANT CONTRACT WITH ARCADIS US, INC. FOR THE 12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJECT, PID 90671, GP1160; AMENDING APPROPRIATION ORDINANCE 220/2011; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO COOPERATIVE AGREEMENTS WITH OTHER PROJECT STAKEHOLDERS; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #9. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FIVE (5) YEAR CONTRACT WITH DIREXORY FOR THE PURPOSE OF INSTALLATION OF INTERACTIVE PUBLIC DIRECTORIES ON CITY OWNED PROPERTY IN CONJUNCTION WITH THE ENGINEERING DEPARTMENT'S WAY-FINDING PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #10. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT FOR THE CONSTRUCTION OF THE HAMILTON AVENUE STORM SEWER PROJECT, GP 1168; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances for their Third and Final Reading and vote. Madame Clerk would you please begin with Ordinance 11.

- #11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 80/2012** 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)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#11 ADOPTED AS ORDINANCE NO. 80/2012

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

- #12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 81/2012** 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 (\$777,213.66 & \$614,350.24 - TO MEET BUDGET REQUIREMENTS)

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PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: I move we adopt Ordinance 12.

MEMBER GRIFFIN: Aye.

CLERK TIMBERLAKE: Second.

MEMBER GRIFFIN: Seconded. (*LAUGHTER*) Just seeing if you were listening..

PRESIDENT SCHULMAN: I know by the time we get to 16 you'll have this down. It's been moved and seconded that you adopt Ordinance #12. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#12 ADOPTED AS ORDINANCE NO. 81/2012

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

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 82/2012** 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

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#13 ADOPTED AS ORDINANCE NO. 82/2012

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

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 83/2012** 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

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PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

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

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance...there was a nay.

CLERK TIMBERLAKE: Oh, I'm sorry.

MEMBER MORRIS: I voted no.

CLERK TIMBERLAKE: Eleven yeas, one nay.

NO REMARKS

ROLL CALL 11 YEAS, 1 NAYS
(MEMBER MORRIS VOTED NAY)

#14 ADOPTED AS ORDINANCE NO. 83/2012

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

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 84/2012** 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

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: I move we adopt Ordinance 15.

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Twelve yeas Mr. President.

#15 ADOPTED AS ORDINANCE NO. 84/2012

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

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 85/2012** 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

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#16 ADOPTED AS ORDINANCE NO. 85/2012

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 16 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Member Cole.

MEMBER COLE: Finance will meet at 6:45 June 4th.

PRESIDENT SCHULMAN: Thank you.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Turning now to Miscellaneous Business. Is there any?

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: Thank you. I just wanted to, to speak briefly about the, in response to the members of our audience who came down through the use of their interpreter speaking about Trillium, our residents with hearing

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disabilities. While no members of my family are, that I know of, having any hearing disabilities, both of my grandparents were blind. My grandmother was born blind, my grandfather went blind in his 20's or so and I saw obviously the, you know, the additional help that they needed over what a lot of people take for granted everyday that they do themselves. And as a teenager you know, before they passed away I tried to help out with that as much as I could, as did other members of the family. I've also known for quite some time that some people here already know, that in all likelihood, I will likely go blind as I get older. It's life, that's what happens. When, hearing that the services that these people obviously count on, on a daily basis will be much more difficult for them to be able to do obviously moving out of the area, how it can affect children, I would like to ask if the administration, the Department of Development, if we could look into any other possibilities of any other non-profits or any other companies that provide these services that we could possibly work with to try to help these individuals out on a day to day basis. That would be fantastic and you know, obviously there's only so much we can do as a body and as a government but if we can step in and try to help people, make their lives a little easier, then I think we should try to reach for that. Thank you.

PRESIDENT SCHULMAN: Thank you Member Fisher very much for those remarks.

MEMBER WEST: Mr. Chairman.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: Mr. President. I too am very, this agency is in my Ward and I plan on going over there tomorrow to find out, to assess the situation and see if there's something that we can work out. Not so much with the city but if seeing if there's a way that maybe we could do some advocacy with some of the local foundations to be able to help keep the service here or if the partnership or the merger that's going on with Akron if it's intended to stay here or if it's something that's going up to Akron. So I plan on going over there tomorrow to find out more information.

PRESIDENT SCHULMAN: Thank you Member West. Any other Miscellaneous Business? Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. Mr. President I just want to thank Member, Council Member West for putting on a program the other night that he had Rabbi Spitzer narrate and he invited a whole lot of people and a lot of organizations showed up and I felt it was very worthwhile. Unfortunately, Safety Director Ream had to leave and you really missed a lot Mr. Ream. I thought it was very productive and I imagine you're going to have some ongoing thing and Council Member Smith was there and we, I think we progressed somewhat and it had to do with the violence and where were at and where we would like to be and then our mission more or less, is to see how we can possibly get there with real life issues of how you know, to what we want our city to become in the future. So it's a positive thing, so I would encourage all the Members if they get an opportunity and Mr. West has another program, they everybody and anybody, if they can make it, it's very well worth their while. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Member Hawk.

MEMBER HAWK: Mr. President on a lighter note I received this at my, on my station today from Mr. Lee Cote in honor that we're going to celebrate the Monumental Fourth this year at the McKinley Monument. We'll have the Army Band and Chorus there doing a two hour show and I think he gave this to me to wear and I will be happy to do it on that evening. *(APPLAUSE)*

PRESIDENT SCHULMAN: Law Director Martuccio.

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LAW DIRECTOR MARTUCCIO: Thank you Mr. President, Members of Council, I just want to take a moment to say all too often here, in the horseshoe, we hear negative remarks about so many things that need attention and they do but it was so nice to hear positive remarks and have the Timken Band members come and thank us. I know there's a way to go yet but thank you for coming and sharing your blight with us and your thanks. People don't always come back to say thank you. That's very much appreciated. And of course in honoring Miss Alston that was also very positive and I appreciate speaking on behalf of our Department and others that Council and the Mayor would take someone who is a great role model for the rest of the community and spend the time letting everyone know that, so thank you.

PRESIDENT SCHULMAN: Thank you Law Director. Any other Miscellaneous Business? Member West.

MEMBER WEST: Mr. President I want to follow up with Member Cirelli, just spoke about, and I was going to wait for next week until I got actual official place to have our meeting but it was productive, the meeting we had here in reference to violence. We had a number of non-profit organizations, as well as the Service Director and I do appreciate the Safety Director, the Law Department and Chris and of course, Member Cirelli for coming. And, but it's not over. In June 12th we will be meeting, or June, yea June 12th we'll be meeting again and summing up pretty much what we started and you all are invited. It was a very productive night, very different and I wish at one point that the Law Director could, could you know, bring what he said. It was so poetic, you know how he speaks guys right, and I went to bed that night just thinking about what he said, it was just so poetic. But at some point I hope that he just delivers that message to the community, it was just an awesome touch to the whole night but, you are welcome again for June 12th and I thank you all for coming out and supporting that.

PRESIDENT SCHULMAN: Thank you Member West and great job to you. (*APPLAUSE*) Very good job. Before we adjourn I just want to...

MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cole.

MEMBER COLE: Thank you. I wanted to give Council and the public a quick update on the Finance Committee that was held this past Thursday. As many of you know, Finance Committee was leaning towards an income tax as opposed to a property tax and I want to make it perfectly clear the reasoning for that decision. Thankfully, we had Finance Director DiRuzza who explained the various pros and cons to each and he did an excellent job in explaining those. Upon processing that information it was the Finance Committee's decision that we were favoring an income tax to be the most fair and equitable situation to solve the problem we face. Folks, our property owners have recently been hit with an 8 mil school levy from Canton City Schools and in order to fill this shortfall that we're going to have, we'd have to have an additional 10 mil. That would be 18 mil in two years. How can we justify that to our citizens. However, at last Thursday's meeting, and let's be clear about this. The discussion turned towards the business communities response and displeasure with the Finance Committee leaning towards an income tax. It is unfortunate in the 11th hour that the business community had, the concerns that they had made, trumped our seniors and our working core. I would like to remind everyone that after tonight's meeting we have five more Council meetings before we would need to get any sort of tax on the November ballot. That would be the first week of August so you have 5 meetings. That doesn't allow us to go through the legislative process and it doesn't give the Law Department the ample time that they would need in order to review the language for that ballot. It is no longer appropriate for the Finance Committee to make a recommendation cause we no longer have consensus. Therefore, at this time, I am stating that we will not be having any further Council meetings in regards to the income tax or the

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property tax. I would suggest the Mayor send a Communication with his recommendation to the Finance Committee. Finance Committee will sign that out, we can all vote our conscience on whether we want an income tax or a property tax but based on the information that I have detailed, if a property tax comes down, I morally and ethically cannot support that and will not support that. Thank you.

MEMBER DOUGHERTY: Move to adjourn.

MEMBER GRIFFIN: Seconded.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President..

PRESIDENT SCHULMAN: Thank you Madame Clerk. Meeting is adjourned. Safe trip home everyone. Thanks for coming down. (*Gavel falls*)

ADJOURNMENT TIME: 8:15 P.M.

ATTEST: MAY 23, 2012
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: MAY 23, 2012
ALLEN SCHULMAN
PRESIDENT