

MINUTES OF THE MEETING AUGUST 13, 2012

PRESIDENT PRO TEM DOUGHERTY: With a quorum being present, the Chair calls this meeting of City Council to order. Roll call.

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. (PRESIDENT SCHULMAN ABSENT)

CLERK TIMBERLAKE: All present Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Thank you.

EXCUSING MEMBERS

PRESIDENT PRO TEM DOUGHERTY: Member Griffin. Excuse Member....Schulman.

MEMBER GRIFFIN: Mr. President I move that we excuse President Schulman from tonight's meeting.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to excuse Member Schulman from tonight's meeting. Any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: President Schulman has been excused. Everybody rise for the invocation please and remain standing for our pledge of allegiance.

The regular meeting of Canton City Council was held on August 13, 2012 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Cynthia Timberlake. The invocation was given by Ward 6 Council Member David Dougherty. The Pledge of Allegiance led by President Pro Tem Dougherty.

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM DOUGHERTY: We are now under Agenda Corrections. Member Griffin.

MEMBER GRIFFIN: Mr. President I move that we, that Rule 22B be suspended to add the 2nd Reading Ordinances 10 through 18, Communications 312 and 1st Reading on Ordinance #9A.

PRESIDENT PRO TEM DOUGHERTY: For a correction, you'll be suspending Rule 22A to add 2nd

MEMBER BABCOCK: Seconded.

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PRESIDENT PRO TEM DOUGHERTY: ...Reading Ordinances, Communication 312 and 1st Reading Ordinance 9A. Did I hear a second?

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Rule 22A's suspended and the Ordinances are a legal part of your Agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: Now under Public Hearings. We have no Public Hearings tonight.

OLD BUSINESS

PRESIDENT SCHULMAN: Under Old Business. Chief of Staff.

SERVICE DIRECTOR PRICE: Residents...thank you Mr. President. Residents spoke last meeting regarding a blighted home in his neighborhood and that is on the list with the Building Department. Also there was an issue regarding Stark Park although of course, it's under our authority, my office referred the matter of the desire for additional police presence to Stark Parks. Thank you.

PRESIDENT SCHULMAN: Thank you.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: Now under Public Speaks. We have around 15 speakers tonight. As I call your name please come up. You'll have three minutes. Please give your name and address. Joseph Coram. Coram, Coram, Joseph. OK, Pete DiGiacomo please. Good evening.

PETE DIGIACOMO: Good evening. My name is Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. This past weekend, I won't go into the long story just the short version. I was with a friend of mine who is a volunteer for the Cuyahoga Valley Scenic Railroad. I was unaware even though, of the problems that they're having down here in the city of Canton. They've had vandalism to the volunteers, their vehicles. The parlor car that has the vending in it, the food was broken into, damage was sustained to the inside of the car. Another one of the volunteers, his pickup truck was broken into and they stole a considerable amount of money in fishing gear. What he has said is that the volunteers for the railroad do not want to come down to Canton to volunteer to help because of the security problem of their vehicles. He also said that, I believe it's the last two weeks that the Valley has suspended rail operations down here during the week but, they are operating on the weekend. Before they used to leave the train and the cars down here. They cannot do it anymore because of the safety issue. They can't afford to have their engine, cars and things like that damaged but they would also like to if things would improve, that next year they would like to run the train apparently further into the valley. Other words, right now I believe, what they, you ride the train to Northside Station, get

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off there. You transfer to another train and that will continue on but the Valley, the folks that run it, would like to have the train actually proceed further into Akron on up into the valley. I know that it's not a great tourist attraction but, it is an attraction and I, they do have, you know it brings business to Canton. Any kind of business, well not any kind of business, but tourism business is good for the city of Canton. It brings in revenue, you know, things like that and I just feel that if there's anything the administration, the city of Canton can do to look into this problem or anything or help Scenic Railroad so we don't lose it and we could maintain it and maybe even improve it. I think it would be worth looking into. Thank you very much.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*) Rosetta Johnson. Good evening.

ROSETTA JOHNSON: Good evening. My name is Rosetta Johnson. I reside at 1610 Struble Avenue NE and my concern tonight is the shootings that's been going on. My house got shot up last week. I called the police. They didn't follow up with me. My concern is my children and my grandson which they are trying to kill him. There's nothing he can do about it or the police is trying to do anything about it. He's on house arrest and at this point, I really don't know what to do. I called the police when they shot my house up. I called the police. They came out. They took shell casings. They said that they, you know, would be back in touch with me. I asked them, I said what am I supposed to do when they come back. Well ma'am we'll have a patrol car patrol the area periodically. That never happened. I went downtown the next day and here they hadn't even filed the report. They didn't file the report until I got down there. Mr. Muhammed was with me and I mean, at this point I really don't know what can be done. It seem like the police don't even care. They was supposed to send a detective, I have not yet heard from the detective and I had two witnesses. I told them there was two witnesses that saw them and they still haven't done anything. I have small grandkids that I'm raising and right now I mean, I'm terrified. You know at any given time they can come shoot up my house again, like the day they shot the house up, I had just took my 1 year old daughter out the yard and two seconds later, they came by and shot it up. So I mean at this point, I really don't know, you know, what to do. It seems like the police don't care and then last night one gentleman called my grandson and threatened him. Don't know what he was going to do, he was going to come and finish the job. Really I mean that's basically all I got to say. Something needs to be done and at this point I don't know what to do.

PRESIDENT PRO TEM DOUGHERTY: Thank you ma'am.

ROSETTA JOHNSON: Thank you. (*APPLAUSE*)

PRESIDENT PRO TEM DOUGHERTY: Joanne Garrett. Good evening. Your name and address please.

JOANNE GARRETT: Good evening. My name is Joanne Garrett. I live at 1112 Charles Ede Blvd Canton, Ohio SE and I'm here basically for the same reason. Two weeks ago I had both my boys removed to their grandmothers house. They had their own apartment up in Highland Park. Police officers was called. A gang of boys surrounded the house, started shooting up the house that they were in and the police officers came, send the dogs through my son's house and just left. Later on that evening, I'm in the house making sure that my boys, cause they both on house arrest, making sure they getting something to eat and the come back and shoot up the house with me in their with my 2 year old son. You know and then the officer had me remove them and put them in her house and now they riding across town to shoot up her house. This is an ongoing thing. My life has been threatened because I speak to the police. Every time I get an incident report no one never calls back. No one follows up on any of this. You know all this shooting is going on. We getting

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phone calls. I have two older children who are in college, who's doing something positive with their life, are scared to even come out their house. Now they're even scared to come down to my house where I live at because of these boys is always threatening me and what they're going to do to me. And you know, they're running the building. My daughter live on the first floor, she lives by herself. She be graduating from college next year. She's in her apartment. They run into the apartment across the street from her whenever the shoot up somebody else's house or whatever, they run in that apartment and she's barricaded in her apartment and she's scared. I have to go up there and get her and bring her down to my apartment and this is an ongoing thing. This is like last night for instance, they threatened to come and shoot up my house, OK. I'm in the house running from window to window to window. I have eight children and the majority of my kids are small, only three of them are grown you know, and it's nerve racking. I work for Canton City Schools. I can't get up and go to my job and perform. I have to be to work at 7:00 in the morning, if I have to watch my kids while they're sleeping at night be make sure that they safe and nothing is being done about it.

PRESIDENT PRO TEM DOUGHERTY: Thank you ma'am. (*APPLAUSE*) Samuel Muhammed. Welcome.

SAMUEL MUHAMMED: Samuel Muhammed, 502 Belden Avenue NE, Canton, Ohio. I want to say some good news first. I just came back from Houston, Texas and 35 young people from Canton represented Canton in the Junior Olympics, the National Olympics. (*APPLAUSE*) Jay Murdock runs that program. We had a boy who took 5th in the nation in the long jump, Jerome Lee and another young man who took 10th in the 800, Martel, Montrent, never the less, that's the good news. My son's back there 32nd in the nation in the pentathlon, 37th in the high jump, 44th in the javelin. They did a really good job and I think that you need to understand that we do have some positive things that are going on. There's also some very negative sub-cultures that exist in our city and so when I returned, I returned to the telephone calls of Miss Johnson, Miss Garrett and Miss Johnson was telling me what was going on. The very day that I returned I took Miss Johnson downtown to the Police Department to find out where the follow up was. The reason why I knew what to do was because I had to similar things before. My stepfather had been jumped on 15th Street, laying unconscious. To this day, his ability to function is impaired. He can survive and get along but it's impaired and I had to press the issue in order to get a detective work done, OK. This isn't beat the police day here. That's not the intent, OK. I do know how to speak with fervor and passion if that was the intent to try to stir some type of you know, negative feeling or sentiment or whatever. That's not the point, Safety Director and Mayor. When we got down there, the report had not been taken, OK. I had not been written. Well, we spoke to the secretary over at the detective's office, she said "Well we will have somebody take it, have the Police Officer at the front desk take it." She reluctantly took it, OK. There was, there was....wait till the officer comes out. Well there's five children in the home, they just shot up the house, now, I said, wow that's crazy. She don't even want to take the report. Second of all, they were supposed to send a detective down the hall, OK, in order to begin to do some work because there were three names that were given, excuse me three names that were given and there were two witnesses so this is not a mystery. We know that in our community people don't like to testify. We know that people don't want to be caught, considered a snitch and in this rising culture of violence with this specific group of young people that we're talking about, they're trying to set a tone that if you tell, then you know, there will be repercussions and consequences in the way of violence. I'm here today OK, with intent to go and communicate with the young men but I'm here today to say that this report that should have been filed, it's been about a week, and this woman is in her house, Mrs. Johnson with five grandchildren and these boys are calling, said I'm going to come and finish the job. The names were given. It's not a case were somebody won't testify, it's a lack of due diligence and it just needs to be presented as

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such and corrected and then whatever larger operations that the department has going on, so be it. Hopefully that wouldn't interfere with just the execution, you know the justice on this one specific case.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*) James Parker.

JAMES PARKER: Good evening everyone. James Parker. 630 Penny Street SE, city of North Canton. I'd like to congratulate the city on their Hall of Fame Corridor. I don't know who OK'd it. I imagine it's the Chamber of Commerce and somebody through the city but I certainly do think it's wonderful however, the promptness of it kind of surprises me because it took the Urban League two years to get a Martin Luther King Corridor going. So I just wonder...I haven't had the answers yet. I had made some phone calls about how that got put together but I wish them all the best of luck. I'd like to describe a plan that does dovetail into that and that should enhance that corridor well because you can put a sign on something but until you really say decorate it or distinguish it as such, it doesn't have a lot of teeth to it so to speak. I'd like to give you each a copy of my football heritage corridor proposal. I told you this was in the works, details, details. There's a website to go to for the review and design criteria for the public art in which the, a recommendation is to have a public art advisory panel so that you don't simply have an art czar, you know sprinkling your infield with rusty fish that belong cohesively in a land aquarium. You know, we're not Sea World. So, what is a football heritage corridor and I will be back to finish this next week. The football heritage corridor would be a designated stretch of the Lincoln Highway, Lincoln and Tusc Streets, connecting the towns of Massillon and Canton. The corridor would serve to honor, distinguish, and pay homage to the genesis cradle era and beyond of American football forever. The football heritage corridor would establish and preserve a distinct and strong entry identity along the major entry corridor between Massillon and Canton emphasizing ties to American football and the Lincoln Highway's historic past. The football heritage corridor would serve to enrich and enhance a creative, cultural corridor experience for everyone to enjoy. Why create a football heritage corridor beyond the Hall of Fame corridor that runs apparently from Cleveland Avenue down through Tusc. I've seen some signage. It's good looking signage. The reasons are numerous. To begin with, a football heritage corridor would combine Stark County's self image of American football rivalry and roots with the arts as an engine for economic recovery. Canton/Massillon football history should be bundled with brand football Hall of Fame and Tigertown, city of champions, symbiotically to feed on the host organism. Tourists as I've mentioned before, tourism is third largest industry behind oil and mining. Even the United Nations has a creative tourism cultural plan for cities that they encourage all Mayors of cities to brainstorm. If you looked at the city of Santa Fe, they've banded with the Chions, Korea and they have a partner city there. I know we have sister cities in Israel and elsewhere and hopefully this could be strengthened. A football heritage corridor, let's see, tourism. A football heritage corridor would serve to increase the percentage of vehicle who pull off of I77 and I21 lured by the sirens of footballs great rivals, players and glorious moments immortalized as art installations some being visible along the entrance and exit ramps. Thank you and I shall return. Here are your copies. (*APPLAUSE*)

PRESIDENT PRO TEM DOUGHERTY: Andy Black.

ANDY BLACK: My name is Andy Black. I am the, I live at 3913 Market Avenue North in Canton. I am the President of the Canton Board of Park Commissioners. I'm here again tonight to voice our Board's unanimous opposition to the proposed Ordinance that would dissolve this Commission. I think we all have a common vision here. The Mayor, Council, our Board, the Board of Park, or I should say the Board of

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Recreation and that's to create a citywide Park and Recreation Department. I think the fundamental problem that we have here is how we go about getting there. You know we fundamentally think that there's a right way and what I think the Mayor's proposal does here, is the wrong way. It's basically is ignoring a vote of the citizens of Canton and asking you, not to represent the constituency that you put, you were put in office to represent, to actually go against their wishes. Now, I don't quite understand how that's, how that makes any sense to anyone. Without belaboring every single point, I think Members of Council have been sent a letter here from the President of the Park and Recreation, I should say the Recreation Board by Mr. Duff and he outlines a 5 or 4 step proposal of how to get to this. I think it makes absolutely correct sense. I think you should read it, think about it and put together a committee that consists of Members of Council, members of our board, members of the Recreation Board, members of the, members of the School Board and come up with a plan that we can put on a ballot initiative in front of our voters and let them decide, does it make sense. How will we go about funding it and let the people decide, not one individual. That's all I'm asking. I think it's up to you. I'm asking the Mayor to please withdraw this Ordinance and if he doesn't next, two weeks from tonight, vote no. Thank you. *(APPLAUSE)*

PRESIDENT PRO TEM DOUGHERTY: Leon Cote.

LEON COTE: Good evening. My name is Leon M. Cote. I live at 1225 41st Street NW in Canton, 44709. I'd like to address the issue of the dissolution of the Park Board. To the Members of the City Council, I'd like to share something with you. In our lifetime there are many times that we have run into having to do something and it's very legal to do it but we've walked away from it because we determined it was not ethical or it was not moral and I would ask you to give that some great thought before you vote to disband the Park Board. Thank you for your time. *(APPLAUSE)*

PRESIDENT PRO TEM DOUGHERTY: Kathryn Ramsey. Good evening.

KATHRYN RAMSEY: Good evening. Thank you for listening to me tonight. My name is Kathryn Ramsey. I live at 2322 16th Street NE in Canton and I'm here along with the members of the Crystal Park Neighborhood Association. We're trying to restore Crystal Park to the once proud neighborhood that it was but we need the support and cooperation of the city. We need laws already on the books enforced. We need landlords to check on their properties to ensure that garbage is not being thrown out in bags, not in trash cans cause there's none there, the day after the trash is picked up. It's spread by dogs, skunks, groundhogs, anything that can get there. We need the alleys cleaned of brush that is hanging out over the roadways. We need dog laws enforced. There's stray, vicious dogs running loose. Every other house has a pit bull and half the time their not restrained. We need the guns and the violence out of the hands of kids who are practically still in diapers. We need homeowners to be required to clean the brush and bushes from the outside of their fences. Yesterday before church, my granddaughter and I had an encounter with a young man jumping in and out of the bushes which resulted in me calling the police and I don't know what happened. We need Harrisburg Road paved. Our cars are being destroyed traveling from 19th Street to 12th Street. Drive it everyday and see for yourself. We need obvious vacant houses boarded up. The kids are entering and destroying what were once nice properties. We're also being told that there's a lot of squatters in these houses and their actually taking water from homeowners to take care of their needs in the vacant houses. We need police presence more often. We have rowdy, violent people shooting and running stop signs, exceeding the speed limit and any help you have to offer is greatly appreciated by the taxpayers. We have too many rental properties all piled together. If you're going to rent out a property, please see to it that your tenants obey city code. Thank you. Crystal Park Neighborhood Association.

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PRESIDENT PRO TEM DOUGHERTY: Thank you. *(APPLAUSE)* Kim Bennett. Good evening.

KIM BENNETT: Good evening. My name is Kim Bennett. I live at 4023 Vernon Avenue NW. I appreciate Members of the Council being here tonight open to hearing our opinions minus one person on this Board who considers our opinions noise. I would assume that everybody in this room has read the letter written by the Mayor on August 9th with regard to the parks. This letter is basically semantic blather. It means nothing. My first red flag was during the campaign when I had campaign cronies in my neighborhood spending more time logging addresses with his opponents signs in yards. I consider that offensive and a violation of my privacy. In 1920 the people of Canton voted on a 3 to 1 margin to establish a three person Park Commission with a Director. The people who have done this job have done it with excellence and we are fortunate to have such lovely parks in this city. My children and my neighbors have worked tirelessly in our parks and have been dedicated. They wanted to paint and they couldn't do it. They had to beg for paint. That's preposterous. You have children that want to better their environment and they have to beg to do it thus they get in trouble. I'm having a hard time finding the logic in this. Fixing something that is not broken is a waste of money, it is a waste of time and I personally have to work very hard at having a job. I don't get political favors. I don't manipulate. I don't hoodwink and I don't make promises to people that I'm not going to follow through on. I work hard at my job and I take pride in it and I would certainly expect a leader in this community to do the same. Saving a \$100,000.00 from Mr. Perry's position is rather nauseating that it would even come up. It's glaringly obvious that there is a personal vendetta and that there's retribution with a growl of controlling. Anybody here that doesn't see it needs to open their eyes. I don't know what the agenda is. Only one person in this room can answer that question searching their heart and it's between you and God. There is no legitimate fiscal reason to disband costing us more money which we don't have and this city is becoming more demoralized by unethical behavior in this office. The citizens are expecting integrity and professionalism. They want a reflection of the pillars of character, including honesty and trustworthiness. *(Time buzzer sounds)* We question what has transpired in the 14 days in terms of persuasion for voters in favor of the Mayor's proposal which is illogical....

PRESIDENT PRO TEM DOUGHERTY: Thank you ma'am. Your time is up.

KIM BENNETT: This is not a dictatorship and we would like a line item expense from your trip to Germany. The media....

PRESIDENT PRO TEM DOUGHERTY: Ma'am please.

KIM BENNETT: The media deserves....

PRESIDENT PRO TEM DOUGHERTY: Ma'am your time is up ma'am please.

KIM BENNETT: *(continuing to speak while President speaking)*...to know where our taxpayer money is going.

PRESIDENT PRO TEM DOUGHERTY: Please. Everybody gets three minutes.

KIM BENNETT: Thank you. I am a taxpayer.

PRESIDENT PRO TEM DOUGHERTY: It's fair. So am I. *(APPLAUSE)* Joel. I didn't get your last name

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here. Sorry about that.

JOEL LUECKE: Before we start I'd just like to take a second because, she kind of scares me too sometimes. My name is Joel Luecke and I live at 4023 Vernon Avenue NW, Canton, Ohio. As you can tell I'm an Eagle Scout and an active member in our community. I have been a member of O.U.R. Gang for the last six years. Several years ago I was starting my Eagle project and I thought it would be a good idea to paint the fence and do repair work at one of the city parks but however, I was turned down and my project went to another organization. There's several things I'd like to adjust, there's several things I'd like to talk about with this new Ordinance for the Parks Board. The first of which is the arrangement for placing the parks responsibility under Public Works. This is a temporary arrangement because the Parks is going to be added to Recreation. Why wait and waste valuable time. Why not just put it under Recreation? Also, why not just keep the Parks Board because the city parks is important for our city because many kids like to go there and spend time. There are a lot of families who take their children there and parks have to be a safe place where we can have our kids. Like the ladies who were talking up earlier who weren't safe in their own homes, how does that reflect upon our city. Another thing is a Parks Advisory Board. This Board is made up of five members or volunteers from the city, the fifth is a Council Member. First off this is a wonderful idea because it gets volunteers from the city to talk about what they think is right however, they should not be picked by people who are in positions elected by the people of Canton. They should be volunteers who have no political ties that way it is bipartisan. Also, it says that they will have no direct financial or operational or personal authority. That is pointless because why have people work for you if they can have no power. Also the \$100,000.00 saved by cutting jobs is minuscule and unimportant. I do see 17 people up here who are paid by the city of Canton. I do believe that if you make some cuts yourself, you'll save more money than cutting one person. In scouts we like to lead by example. I think Canton could benefit by having our elected officials follow the same motto. Several things I would like to talk about is that our Parks Board is very important because there are many people who like to use the parks. I personally had my graduation party at Arboretum Park and I enjoyed that because there were not a lot of places where I could go. I also have many other friends who did that and without the Parks Board that would not be possible. Many of my friends and I, we are of voting age so please remember that our opinions do matter because I'm sure all of you like to work for the city of Canton and you like to represent so there are young, many of us who appreciate the Board. So please keep the Canton Parks Board. Don't cut any jobs. Please cut your own salaries. Everyone can make little sacrifices. Thank you. *(APPLAUSE)*

PRESIDENT PRO TEM DOUGHERTY: Thanks. I apologize I can't make out this next name. They live at 3040 Sussex Street. Name and address please sir, welcome.

DONALD SCHNEIDER: I'm Donald Schneider. I live at 3040 Sussex Street NW in North Canton, in Canton. Let me introduce myself besides that. I'm a Cantonian for 82 years. The city has provided an abundant life for my family since 1908. Canton is my home and I want to preserve it if possible. From a childhood of ice skating on the 23rd Street lagoon to running over 500 miles on the Fisher track as an adult, the park has always been a huge part of my life. As a businessman and citizen, I was privileged to know Carl Wise, long time Superintendent of the Parks, a visionary of Canton. Much of what we have today was his creation. Blending Water Works park, McKinley Monument, 12th Street lagoon and Fawcett Stadium into a wonderful montage of places to spend family time. Add to that, the Garden Center and the crown jewel of all the Pro Football Hall of Fame. Canton has a winning quinella in the West Park. If he were alive today, he would jealously guard his park against any untimely intrusion. A big asset and attraction to residents and possibly possible transferring newcomers has always been our park system. We all know Canton has been

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severely hurt when most of our heavy industry disappeared in the '90's, followed by then the worst recession since the '30's. These facts make our parks even more vital. Humans need a place to go when stressed in real life. Parks always provide that magical outlet. Witness the abundance of people, families, joggers and even Canadian geese that populate our Garden Center, picnic shelters as jungle gyms. It's truly wonderful. The citizens of Canton many years ago built plans for the growing demand of many and voted to create a Board of Park Commissions. Then is now. The need and desirability of citizens watching and guiding their city assets was overwhelming and the Board was created by a vote of 3 to 1. We now have a revised plan from the Mayor switching from potholes to tennis rackets. The Mayor has replaced an earlier proposal merging the Park Department into the Street Department by a new plan disbanding the Park Commission entirely, putting the system under the direct control of the Service Director. He would then sluff off this responsibility to Kevin Moore, a city Director of Public Works and then he to the Joint Recreational Board. If the city's projected budget of 2013 is a \$4,000,000.00 deficit, a possible savings of \$100,000.00 from this proposal is a 2.5% savings of a \$1.00, it's less than 3 cents. The latest iteration of substituting a Recreation Department with a Street Department is equally, illegally thought out. Ron Duff, the Recreational Direct, District Board President (*Time buzzer sounds*) had said it seems the Mayor is trying to wave a magic wand and make the Park Department go away.

PRESIDENT PRO TEM DOUGHERTY: Thank you sir.

DONALD SCHNEIDER: This never worked and I'm certain it won't in this instance. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*) Nicole Maske. Good evening. Your name and address please.

NICOLE MASKE: Nicole Maske. 824 High Avenue NW, Canton, Ohio. I'm here on the behalf of my son getting shot on the Hall of Fame parade route and how it was handled and asking for a thorough investigation. I've been in the Shorb block area almost 17 years and I know how the police hound them kids over there for no reason. I've personally have seen it. They affiliate everyone over there as being gang related. I don't understand that. If you grew up somewhere and been there 18 years, I'm not understanding how they make you gang related, that's where you're from. We are a gang. They, I'm really upset about my son being shot and then being charged with obstructing official business, resisting arrest and all this, all these other charges that they racked up and how do the police come to a parade route where there's kids, hundreds of people, running with your guns out. Not just my son but, anybody's child could have been hurt that morning. And then say that he resisted arrest. If you get shot and you're down, how do you resist. I'm really bothered by what happened on the Hall of Fame parade route and I'm asking for a thorough investigation and that's all I have to say. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*) Hundlean Maske. Good evening.

HUNDLEAN MASKE: Good evening. My name is Hundlean Tims Maske. I live at 3801 35th Street NE and I want to start by making a comment that I think it is regarding the incident that Nicole was talking about and the fact that guns were discharged during a Hall of Fame parade route and that someone accidentally we'll say, was shot. And that person being my grandson and how it was handled and the fact that he doesn't have his clothes back. They took him to the hospital after they shot him. He doesn't have his clothes back, he doesn't have his cell phone back. I don't know what the procedures are but, he's out of jail so I'm not understanding why he doesn't have his clothing and his cell phone back at this time. And the other concern, like Nicole said,

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anybody could have been injured that day and ordinarily the kids would have been with Eric and could have possibly got shot and I think that, that's a tragedy and also the fact that those kids are harassed. That happens frequently so I think that we're caught. I'm listening to Rosetta and others talk about crime. We're affected by crime. We are affected by the police. I know that I called 9-1-1 about 3 different times on one specific occasion. They got smart with me, they told me that they had been there already and they had not been there so, I don't know what to say and what to expect from the Police Department in the city of Canton. And of course, we want crime contained but, I certainly don't want anyone getting hurt unnecessarily. So I think that, that is something....I want to know too, who investigates the police? The police investigate the police. That is a question (*inaudible comment shouting from audience*) because does anybody else, a separate entity investigate the Police Department? Is that because, see I'm not sure what all the rules are for Council. Are you all can't respond?

PRESIDENT PRO TEM DOUGHERTY: No, this is Public Speaks ma'am.

HUNDLEAN MASKE: Pardon me.

PRESIDENT PRO TEM DOUGHERTY: Ma'am you'll have time after the meeting if you wanted to talk to somebody and get that answer. They'll be here after the meeting.

HUNDLEAN MASKE: And I also want to know is, the policeman that did the shooting, is he still on leave?

PRESIDENT PRO TEM DOUGHERTY: Do you want to answer that?

HUNDLEAN MASKE: Is the investigation finished?

PRESIDENT PRO TEM DOUGHERTY: Yes, the Safety Director will be here to talk to you, OK?

HUNDLEAN MASKE: So, afterwards?

PRESIDENT PRO TEM DOUGHERTY: Yes, yes ma'am.

HUNDLEAN MASKE: Alright, thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*) Linda Tuttle. Good evening.

LINDA TUTTLE: Hello. My name is Linda Tuttle. I live at 1106 18th Street NW, Canton. I'd like to start by saying that there are many things that I have liked that this administration and Council have worked on but I am thoroughly appalled by the proposal to eliminate the Parks Commission and the proposal to allow fracking on city property. As far as the Parks Commission, repealing the Ordinance put into affect by the people's vote is in actually repealing the people. You took an oath to represent us. If you want change, why not put this proposal back on the ballot and let us speak up for the way, by the way of our vote. Do you not trust us voters? Or do you not trust that you can sell this proposal to us? Is this actually about saving money and merging Parks and Recreation or are there other hidden agendas? There are many ways to make the Parks and Recreation Departments more effective and efficient but the same can be said about every office in this administration. Under your plan Mayor Healy, Canton Service Director, Warren Price will be in charge of the parks. Respectfully does he really have the expertise and the time for this. How many personnel will the

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administration need to hire to help Mr. Price's increased work load? I highly doubt a man paid his salary has the spare time to assume the responsibility of the Parks Commission and Park Department, "reduced by 1 to 2 managers". This past year under the direction of Mr. Price, Dominion East Ohio Gas started the gas line replacement program. Over 50 trees were removed on my block and within a couple of blocks of my house. In the beginning Mr. Price assured our Neighborhood Association that these trees, the trees removed would be replaced. Six month later my husband got a final confirmation from the city that our trees were deemed to have "no value" and they would not be replaced. I asked, really? Is this the administration that you want put in charge of our parks? Not me. I'm sure that graves in and around Canton are shaking. The owners of the precious parklands who gave them to be protected are grieving over the dangers that lurk in this proposal. It is ironic that there is, is it ironic that there's also a proposal to allow fracking on our lands. So I ask again, is this really about saving money or is it about power and control. Power enough to overturn our vote. Council are you ok with repealing the people? The people you took and oath the represent. I guarantee I will be watching. I will watch which Council Members are for this vote. Voters of Canton will not quickly forget. I won't let them and that's my oath to you. Thank you. (APPLAUSE)

PRESIDENT PRO TEM DOUGHERTY: Thank you.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM DOUGHERTY: Now under Informal Resolutions. We have none tonight.

COMMUNICATIONS

PRESIDENT PRO TEM DOUGHERTY: Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED AUGUST 13, 2012.

293. AUDITOR MALLONN: YEARLY RPT BY FUND 1/1/12 - 7/31/12. - RECEIVED & FILED
294. AUDITOR MALLONN: MONTHLY RPT BY FUND 7/1/12 - 7/31/12. - RECEIVED & FILED
295. AUDITOR MALLONN: REQUEST FOR ADDT'L AMENDED CERTIFICATE DATED 7/30/12. - RECEIVED & FILED
296. AUDITOR MALLONN: REQUEST FOR ADDT'L AMENDED CERTIFICATE DATED 8/3/12. - RECEIVED & FILED
297. DIRECTOR OF DEVELOPMENT WILLIAMS: REQ \$47,493.54 APPROP TRANSFER TO THE HOMELESS PREVENTION & RAPID REHOUSING PROG FUND TO REPLACE CDBG FUNDS PAYING SALARIES & BENEFITS FOR STAFF ADMINISTERING THE PROG. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
298. DIRECTOR OF DEVELOPMENT WILLIAMS: REQ \$15,286.46 APPROP TRANSFER TO THE COMMUNITY DEV RECOVERY ACT PROG FUND TO REPLACE CDBG FUNDS PAYING

MINUTES OF THE MEETING AUGUST 13, 2012**SALARIES & BENEFITS FOR STAFF ADMINISTERING THE PROG. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE**

299. HEALTH COMMISSIONER ADAMS: REQ TO APPROP \$25,000.00 TO PERSONNEL LINE ITEMS IN FUND 2323 PREP FUND & 54,000.00 TO OTHER LINE ITEMS IN FUND 2323 PREP FUND (\$158,000.00 OH DEPT OF HEALTH FOR PERSONAL RESPONSIBILITY EDUCATION PROG FROM 1/1/12 - 7/31/13). - FINANCE COMMITTEE
300. MARIOL, J, WARD 7 CNCLMBR & MACK, E, WARD 8 CNCLMBR: REQ TO AUTHORIZE SERV DIR TO ISSUE REQUEST FOR PROPOSALS TO LOCAL MARKETING FIRMS WHO ARE QUALIFIED TO PREPARE A CORPORATE PARTNERSHIP PLAN FOR THE CITY, INCORPORATING POTENTIAL REVENUE GENERATING ELEMENTS. - FINANCE COMMITTEE
301. SAFETY DIRECTOR REAM: REQ RECONSIDERING AUTOMATED TRAFFIC ENFORCEMENT & EFFECTUATE NECESSARY CHANGES TO CODIFIED ORDINANCES IN TANDEM W/APPROVING REDFLEX TRAFFIC SYSTEMS AS OUR AUTOMATED TRAFFIC ENFORCEMENT PROVIDER; REQ LEGISLATION BE APPROVED FOR PROF SVCS CONTRACT W/REDFLEX TRAFFIC SYSTEMS; AMEND CODIFIED ORDINANCES TO ALLOW FOR AUTOMATED TRAFFIC ENFORCEMENT VIOLATIONS TO BE DEEMED A CIVIL OFFENSE. - FINANCE & JUDICIARY COMMITTEES
302. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION TO ADVERTISE, REC BIDS & AWARD & ENTER INTO CONTRACT TO INSTALL EQUIPMENT TO REPAIR THE HEATING & COOLING SYSTEM AT CITY OWNED SEARS BLDG. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
303. SERVICE DIRECTOR PRICE: INFORMING THAT CITY WILL BE ENTERING INTO A PLA FOR WRF BIOFILTER MEDIA REPLACEMENT PROJ. - RECEIVED & FILED
304. SERVICE DIRECTOR PRICE: REQ TO REITERATE AUTHORITY FOR SERV DIR TO ENTER INTO AGMTS W/PROP OWNERS FOR CONSTRUCTION OF CITYSCAPE PROJS AS DETAILED IN CHAPTER 921 OF CODIFIED ORDINANCES & RECOGNIZING THAT THE EXPENDITURES RESULTING FROM SOME OF THESE AGMTS ARE IN EXCESS OF \$20,000.00; AUTHORIZE CITY ENGINEER TO GENERAL CONTRACT FOR PORTIONS OF CITYSCAPES; MAKE \$375,000.00 SUPP APPROP FROM UNAPPROP BAL OF 4501: CAPITAL FUND TO 4501-202001: CAPITAL FUND - ENGINEERING ADMIN; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
305. SERVICE DIRECTOR PRICE: REQ TO ENTER INTO CONTRACT FOR PAPER, SUPPLIES, TONER, MISC NEEDED FOR CITY W/THE CONTRACT VENDOR, STAPLES CONTRACT & COMMERCIAL, INC FOR AMT NOT TO EXCEED \$25,000.00. - FINANCE COMMITTEE
306. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION TO NEGOTIATE FAIR MKT VALUE OR

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DONATE TO STATE OF OH AN EASEMENT OR DEED NECESSARY FOR ODOT TO CONSTRUCT STORM SEWER ACROSS CITY PROPERTY 37TH ST SE & SHORE DR SE TO NIMISHILLEN CREEK. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE

307. SERVICE DIRECTOR PRICE: REQ TO AMEND APPROP O#220/2011 W/VARIOUS SUPP APPROPS FOR NEW CEILING IN POLICE DEPT & CAPITAL FOR SEWER CASTINGS, EQUIPMENT & REPAIRS IN COLLECTION SYSTEM & VARIOUS EQUIPMENT PURCHASES FOR ADMIN, OPERATIONS & TRAINING FOR FIRE DEPT (\$125,500.00 & \$5,000.00). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
308. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX ACCT FOR JULY 2012. - RECEIVED & FILED
309. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR JULY 2012. - RECEIVED & FILED
310. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 7/31/12. - RECEIVED & FILED
311. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 7/31/12. - RECEIVED & FILED
312. SERVICE DIRECTOR PRICE: RATIFY CONTRACT OF AFSCME LOCAL 3449 WITH CITY OF CANTON EFFECTIVE 1/1/12 THROUGH 12/31/13. - FINANCE AND PERSONNEL COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM DOUGHERTY: First Reading Ordinances. Let the journal show that all Ordinances are being given their reading as required by State law. Madame Clerk.

NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #9A FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-00349, FREDERICK L POORE JR & HILDA BERNICE POORE ON 4TH ST NE)
Referred to Community & Economic Development Committee
- #2. (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION

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PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-00913, PERRY & MARTHA A MILES ON 3RD ST NE)

Referred to Community & Economic Development Committee

- #3. (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-24170, JACK & PAULA J MCCOURY ON WELLS AVE NW)
Referred to Community & Economic Development Committee
- #4. (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-12182, KATHRYN VANDEBOGART ON RAYNOLDS PL SW)
Referred to Community & Economic Development Committee
- #5. (1ST RDG) AN ORDINANCE AMENDING DOLLAR AMOUNTS IN ORDINANCE NO. 76/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (IN SECTION 1 FROM \$240,000.00 TO \$360,000.00 AND IN SECTION 3 FROM \$27,000.00 TO \$40,000.00)
Referred to Community & Economic Development Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH HABITAT FOR HUMANITY OF GREATER STARK AND CARROLL COUNTIES, INC. FOR AN ADDITIONAL \$20,000.00 TO COMPLETE THE CONSTRUCTION OF THREE (3) HOMES FOR LOW TO MODERATE INCOME FAMILIES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE AREA AGENCY ON AGING IN A TOTAL AMOUNT NOT TO EXCEED \$30,000.00 IN ORDER TO PURCHASE FARMER'S MARKET FOOD VOUCHERS FOR LOW TO MODERATE INCOME CANTON CITIZENS AGE 60 AND OLDER; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

PRESIDENT PRO TEM DOUGHERTY: Member Smith you're going to be busy.

- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A REIMBURSEMENT GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$2,500.00; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY

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(\$2,500.00 SUPP APPROP TO 2812 103001 FIRE DEPT EMS GRANT)

Referred to Finance Committee

- #9. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL NECESSARY PURCHASE ORDERS ASSOCIATED WITH THE BUP REARICK PARK IMPROVEMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

(COUNCIL RECESSED AT 8:25 P.M. FOR THE FINANCE AND PERSONNEL COMMITTEES TO DISCUSS ORDINANCE #9A; RECONVENED AT 8:33 P.M.)

- #9A. (1ST RDG) AN ORDINANCE APPROVING A TWO-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND AFSCME LOCAL 3449/OHIO COUNCIL 8; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance and Personnel Committees

MEMBER GRIFFIN: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: OK, at this time the Chair would declare an in house recess for Finance and Personnel Committee.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Hold on. Hold on a second, Member Griffin. We will go into recess but Law Director can you advise Member Griffin for these, OK, go ahead.

SERVICE DIRECTOR PRICE: Mr. President I ask for a motion to discuss personnel matters in Executive Session, specifically the bargaining union agreement between AFSCME 3449 and the city of Canton to include Canton City Council, Clerk of City Council, the Mayor, the Director of Public Service, Director of Human Resources, the Director of Finance and the Law Director.

PRESIDENT PRO TEM DOUGHERTY: Member Griffin you so move.

MEMBER GRIFFIN: So moved.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to go into Executive Session. Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: We're in Executive Session.

PRESIDENT PRO TEM DOUGHERTY: Council's back in session. Member Griffin, you need to make a motion to come out of Executive Session... (*gavel bangs*) ...make a motion to come out of Executive Session.

MEMBER GRIFFIN: Mr. President, I move we that we Suspend 22A and replace, OK, that we come out of Executive Session.

MEMBER BABCOCK: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you come out of Executive Session. Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: OK, we are in recess for Ordinance 9A, Finance. (*Finance and Personnel Committees held*) Council will be out of recess. Member Griffin.

MEMBER GRIFFIN: Mr. President, I move we suspend Statutory Ordinance 9A.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: You're moving to suspend Rule 22A to place 9A back on this evening's agenda.

MEMBER GRIFFIN: OK.

PRESIDENT PRO TEM DOUGHERTY: Second?

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to suspend Rule 22A to place Ordinance 9A back on this evening's agenda. Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: 9A's a legal part of your agenda. Member Griffin.

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MEMBER GRIFFIN: Mr. President, I move we suspend the Statutory Rules on Ordinance 9A.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to suspend the Statutory Rules on Ordinance 9A. Are there any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: You've heard the three readings Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance 9A.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 9A. Any remarks?

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes.

SERVICE DIRECTOR PRICE: Giving that we hopefully are about to adopt this second contract that I've had to deal with this year, I did want to thank the leadership at Council 8 with AFSCME and our local leadership here with both unions, 2739 and 3449. This is the second full contract I've negotiated with these two unions and well really three counting the wage re-openers. It's a good group of people and while we don't always agree on, upon our respective sides at the negotiating table, you know for a third time in as many years, we have come together to resolved our differences and reached a contract and you know, I think with those members, while again we're not always on the same page it's certainly been my highest honor to serve with them here in the city government. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Any more comments? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#9A ADOPTED AS ORDINANCE NO. 116/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 9A has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Second Reading Ordinances please.

NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ

MINUTES OF THE MEETING AUGUST 13, 2012***ORDINANCES #10 THROUGH #18 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS :***

- #10. (2ND RDG) AN ORDINANCE AMENDING PART THIRTEEN - BUILDING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON BY THE ADDITION OF CHAPTER 1353, FORECLOSED PROPERTIES AND BUILDINGS
- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE YOUNG MEN'S CHRISTIAN ASSOCIATION (YMCA) IN AN AMOUNT NOT TO EXCEED \$50,000.00 FOR THE OVERALL MANAGEMENT AND SUPERVISION OF THE FACILITY AND PROGRAMMING AT THE EDWARD "PEEL" COLEMAN CENTER; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO JOB CREATION TAX INCENTIVE AGREEMENTS WITH GENERAL ELECTRIC OIL & GAS COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (\$65,000.00 - POLICE ADMIN)
- #14. (2ND RDG) AN ORDINANCE AMENDING PART THIRTEEN - BUILDING CODE OF THE CODIFIED ORDINANCES
- #15. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A \$130,000.00 CONTRACT MODIFICATION #1 WITH ARCADIS US, INC FOR THE NEXT PHASE OF THE SEWER MAPPING AND MODELING PROJECT, G.P. 1130; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR PUBLIC SERVICE TO APPLY FOR, ENTER INTO AGREEMENTS AND ACCEPT FUNDS FOR THE 2013 PROGRAM YEAR FROM THE OHIO PUBLIC WORKS COMMISSION; AND DECLARING THE SAME TO BE AN EMERGENCY
- #17. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE CHANGE ORDER #2 WITH ABBOTT ELECTRIC, INC IN AN AMOUNT NOT TO EXCEED \$37,402.83 FOR THE LIGHTING RETROFIT CONTRACT, GP 1134; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR AND TAKE RECEIPT OF AEP ENERGY EFFICIENCY GRANTS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #18. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A

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CONSTRUCTION CONTRACT FOR THE CONSTRUCTION OF A PICNIC SHELTER AS PART OF THE FAIRHOPE NATURE PRESERVE, G.P. 1128; RECEIVE LWCF FUNDS (TRAC) IN THE AMOUNT OF \$39,200.00 FOR THIS PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AUTHORIZING THE CITY ENGINEER TO GENERAL CONTRACT THE DEVELOPMENT OF TRAILS, PARKING AREAS AND PARK FACILITIES; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM DOUGHERTY: We're now under Ordinances for their Third and Final Reading. #19.

#19. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 117/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A ONE-YEAR SUPPORT CONTRACT WITH THE JAMES GROUP IN AN AMOUNT NOT TO EXCEED \$38,139.20 FOR ONGOING SUPPORT AND MAINTENANCE OF THE CITY'S ORACLE SOFTWARE LICENSES PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance 19.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 19. Are there any remarks?

MEMBER GRIFFIN: Mr. President I move that we amend Ordinance 19 per the copy that all Council Members have in front of them.

MEMBER BABCOCK: Seconded.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 19 by the substitution of the attached ordinance for the existing proposed ordinance.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to amend Ordinance 19.. Any remarks?

MEMBER GRIFFIN: Mr. President could we have the amendment summarized please?

PRESIDENT PRO TEM DOUGHERTY: Yes.

LAW DIRECTOR MARTUCCIO: Thank you. Mr. President, Member Griffin, Members of Council this amendment changes the group that's being paid and the amount slightly. This is a contract negotiated in part by the city's IT Director, former Member Barton. It was originally with The James Group and it was originally for

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\$38,614.00. The contract as amended is now for a few hundred dollars more \$38, 614.16 for ongoing support and maintenance of the city's Oracle software licenses. It's made under the Revised Code pursuant to the State Cooperative Purchasing Plan cause that was the best price available and it is with something, an entity called The DL Solutions. Those are the changes.

PRESIDENT PRO TEM DOUGHERTY: Any more remarks on the amendment? By voice vote, did you have something Member Hawk? You OK? By voice vote, all those in favor signify by saying aye. Those opposed.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President I move that we adopt Ordinance 19 as amended.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 19 as amended. Any remarks? Member Cirelli.

MEMBER CIRELLI: *(Inaudible)*

LAW DIRECTOR MARTUCCIO: Mr. President, Member Cirelli. I don't know. We prepared the amendment. I'm not sure if anyone here, I don't know if Member, former Member Barton is still here. If you would yield to him, my time....

IT DIRECTOR BARTON: I'm sorry, your question again.

MEMBER CIRELLI: Mr. Barton I was asking about DIT Solutions, if they were affiliated with the Canton Business.

IT DIRECTOR BARTON: Member Cirelli, no they are not a Canton business. I think they're out of the Columbus area. They are on the state contract though and that was one of the few businesses that we found within the State of Ohio that we could use.

MEMBER CIRELLI: Mr. President and Mr. Barton. Do you think the one you were going with at first, were they in the same parameters.

IT DIRECTOR BARTON: They were in the same parameters and we had actually contracted with them last year. The reason for the change is we were contacted by Oracle directly and Oracle is no longer doing business with The James Group for business reasons that Oracle explained to us so we couldn't contract directly with Oracle because they're not on the State Purchase Program so we had to look for another company that could provide that maintenance for us and there was two other companies that were available. One was Methix and one was DLT and we just decided to go with DLT Solutions.

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MEMBER CIRELLI: Thank you.

IT DIRECTOR BARTON: Thank you Member Cirelli.

PRESIDENT PRO TEM DOUGHERTY: Hey, thanks for sticking around.

IT DIRECTOR BARTON: Thank you.

PRESIDENT PRO TEM DOUGHERTY: Any more remarks? OK, we're voting on Ordinance 19 as amended. Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#19 ADOPTED AS AMENDED AS ORDINANCE NO. 117/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 19 is adopted. Ordinance 20.

#20. (3RD RDG) ***POSTPONED UNTIL 8/27/12 AN ORDINANCE REPEALING THE INITIATED ORDINANCE ADOPTED BY THE ELECTORS OF THE CITY OF CANTON IN 1920 ESTABLISHING THE BOARD OF PARK COMMISSIONERS AND DISSOLVING SAID BOARD; AND REPEALING SECTION 539.15, PARK POLICE, OF CHAPTER 530, PARKS AND PLAYGROUND, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON***

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Oh yea, Mr. President, I move that we suspend Ordinance 20 until 2000, 22nd..

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Postpone the Ordinance. Making a motion to postpone the Ordinance until when, the 27th?

MEMBER GRIFFIN: Yes.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to postpone Ordinance 20th, I mean Ordinance 20. Any remarks?

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes.

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LAW DIRECTOR MARTUCCIO: Thank you Mr. President, administration and Members of Council. This is being postponed at my request and I thought I would inform you as to why. Generally when you ask us to prepare Ordinances and amendments, we do them fairly quickly. Amendments are almost like fast food especially if they're fairly simple in concept. Request in, amendment out. I've even written some on the fly here in my own handwriting. This particular request for an amendment is simple in concept but difficult in consequences, difficult in execution. It will require me to take some more time to research and give you more information to make a better decision about this particular Ordinance. This is the Ordinance that proposes to dissolve the Park Commission. I received the request on Thursday afternoon and as you all know, having received it, it's fairly simple on it's face. A citizen's advisory group which is fairly easy to design but suggesting that a future Council revisit this dissolution which is unprecedented within a certain amount of time that is outside your framework. You all know you are like the phoenix. You live brightly and well for a couple of years and then you die and a new Council comes out of your ashes. You cannot bind a future Council unless it's a contract for valuable consideration, promises for promises and so on. So there are some things you can vote to bind forever like real estate and so on but, to bind a future Council to do something, I'm not sure you can do yet, is something I need to research. What I'm referring to is Chapter 755.01 of the Ohio Revised Code provides, provided in 1920, on April 27th, when the citizens voted on it and it provides now in 2010, when it was revisited by the General Assembly, that the people by petition of 5% or more can ask to form a Park Commission. Whether or not Council can do that in two or three or four years by putting it on the ballot is an unknown. We're in unchartered waters here. There are very few Chapter 755, Park Commissions in the State of Ohio. The Joint Recreation Board which we are a part of, please let me say that again. The city of Canton is now, already a part of The Joint Recreation District. The Mayor has three picks on it, City School Boards have two. There are already provisions in the law that allow for what you might call working together or a merger. I'm not sure that it will have to go to the ballot. I don't know that yet. It may but there are provisions that seem to allow, much like the Canton City Board of Health and the County Board of Health, contract with one another to avoid redundancy, that's been going on unofficially and it could go on officially in the future. Several of you have asked me questions from different points of view and I've spoken with you or emailed with you over the week. It's my request now that if you allow and vote to postpone this for a couple of weeks I can supply you at least with an oral report if not a memo prior to your next vote letting you know how this Chapter, which also includes Recreation Boards, Chapter 755 of the Revised Code, how it proposes to let these things happen. It's a rarely used Chapter and again I would appreciate a little time to do that. So again, amendments are something I do prepare, personal feelings one way or another, I pass on the legal sufficiency of Ordinances and amendments and I think you will all appreciate having some time to understand it better before you vote on it as well.

PRESIDENT PRO TEM DOUGHERTY: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes.

MEMBER WEST: Just real quick for the Law Director. I'm just curious at 5:30, how did we get rid of the Park Police in this same Ordinance then.

LAW DIRECTOR MARTUCCIO: Mr. President, Member West, that's a good question. The reason it's included in this Ordinance is because once the Park Commission is, if the Park Commission is dissolved, there will no longer be a police force under it for them to manage and supervise. We have an Ordinance on the books that allows for something called Park Police. It's got a checkered history. It's been around and not around and not again and again. The same thing with the employees who are not union but are classified. Once the Park Commission is

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dissolved, if it is dissolved, it raises a host of questions about who the appointing authority is, if the appointing authority is dissolved and that is one of those Ordinances that I mentioned in Section 2 of your Ordinance or Section 3 that will have to take the joint efforts of the Auditor, Civil Service, Law Department and other Departments to bring back to you to do appropriately. So if the vote is, with whatever amendments I bring back to you to dissolve, there will be additional amendments and there will be additional complications that we cannot foresee yet because we are un, in these unchartered waters. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Any more remarks? OK, by, now by voice vote, all those in favor of this postponement say aye, opposed.

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: It is postponed. Ordinance 21.

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 118/2012** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE AGREEMENT WITH CASE FARMS PROCESSING, INC. AND CASE FARMS, LLC; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move we adopt Ordinance 21.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 21. Any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#21 ADOPTED AS ORDINANCE NO. 118/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance, what was it 21, yea Ordinance 21 has been adopted. Ordinance 22.

#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 119/2012** AN ORDINANCE ADOPTING THE CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2013; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President I move we adopt Ordinance #22.

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MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 22. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#22 ADOPTED AS ORDINANCE NO. 119/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 22 is adopted. Ordinance 23.

#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 120/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE EASEMENTS IN CONJUNCTION WITH THE HARTVILLE/LAKE TOWNSHIP WATER MAIN EXTENSION PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President I move we adopt Ordinance 23.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 23. Any remarks?
Roll call.

NO REMARKS

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

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

#23 ADOPTED AS ORDINANCE NO. 120/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 23 has been adopted. Ordinance 24.

#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 121/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH ONE COMMUNITY TO CONSTRUCT FIBER OPTIC COMMUNICATION LINES WITHIN THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President I move we adopt Ordinance #24.

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MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 24. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#24 ADOPTED AS ORDINANCE NO. 121/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 24 is adopted. Ordinance 25.

#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 122/2012** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE THE FINAL CHANGE ORDER (#2) FOR THE 2011, CITY PAVING CONTRACT NO. 2011-50, GP 1162 WITH CENTRAL ALLIED ENTERPRISES IN THE AMOUNT OF \$15,000.00; AUTHORIZING THE CITY AUDITOR TO PAY \$15,000.00 TO CENTRAL ALLIED ENTERPRISES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President I move we adopt Ordinance 25.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 25. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#25 ADOPTED AS ORDINANCE NO. 122/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 25 is adopted. Ordinance 26.

#26. (3RD RDG) **ADOPTED AS ORDINANCE NO. 123/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONSULTANT CONTRACT WITH GLAUS, PYLE, SCHOMER, BURNS & DEHAVEN, INC. FOR ENGINEERING SERVICES RELATED TO THE MAHONING ROAD CORRIDOR (MAPLE TO GRACE), GP 1103; AND TO APPLY FOR AND RECEIVE GRANTS PERTAINING TO THIS PROJECT; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4566 MAHONING ROAD CORRIDOR PROJECT, GP 1103 FUND; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY

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PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President I move we adopt Ordinance #26.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 26. Roll call. I'm sorry, any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#26 ADOPTED AS ORDINANCE NO. 123/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 26 is adopted. Ordinance 27.

#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 124/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE A STORM SEWER EASEMENT AGREEMENT WITH DEVILLE DEVELOPMENTS TO REALIGN AN EXISTING STORM SEWER OWNED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin..

MEMBER GRIFFIN: Mr. President I move we adopt Ordinance #27.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 27. Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#27 ADOPTED AS ORDINANCE NO. 124/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 27 has been adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM DOUGHERTY: Announcement of Committee meetings.

MEMBER COLE: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cole.

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MEMBER COLE: Finance will meet 6, at 6:30 August 27th.

MEMBER SMITH: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Smith.

MEMBER SMITH: CD will meet also the 27th at 6:30.

PRESIDENT PRO TEM DOUGHERTY: Yes and Property and Capital Improvements will also meet that evening at 6:30.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM DOUGHERTY: Now under Miscellaneous Business.

MEMBER FISHER: Mr. Fisher.

PRESIDENT PRO TEM DOUGHERTY: Yes sir, Mr. Fisher.

MEMBER FISHER: I just wanted to quickly thank Director of Development Fonda Williams for the work you did on, on securing an agreement with the Ordinance on tonight's Second Readings with GE Oil and Gas. I know it's, obviously we don't have the language down yet but we have a verbal commitment to use local construction on the facility they're going to do on the Mills Industrial Park and I know that I was all over Fonda or Director Williams from the time this first came up. I noticed some others were and he did an outstanding job getting that done. I think it's a great precedent going forward. Thank you.

MEMBER MORRIS: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Morris.

MEMBER MORRIS: Yes sir. Thank you. A few questions for Safety Director Ream in regards to a conversation that him and I had, had a while back at a Neighborhood Association meeting. We had discussed the possibility of bringing back the Gang Task Force and you were very reluctant to go along with that but I would like to share with Council what the past couple of weeks around my house has been like. On Thursday, July 19th over 20 rounds were put in the house catty-corner to my house. OK, of course I've had nice conversations with Bruce Lawver. The we turn around and at 1100 block of 14th Street at 6:30, we have 10 rounds pumped into a house, then they come back at 1:30 and they pump more rounds into the same house, injuring two. Thursday, August 9th, 19th and Gross, 1 man shot three times. Then, Sunday, August 12th, just this, the other day, they walk up on somebody's porch across the street and they shoot at one of my neighbor's house. I talk to the Chief. There pounding the pavement. They're out there, they're out there and I tell you what, last night at midnight 20 more rounds into the house across the street from my house. They know it's gangs. The Repository puts, quotes a Captain as saying, "We're not sure if they're related." They know they're related. We've got witnesses that these are related. We know which gangs are going at it and when my own wife is scared to death, I mean seriously, what is it going to take. I mean if I have to be the only Councilman to stand up and say, let's go after an income tax. If I don't get re-elected because I say we need an income tax to increase our safety forces at least when I'm not on Council anymore, I can sit on my porch and be safe. Thank you. (APPLAUSE)

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PRESIDENT PRO TEM DOUGHERTY: Member West.

MEMBER WEST: Yes, let me start out with thanking Zutali. Zutali, I asked him to help me on Logan, to help the crime watch area over there start a Neighborhood Association and he effectively did that, so I wanted to publically thank him. The new Association will be called LANA and on the 24th they're going to have their first movie night over there on Logan Avenue so make sure you guys support it. It's called LANA, Logan Area Neighborhood Association so I wanted to thank him. Secondly I want to give kudos out to the Hall of Fame. I think they did a superb job. I think a lot of the city officials throughout the whole week or two weeks did an excellent job and I wore my Canton shirt proudly so, Cindy, I bought a shirt from Cindy. I think every Council Person needs to get one of them shirts. I was like the hit of the Hall of Fame because I had my Canton shirt on and it was sweet too. I looked good. I want to echo what Frank said also. I think you, I might look at it a little bit differently. I would like to see us be able to get some more funds, maybe out of the forfeiture funds to reignite CIRV to address some of these gang behaviors. I have talked to the Safety Director as well as the Chief and hopefully they're moving forward toward those type of actions but it's hard. It's hard for Council People's come back to answers to gun violence. When you're shooting rounds at houses in neighborhoods in my mind, this is terrorists. This is a terrorist act and we have to deal with this with bold action and it's not just the Police Department. It's going to take all of us as a community and a neighborhood to address this issue. I mean we can't just accept the fact that somebody's carrying a gun around town to playgrounds and to be able to address this stuff and we see it. We have to stamp it out and we need to support the police officers and their endeavors. So, I'm calling out to everybody. We need bold action and we need some resources to address this issue. I also wanted to talk about several months ago, we had a passionate group come to Council similar to the group that came today and they discussed our feral cats and our Animal Nuisance Control Officer and to date we do not have an Animal Nuisance Control Officer. Miss Ramsey talked about a dog running wild. I, the calls that I am getting is now increased. This past weekend one gentleman called about a bat in his house and I ain't going out and getting no bats. That's not my job. I want you all to know that. I didn't get no calls about cats but, any cat I do get a call, I call Toby and he takes care of it however, we still have to address the issue of wild, vicious animals and the dogs that are running freely throughout our community. So, I don't know who that would be with Service or Safety. If somebody could address that for me, I'd appreciate it. And go ahead and address that and I'll come back.

SAFETY DIRECTOR REAM: That would be me.

MEMBER WEST: Would that be you?

SAFETY DIRECTOR REAM: That would be me.

MEMBER WEST: Go for it.

SAFETY DIRECTOR REAM: As your Safety Director and we have not filled the position at this point. We had received a number from Member Cirelli that we've been giving to people to call if they have a nuisance animal complaint and this is the first that I'm hearing any feedback that, that has not been adequate for what we have at this point. So, I will have further conversations with Member Dougherty in regards to this and we'll see what we can do.

MEMBER WEST: So currently, we don't have free services. They charge a fee. Is that what I'm understanding.

SAFETY DIRECTOR REAM: I believe thanks correct, yes.

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MEMBER WEST: I think maybe I could sit down and talk to you about that further and see if we can come up with some kind of plan because I think when it comes, when we get the calls at late night hours, at dark, early morning, people want that addressed and you know, it's almost like another, before it was a benefit. Now it's like a tax or a fee and you know I hopefully we can eradicate that. The other thing I wanted to bring up is Miss Ramsey talked about Harrisburg Road. My understanding is that is going to get paved this year and that's on the paving list between 12th and 19th so, I'm pretty excited about that and I think she's still here isn't she? No, I think she's gone. OK, then I think, oh no one more thing. Several, couple years ago, I think it was a couple years ago, we talked about consolidation of the Health Department and we also talked about consolidating the Building Department and we were supposed to get some documentation back about those consolidations and where they are at. Does anybody have information on where those are at and you know, what kind of cost savings analysis is there with the Health Department and Building Department. We're talking about the Park Department and saving money. I think it's important that we look at other departments as well. *(APPLAUSE)*

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes, Member Cirelli.

MEMBER CIRELLI: Thank you sir. Question to Safety Director Ream. As we heard the two speakers, they had people that they were there on house arrest and their homes were being shot up. Is there somewhere where people on house arrest when something like this occurs, is there a place that they could go that you know, there's all kinds of different organizations and what have you. If there could be someplace that they could go and still be under house arrest, at least their families wouldn't be jeopardized. You know when you hear about other little children and other adults just because one person committed a crime, is that some, where can we, how can we handle that sir? Is there some way?

SAFETY DIRECTOR REAM: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes sir.

SAFETY DIRECTOR REAM: I was going to comment on a couple different issues tonight. You guys kinda beat me to the punch here. First off, they would have to petition the Court on something like that. That's outside of the scope of what we have the responsibility for in the Police Department. The second thing, Mr. Morris, I don't believe I ever stated that I wasn't in favor of a Gang Task Force. I believe that at the time and with the situation that was present then, it was not conducive that we could man and maintain that with the staffing levels that we had, OK. Alright. Third is Mr. DiGiacomo. You came up and spoke about the Cuyahoga Valley Scenic Railroad. We've been in communication with their leadership for about the past three weeks and we've been discussing these issues and the Police Department is well aware of the problems that they've had and they're trying to address that. Reference these shootings that happened. I spoke with Member West last week. I spoke with Mrs. Johnson last week. I gave her number and referred her to the detectives that are looking into this, requested that they make contact. I can only assume at this point, that for them not to make that contact and follow through, there was operational reasons why they didn't want to do that. I'll check further with the Chief tomorrow. I know that they are quite aware of the violence that has erupted in this city in the past two weeks. They are working diligently. They are working overtime hours. They had a task force out this weekend trying to quell this activity. We will continue to stay on it. They have my utmost confidence that they'll be successful in the long term but unfortunately sometimes these things do take some time. But the investigations are started, they're active. We have a presence out there and we will knock this violence down. Thank you.

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PRESIDENT PRO TEM DOUGHERTY: Any other remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.

MEMBER CIRELLI: If he might, Mr. Ream would you please tell people who polices the police so they understand that.

SAFETY DIRECTOR REAM: Sure. We have an Internal Affairs Department internally. If members of the community believe that, that is inadequate the State's Attorney General's Office along with the Department of Justice and the FBI always have the jurisdiction to come in and launch an investigations concerning civil rights violations against our Police Department.

LAW DIRECTOR MARTUCCIO: Mr. President, if I can dovetail on what the Safety Director said, there's also Citizen's Review Board in place that periodically, I believe quarterly, reviews the work that's done by Internal Affairs and it has included some of the community's past clergy and retired judges and people who are in Neighborhood Associations. They have actively looked at many of the cases that have been concluded by Internal Affairs and offered their critiques, concerns and suggestions from time to time. So there is oversight locally as well. It's not binding but should it prove to be flawed then it can go on to the steps the Safety Director described.

PRESIDENT PRO TEM DOUGHERTY: Anything else? Member Griffin.

MEMBER GRIFFIN: Mr. President, I move we adjourn.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adjourn. Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT PRO TEM DOUGHERTY: *(Gavel falls)*

ADJOURNMENT TIME: 9:12 P.M.

ATTEST: AUGUST 17, 2012
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: AUGUST 17, 2012
DAVID R. DOUGHERTY
PRESIDENT PRO TEM