

**MINUTES OF THE MEETING JUNE 4, 2012**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. 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:*

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: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight's invocation will be given by Ward 4 Council Member, Chris Smith. Will you all please stand and remain standing for our pledge of allegiance.

*The regular meeting of Canton City Council was held on June 4, 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 4 Council Member Chris Smith. The Pledge of Allegiance led by President Schulman.*

PRESIDENT SCHULMAN: Thank you very much Member Smith for those words.

**AGENDA CORRECTIONS & CHANGES**

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

MEMBER DOUGHERTY: Mr. President I move we suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinances 5 through 7.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2<sup>nd</sup> Reading Ordinances 5 through 7 to this evening's agenda. Are there any remarks? Hearing none Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and Rule 22A is suspended to add the 2<sup>nd</sup> Readings of Ordinances 5 through 7.

**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: Turning now to Public Hearings. We do have a Public Hearing this evening. It is scheduled for **7:30 PM** and it's AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED,

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KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY; THE PLANNING COMMISSION HAS RECOMMENDED APPROVAL OF THE SAME AT THE CORNER OF 6<sup>TH</sup> STREET SW AND BEDFORD SW FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PCS (PLANNED COMMUNITY SERVICE) IN WARD 3. Is there anyone in the audience wishing to speak for or against this Zone Change, would you please step forward. And I have to say this one more time. Is there anyone in the audience who wishes to speak for or against this Zone Change. Seeing no one step up to the dias, the Chair declares the public meeting over. At this point, the matter now hands, now rests in the hands of Council and the Ordinance will follow later this evening.

**OLD BUSINESS**

PRESIDENT SCHULMAN: We're now under Old Business and I'll now turn this over to the Mayor's Chief of Staff, Warren Price and it's. I can say that it's a pleasure to have you back and you look great and it's good to see you. (*APPLAUSE*) Now if anybody else wants to get sick, you too will get a round of applause so, Chief.

SERVICE DIRECTOR PRICE: And I really don't have anything to report under Old Business so...

PRESIDENT SCHULMAN: Well thank you. It's still good to have you back.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We're now under Public Speaks. We have eight speakers this evening. Our first is Mr. Charles Killens. Mr. Killens would you please step forward and give us your name and your residential address and welcome to Canton City Council sir.

CHARLES KILLENS: My name is Charles Killens. I live at 1223 Market Avenue North, Canton, Ohio. You know the holiday gave you a long, long time to work Mrs. West, Mrs. Smith, Mr. West and Joseph Martuccio. Mr. West and Mrs. Smith do you all ever get the idea of who's zone, Council's zone that mischief was in, in relation to the bad housing and behind your building. You said it was in, wasn't in your district, you was in West's district. Now did ya'all ever get together on that and straighten that out. You know you had a long holiday to work on it and I'm wondering have you done anything regarding that.

PRESIDENT SCHULMAN: OK well Mr. Killens this is not a question and answer period. That will not even come later as a matter of fact, but we'll be able to discuss this in Miscellaneous Business unless Member Smith you care to discuss it now, you're more than welcome.

CHARLES KILLENS: Well Mr. Martuccio did you get the papers I left for you in regarding the falsification and documents that your office sent to me regarding legal action?

PRESIDENT SCHULMAN: OK that too, if you would just give us your viewpoint Mr. Killens....

CHARLES KILLENS: I'm wondering...

PRESIDENT SCHULMAN: I know but again, this is not a question and answer period for Members of Council or the Law Director.

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CHARLES KILLENS: It's been a long, a long time since Council were together and you know they have to be reminded sometime that certain things is taking place and it was a long holiday in there and they were out enjoying themselves and I was just wondering, did they take the time to do something regarding for the benefit of the community?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: Maybe I can help. With respect to the property across the creek, that is a homeowner occupied dwelling so there's nothing that we can actually do to go on that property other than put it on a demolition list and let the Health Code violations go through and that's a whole long slew of things that has to be done before they can do anything to tear that down and you made a complaint but you didn't give us a complaint address. But I know the vicinity, the area....

MEMBER DOUGHERTY: Mr. President, point of order.

PRESIDENT SCHULMAN: Yes, Member Dougherty.

MEMBER DOUGHERTY: This is Public Speaks. Let the public speak. This is for Miscellaneous Business please.

PRESIDENT SCHULMAN: Well Member Dougherty I think under the rules actually the Council Member does have a right to respond so I'm going to allow Member West to continue and would you please continue and then we'll move on to the next speaker.

MEMBER WEST: Actually I'm finished.

PRESIDENT SCHULMAN: OK, thank you Member West.

CHARLES KILLENS: Mr. Martuccio, do you intend to reply to the papers that I sent to you. I haven't heard from you. I haven't heard from your office. Do I have to come down there again and remind you that I filed the papers with you and left a copy here in City Council.

PRESIDENT SCHULMAN: And thank you Mr. Killens very much. I want to remind you and all the other speakers. I say this every meeting. All of us will be here after the meeting. You are more than welcome to question any Member of Council, the administration, any elected official including me about any issues you have but, I appreciate you being here. Thank you sir. Your time is up.

CHARLES KILLENS: But they don't respond.

PRESIDENT SCHULMAN: Yes sir but we'll be here after the meeting. Our next speaker, Mr. Killens thank you. Our next speaker is Richard Drake. Mr. Drake if you'll step forward and give us your name and your residential address please.

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RICHARD DRAKE: I hate to come in second here. My name is Richard Drake. I live at 3020 Sycamore Avenue SE in Canton. Good evening Council and the city residents here. Again I'm here about trees. The old saying "you can't see beyond the end of your nose or you're blind in one eye and can't see out the other." I know we got an Ordinance in place and I don't know if it's any way to enforce it right now because the butchering's still going on out there and I have a tree here in question that the Ordinance really doesn't cover because it's in a different area. It's like a maze here in Canton. You got different entities. State parks, Stark parks and so on. I have a tree here with a broken limb hanging in a park and it's going to fall on this picnic table where people sit everyday. I just want Council to see this. There has to be a way that we can network someone that can get a hold of certain people and get this resolved before someone gets killed. The old saying like I tell people "in Vegas it stays in Vegas" but in Canton it goes viral and we don't need nobody hurt or killed by a falling limb and they don't call a broken limb in a tree a widow maker for nothing cause when it comes out of there, it's going to hurt someone. And you take that weight for every four feet it drops and multiply that by four, that's quite a lot of force. So what I'm trying to propose here to you guys is, we need actually a tree inspector or we need someone that covers the whole area. When they see something like this, or people see, we need a number to call to get this resolved instead of everyone saying, oh it doesn't belong to us it belongs to them and meanwhile you get stonewalled and time goes on and someone's going to get hurt meanwhile. It's going to happen and we got tons of these things around. Now I'm on the road all the time and I'm out there. I see this. I just spent a whole week doing Canton parks. I did a whole lot of trees, took them down and make it safe. We got the Hall of Fame coming. Soon I'm going to get on the cityscapes again but we got to many of these out there and that's a terrible tree right there and I even told a fellow sitting on the picnic table to be aware of it because they just don't understand what can happen if it fell. And then I don't want to see Canton get in lawsuits cause it goes in the Canton paper no matter who it belongs to, it's in the Canton paper and it reflects back on us as a community. So I think we should get a little bit more initiative and get more involved and take care of these things. And there's ways I handled it. I know money's a factor but there's ways that I propose that once a year we can get a lot of these trees resolved that nobody wants to put the money out after. There's ways to do it. I thank you all for your time and I'm going to let it go at that. Right there, that pictures worth a thousand words.

PRESIDENT SCHULMAN: Thank you Mr. Drake very much, appreciate it. Our next speaker's are members of our community who are hearing impaired. I know that there are a number of hearing impaired citizens in our audience tonight. We want to welcome all of you and as we've done previously, we'll allow you a little more time to speak since you are speaking through an interpreter. So, our first speaker, and I hope I pronounce your name correctly, Jaime E. Jaime Sr.?

JAIME E. JAIME SR.: Hello I really do appreciate the opportunity to come here tonight. My name is Jaime and my middle initial is E and my last name is also Jaime Sr. and my address is 422 Sheraton Drive, North Canton and I am the Chairperson for the Deaf Advisory Committee. I've been the President now and I've been working with the organization off and on. We kind of rotate rolls and during that time we had a woman by the name of Colleen Schwab who taught us all the bylaws, Leroy as well and Steve Mooney and a lot of group that are the current and former leaders that are here tonight. And the reason that I'm here tonight is because of Leroy's suggestion that we come and attend this meeting because the Board at Trillium Family Solutions has decided to close our program and they want to move us to Greenleaf, estimated date is June 30<sup>th</sup> and we are not ready and we were trying to figure out what we can do when we have lots of people that are concerned and joining the efforts and we even have the Ohio Association for the Deaf supporting us which is a

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great source of appreciation. And right now I bring to you, or just last week, I wanted to thank Councilman West for showing up to our meeting. We had the Rehabilitative Services of Columbus come up and Katie Sheets and some other representatives came from RSC and it was nice that we were able to all share that so thank you very much again for coming. We appreciated that and right now, what we're considering and what we're concerned about is that Greenleaf said that they had approved, they've been approved for funds from RSC which didn't seem fair because all these people kind of made these phone calls over our heads and it was unbeknownst to us. We didn't have anything in black and white telling us what was going on and we're the ones that have to disseminate this through the deaf community and it wasn't fair because we didn't know what the finances were. We didn't know how much RSC was being, you know, funded or getting funded from and Leroy wasn't satisfied with the information that we were getting so he came out to me and Steve and he's been really wanting us to come out here and make sure that we're fully informed which we don't feel that we have been. And our dream and our initiative, Colleen Schwab who helped us set this up as an independent entity to begin with, now that she's past away, we want to keep that alive and she'd come to me before she knew she was getting ready to pass away and she said, you know, we have to keep these services in Canton and I promised her I would try my best.

PRESIDENT SCHULMAN: Thank you very much sir. (*APPLAUSE*) Thank you. OK before we have the next speaker, I would like the audience that is concerned about this issue to know that Member West has been extraordinarily active in this issue and he will in Miscellaneous Business at the end of the meeting discuss some of the things he has accomplished since you were last here to address this Council on this very important subject. So if you'll all stick around, stay here to the end of the meeting, we'd be most appreciative as I think you will. So our next speaker is Stephen Mooney. Mr. Mooney if you'll step forward and give us your name and your residential address please.

STEPHEN MOONEY: Good evening I'm Reverend Stephen Mooney. My address is 1437 Castlewood Ave SW, North Canton, Ohio. I've lived in Ohio here going on 15 years. I am a ordained minister and I've been involved in the deaf community here since day one when I moved here to Ohio. I had a church here in Canton and I've been a President and Vice-President of our Deaf Advisory Committee, been very involved in our deaf community services here. And recently we were informed our agency was being moved to Akron and immediately we said I'm sorry, no. This is our community. Canton is our home. We are a community. We are a culture. We are people who have been based here since the early 1990's. We went through a lot of blood, sweat and tears to arrive to where we've been. We've been successful and we want to remain in Canton and we have all our friends and family members here to show that. We were told that on June the 18<sup>th</sup> there would be a RFP, initials for request for proposal, that any agency could bid for this position to take our agency and be the provider of services. We know what we need. We've been doing this for years and we want to keep our services here. This is home. We want to keep our tax money here and we're honored that you're our Council Members, on honorary. We want you to know how much we appreciate that we can be here and speak. I want to continue on the theme of our request for proposal. On June the 18<sup>th</sup>, Rehabilitation Services Commission in Columbus will download online a request form and anybody can go on there and put a bid and they're going to look at all the bids. What we need is, we want a home here in Canton. We want to stay here. We need a place to have our meetings. We need a place to have services. We have four source services. They are advocacy, they are education, they are leadership and they are support services. All these needs are being met month by month, year by year and we want to see them continued here. What we were told was two days a week our coordinator would stay in Canton and three days a week, she would be in Akron.

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Well you can figure it out, when you're only here two days people are going to suffer. Needs are going to suffer and it's not going to work. We want to keep our community. We want to keep our deaf community services right here and also we want to let you know also on June 30<sup>th</sup>, they're going to bring the proposals out for \$11,000.00. Anybody can try to get that emergency money for three months and then October 1<sup>st</sup> will be a deadline for the fiscal year for Rehabilitation Services Commission to honor whoever would win that contract and we want to stay here and we need your help to keep this our home and to keep our services going for the deaf and hard of hearing in Canton. Thank you.

PRESIDENT SCHULMAN: Thank you. (*APPLAUSE*) Thank you very much sir. Our next speaker is Roland Doudt. Mr. Doudt if you'll step forward and give us your name and your residential address please. And welcome to Canton City Council.

ROLAND DOUDT: Hello everyone. Everyone here I am honored to be here tonight. My name is Roland Doudt, D-O-U-D-T. I am of 6235 Beverly Avenue NE here in Canton. I've lived here for two years now and I have enjoyed my time here. I am speaking for deaf services something that we desperately need. I had not been aware that we had made such a big storm that you hadn't been aware of but now we're here and we're focused on two things. Deaf and hearing impaired children that is a very critical situation and family services. Now my concern is with a smooth transition. It's kind of an ongoing services as it is but, that's not going to happen. Trillium is not allowing us to have the opportunity to have time. We need some sort of time frame. What they've given us is very tiny, not even 30 days and you can see what the problem is. So we are pleading for your help to find a way that we can work this out and perhaps you may not be aware that American sign language is the number 3 foreign language used in the world. It was fourth but we've actually moved up to 3 now. It's very popular and it's international today. Please do not fail our deaf community. I remember, this is kind of related to Apple Creek asylum back in the day, you may have remembered the stories. There were a lot of deaf people that were just dumped there because they can't communicate so they must be stupid. They can't learn. They can't write. They can't read so we'll just dump them off into an asylum and my impression of the deaf community here in Canton, they rolled up their sleeves and they worked and they trained the people there and they got six people out of the asylum. There were three people that remained. That impressed me. I've never forgotten that. At the time I think I was a young man of 25 years old and now I'm coming back to the community and I'm working with the deaf community here and thank you very much for listening and for your attention. I do appreciate it. (*APPLAUSE*)

PRESIDENT SCHULMAN: Our next speaker is Leroy Lynch. Mr. Lynch if you'll step forward and give us your name and your residential address please and as always, welcome to Canton City Council.

LEROY LYNCH: Hello my name is Leroy Lynch. My address is 3911 Highview SW in Canton. Thank you very much for allowing us the opportunity to come to speak tonight. You guys know me, I've been here before. I've been here complaining about my job situation because I lost a job and that's been frustrating. I never had an interpreter. Now Warren didn't seem to understand me when I was trying to communicate, I know that's a difficult time and I've lost, you know, my job for six months now I've been out of work. And it wasn't just Warren, it was the union. Our union rep did not provide an interpreter either for any meeting. They would just write maybe a sentence or two and it was very basic and plain and that was what I was expected to understand. Now some people like the Auditor, he's not here, I went to them and said hey, you know, let me clarify this with you. Can I retire, can I leave and he said oh yea, you can do that and come right back to work. So I thought I could because with my deaf community, you know I work with them and I work as an advocate with them so that they know that I can, I can work. So if I can work, they can work. But here I

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am, I lose my job so what kind of role model am I now. So without an interpreter these problems happen and I went to go take the Civil Service test cause they told me I needed to do that. Was there an interpreter? No. So I file a complaint. So then they get an interpreter and they place that person but then a month goes by and it seems that I've a victim of autism now. There's all sorts of different forms of discrimination. There's racism and there's advocates that work against that but deaf people don't have the same sort of advocacy. They don't have the same kind of opportunities so please do something. The deaf community here needs your help. We need to have the interpreting services stay here in town for us. If we have those things in place we can learn. We can get to work. There's a lot of people that are on social security that don't work. They don't have the opportunity. They don't have the education. Now when I got into downtown and after 33 years, I go apply for jobs, I've applied for 47 jobs in the last six months and not a single person has been willing to talk to me and hire me. So I can see the struggles that people have here. We need the advocacy. We need the help. This is not going to end soon. This is ongoing. Thank you. (APPLAUSE)

PRESIDENT SCHULMAN: Our last speaker is Jack Hawk. Mr. Hawk if you'll come forward and give us your name and your residential address please. And welcome to Canton City Council sir.

JACK HAWK: (*Using sign language*) Oops sorry, I forgot you can't hear me but they can so I will, this is about communication. My name is Jack Hawk. I live at 217 16<sup>th</sup> Street NW, Canton, Ohio. Many of you know me and I know many of you. I've lived here for 35 years, served you in this community as an architect but, you don't know that I am a CODA. I'll let the interpreter now continue because trying to do total communications like trying to talk two different languages at the same time. CODA, children of deaf adults. My parents are both deaf. My mother was deaf at 3 years old with spinal meningitis. My dad was born deaf, never heard a sound in his life. I grew up with many of these people. I became an architect when I was 10 because in 1955 I communicated for my parents in developing their house and there were no services around to do this. At 10 years old I was able to do this. I grew up with many of these people. Roland Doudt's father and my father served on the Board that developed the first planned community for the aged deaf in Columbus, Ohio which we designed for the multi-handicapped. The other interest I have is, both my parents are in the National Deaf Hall of Fame for their advocacy in establishing the CCD's throughout the eight major urban areas of Ohio back in the late '70's, Canton being one of those. I grew up in Akron. I've been here for 35 years in Canton and I can tell you the communities in the deaf culture are diverse between the two communities. This is about communication. Deaf and hearing, deaf impairment is an invisible handicap. You see no one here with a cane, no one here in a wheelchair. It is the deaf, it is the invisible handicap so therefore, they must not have special needs cause it's invisible. Not so. When we were doing the deaf community, Helen Keller, we went to them and we asked, if you would have lost one of your, Helen Keller is the person in *The Miracle Worker*, the deaf, blind lady. If you were to lose one of your senses which one would it be. She said her sight because hearing adds to comprehension. It adds to learning and communication. I've experienced with Trillium and with Greenleaf and they were not both positive. I'm not here to berate anyone. My understanding is that this body, that this body Council, had provided funds to Trillium. I understand that the Board of Trustees were not willing to meet with the DAC for some reasons that were unknown and that some people needing services here were being hung up on when they were asking about fees. I ask that you assist in accounts for the funds that were directed to Trillium for the DAC's and further assist in maybe setting up a joint meeting where everyone involved in this matter can communicate. Whether deaf, whether service provider, whether we are CODA people, whatever, we all have a stake in this community so that we can deal with the perception vs the realities that can be dismissed so continuity and the immediate needs of services can be continued and maintained for over the 100, over the 1500 hearing impaired people we have in Stark County. I don't know if you're aware of that number. Accounting of public

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funds in specific grants are the concerns that I think that you have a fiduciary responsibility perhaps to look into. I used to be President of the Children's Network here in Stark County. We tried to get the two local hospitals and the Akron Children's hospital together. One of the local hospitals said we are not interested in sending funds north and we only represented 115 people, 151 students, 151 families at that time. This is a little bigger group and I don't think we need to sort of send some of those funds north. My, my mother who was a part of this...I went to Greenleaf to get her services for socialization two years ago and I can be, I'll be glad to explain to anyone of you the nightmare that was for an 88 year old person trying to just get socialization out of an organization such as Greenleaf.

PRESIDENT SCHULMAN: You have a about 15 seconds Mr. Hawk. Thank you.

JACK HAWK: I want to thank you, especially Council Member West and Fisher for their support. I also want to acknowledge that Council Hawk and I are not relatives although I wouldn't mind him being one. Thank you for the time and I hope you will address these issues.

PRESIDENT SCHULMAN: Thank you very much sir. (*APPLAUSE*) Our last speaker this evening is Patricia Kirk. Miss Kirk if you'll step forward and give us your name and your residential address please.

PATRICIA KIRK: Hi my name is Patricia Kirk. I live at 131 5<sup>th</sup> Street NE. I'm President of Shake-a-Leaf and Downtown Central Neighborhood Association. This is a reminder to Councilpersons who have received recommendations for members on the Tree Commission Academy. The Tree Commission has been signed into law and 30 days have passed which means the members of the voluntary Tree Commission can be chosen. Many people would like to be chosen who are currently attending the Tree Commission Academy of course taught by the Ohio Department of Natural Resources. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much. And that concludes our Public Speaks. We want to thank all of you who spoke for illuminating this, these very important issues.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: Our next agenda item is Informal Resolutions. Madame Clerk would you please read and begin by reading Informal Resolution 42.

#42. COUNCIL AS A WHOLE: RECOGNIZING & CONGRATULATING ARTSINSTARK FOR THEIR ACCOMPLISHMENTS IN DOWNTOWN ARTS DISTRICT & MAKING THE COMMUNITY PROUD. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Resolution 42.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 42. Any remarks?

MEMBER DOUGHERTY: Could I have that read please.

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PRESIDENT SCHULMAN: Yes Madame Clerk would you please read Resolution 42.

CLERK TIMBERLAKE: **Whereas**, ArtsinStark received a Governor's Award for the arts in Columbus, Ohio on May 9, 2012 achieving statewide recognition; and **Whereas**, This nonprofit organization awards grants, manages the Cultural Center, runs the Annual Arts Campaign and is committed to using the arts to create smarter kids, new jobs and healthier communities; and **Whereas**, ArtsinStark with Robb Hankins, the President and CEO, has a 10 year plan for Stark County called 20/20 Vision for arts and economic development throughout the entire County; and **Whereas**, In just a few short years, ArtsinStark has helped in the transformation and rebirth of downtown Canton by making the art galleries and studios popular destinations for the citizens of Canton; and **Whereas**, The Annual Art Campaign gives nearly 80% of all monies received to help fund artists, schools and the seven largest arts organizations in Stark County: The Canton Ballet, Canton Museum of Art, Canton Palace Theatre, Canton Symphony Orchestra, Massillon Musuem, Players Guild Theatre and Voices of Canton, Inc. making ArtsinStark an invaluable part of the arts for Canton and Stark County. **Now, Therefore, Be It Resolved:** that we, Members of City Council of Canton, Ohio go on record to recognize and congratulate **ArtsinStark** for their accomplishments in the downtown Arts District and making the community proud.

PRESIDENT SCHULMAN: Thank you Madame Clerk. (*APPLAUSE*) Any remarks regarding Resolution 42? Hearing none by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #42 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Would you please, oh, Mr. Hankins, I didn't, how could I not see Mr. Hankins in the back. Leader.

MEMBER DOUGHERTY: Thank you Mr. President. I just wanted to take this few minutes to give Robb this Resolution. You know it's a great award from the Governor's office for the arts and it's amazing the passion that Robb has for this and he does an outstanding job along with everyone else in ArtsinStark and he has a plan and a vision and with that, that plan and vision has been the rebirth of downtown Canton and we must never forget that and we must take the time to make sure we recognize when people get these special awards for our city. I'm very proud to be able to give this to you tonight Robb and on behalf of Canton City Council, thank you for all that you do. (*APPLAUSE*)

ROBB HANKINS: I will be very brief because I know you're running late. First of all, thank you for this recognition. We are honored. We were in Columbus three weeks ago and quite honestly I think Columbus was surprised. I think Cleveland was surprised. I think Cincinnati was surprised because they don't realize what small towns and artists can do together. Last Friday we celebrated the 59<sup>th</sup> monthly First Friday in the Canton Arts District. On July 6<sup>th</sup> we will host our 60<sup>th</sup>. We have done 60 of these. The Canton Arts District will be 5 years old and we're having a birthday cake. We invite you to come by. We think what we've accomplished in downtown Canton could be transferred to the neighborhoods. You know it's great to be here tonight but it's the 100 cultural organizations and 500 artists and craftsman who've made this miracle happen. We can make this miracle happen in your neighborhoods. I've had a fantasy for a long time, it's called Art House. Take some of the houses in some of our neighborhoods, empty houses and establish a neighborhood artist and resident's program. You would be amazed what artists are willing to do and how it would transform the spirit of your neighborhoods and provide for economic development of those neighborhoods. So while I very

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honored to be here tonight, I'm excepting this honor on behalf of the artists and craftsman of Canton and Stark County. Thank you very much.

PRESIDENT SCHULMAN: Thank you. (*APPLAUSE*)

MEMBER DOUGHERTY: Does anybody else have anything?

PRESIDENT SCHULMAN: Thank you very much Robb. Your work is just extraordinary. Madame Clerk would you please read Resolution 43.

#43. WEST, T, WARD 2 CNCL MBR, SMITH, C, WARD 4 CNCL MBR & MARIOL, J, WARD 7 CNCL MBR: NAMING CLEVELAND AVE FROM 7<sup>TH</sup> STR SW TO 25<sup>TH</sup> ST NW THROUGH PLACEMENT OF INFORMATIONAL SIGNS LABELED "PRO FOOTBALL HALL OF FAME PARADE CORRIDOR". - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Resolution 43.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 43. Any remarks under...

MEMBER WEST: Mr.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Mr. President I'd like to amend the 7<sup>th</sup> to a 9. 9<sup>th</sup> Street as in Caucus meeting discussion.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Informal Resolution 43 from Cleveland Avenue from 7<sup>th</sup> Street SW to Cleveland Avenue from 9<sup>th</sup> Street SW is that correct?

MEMBER WEST: That's correct.

PRESIDENT SCHULMAN: It's been moved and seconded so, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #43 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. And is there a motion to adopt Resolution 43 as amended. Leader. Informal Resolution 43.

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MEMBER DOUGHERTY: Mr. President I move we adopt Informal Resolution 43 as amended.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 43 as adopted. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #43 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. And that concludes Informal Resolutions for this evening.

**COMMUNICATIONS**

PRESIDENT SCHULMAN: We're 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 IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JUNE 4, 2012.***

214. AUDITOR MALLONN: REQUEST FOR ADDT'L AMENDED CERTIFICATE DATED 5/29/12. - RECEIVED & FILED
215. AUDITOR MALLONN: MONTHLY RPT BY FUND 5/1/12 - 5/31/12. - RECEIVED & FILED
216. AUDITOR MALLONN: YEARLY RPT BY FUND 1/1/12 - 5/31/12. - RECEIVED & FILED
217. CENTRAL ALLIED ENTERPRISES, INC, APPLICANT: APPLICATION FOR ZONE CHANGE @ FORMER MARTIN AIR FIELD FROM PI1 TO PI2 TO PERMIT SAND & GRAVEL TO BE PROCESSED W/A PORTABLE CRUSHER & SCREEN FROM THE 246.223 ACRE PARCEL. - PLANNING COMMISSION
218. DEVELOPMENT DIRECTOR WILLIAMS: REQ AUTHORIZATION OF DESIGNATION OF COMMERCIAL IMPROVEMENTS OF PROPERTY IN THE W TUSC REDEVELOPMENT AREA SUBJECT TO TAX INCREMENT FINANCING AS DESCRIBED IN ORC SEC 5709.40, 5709.42 & 5709.43. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
219. DEVELOPMENT DIRECTOR WILLIAMS: REQ AUTHORIZATION FOR MAYOR OR SERV DIR TO ENTER INTO A COOP DEV AGMT W/DANIEL D'AMICO & D'AMICO SENIOR HEALTH CARE FOR DEVELOPMENT OF PROP @ 3332 13<sup>TH</sup> ST NW. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
220. DEVELOPMENT DIRECTOR WILLIAMS: REQ TO ADOPT DEPT OF DEVELOPMENT'S

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CITIZEN PARTICIPATION PLAN WHICH IS REQUIRED BY HUD. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

221. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF C2 LIQ PERMIT FROM RED DOOR WINE HOUSE INC DBA B SIDE WINE HOUSE @ 2701 CLEVELAND AVE NW 102 & 103 TO RED DOOR WINE HOUSE INC DBA B SIDE WINE HOUSE @ 575 MARKET AVE N. - RECEIVED & FILED
222. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C1 LIQ PERMIT FOR RED DOOR WINE HOUSE INC DBA B SIDE WINE HOUSE @ 575 MARKET AVE N. - RECEIVED & FILED
223. MAYOR HEALY: REQ AUTHORIZATION OF APPT OF BRIAN SKILES TO CANTON RECREATION BD UNTIL 12/31/16. - PERSONNEL COMMITTEE
224. MAYOR HEALY: REQ AUTHORIZATION OF APPT OF COREY MINOR SMITH TO INCOME TAX REVIEW BD UNTIL 2/28/14. - PERSONNEL COMMITTEE
225. MAYOR HEALY: REQ AUTHORIZATION OF RE-APPT OF AMY SHRIVER DREUSSI TO STARK COUNTY REGIONAL PLANNING COMMISSION UNTIL 7/31/15. - PERSONNEL COMMITTEE
226. MAYOR HEALY: ADVISING OF APPTS TO MAYOR'S NEIGHBORHOOD COMMISSION. - RECEIVED & FILED
227. SAFETY DIRECTOR REAM: REQ AUTHORIZATION TO ENTER INTO PROF SVCS CONTRACT FOR POSITION OF CRIME ANALYST WITHIN POLICE DEPT. - FINANCE COMMITTEE
228. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION TO ALLOW SERV DIR TO PURCHASE VEHICLES FOR CANTON COLLECTION SYSTEMS DEPT. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
229. SERVICE DIRECTOR PRICE: REQ TO AMEND CONTRACT W/M-E COMPANIES (O#62/2011) FOR ADD'T AMT NOT TO EXCEED \$35,900.00 FOR ENGINEERING SVCS DURING BIDDING & OVERSIGHT SVCS DURING CONSTRUCTION OF WATER MAIN EXTENSION INTO VILLAGE HARTVILLE. - FINANCE COMMITTEE
230. STARK COUNTY COMMISSIONERS: RECEIPT OF PERTINENT DOCUMENTS IN REGARD TO THE BROAD AVENUE ANNEXATION. - PLANNING COMMISSION
231. WEST, T, WARD 2 CNCLMBR: REQ LAW DEPT TO RESEARCH NAMING METHODOLOGY & CREATE AN INFORMAL RESOLUTION FOR CREATION OF DOWNTOWN, GREEN SPACE NAMING COMMITTEE THAT WILL CONDUCT A CONTEST TO OFFICIALLY NAME THE FORMER KRESGE LOT OR GREEN SPACE IN DOWNTOWN CANTON. - RECEIVED & FILED

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232. WEST, T, WARD 2 CNCLMBR: REQ LAW DEPT TO DRAFT AN INFORMAL RESOLUTION REQUESTING CREATION OF "DOWNTOWN WALK OF FAME". - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

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

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #4 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL AND CITY ENGINEER TO ADD STREETS TO THE LIST OF GATEWAY CORRIDORS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Safety and Thoroughfares Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (617 MCKINLEY AVE SW - FORMER WELLS ELEMENTARY SCHOOL - SMHA) **PUB HRG 7/2/12 @ 7:30 P.M.**  
Referred to Judiciary Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011, AS AMENDED, BY MAKING THE INTERFUND TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$7,917.47 FROM NORWOOD HILLS FUND TO WATER FUND)  
Referred to Finance Committee
- #4. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 86/2012** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$37,073.13 TO BRAUN & STEIDL ARCHITECTS: AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee

PRESIDENT SCHULMAN: At this time the Chair would declare an in house recess for the Community & Economic Development Committee to meet in regard to Ordinance 4 on your agenda this evening. You're now in recess.

PRESIDENT SCHULMAN: Thank you Member Smith. Council will therefore reconvene after it's recess. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to place Ordinance 4 back on the agenda.

MEMBER GRIFFIN: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance 4 back on this evening's agenda. Any remarks? Hearing none Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries. Ordinance 4 is a legal part of your agenda. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 4.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 4. Any remarks under this motion? Hearing none, Madame Clerk again roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries. Leader, you've heard the three readings.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 4.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 4. Any remarks under this Ordinance? Hearing none, Madame Clerk again roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#4 ADOPTED AS ORDINANCE NO. 86/2012**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 4 is adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We now turn Ordinances and Formal Resolutions for their Second Readings. Would you please begin Madame Clerk with Ordinance 5.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #5***

**MINUTES OF THE MEETING JUNE 4, 2012*****THROUGH #7 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #5. (2<sup>ND</sup> 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
- #6. (2<sup>ND</sup> 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
- #7. (2<sup>ND</sup> 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 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

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

PRESIDENT SCHULMAN: Turning now to Ordinances and thank you Madame Clerk, Ordinances and Formal Resolutions for their Third, Final Reading and vote. Would you please begin with Ordinance 8.

- #8. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 87/2012** 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 6<sup>TH</sup> ST SW & BEDFORD AVE SW - AULTMAN HOSPITAL)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

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

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS, 1 ABSTAIN  
(MEMBER DOUGHERTY ABSTAINED)

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

**#8 ADOPTED AS ORDINANCE NO. 87/2012**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #8 is adopted. Ordinance 9 please.

#9. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 88/2012** AN ORDINANCE APPROVING THE RATE SCHEDULES FOR THE MILLENIUM AND CORNERSTONE PARKING GARAGES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 9. Any remarks under this Ordinance?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: I apologize for my voice.

PRESIDENT SCHULMAN: Thanks fine.

MEMBER CIRELLI: I'll be voting no on this for the simple reason I had brought a project to Chief of Staff, Mr. Price and some reason or another it never, and I can appreciate it didn't come to fruition but, somehow he's never got back to me to let me know where it stood or what have you so I cannot support this one. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Any other remarks on Ordinance 9? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

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

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

**#9 ADOPTED AS ORDINANCE NO. 88/2012**

PRESIDENT SCHULMAN: Ordinance #9 is adopted. Thank you Madame Clerk. Ordinance #10.

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- #10. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 89/2012** 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

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 10. 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.

**#10 ADOPTED AS ORDINANCE NO. 89/2012**

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

- #11. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 90/2012** 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)

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 under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#11 ADOPTED AS ORDINANCE NO. 90/2012**

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

- #12. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 91/2012** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONSULTANT CONTRACT WITH ARCADIS US, INC. FOR THE 12<sup>TH</sup> ST NW BRIDGE

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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

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: 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 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#12 ADOPTED AS ORDINANCE NO. 91/2012**

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

#13. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 92/2012** 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

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 that you adopt Ordinance 13. 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.

**#13 ADOPTED AS ORDINANCE NO. 92/2012**

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

#14. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 93/2012** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT FOR THE

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CONSTRUCTION OF THE HAMILTON AVENUE STORM SEWER PROJECT, GP 1168;  
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 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.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#14 ADOPTED AS ORDINANCE NO. 93/2012**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 14 has been like clearly adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: Moving on, Announcement of Committee meetings.

MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Member Cole.

MEMBER COLE: Finance will meet June 18<sup>th</sup> at 6:45 P.M.

PRESIDENT SCHULMAN: Thank you.

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Member Griffin.

MEMBER GRIFFIN: Personnel will meet at the same time on June 18<sup>th</sup>.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Public Safety and Thoroughfares same time.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

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

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PRESIDENT SCHULMAN: And we now move to Miscellaneous Business. Is there any? Member West.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: Yes, I just wanted to address Mr. Killens. I am so sorry that there was a mis-communication and the property that you're speaking of that was either Mr. West's area or mine but I will glad to speak to you about it afterwards if you would have time to wait.

*(Inaudible from audience)*

MEMBER SMITH: I said I'm so sorry that, that was a mis-communication regarding the property that you were speaking of but I will be more than happy to discuss it with you after the meeting if you would have time to wait.

CHARLES KILLENS: *Inaudible reply from audience*

MEMBER SMITH: OK. We'll discuss it after the meeting. Thank you.

PRESIDENT SCHULMAN: Thank you Member Smith. Member Cirelli.

MEMBER CIRELLI: In light of the fact of all the people came down here with this issue, could we have our Economic Director, Mr. Williams and maybe he knows the amount and maybe he doesn't because what I heard them say is we have funded Trillium and I would like to know if anybody would know how much that amount might be.

PRESIDENT SCHULMAN: I think Member West has been the point person along with Member Fisher on this issue but Member West I recognize you.

MEMBER WEST: Yes.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Let me first say in reference to the amount that we've given Trillium. We didn't give them any funds for this particular program. We gave them funds for the capital for their building and I believe it was under a couple administrations. Was that your administration when you first came in? I don't know the exact year but it was referenced to the building when they moved into their new building. But I have spent some time meeting with the deaf community, meeting with Trillium, RSC which is Rehabilitation Service Commission and several other organizations in reference to the issue that was presented to this Council. First, I do want to say that this Council was very sensitive when you came down to speak to us about your issue and I know Dave, Member, Majority Leader Dougherty, I kept him informed through our Clerk in reference to the progress that we were making. I am not going to be redundant and speak and say the same things that was already spoken because as you can hear this community speaks very well for themselves and advocates very well for themselves. But meeting with Trillium, I learned that Trillium was dealing with some financial issues. After speaking with RSC I found out that the Rehabilitation Service Commission only funds them for 35% and that 35% obviously the rest of it they have to get other ways, other places. And more specifically they get it from our community from contracting out services through non-profit agencies, through medical facilities, doctors and Trillium is obviously having a hard time. And you know I apologized on behalf of the community because I believe that this is something that many people wasn't aware of in

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terms of having these services delivered to, not only our City Council but, also to the rest of the community and felt that we could do a better job of marketing their services. I will say that I know that this Council as well as what I've learned is, we need to keep this here in Canton and I want you to know that this Council does not like anything going to Akron or Cleveland or Cincinnati or anything else. (APPLAUSE) But, I will say this, you know I've been working with a lot of different organizations to see if there's a way we can keep it here. I also learned that Goodwill's going to be shutting down their speech and audiology services and it just seems like this community's getting hit hard with very limited resources so, I'm recommending, and I spoke with ComingTogether Stark County to see if we could do a community chat around these issues to find out if there's another venue that can host the services that are needed and specially advocacy, education, leadership and support. There is an RFP coming out and that is, that was coming out way before this issue hit the table so, it wasn't, Trillium would have had to reapply for that grant as well. An RFP means request for proposal for those of you that don't know. So, but right now we're in a crisis situation because this last quarter there's not going to be services for this community so they have \$11,000.00 that's coming to this community that we have somebody's going to have to be able to provide those services. So that's the crisis they're in today. I told them that I'm certain I'd be willing to sit along with them and try to work out things and see if we can pull other organizations in. I think a couple came to mind after we met at Trillium the other day. BBR is one possible maybe an organization at Goodwill and some other organizations I'm not going to name today. I do want to applaud all the members out there for your advocacy. Leroy you've been a champion and I say that to the fullest. Miss Kelly you as well. I mean a number of you. I can go on and on and on. Educating me on this topic, I mean, I could spend a month here talking to you about it but one thing I was really angry about when learning that people with hearing problems, they can't even get their hearing aid covered by insurance, matter of fact, they're willing to pay for viagra but they can't pay for a hearing aid. There's something wrong with that. Something wrong with our system but anyway, I want you to know that we will continue, I'll continue to work with you and work with some organizations in trying to pull that meeting together so we can come up with some solutions together, OK. And one last thing, if Cindy, I know that you and I had talked and possibly having some education around your services even to our staff, we would welcome that. Alright, thank you.

PRESIDENT SCHULMAN: Thank you Member West and wonderful job.

MEMBER WEST: Thank you. (APPLAUSE)

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Did you have anything else you wanted to say?

MEMBER WEST: Yes I had one other thing I wanted to say in reference to, today, today we received two workers for our supervised playground that's going to be held at Nimisilla Park, kinda like when you was little kids you got to go to the playground and you had somebody there doing arts and crafts, recreation, well Goodwill was able to give me two young adults to provide that for Nimisilla and it's free from 10 to 4:00 everyday Monday through Friday so, please by all means bring your kids down to partake of the supervised playground.

PRESIDENT SCHULMAN: Great job again, Member West. Member Fisher.

MEMBER FISHER: Thank you Mr. President. I had a couple of items I just wanted to go through real fast. Thank you Member West for obviously for taking the leadership on that, on this issue and also I noticed that we've had several people down here interpreting for the audience and I wanted to thank them as well. A couple of things that had happened this week I just wanted to mention. I wanted to thank Mr. Drake who we're familiar with, who comes down here every week. I had a constituent call me a few days ago about some trees that AEP had, according to him, had hacked and was in real bad shape over the street and they were near the power lines when they had cut it off.

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They weren't willing to trim those up and he asked if I knew anybody, I say yea, there's somebody that stands about 5 feet away from me every week talking about the importance of taking care of those and so, he went out and helped my constituent out and I was very grateful for that. I also, I wanted to thank the Members that came down. I held a, my most recent town hall this week with our new Chief of Police who did a great job. We had a turn out of about 25 or 30 people that came out to hear from Ward 5 and it was very informative. Our Assistant Majority Leader, Ward 3 Councilman Jim Griffin was there, Members Cole and Babcock and this time Member Babcock I was not going to forget you like I did the first time so I wanted to thank you for being there. And then finally, I know we have a couple people in the audience tonight who have done some organizing on an issue in regards to vacant housing and the problems we deal with on that and this time of the year I know where everybody's receiving calls about grass being you know, real high and we're obviously have already seen some appropriations for demos so I wanted to since we have Norma Mills and John Mararo down here tonight who have done some, a lot of organizing in the community on this issue and they were asking me if I knew when the Ordinance that we had sent upstairs to the Law Department back in January if we could get an update on when we might see that language coming downstairs so, if the Law Director, could you address that please sir.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Member Fisher would you refresh my memory on that particular one please.

MEMBER FISHER: This is the Ordinance that created the, and it was really more of an amendment to the Building Code. It created the responsible party on vacant properties that required bonding on bank owned properties that, this was the issue that several of us met upstairs with the Building Department and the Safety Director many months back. I know Mr. Reese has taken the point on this. A couple months ago or maybe a month ago he said we were may, perhaps a month out. I didn't know if you had any update on that sir.

LAW DIRECTOR MARTUCCIO: Mr. President, Member Fisher, I don't have a specific date. I do know he's trying to coordinate those efforts with a couple of other ones. As you all know, you passed a complete overhaul of our code for property maintenance and incorporated the International Property Maintenance Code. There are some amendments that have to be made to that as a result of some recent court activity here in Stark County and a couple of state changes so we're trying to incorporate and bring those changes down together rather than piecemeal. I, I'll talk with a couple of folks tomorrow and try to have a more accurate date the next time we meet.

MEMBER FISHER: I appreciate that, Law Director and thank you again for your departments been great to work with on that so thank you sir.

PRESIDENT SCHULMAN: Thank you Member Fisher. Member West one more thing.

MEMBER WEST: Yes Mr. President. I'm sorry I...

PRESIDENT SCHULMAN: That's alright.

MEMBER WEST: I'm glad Fisher said something because it jarred my memory. Sunday, this past Sunday we did another march on Gibbs and 14<sup>th</sup> Street and I just wanted to applaud Pastor Robinson's efforts. A lot of people came through there and it was all about you know, non-violence. They had a lot of Pastors and Preachers there and it was amazing and three young men between the ages of 21 and 23 actually got saved and you could tell these guys were probably of a gang but these kids were hurting and it just reminds me that we're going to have to continue to try to look for resources for these individuals to get involved in after speaking with these gentlemen because I'm going to

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tell you what, they're all out there hurting and if we can get them some opportunities then our crime and our violence will be decreased. Thank you.

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

MEMBER CIRELLI: Talking about jarring of memories, this came to my mind because it happened over the past week or so. We have seen to our International Property Maintenance Code, I had a young lady contact me and I sent all the information to Angela Cavanaugh and she pursued the issue however, it seems we put the onus on the party that's being affected, like the tenant to contact our Code Inspector as to when she could let them in the building instead of putting the responsibility on to the owner of the property and another Councilman whenever I was telling him about it, he said, that doesn't seem right to me that, that should have been our Building Department should have just contacted the owner and said, you be there and let us in at such and so time. In this case the whole ceiling came in on this ladies apartment and destroyed all of her contents and what have you but if it wasn't for the fact that I couldn't get a hold of her, which I did, even though she did get a change of a telephone to what have you and then got a hold of Angela, what, doesn't our Ordinance say that, that's the responsibility of our department to contact the owner to let them into that property. I'm a little confused on that.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President, Member Cirelli. I can't speak to the current code we have. I don't know it that, it's a large code as you know. I don't know it to that level of detail. I can say that often times then tenant is more accessible than the landlord who may be unavailable at some points in time. Under Ohio law for example the landlord has to give a tenant 24 hours notice or a reasonable amount of notice before they can even enter. I suppose if you want to email me, I can give you a more precise answer or actually ask the Building Department who administers the code and is more familiar with the day to day procedures of it but I don't know specifically. I think as a practical matter, they attempt to reach the person that can get them in the soonest when something dangerous like that has happened.

PRESIDENT SCHULMAN: Thank you Law Director. Any other remarks Member Cirelli? Any other Miscellaneous Business? Just want to take the occasion to again thank everyone who came down tonight for speaking, particularly our hearing impaired group. You're doing a tremendous job. We encourage you to keep at it. Something will break. Member West, highly commended for what you're doing and if there's anything I'm sure any of us can do, feel free to contact us. It just is not the right thing and absolutely we all agree, you are a community in our city, we want to keep you here so, thank you very much. Leader.

MEMBER DOUGHERTY: Mr. President I move to adjourn.

MEMBER GRIFFIN: 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: Thank you and thank our interpreters. Meeting is adjourned. *(Gavel falls)*

ADJOURNMENT TIME: 8:47 P.M.

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ATTEST: JUNE 8, 2012  
CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

APPROVED: JUNE 8, 2012  
ALLEN SCHULMAN  
PRESIDENT