

MINUTES OF THE MEETING FEBRUARY 6, 2012

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

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present.

EXCUSING MEMBERS

PRESIDENT PRO TEM DOUGHERTY: Member Barton, I'll recognize a motion to excuse President Schulman.

MEMBER BARTON: Mr. President I make a motion to excuse President Schulman from tonight's meeting.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to excuse President Schulman from tonight's meeting. Are there any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Motion carries. President Schulman is excused from this meeting tonight. We'll have the invocation given tonight by our Council-at-Large Member Mary Cirelli. Please remain standing for the Pledge of Allegiance.

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

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM DOUGHERTY: Now under Agenda Corrections and Changes. Member Barton.

MEMBER BARTON: Mr. President I move Rule 22A be suspended to add 2nd Reading Ordinances 8 through and including 16.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Moved and seconded to Suspend Rule 22A to add Ordinances for the 2nd Reading. Are there any remarks? Roll call.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM DOUGHERTY: We're now under Public Hearings. We have none scheduled.

OLD BUSINESS

PRESIDENT PRO TEM DOUGHERTY: Old Business, Mr. Price.

SERVICE DIRECTOR PRICE: Thank you Mr. President. Under Old Business we had a number of speakers last week, January 30th there that you will recall spoke about their concerns and the city's animal control situation. I did brief Safety Director Ream on that when I was here for the meeting but we talked that over. I guess in terms of how Council's going to handle that situation, I defer that to Member Barton who's the Chairman of the affected Committee. There is, there was one other speaker, Wayne Jamerson regarding a parking issue. Our understanding is there was likely a complaint received. You know, where he was parked did technically violate our Ordinance otherwise there wouldn't have been a ticket issued. I don't believe our officers go out looking for that sort of thing so I, we believe that was in response to a complaint call. That's all I have for Old Business. Thank you.

PUBLIC SPEAKS

PRESIDENT PRO TEM DOUGHERTY: Thank you. We're now under Public Speaks and we have 17 people signed up tonight to speak, so without saying we will be strict on the three minutes. First speaker tonight is Toby Franks. Welcome.

TOBY FRANKS: Thank you, thank you Council, Mayor Healy. My name is Toby Franks. 401 Ohio Blvd, Louisville, 44641. I'm speaking on behalf of AlleyCat Allies again tonight. There was an issue reference last week, the bird issue in regard to the animal control, feral cat larger issue, so I want to address that specifically. There are, those in the bird advocate community, now all but some pro bird people are anti cat people as well and some of these advocates still drag out the kinda retired cat vs bird arguments. Cats are threatening to bird species. It's kind of a cat vs bird thing. AlleyCat Allies believes in the humane treatment of all animals, dogs, cats, birds as well. Actually I rescue birds as well. I'm in the downtown area here a lot and I actually specialize in kestrels, so if you have a kestrel issue downtown let me know. So, we don't discriminate against a particular type of animal or pit one animal against another or anything like that. It kind of goes against our humane ethic and I think it goes against the humane ethic of most people. There are some cat vs bird studies. There's kind of a handful of them. I've prepared an orange folder that includes the studies that the anti cat pro bird people point to a lot and those studies report to prove that cats are a threat to bird populations so those studies are actually in those orange folders and it also contains the rebuttal articles and research that have come out to disprove those. These cat vs bird studies have been debunked and over the years and some of them by their own authors. I think you'll find that the Wisconsin study, one of the authors of that actually debunks his own story a couple years later. But anyway, that's not what AlleyCat Allies is about, pitting one animal against another. All national animal welfare organizations endorse, promote and implement trap, neuter, return as the only proven effective method for controlling feral cat populations. The Human Society of

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the United States, the ASPCA and obviously AlleyCat Allie's. TNR's not a theory, it is a proven method being implemented all over the country for the humane and effective control of feral cat populations. I'm not gonna, I'm not so naive that I'll pretend that an occasional feral cat doesn't hunt and kill an occasional bird but, cats are far and away primarily rodent hunters. They're terrestrial creatures. It sounds fatuous. They have four legs and they walk around on the ground. They can't fly. Cats are the most effective form of rodent control on the planet actually but, you know, we can't kid ourselves. There are a lot of threats to birds out there...

PRESIDENT PRO TEM DOUGHERTY: Mr. Franks, approaching three minutes. Bring your remarks to a close.

TOBY FRANKS: I'm sorry.

PRESIDENT PRO TEM DOUGHERTY: Bring your remarks to a close please.

TOBY FRANKS: Yes sir. Things like habitat loss. The destruction fragmentation of habitats, chemical run offs, pesticides, herbicides, all those kinds of things are threats to bird populations. There are 66,980 feral cats in Stark County. Last year Canton animal control exterminated 400 cats so 66,980 minus 400 equals 66,580 cats.

PRESIDENT PRO TEM DOUGHERTY: Again Mr. Franks...

TOBY FRANKS:so Canton animal control reduced the feral cat population....

PRESIDENT PRO TEM DOUGHERTY: Mr. Franks.

TOBY FRANKS: ...by .6% and I just ask if that is a....

PRESIDENT PRO TEM DOUGHERTY: Mr. Franks...

TOBY FRANKS: ...a true impact.

PRESIDENT PRO TEM DOUGHERTY: Please sit down. (*APPLAUSE*) Steven Silver.

STEVEN SILVER: Good evening.

PRESIDENT PRO TEM DOUGHERTY: Good evening.

STEVEN SILVER: I also would like to speak on the animal control issue. I don't know all of the facets of it but as a tax paying citizen of the city, I would like to ask City Council to look seriously into alternative ways to handle stray or feral cats. Your current legislation that provides animal control service is extremely inhumane as it leads to most stray cats being euthanized. From the figures I have seen, it seems 399 cats were caught by your current animal control services last year and then taken to the Humane Society who has a policy of euthanizing stray or feral cats. Stray or feral cats are not the problem, people are the problem. Those stray or feral cats do not ask to be put into the life that they were put into. People somewhere down the line

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caused the problem, as you are all well aware of. People need to humanely take care of these animals. I don't know enough about the trap, neuter, return program to talk about it but I would much rather the government for the city in which I live and work, use a solution like this rather than the current solution that ends up causing euthanasia of animals. These cats want the same thing that any of us want and that any of our pets you have ever lived with want. They have a right to live and breathe and I believe it to be unconscionable that the city of Canton government would condone such action. As for the Humane Society and their inhumane policy of dealing with stray and feral cats, I believe this is not the policy the city of Canton need to align themselves with. I don't believe euthanasia is the correct answer. We do not have the right to play God for any reason especially to some animals that are just trying to live that have been put in their current situation by man. People do terrible things to animals and everyone of you on Council should absolutely abhor what happen to the stray and feral cats that your animal control policy caused last year. Allowing these animals to live and staying or neutering them is so much more humane, something every one of you on Council resp..., representing the citizens of this city should take in stock and promote. According to what I've read, being killed in an animal shelter is the leading documented cause of death for cats in the United States. I ask each of you to please take a long look inside yourselves and ask yourself if last years solution was really the correct answer. I hope and I pray that you will not repeat the same policy you had last year but will find a humane way to deal with stray and feral cats that will help the citizens of this city and that will help those stray and feral cats. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*) Sharon Garrett please. Good evening.

SHARON GARRETT: I'm just as passionate...

PRESIDENT PRO TEM DOUGHERTY: We do need the name and address please.

SHARON GARRETT: I'm sorry.

PRESIDENT PRO TEM DOUGHERTY: That's OK.

SHARON GARRETT: I'm sorry. I'm a little worked up. My name is Sharon Garrett. I live at 1718 14th Street SE, Canton, Ohio and the reason I'm here today is to support our animal control. I have personally used it myself. I feel for the people that want to protect the cats but here in Canton we have a problem, a major problem with skunks. They're about to take over the whole city. Now which one is more important to me a cat or a skunk. If people stop feeding a lot of these cats and stop throwing them out in the street, there may not be as many of them. The people that's here today to talk about the feral cats and the population and what's being done, I want them to rally to get people to adopt them. But don't take away from me the fact that I can call the animal control when I have a problem in my neighborhood with skunks and raccoons. The skunks tore up my whole back yard last year. I did call animal control and he came out efficiently, not only that it was like on a Saturday when he came. He came back Sunday morning to take and check on the traps. This is something that I think we need in the city of Canton and I'm a taxpayer also. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*) Joe Thompson.

JOE THOMPSON: Good evening. My name is Joe Thompson. I live at 318 Schwalm Ave NE, Canton,

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Ohio. I've been a resident there for 38 years. I'm here to discuss the changing of location of the 4th Ward polling place by the Stark County Board of Elections, from 1804 East Tusc., St. Paul's AME Church location to the 1844 Ira Turpin Way location, 1.92 miles away, bordering the 2nd Ward. As a matter of fact, the two Wards polling places are now combined which will be even more confusing. Combining Wards 4, 2 and 4 together for voting purposes is not good. I just left the Stark County Board of Elections meeting in order to get some reason for this change and I was given no reasonable explanation except that there was no handicap ramp at St. Paul's, which there is and then I was refuted when I just, I was chastised for even bringing that up and it went downhill from there. I tried to explain that this makes it harder for people to get to the polls, the polling place and I was told that they can take the bus. I asked them why wasn't this done before and I was told that they were just told to do this due to the budget restrictions and the new Congressional redistricting and I said, you got enough money to buy polling booths and stuff and spend millions of dollars on something that halfway works but you don't have enough money for us to have a place to vote close to our homes. I asked also why this move wasn't discussed with the voters and I was told that they didn't have to and nothing I could do would change it. This is fascism to me, not democracy and it's reminiscent of the Gem Crow Laws. You got to try, we have, we now have to travel about 2 miles to our polling place across a major industrial thoroughfare and railroad crossings, past an industrial refuse center to an almost isolated area. This is confusing voters by and, confusing voters by combining Wards in 2 and 4 together. They never discussed this with anyone with whom it affects. Making use of the original poll place at the Monroe Center which Director Joyce said she would welcome to have polling there at no expense. They can't do that because they said they don't have enough space to park there and Chris brought up that they could use the, what is that, the clinic. The Community Clinic. They said that they didn't even look at it. What scares me the most is the fact that I'm a veteran. I fought for this country. I come back home and I find out that our rights and everybody here's rights are slowly but ever so slowly being taken away by politics and politicians who don't care about us. Thank you. (*APPLAUSE*)

PRESIDENT PRO TEM DOUGHERTY: Welcome. Jill Kirsch. Good evening.

JILL KIRSCH: Hi. I'm Jill Kirsch. I represent Cripple Creek Ferals and Friends, 948 Pontius NW, Hartville. I'd like to address Council's concerns regarding the quality of life of a feral cat that was asked of us last week. Feral cats that have been trapped, neutered and returned are vaccinated against cat specific diseases as well as rabies. Most cats at the time of surgery are also wormed and treated for fleas and ear mites. Some may also be tested for leukemia and FIV as well in which case they may be euthanized before, instead of being returned. This, being spayed and neutered decreases or eliminates a lot of health issues such as pyometra, which is a deadly infection of the uterus that spayed animals will not get. Mammary tumors, ovarian or uterine cancers, testicular cancer and prostrate disease. Cats that have been trapped, neutered and returned have caretakers that provide shelter, food and look after their health needs. Just because they're not living indoors on a couch, does not mean they have a lesser quality of life. The American Bird Conservancy states on their website that all ferals should be put in enclosures, adopted into loving homes, or killed. None of these are viable options. Trap, neuter and return and methods to discourage animals both cats and wildlife are available. The benefits of trap, neuter and return are not only health related. The nuisance complaints often come from cats fighting, yawling, spraying as well as the many unwanted kittens. Cats that have been trapped, neutered and returned no longer have the need to fight, yawl from being in heat or roam the neighborhoods marking their territory. With no longer a need to roam, this also cuts down on cats being hit by cars. This is an opportunity for the city of Canton to do what's right for the animals. Taking steps in the right direction involve no longer

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trapping and killing the cats but embracing a trap, neuter, return program. The Rascal Unit is a mobile spay, neuter clinic that can be sponsored with absolutely no cost to the city other than postage and printing. I have included information regarding the Rascal Unit in the information that I passed out. The city could easily sponsor a unit once a month, if not more, to enable people to spay and neuter their pets on their own while being affordable. This in turn will cut down on the nuisance calls and the number of animals taken in to local shelters. We have not been provided with any actual statistics from our local Humane Society as how many of these animals were actually kept at the Humane Society as opposed to being euthanized.

PRESIDENT PRO TEM DOUGHERTY: Ma'am please bring your remarks to a close.

JILL KIRSCH: I have provided information on the Rascal Unit to all of you and would be happy to help coordinate it. I have also included information on East Canton's current spay, neuter program for feral cats, as well as information about the Humane Society of Greater Dayton offering free spay and neuter to cat colony caretakers.

PRESIDENT PRO TEM DOUGHERTY: Thank you ma'am. Karen Kirsch please.

KAREN KIRSCH: Karen Kirsch from Marlboro Township. While I adamantly oppose renewing Phil Sedlacko's contract to trap...

PRESIDENT PRO TEM DOUGHERTY: Need your address ma'am.

KAREN KIRSCH: Oh, sorry. 9994 Byers Road, Louisville.

PRESIDENT PRO TEM DOUGHERTY: Thank you.

KAREN KIRSCH: While I adamantly oppose renewing Phil Sedlacko's contract to trap and kill cats and wildlife, I want to specifically address the wildlife issue. I do not propret to be an expert in wildlife management myself but as a freelance writer for many agricultural and environmental magazines, as well as for Michigan's largest hunting and fishing journal, I'm associated with people who are experts in that field. As such, I know that there are humane alternatives regarding alleged nuisance wildlife and I would urge Council to consider these options. According to the 2011 report, in addition to 399 cats, Mr. Sedlacko trapped and killed 275 wild creatures. Of this figure 110 were raccoons, 23 skunks, 56 possums, 83 ground hogs and 3 squirrels. These figures represent not only a lot of senseless and needless destruction of life but, a lot of senseless and needless waste of taxpayer dollars and as elected officials I presume that is your bigger concern. I question the logic of city intervention regarding nuisance wildlife which in most cases should be the complainant's responsibility not government. Ohio Division of Wildlife provides information on all Ohio Wildlife and advice on how to discourage it. They also provide contacts for license trappers to, specific to sections of the county. This allows the caller quick access to someone in that area. ODOW's advice and reference service is free. The caller is responsible for paying a trapper if that route is chosen. Aside from common sense precautions like securing entry points and cleaning up whatever attracted the animals in the first place, there are simple and effective methods that will encourage the unwanted visitors departure, like placing ammonia soaked rags in the area, radios, lights and even switching from wild bird seed to black sun flower seeds for example. In the case of possums, 56 of which were killed last year alone, and that doesn't count the joeys that might have been in the pouch, North America's only marsupial is not only harmless but a nomad that provides a valuable ecological service. The staple of possum diets is carrion. Their carcass

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consumption removes dead animals that could otherwise present health threats to humans and pets. Rabies and other viral infections are almost non-existent in possum. I've provided copies of one of my published articles on this maline species for anyone interested in learning facts. I point this out because irrational fear of beneficial wildlife like opossums illustrates societies disconnect with the natural world. Officer Vickie Davis in Massillon is....

PRESIDENT PRO TEM DOUGHERTY: Ma'am please bring your remarks to a close please.

KAREN KIRSCH: Officer Vickie Davis in Massillon is an exceptional model of effective animal management including wildlife. In addition to her hands on duties, she also provides citizens with a list of tips on ways to minimize or eliminate perceived problems. Vickie has stated that she would be happy to share how she effectively and economically....

PRESIDENT PRO TEM DOUGHERTY: Thank you ma'am. *(APPLAUSE)* Leroy Lynch. Leroy Lynch. Good evening.

LEROY LYNCH: *(Interpreter used)* Hi there. *(Inaudible)*

PRESIDENT PRO TEM DOUGHERTY: Name and address.

LEROY LYNCH: My name is Leroy Lynch and I live at 3911 Highland and I worked for the city of Canton for 33 years in the Water Department and I'm sure that you guys have seen me in the paper back on Saturday. I don't agree with the report. I don't think it was as accurate as it could be. When I retired, no one had given me an interpreter. I was not given access to the communication. If they said that, if I left, I could, but they didn't say that I couldn't go back. There was nothing written down, nothing explained to me during this entire process and it's very frustrating to me. And it seems like a waste of time. The 33 years that I put into the city of Canton seems like a waste because of how they treated me. As a deaf employee, it's not fair. Thank you very much.

PRESIDENT PRO TEM DOUGHERTY: Thank you. *(APPLAUSE)* Joy Wagner. Good evening.

JOY WAGNER: My name is Joy Wagner. My address, my home address is 4130 Belden SE, Canton Township. My law practice is at 1435 Market Ave North in the city limits. I just wanted you to know I wasn't a outsider. With respect to the animal control issue, first of all, the wildlife. In addition to Ohio Department of Natural Resources Wildlife Division which has an extensive website as another speaker also mentioned and also has a list of wildlife rehabilitators by county including someone in Stark County and two individuals who are in Summit County that can be a resource not only for the city but also for the citizens of the city of Canton. There's also the Wild, Ohio Wild Center in Powell, Ohio that has a wonderful website that provides helpful information to the public regarding various types of wildlife including raccoons, deer, birds and opossums. They have a wildlife hotline which someone actually answers or there is a recording that provides more specific information such as what to do with orphaned animals and allows you to leave a message for a call back. I spoke to them this evening. They assured me that they would be perfectly happy with the city of Canton giving out their phone number even though they are located in Franklin Township, they have a hotline that would provide information to any citizens in the State of Ohio. They also have a fee based extension called Humane Wildlife Solutions, which is a non-lethal, which provides non-lethal solutions to wildlife, human conflicts. They will actually come out to an individuals home, assess the situation, see if

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there's something the homeowner can be doing to keep the wildlife out of the area or for the wildlife to move out. With regard to feral and free roaming cats, I urge you and other members of Council to attend the Peace for Pets, our next workshop on trap, neuter, return, everybody has a flyer, which will include the history of trap, neuter, return and why it works. Establishing good community relations and management of the colony. The workshop is on March 10, 2012 at 10:00 at Dr. Pamela Fisher's holistic veterinarian practice on Wales Road. Instead of the city of Canton wasting in excess of \$30,000.00 for a trap and kill policy, we are asking the city to join New York City, Baltimore, Maryland, Miami, Florida and other major cities implementing aggressive, humane animal policies and programs. Instead of following the city of Akron which has brought national fame and shame to this area with it's trap and kill cat program. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. *(APPLAUSE)* Dana Ray. Dana Ray. Good evening.

DANA RAY: Hi, I'm Dana Ray. My address is 1891 Nichols Road, Akron, Ohio. Thank you very much. Last week when we talked, once again it was about the birds and so I did a little research. Michael Mountain, one of the founders of Best Friends Animal Society in Utah says there's no evidence that feral cats are to blame for the decline in the bird population at large. Ferals are savvy. They don't have enough to eat and they have to live like wild animals so the last thing a feral cat wants to do is to waste his energy chasing birds. Instead their diet consists of mice, insects, lizards or other burrowing animals. The decline in some bird populations is caused by many factors including habitat loss, pollution, pesticides and window strikes. Julie Levy, Director of Matty Shelter Medicine Program at the University of Florida says the answer to permanently reducing the wild cat population is through TNR method. In a study conducted by Levy over an 11 year period she found that cats lived an average 7 years after being spayed and brought back to their territory. Levy is also the founder of Operation Catnip, the largest TNR program in the country. Monthly spay and neuter clinics are held with a team of seven veterinarians and a staff of 30 volunteers can sterilize up to 150 cats within a few hours. Many programs like Operation Catnip are backed by large scale public and financial support. Quick Fix in Medina, Ohio is one such operation that is backed by PetSmart charities. The California Veterinary Medical Association sterile cat altering program was awarded a three year, US \$9,500,000.00 grant to provide, from a private foundation. The program fixed feral cats throughout the state for free performing 170,334 surgeries. Getting the public to understand that spaying and neutering their pet will help in this reduction. There's an estimated that in the 7 year time span, one female cat and her offsprings theoretically can reproduce 420,000 cats. The people who help feed these feral colonies are not going to cooperate with those trap and kill programs. You have to engage the people who know where the cats are in any solution so you either harness this huge volunteer force to help in the solution or you can go to war with it.

PRESIDENT PRO TEM DOUGHERTY: Thank you. *(APPLAUSE)* Kathryn Ramsey. Good evening.

KATHRYN RAMSEY: Good evening. Thank you for letting me speak. My name's Kathryn Ramsey. I live at 2322 16th Street NE in Canton. Not to be disrespectful but, *(made sound of yawling cat)* did you ever hear this under your bedroom window at 2:00 in the morning when everybody is sound asleep and these cats, I mean, you've got this one cat in the middle of 16th Street being gang raped by all these male cats that are out there and my granddaughter has to get up at 5:00 in the morning and trying to go to work and I'm, I'm retired, I'm 75 years old, thank you Jesus and I can't sleep for them. Please don't do me any favors by returning them to my neighborhood. Take them to your neighborhood. I have had to call Mr. Sedlacko many times. *(APPLAUSE)* This man has been such a gentle and a gentleman and he is so concerned and I. It just irks me to hear somebody say that he's killing them. I don't think that he personally puts a gun to the cats heads and kills them and you know, I'm a cat lover. I have two cats and two dogs and my dogs are licensed, thank you. The

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cats, something has to be done about these cats. Somebody dropped a stray off in front of my house. He hung around. I have the papers to prove it. Dr. Siler is dead but Dr. Turpac is still living. I spent almost \$2,000.00 on this cat because he was roaming and he's not my cat. He got hit by a car. He comes to my porch of a whole neighborhood, blood running out of his mouth and my granddaughter picks him up and rushes him to the emergency room. Somebody had already shot him. I had to pay the bill even though I told them he's not my cat. I paid the bill. I have pictures of him. I have the receipts. He's got a cast. We carried him to the basement to the litter box. Put your cats in the house and love them and feed them if you want them and if you don't, pray to God that you can do something to take care of this situation because Harrisburg Road and 16th Street sometimes are littered with the bodies of dead cats that just roam and they're hit by cars and trucks. Thank you. (*APPLAUSE*)

PRESIDENT PRO TEM DOUGHERTY: Thank you. Vicki Boatright.

VICKI BOATRRIGHT: Obviously our current policy isn't working to help her problem. A trap, neuter, release program...

PRESIDENT PRO TEM DOUGHERTY: Can I get your address please. Name and address.

VICKI BOATRRIGHT: My name is Vicki Boatright. I live at 332 ½ 4th Street in Canton. I speak to you as a counselor, as an advocate for children and as an advocate for animals. I also speak to you as a artist who has personally contributed to the redevelopment of downtown Canton with two murals depicting the bond that exists between animals and human beings. I am currently working on a third public art project along the same theme with funds provided to me by my community. Obviously this is an issue that the care of animals is of concern to Canton. In my 20 year career as a counselor with children, I saw clearly that there is a link between the maltreatment of animals and violence towards children. Considerable clinical research backs up my own observations. When animals are treated poorly, children are often treated poorly as well. As a counselor, I worked with parents, teachers and other child advocates to help children develop empathy and wise methods of problem solving. My objection to the renewal of a contract for a very inhumane and ineffective feral cat control practice follows the trajectory of my purposes. I believe that we must set an example for our children in our actions and in our public policies. Trap, neuter, release has been proven to be the most effective, efficient and humane method of managing feral cat problems. There is ample research to back that up. We shouldn't even be having this conversation when we're talking about something that is effective, humane and efficient. We often talk of attracting young professionals to Canton as a place to make their home. With the documented rise of pet ownership among young professionals, progressive cities are working to become more animal friendly communities. What is Canton doing? We are known, whether we like it or not, we are becoming known for killing cats. As a result of this contract renewal issue, pet writers across the country have already begun to blacklist Canton. We are getting a bad name. We are on their radar. This issue is not simply about whether or not to appease some bleeding heart animal rights activists.

PRESIDENT PRO TEM DOUGHERTY: Ma'am please bring your remarks to a close. Thank you.

VICKI BOATRRIGHT: I will. This issue is about how we as a community demonstrate the empathy and wise problem solving that we desire our children to embrace. It is about the economics of making this city a place where people want to live. I urge you to stop this ineffective and cruel practice....

PRESIDENT PRO TEM DOUGHERTY: Thank you ma'am.

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VICKI BOATRIGHT: ...of killing cats today and show our children what empathy and problem solving is all about. Thank you. (*APPLAUSE*) James Parker.

JAMES PARKER: (*From the gallery*) I believe that the (*inaudible*) part of the meeting states that if I've spoken four consecutive times....

PRESIDENT PRO TEM DOUGHERTY: James Parker.

JAMES PARKER: (*From the gallery*) Yes sir. Just trying to obey the rules of the meeting.

PRESIDENT PRO TEM DOUGHERTY: James Parker.

JAMES PARKER: You know it takes less muscles to smile than it does to frown. Good evening. Dear Mr. Mayor....

PRESIDENT PRO TEM DOUGHERTY: You're not giving me anything....

JAMES PARKER: ...Canton City Council Members and Council Leader Dougherty. Thank you to Assistant, oh, James Parker. 603 Penny Street SE, North Canton. Thank you to Assistant Safety and Service Director Derek Gordon for the first published response from the Mayor's office regarding Canton's need to improve marketing concepts in relation to Canton's status as the birthplace of the NFL and home to the original Superbowls. As an engine for economic recovery, I refer you to this week's Sports Illustrated. More young mavericks like Derek Gordon are needed for Canton to make a quantum leap forward regarding our sports/tourism sectors development. While claims are made about steps being taken to fill voids, some voids are perpetuated when colored triangular pennants are about to be ordered for the 17 odd flagpoles at the Central Plaza that are under City Hall's domain. On Friday, February 3, 2012 and today, I had the privilege to speak with Cliff Graves the newly appointed Building Maintenance Supervisor of City Hall. He was about to order the afore said pennants. They same kind I've complained about all along for a year now. Not anything that would designate and prove to the citizens of Canton that a see change has occurred. Whereas blue, yellow, red, white small triangular pennants are not how we properly identify Canton as the Pro Football Hall of Fame City. On the flagpoles of Central Plaza next to our American flag. Last year upon complaining that these generic pennants conjure the looks of a used car lot at best, they eventually were replaced by Red Cross flags for the entire summer, only to be changed over to Goodwill Industries flags flown until worn threadbare and removed just last week. My question to everyone on Council. What emotion does a Goodwill Industry flag evoke in you or you or you. Poverty. A used clothing store perhaps. I can understand Red Cross or Goodwill Industry flags flying during a fund raising event but to leave them displayed until noticeably tattered. Adding insult to injury, just as many dingy Goodwill flags waved high above and much more prominently from those poles while the McKinley Bulldogs flags draped below from underlying lampposts during rivalry week. Not proper respect nor good flag etiquette in my opinion. This is in stark contrast to the heraldry by which the Massillon tigers signify their espreed decor. Our oldest and greatest rivals had 10 times or better their display of team spirit with a huge banner that spanned across Lincoln Way. All across the Viaduct and yet we still beat them three times. Please, let's try to care more about the impressions that are left upon the minds of people who view the Central Plaza....

PRESIDENT PRO TEM DOUGHERTY: Mr. Parker...

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JAMES PARKER: ...an area that millions of dollars have been spent improving considering ground zero...

PRESIDENT PRO TEM DOUGHERTY: Will you bring your remarks to a close?

JAMES PARKER: I've timed this to three minutes, your timing is incorrect. Solutions could Mr. Price or Mr. Gordon please inform Cliff Graves that it's OK for him to order...

PRESIDENT PRO TEM DOUGHERTY: Thank you. Your three minutes are up. Gavel bangs.

JAMES PARKER: ...Pro Football Hall of Fame logo flags. I will be back next week.

PRESIDENT PRO TEM DOUGHERTY: Good. Peggy Easterling.

JAMES PARKER: Excuse me. Wrong time lapse.

PRESIDENT PRO TEM DOUGHERTY: Peggy Easterling. I don't think you're running this meeting.

JAMES PARKER: *(Inaudible comment)*

PRESIDENT PRO TEM DOUGHERTY: Good night. Good evening.

PEGGY EASTERLING: Hi there. My name's Peggy Easterling, 3117 7th Street SW, Canton. I'm afraid I'm not going to be very popular here. My family has owned and lived in the same house on 7th Street SW for almost 60 years now. Homeowners and responsible renters who live in the core of Canton city limits have many challenges and our numbers are also falling and we're not discussing all those other challenges here tonight, I understand that but I am here to implore City Council to not add to our struggles to maintain a decent life style. About 18 months ago the house directly next to mine, shared driveway house, was visited by the Health Department and animal control. They removed over 20 cats and kittens from inside them home and another dozen or so escaped into the neighborhood. Some were retrieved in live traps but most were not. It was obviously an animal hoarding situation and I will not give you the details but it was bad. Currently I can identify at least 10 different feral cats that are on my property at their will. They leave dirty paw prints on the cars. They urinate in my garage, on my deck, on my patio. They use my flower boxes and front yard for a litter box. They fight and yawl typically at night and they most certainly do carry fleas. My three dogs never had fleas in 13 years until the invasion of the feral cats. I designed my postage stamp property specifically to eliminate that possibility. I object to the trap, neuter, release program. Whether the feral cats are producing or not, reproducing or not, I don't want them on my property. I applaud the job that Phil Sedlacko does as Canton's animal control. He responds in a timely manner. He is always helpful and he is always courteous. Please, we need to retain the services of Phil Sedlacko and we need to allow him to continue to enforce the current procedures for control of feral cats. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you ma'am. Pete DiGiacomo. Good evening sir.

PETE DIGIACOMO: Good evening. My name's Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. I want to thank the administration and City Council for allowing us to speak. What I want to speak on here just for a second and that's going to be, it's on your agenda tonight for your 2nd Reading, it's number 11. It says Illegal Gun Interdiction. Illegal guns, not guns that are, you know, OK to have. The city of Cleveland,

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they have a buy back program. They've given them a food vouchers and anything else, they even publicize it on TV so it really looks good. You get a bunch of old rifles, shotguns, pistols that who knows how long they've had them in the closet, the cupboard, the basement, wherever. I'm a gun owner. I believe in the right to bear arms, definitely and to do that, you do not get the firearms out of the hands of the criminals. You have to come up with a program and I believe this may have a solution, I won't go into the whole thing because you all know about it but just to hand out money for people to turn in a firearm is not going to solve the problem. Criminals are not going to turn in their firearms. The way they get them, they steal them. They break into homes. They steal the gun owners that have guns, firearms in their house. You have to do something that's going to get the criminals, the felons, if you get 'em with a firearm, they're in a lot of trouble. It's going to take a little more effort to do it that way but that way you're getting the felons, you're getting the firearms off of the street. Please support it. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*) Mike Rukavina. Good evening.

MIKE RUKAVINA: Good evening. My name is Mike Rukavina and I live at 1706 Neimans Ave SE in Osnaburg Township. I'm a former Marine and retired Canton city police officer and a full time professional housing provider and real estate investor. Since 1985 I've invested between 5 and \$7,000,000.00 of my own money in the acquisition and renovation of numerous homes in the city of Canton with the idea of building a successful real estate investment business but I'm frustrated beyond belief and I'm here to share that frustration with you. On Friday of last week another one of my homes was broken into and vandalized. This is the 39th time in the last 41 months. Once about every 5 weeks and the 9th time for this particular home, that my homes have been broken into at an out of pocket cost to me between 100 and \$120,000.00 and no this is not covered by insurance. This particular home was only vacant for 2 ½ weeks. We just finished painting it on Wednesday, did a final clean on Thursday, had a tenant ready to move into tomorrow but since it was broken into I now have another \$2,500.00 worth of work to do to it. That is 100% of my cash flow for the next 17 months. I've been a victim of a crime in this city 39 times and there has never once been an apprehension of a suspect. The police do what they can but I know that it is next to impossible to catch these guys in the act and the various camera and alarm systems out there cost close to \$2,000.00 plus monthly monitoring systems and you can only cover one property at a time. At that cost, I might as well leave the doors open and invite the criminals in. Short of guarding my houses and, with a gun and shooting the intruders when they break in, I don't know what else to do. I'm open to suggestions. I'm currently paying someone to stay in this house 24/7 until we finish our work and get the tenant, new tenant moved in but that is now how it is supposed to work in the rental business. People are supposed to pay me rather than the other around. Beyond that, I'm frustrated with the state of the city in general. The criminal acts that I and some of the others have endured are only symptomatic of a bigger problem. As a former resident, police officer and current business man, I've witnessed firsthand a great deal of decline in so many areas. Canton went from 50,000 police incidents in the late '80's to 90,000 currently. Canton has a median household income of \$29,400.00 and a whopping 30% of the population lives below poverty. In 2010 the median home sale price in Canton was \$20,000.00. Canton home prices have declined in value between 40 and 60%, an amount that will not likely be recovered in my reigning career days. Habitat is your largest new home builder and Metro Housing is one of your largest landlords. Not only have I not raised rents in 7 years, but instead I am now dropping rents to get my houses occupied. I just to sell 5 to 10 houses per year but for the last 7 years, I sell one about every 18 months. Historically I've run about 7% vacancies where the national average is 14% but, mine has been running 15% for the last 3 years.

PRESIDENT PRO TEM DOUGHERTY: Sir please bring your remarks to a close.

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MIKE RUKAVINA: About 30 seconds thank you. Where I did 6 or 7 evictions per year for 10 years, the last several years, I've been now doing 20, 25 and 31 in 2011. Qualified rental applicants in the city of Canton are as rare as hens teeth....

PRESIDENT PRO TEM DOUGHERTY: Thank you sir.

MIKE RUKAVINA: Thank you. (*APPLAUSE*)

PRESIDENT PRO TEM DOUGHERTY: Veronica Dickey. Good evening.

VERONICA DICKEY: Good evening. I'm Veronica Dickey. I live at 4496 Noble Loon Street NW, Massillon, Ohio 44646. I know it was brought to my attention that last time two questions were asked. One was, don't feral cats live and die miserable lives? I thought they did as well. I thought a cat should be indoors until I learned and was educated about the trap, neuter, return program and then I found out that the outdoors is actually the natural habitat for feral cats and empirical evidence indicates that they can live long and healthy lives. A 2006 study published in the journal of Feline Medicine and Surgery found that of 103,643 stray and feral cats examined in spay and neuter clinics in 6 states from 1993 to 2004, less than 1% of those cats needed to be euthanized due to debilitating conditions, trauma or infectious diseases. In addition, the life span of feral cats compared favorably with the life span of pet cats who live indoors. A long term study published in the journal of the American Veterinary Medical Association in 2003 stated, of a trap, neuter, return program noted that 80% of the cats present at the end of the observation period had been there for more than 6 years, meaning that the cats life spans outdoors were comparable to the mean life span of pet cats kept indoor. The second question was concerning the songbird that feral cats keep going after songbirds. If you walk into my house, within a matter of 5 seconds you can find out that I am an extremely avid bird lover and opponents of trap, neuter, return often claim that cats belong indoors because they impact songbird populations. Science clears cats of blame and that they actually, these cats actually place important rolls in balancing the local eco system. Cats are scavengers so they're going to look for the easier source of food. A lot of times, it's garbage. If they're being fed, maintained in a colony, it will be food provided by people. If that's not there then they go after rodents, mice and rats. Endangered species are rarely on the menu. Although cats do occasionally prey on other animals, taking a bird here or there, doesn't necessarily impact the survival of the species. Evidence suggests that cats predation is often compensory predation. Preying on animals that, that animals caught by predators are generally weaker and more diseased.

PRESIDENT PRO TEM DOUGHERTY: Ma'am please bring your remarks to a close.

VERONICA DICKEY: And basically what these cats are going after, they're going after a doomed surplus and a lot of times we risk seriously harming both the environment and the species.....

PRESIDENT PRO TEM DOUGHERTY: Thank you ma'am.

VERONICA DICKEY: ...that we're trying to protect when we go ahead and we remove the cats because the cat, mice population....

PRESIDENT PRO TEM DOUGHERTY: Thank you ma'am.

VERONICA DICKEY:overcomes and we have a....

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PRESIDENT PRO TEM DOUGHERTY: Denise Dorland.

VERONICA DICKEY: ...problem. Thank you. (*APPLAUSE*)

DENISE DORLAND: Hi. My name's Denise Dorland.

PRESIDENT PRO TEM DOUGHERTY: Good evening.

DENISE DORLAND: I live at 1164 Filemena Circle, Louisville. People who call for someone to come pick up a stray cat, are under the assumption that the cat is taken to the Humane Society and put up for adoption. I know that's what I thought. After all, the Humane Society is a no kill shelter right? So of course I was surprised when I found out that feral cats are routinely trapped and destroyed. Actually surprised isn't the word. I was more shocked to tell you the truth because I really can't believe that anyone is still using the archaic method of trap and kill to control a stray cat population when all over the country TNR programs are being implemented with great success. So now we know that feral cats are euthanized because they are unadoptable. The question is who decides which cats are feral? A domesticated cat scarred and traumatized from being stuck in a trap can look and act an awful lot like a feral cat. Do you really want to run the risk of killing someone's pet. The solution is not to kill any cats but simply to trap, neuter and release them back into their environments. A few months ago I trapped three feral cats, had them neutered then released them. It was the first time I'd ever done anything like that. It's not rocket science but it does take time and it takes time to do it right. If you were to take the \$27,000.00 that you want to pay an animal control officer and subtract \$7,000.00 for traps and transportation costs, that would leave you with \$20,000.00 with which you'd be able to neuter approximately 330 cats. That's nearly as many cats as the 400 that you paid to have trapped and killed last year. I would like to propose that an animal control officer be hired at a reduced salary while the remainder of the money is spent on a TNR program completely run by volunteers. All you'd need to do is find 30 people who would be willing to donate 1 day a month to participate in a TNR program. I know that I'd be willing to donate my time and I bet there are a few others in this room who would too. Also, I'd like to know why the position of animal control officer is automatically awarded to Mr. Sedlacko year after year. Has he had special training which qualifies him to do this work? Why isn't this job being made available to the general public? I've also heard a rumor that there is a DVD that shows Mr. Sedlacko abusing an injured dog and I've heard that you've all seen it. I don't know if this is true or not, but I'd like to see it investigated. And lastly, I hope these forums haven't just been window dressing. A chance to let concerned citizens like me have their say, feel better and then go away because the feral cat problem is going away and neither are those of us who believe in trap, neuter and return. Thank you.

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

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM DOUGHERTY: We're now under Informal Resolutions. Madame Clerk Resolution 11.

#11. COUNCIL-AS-A-WHOLE: COMMENDING CHIEF DEAN MCKIMM ON HIS RETIREMENT. -
ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

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MEMBER BARTON: I move we adopt Resolution 11.

MEMBER BABCOCK: Seconded

PRESIDENT PRO TEM DOUGHERTY: There's a motion to adopt Resolution 11. Are there any remarks?

MEMBER BARTON: Mr. President, could we have that read please?

PRESIDENT PRO TEM DOUGHERTY: Yes.

CLERK TIMBERLAKE: *Whereas*, Dean McKimm was hired by the City of Canton Police Department as a Patrol Officer on August 27, 1979. After serving over 30 years on the department he retired on February 3, 2012; and *Whereas*, Before becoming Chief of Police, McKimm worked in a variety of departments while at the Police Department. In 1988 he was promoted from Patrol Officer to Sergeant. During his time as Sergeant he was assigned to the Detective Bureau and Patrol Division. On January 1, 1991 McKimm was placed on special assigned in Dispatch. On May 10, 1992 he was promoted to Lieutenant and was assigned to the Patrol Division; and *Whereas*, After serving three years as Lieutenant, McKimm ascended to Captain in April 1995. Captain McKimm was nominated and selected to attend the 189th Session of the FBI National Academy in Quantico, Virginia. On April 7, 2003 Captain McKimm was promoted to Chief of Police; and *Whereas*, As Chief of Police, McKimm collaborated with City Council, the Administration and the City residents to provide a safe and rewarding community in which to live and raise a family; and *Whereas*, Chief Dean McKimm performed his job with integrity, honesty, fairness and demonstrated strong leadership skills. Chief McKimm is a true professional in every sense of the word; and *Now, Therefore, be it Resolved*: that we, Member of City Council of Canton, Ohio go on record commending, congratulating and saluting **CHIEF DEAN MCKIMM** for his 33 years of dedicated service to the City of Canton and the Community. We appreciate your loyalty and leadership as you served the City of Canton. (*STANDING OVATION*)

PRESIDENT PRO TEM DOUGHERTY: Be right with ya here, Chief. Any more remarks? We need to voice vote on this please. All those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #11 PASSED BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Thank you. You want to make the presentation Member Barton. Come up to the podium please.

MEMBER BARTON: Chief congratulations. On behalf of the Council, it has been a pleasure to serve with you. You have always been there for us and the city and we hate to see you go but congratulations on the next phase. Thank you. (*APPLAUSE*)

PRESIDENT PRO TEM DOUGHERTY: You can come up and take some pictures. You can come up and go wherever you want to.

CHIEF DEAN MCKIMM: Just a couple quick words. I know Council has business and so I'll be brief. First and foremost I'd like to thank, thank Council and thank the citizens of Canton for what an extreme honor it really was

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to serve as, on the Police Department in all of my capacities. When I came on the department, I never dreamed that it would end like this but it certainly is my distinct honor to have been able to serve on the department as Chief. I truly appreciate the Resolution. It's a great honor and it's something I'd didn't expect but it certainly is appreciated but I feel like I need to be thanking people not people thanking me and so if you'll bear with me just a few seconds, I'd just like to take this opportunity to thank Council. All the Members of Council, past and present during my career. It was a real pleasure to work with you. I also want to thank Council staff. Truly helped me in my job. I like to think we worked well together. I tried to be attentive to all the complaints and you certainly did help me in my duties as well so that you also. Of course I want to thank my staff who, you know, the Chief as much as people might like, or even he might like to think that he gets things done, it's really his staff. It's, in my case, I had a great staff to work with. The supervisors were great as well and especially we had a great group of officers too. The officers are ones who really get out there where the rubber meets the road and make things happen. I can ask for things to happen as Chief but the officers and the supervisors actually have to do the work, so they certainly need to be recognized as well. The Law Department, another great asset throughout my career as Chief. I can't say enough about them. My assistant of course. She was great to work with as well. And the citizens. I have to say that while every position on the Police Department has it's good days and bad days, in the end it really is a pleasure, it really was a pleasure to work with the citizens and on the good days we were able to help them. On the bad days we were just able to take their complaints and hope that the venting helped somewhat. Course I want to thank my family. My wife, to do a good deed here, I want to recognize her for sticking by me and through the difficult times and the good times and shaking me a little bit when I need to get back on track and you did that well. I don't know how much good it did but she tried. Again I just feel like this is an extreme honor for me and I want to thank everybody who was involved in it and just thank you.

PRESIDENT PRO TEM DOUGHERTY: Stay there for a second Chief, OK. We got some people who might want to have some comments. Is there any comments from any of the Council Members?

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.

MEMBER CIRELLI: McKimm I wish you the best of luck. I can honestly say I have your cell number on my phone and I've used it...

PRESIDENT PRO TEM DOUGHERTY: Take it off.

MEMBER CIRELLI: ...in the past. Also your home number I believe, so I don't have that too often on some department heads but I really appreciate that, that you were there and did take those calls whenever maybe you didn't have to. Thank you so much for the citizens of Canton sir.

CHIEF DEAN MCKIMM: You're most welcome.

MEMBER HAWK: Mr. President.

MEMBER SMITH: Mr. President.

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PRESIDENT PRO TEM DOUGHERTY: Member Hawk.

MEMBER HAWK: Thank you. Chief, thank you very much for all you did for our city. I've worked with you on a lot of occasions and I've enjoyed every minute of it and I've found you to be just dedicated to our town and I can't thank you enough for what you've done for us. Thank you sir.

CHIEF DEAN MCKIMM: That goes in return too. You are certainly one of the more dedicated people that I've had the pleasure working with in my career as well.

MEMBER SMITH: Mr. Majority Leader.

PRESIDENT PRO TEM DOUGHERTY: Member Smith.

MEMBER SMITH: Yes, I know that I was probably one of the ones that bugged you everyday but I thank you so very much because you were always there for us in the 4th Ward and for the city and you always lead me in the right directions and you always took care of things and I certainly appreciate that and congratulations on your retirement.

CHIEF DEAN MCKIMM: Thank you, well....

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Good luck Chief.

CHIEF DEAN MCKIMM: Thank you.

PRESIDENT PRO TEM DOUGHERTY: Member West.

MEMBER WEST: Yes Chief, thank you so much for all your support over the years, over the last 8 years. Of course Ward 2 we have a lot of issues, a lot of problems and I can say you was always, you always responded to the calls and I really appreciate it and I wish you well in your future endeavors.

PRESIDENT PRO TEM DOUGHERTY: Chief I too want to thank you. You always worked very well with my Neighborhood Groups, Weed and Seed Initiative and we always seemed to be on the same page and that worked out really well. We got a lot done and you got some big shoes to fill and I hope that Mr. Lawver can do that and I think, I have a lot of confidence that he will and you're not going away so, we still need you around here and you still need to work, OK.

CHIEF DEAN MCKIMM: Yes. *(LAUGHTER)* I'll do that I promise. One more thing. Let me just say, you mentioning about Chief Lawver. I'm very, very comfortable and very, very proud that he is succeeding me. I have all the faith in the world in him and I'll do whatever I can to assist him and I also just want to make sure I recognize the administration. Mayor Healy, Safety Director Ream and Chief of Staff Warren Price. They've been invaluable to me as well. I've really enjoyed working with them and I think that over the past 4 years what we've done and all the departments in the city but, particularly the administration, what they've done to, to bring this city through some very tough times has been most remarkable. I'd like to recognize them.

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PRESIDENT PRO TEM DOUGHERTY: And Chief the Mayor has something he wants to present to you so if you can just hang loose.

CHIEF DEAN MCKIMM: Is it cash? (*LAUGHTER*)

MAYOR WILLIAM HEALY: Thank you Mr. President and Chief. You know, I shared this, we had a luncheon last Friday and I shared this information at the luncheon but you know, when I was running for office for the first time five years ago, there was a lot of challenges and turmoil in the Police Department, with the administration, unions, what have you and a lot of people were pointing fingers at who, what, where, trying to figure out where the problems were and I had an opportunity to meet you many times throughout the campaign and I just always got along great with you, felt that we were going to have no problem working together and I was looking forward to the opportunity to come in and try to help right the ship or be a part of that. And, you know, the first day that I was in office I was sworn in and then shortly after that, you sued me.

CHIEF DEAN MCKIMM: I did, I did. I remember that. My attorney actually sued you.

MAYOR WILLIAM HEALY: So with all the high hopes of things going well, you know, we kinda crossed our eyes in it, but the fact of the matter is, you know, we have actually had an absolutely fantastic relationship. I couldn't have been more happy and more proud of the work that you did, and the whole department. They had record setting years and many, in many areas in reference to fighting crime and reducing crime and a number of different categories. And, I tell ya, the working relationship we had and the ability that we had in reference to, to communicating and sharing our goals and visions, I just want to say thank for my first term in office from a safety standpoint, you made a difference and your entire department made a difference and I can't thank you enough for that. With that, today I do have a Proclamation that I'm going to give you because it's very similar in reference in repeating the information that's on the Council one in reference to highlighting your career at the time but from a personal standpoint, I just want to say thank you and congratulations and I very, very much appreciate everything that you've done in the last four years. You've been an outstanding Police Chief. I couldn't have had a better one.

CHIEF DEAN MCKIMM: Thank you very much. I appreciate that. (*APPLAUSE*)

SAFETY DIRECTOR REAM: Member Dougherty.

PRESIDENT PRO TEM DOUGHERTY: Yes.

SAFETY DIRECTOR REAM: Chief.

CHIEF DEAN MCKIMM: Yes.

SAFETY DIRECTOR REAM: For those on Council, Dean and I go back many years in the department and it was a pleasure working for him and when I went upstairs with the Mayor, it certainly was a pleasure to be able to have a Chief that I can count on and Betty, I got to fess up, for the last 2 ½ years, I'm the one that's been telling these people, call the Chief, call the Chief. (*LAUGHTER*) But it's a, it's been a great experience. I really look forward to you starting your new position up at CANCOM and I think you'll be a great addition to that unit up there and we should be able to keep this ball rolling. Thank you, great job.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Feel free to leave if you want to Chief. You've been through

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enough. Take care. Madame Clerk please read Resolution 12 by title..

#12. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF TERRY PRATER TO BOARD OF ZONING APPEALS FROM 1/14/12 - 12/31/14. - ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move we adopt Resolution #12.

MEMBER BABCOCK: Seconded

PRESIDENT PRO TEM DOUGHERTY: There's a motion to adopt Resolution 12. Are there any remarks? If none, by voice vote, all those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #12 PASSED BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Thank you. Madame Clerk Resolution 13.

#13. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPTS OF JACK BOLENDER, JR AND DAWN DEVINE TO INVESTMENT BOARD RETRO 1/1/12 - 12/31/13. - ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move we adopt Resolution 13.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: There's a motion to adopt Resolution 13. Are there any remarks? If not, by voice vote, all those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #13 PASSED BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Resolution has been adopted. Resolution 14.

#14. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF IVAN REDINGER, JR AND TIMOTHY WEDEKAMM TO FAIR HOUSING COMMISSION FROM 2/1/12 - 1/31/17. - (APPOINTMENT OF IVAN REDINGER, JR. - ADOPTED; APPOINTMENT OF TIMOTHY WEDEKAMM. - DEFEATED)

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move we divide the question per Rule 38.

PRESIDENT PRO TEM DOUGHERTY: Move to adopt.

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MEMBER BARTON: Mr. President, I move we adopt Resolution 14.

MEMBER BABCOCK: Seconded

PRESIDENT PRO TEM DOUGHERTY: Are there any remarks?

MEMBER BARTON: Mr. President, I motion to divide this Resolution per Rule 38.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to divide the question. Any remarks? OK, what's the first name on that.

CLERK TIMBERLAKE: Ivan Redinger.

PRESIDENT PRO TEM DOUGHERTY: The first one we'll be doing is re-appointment of Ivan Redinger to the Fair Housing Board. Are there any remarks?

MEMBER BARTON: I move we adopt this Resolution for Ivan Redinger, Jr. to the Fair Housing Board.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

RESOLUTION #14 (IVAN REDINGER, JR) PASSED

PRESIDENT PRO TEM DOUGHERTY: Thank you Member Barton..

MEMBER BARTON: I move we adopt Resolution 14 with the re-appointment of Timothy Wedekamm to the Fair Housing Board.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Resolution with the re-appointment of Tim Wedekamm to the Fair Housing Board. Are there any remarks? Roll call.

NO REMARKS

ROLL CALL 6 YEAS, 6 NAYS

(MEMBERS CIRELLI, WEST, GRIFFIN, FISHER, MACK AND MORRIS VOTED NAY)

CLERK TIMBERLAKE: Six yeas, six nays Mr. President.

RESOLUTION #14 (TIMOTHY WEDEKAMM) DEFEATED

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PRESIDENT PRO TEM DOUGHERTY: Even in the tie, it has been defeated. He will not be a Member of the Board. Resolution 15.

#15. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF RYAN BRAHLER TO CANTON CONSTRUCTION BOARD FROM 2/1/12 - 1/31/15. - ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move we adopt Resolution 15.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Resolution 15. Are there any remarks? By voice vote, all those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #15 PASSED BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Has been adopted.

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED FEBRUARY 6, 2012.

67. AUDITOR MALLONN: MONTHLY RPT BY FUND FOR 1/1/12 - 1/31/12. - RECEIVED & FILED
68. AUDITOR MALLONN: YEARLY RPT BY FUND FOR 1/1/12 - 1/31/12. - RECEIVED & FILED
69. COMM DEV DIRECTOR MILLER: AUTHORIZE DEPT OF DEV TO ENTER INTO CONTRACT W/FREED HOUSING CORP IN AMT NOT TO EXCEED \$100,000.00 IN HOME FUNDS TO PROVIDE GRANT FOR TENANT BASED RENTAL ASST PROG TO BENEFIT LOW TO MODERATE INCOME INDIVIDUALS & FAMILIES IN CITY WHO HAVE BEEN HOMELESS & ARE MAKING TRANSITION FROM SHELTERS TO PERMANENT HOUSING. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
70. DOUGHERTY, D, WARD 6 CNCL MBR & WEST, T, WARD 2 CNCL MBR: REQ LAW DEPT RESEARCH THE POSSIBILITY OF THE BD OF ZONING APPEALS COME BEFORE COUNCIL W/THEIR ZONING ISSUES. - JUDICIARY COMMITTEE
71. LIQUOR CONTROL DIVISION (OHIO): REQ D5 LIQ PERMIT TRANSFER FROM MJB ENTERTAINMENT LLC DBA SHIELD TAVERN 1ST FLOOR & BSMT TO TASSELS PUB LLC DBA TASSELS PUB @ 1153 MCKINLEY AVE SW. - RECEIVED & FILED

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72. MAYOR HEALY: AUTHORIZE RE-APPT OF JAMES REINHARD & CHET WARREN TO STARK AREA REGIONAL TRANSIT AUTHORITY FROM 4/1/12 - 3/31/15. - PERSONNEL COMMITTEE
73. SAFETY DIRECTOR REAM: AUTHORIZE TO ENTER INTO LEASE AGMT W/VXI GLOBAL SOLUTIONS FOR PURPOSE OF UTILIZING 60 CITY OWNED PARKING SPACES AT THE MILLENNIUM PARKING GARAGE COMMENCING 3/1/12 - 2/28/13 FOR \$23.00 PER PARKING SPACE PER MONTH. - FINANCE COMMITTEE
74. SAFETY DIRECTOR REAM: REQ TO AMEND O#200/2011 ALLOWING SAF DIR TO ACCEPT ADDT'L \$49,600.00 TO TOTAL \$99,200.00 FROM 2011 EDWARD BYRNE MEMORIAL JUSTICE ASST GRANT ON BEHALF OF CCPD; REQ APPROP OF \$99,200.00. - FINANCE COMMITTEE
75. SERVICE DIRECTOR PRICE: REQ TO ENTER INTO CONTRACT W/CTI ENGINEERS, INC FOR ENGINEERING SVCS DURING BIDDING & OVERSIGHT SVCS DURING CONSTRUCTION FOR 12" WATER DISTRIBUTION MAIN ALONG HARRISBURG RD; ADVERTISE, REC BIDS & ENTER INTO CONTRACT FOR CONSTRUCTION OF WATER MAIN REPLACEMENT; ACCEPT OPWC GRANT FUNDS IN AMT OF \$477,300.00; ACCEPT OPWC ZERO PERCENT LOAN FUNDS FOR A TERM OF 10 YRS IN AMT OF \$167,700.00; CREATE SEPARATE FUND FOR HARRISBURG WATER MAIN REPLACEMENT PROJ & APPROP THE TOTAL OPWC FUNDING AMT OF \$645,000.00; MAKE \$81,535.00 SUPP APPROP. - FINANCE & ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
76. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX FOR JANUARY 2012. - RECEIVED & FILED
77. TREASURER SCHIRACK: REPORT OF PARKING METER REVENUE FOR JANUARY 2012. - RECEIVED & FILED
78. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 1/31/12. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM DOUGHERTY: First Reading Ordinance. We are now under First Reading Ordinance and Formal Resolutions. 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 ORDINANCE #1 THROUGH AND INCLUDING #7 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:

- #1. (1ST 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 (DR. DOMINGO @ 3120 PARKWAY AVE NW, OUTLOTS 1338 AND 518) **PUB HRG 2/27/12 @ 7:30 PM**
Referred to Judiciary Committee

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- #2. (1ST 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 (SCHOOLFINANCE LLC @ 1500 AND 1530 SUPERIOR AVENE, PARTS OF LOTS 10657, 10658, 10695 AND 10693 AND ALL OF LOTS 10697 AND 10786) **PUB HRG 2/27/12 @ 7:31 PM**
Referred to Judiciary Committee
- #3. (1ST 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 (HEALING AND WELLNESS CENTER @ 1120 15TH ST NW, OUTLOT 239) **PUB HRG 2/27/12 @ 7:32 PM**
Referred to Judiciary Committee
- #4. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (TO OPERATE CITY EFFICIENTLY)
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR THE REMOVAL OF NOXIOUS WEEDS AND DEBRIS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR THE WEST SIDE INTERCEPTOR SANITARY SEWER REHABILITATION PROJECT, G.P. 1138; RECEIVE AN OHIO PUBLIC WORKS COMMISSION (OPWC) GRANT; AMEND EXISTING AND/OR ENTER INTO NEW AGREEMENTS WITH STARK COUNTY AND NORTH CANTON FOR THE CONSTRUCTION AND REIMBURSEMENT OF THEIR COSTS ASSOCIATED WITH THE WORK; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5443 WEST SIDE INTERCEPTOR SANITARY SEWER REHABILITATION PROJECT, G.P. 1138 FUND; AMENDING APPROPRIATION NO. 220/2011; AND DECLARING THE SAME TO SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #7. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (TO ENSURE THE ABILITY IF REQUIRED TO MAKE TERMINAL PAYMENTS TO THE EMPLOYEES INVOLVED IN THE ONGOING RETIRE/REHIRE INVESTIGATION)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

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PRESIDENT PRO TEM DOUGHERTY: We're now under Ordinances and Formal Resolutions for their Second Reading. Madame Clerk, Ordinance 8.

NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #8 THROUGH #16 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #8. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (\$495,000.00 WATER PARK FACILITY GRANT FUND)
- #9. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (\$60,357.94 NSP AND \$45,807.04 NSP3)
- #10. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (\$8,884.17 NEW HORIZON PARK FUND AND \$2,000.00 LOCAL SOL BYRNE GRANT FUND)
- #11. (2ND RDG) AN ORDINANCE ESTABLISHING AN ILLEGAL GUN INTERDICTION AND REDUCTION PROGRAM; APPROPRIATING \$35,000.00 TO THE POLICE DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (HEALTH DEPT)
- #13. (2ND RDG) AN ORDINANCE AUTHORIZING COUNCIL TO ACCEPT A DONATION IN THE AMOUNT OF \$2,844.25 FROM THE WEST PARK NEIGHBORHOOD ASSOCIATION FOR THE PURCHASE OF TWO SECURITY CAMERAS AND ASSOCIATED EXPENSES RELATED TO THE INSTALLATION OF THE EQUIPMENT; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,844.25 POLICE DONATION FUND)
- #14. (2ND RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY MORAL OBLIGATIONS IN AMOUNTS NOT TO EXCEED \$8,320.00 TO MARSHALL LAND COMPANY; \$5,282.00 TO COTTRILL WRECKING COMPANY AND \$1,900.00 TO C.R.S. GENERAL CONTRACTING; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT FOR STOP-LOSS INSURANCE FOR CITY EMPLOYEES AND THEIR DEPENDENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE MUNICIPAL POOL, MANAGED BY OCHS, INC. FOR GROUP TERM LIFE AND ACCIDENTAL DEATH AND DISMEMBERMENT

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INSURANCE COVERAGE FOR ELIGIBLE CITY EMPLOYEES; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM DOUGHERTY: Now under Ordinances for their Third and Final Reading. Ordinance 17 please.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 2/2012** A ORDINANCE AMENDING APPROP ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (4510 2006 CONSTR/RECONSTR BOND FUND - \$273,300.00)

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move we adopt Ordinance 17.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 17. Any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 2/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 17 has been adopted. Ordinance 18.

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 3/2012** AN ORDINANCE RATIFYING THE INTERFUND TRANSFER FOR A GRANT ADVANCE AND TO REPAY THE GRANT ADVANCE; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (2213 NEIGHBORHOOD STABILIZATION 3 - \$5,016.05)

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move we adopt Ordinance 18.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Moved and seconded to adopt Ordinance 18. Any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 3/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 18 has been adopted. Ordinance 19.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 4/2012** AN ORDINANCE AUTHORIZING PARTICIPATION BY THE CITY OF CANTON IN THE U.S. COMMUNITIES GOVERNMENT PURCHASING ALLIANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (PURCHASE SUPPLIES, SERVICES, EQUIPMENT & CERTAIN RELATED MATERIALS)

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

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

MEMBER BABCOCK: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 4/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 19 has been adopted.

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 5/2012** AN ORDINANCE AUTHORIZING PARTICIPATION BY THE CITY OF CANTON IN STATE CONTRACTS PURSUANT TO OHIO REVISED CODE SECTION 5513.01; AND DECLARING THE SAME TO BE AN EMERGENCY (PURCHASE MACHINERY, MATERIALS, SUPPLIES OR OTHER ARTICLES)

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move we adopt Ordinance 20.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 20. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 5/2012

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PRESIDENT PRO TEM DOUGHERTY: #20 has been adopted. 21.

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 6/2012** AN ORDINANCE AUTHORIZING PARTICIPATION BY THE CITY OF CANTON IN THE STATE OF OHIO COOPERATIVE PURCHASING PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (PURCHASE SUPPLIES, SERVICES, EQUIPMENT AND RELATED MATERIALS)

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: 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. 6/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 21 has been adopted. 22.

#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 7/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ANGELA CAVANAUGH TO SERVE AS THE CITY'S CHIEF BUILDING OFFICIAL IN AN AMOUNT NOT TO EXCEED \$108,993.00; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move we adopt Ordinance 22.

MEMBER BABCOCK: Seconded.

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

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.

MEMBER CIRELLI: Thank you sir. Mr. President I know that Miss Cavanaugh is the Mayor's choice and no matter what this Council chose to do, he could go ahead and have her in that position at his will. He said that we, it is difficult, or I was under the impression it was difficult to find someone that has the two certifications required for that being the Chief Building Official and the Master Plans Examiner however, I brought up some stats from

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the State of Ohio. There are 133 in the state of Ohio alone. I could really feel much more comfortable that this person would be from Canton if not only that then perhaps Stark County and if we could have in a few years that she's been here, we could have bid that out and gave somebody in our community a chance. It's also been said that in hiring her, because it's a contract and we don't pay for any benefits and health care and what have you, that it's \$40,000.00 savings. The calculations that I would out was more closer to \$10,000.00. So I will be voting no on this position sir with all due respect. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Any more remarks? Roll call.

NO REMARKS

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

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

#22 ADOPTED AS ORDINANCE NO. 7/2012

PRESIDENT PRO TEM DOUGHERTY: 22 has been adopted. 23.

#23. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 8/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH PHILIP SEDLACKO FOR ANIMAL CONTROL SERVICES FOR THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: 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?

MEMBER CIRELLI: Mr. President.

MEMBER MORRIS: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Who called, oh. Mr. Morris.

MEMBER MORRIS: I truly do believe that we do need an animal control officer in the city so I don't want anybody to under the wrong misconception of how I'll be voting this evening. I personally cannot support this individual for that position. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. I also am of the mind that we need an animal control officer but I'm also of the mind set that we shouldn't have to kill even the wildlife that they should be taken out and released. I think that should be something that we should look at very closely and I did see the tape and in the tape what I

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witnessed, I was totally non-humane at all. An animal received a dart in an artery and literally at approximately 9:30 or 10:30 am and was taken out to the dog pound and was just checked and looked at. Being a nurse, I know that there was no way that animal could have survived. He should have immediately been euthanized. How it was treated while it was out at the pound was appalling. I cannot in good conscience say that this person deserves this position and I cannot support this Ordinance and I do believe that we do need to do a program that has been workable in other cities to control the cat populations and so I will be voting no. Thank you sir.

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President I move we amend Ordinance 23 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. 23 to read as follows:

Section 1. The Director of Public Safety, on behalf of the city of Canton is authorized to enter into a professional services contract in an amount not to exceed \$6,782.25 for a period of ninety days beginning retroactive to February 1, 2012, with Philip Sedlacko for animal control services for the city of Canton.

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

MEMBER BARTON: *(Inaudible)*

ASSISTANT LAW DIRECTOR REESE: The amendment under Section 1, The Director of Public Safety on behalf of city of Canton is authorized to enter into a professional services contract in an amount not to exceed \$6,782.25 for a period of 90 days beginning retroactively to February 1, 2012, with Philip Sedlacko for animal control services for the city of Canton. Basically what you are doing is a 90 day term to give yourselves more time to look into this matter.

MEMBER BARTON: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: As the Committee Chairman of Personnel, I've listened to Members of Council, members of the audience on both sides. Obviously a lot of these concerns were just brought to light last week. This is my first turn in this Committee Chair. I believe that forcing a vote this evening to renew a contract for a period of a year or two years would be reckless on my part as a Council Member without at least sitting down with other Members of this body, weighing out both sides and coming up with possibly a better solution that we as the city can use and the concerned people on both sides... *(inaudible)*...therefore, obviously since this was just brought to light last week, we have not had the time to put something like that together and get everybody together and sit down. Therefore, I have asked to amend this for 90 days because I do feel we need an animal control officer however, I feel that will give us sufficient time to have the meetings to talk some of these issues out and come back to the table and choose the best course of action. Thank you.

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PRESIDENT PRO TEM DOUGHERTY: Now I'm understanding this is retro back to January 1st. Is that correct?

MEMBER BARTON: February 1st.

PRESIDENT PRO TEM DOUGHERTY: February 1st. OK, thank you.

ASSISTANT LAW DIRECTOR REESE: February 1st.

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

MEMBER CIRELLI: I thought that this contract had expired at the end of the year, maybe I'm wrong so that I was thinking that if they were doing the 3 month it would be back to January 1st. That's just one question then I have another one after that.

SAFETY DIRECTOR REAM: Yes, the old contract expired on December 31st. We were OK to continue a 30 day extension with the payments so we can actually begin this 90 day period from February 1.

MEMBER CIRELLI: Mr. President. Thank you Safety Director Ream. I have real concerns with what this audience might do here tonight. For the simple reason I was told that the animal control officer was going to resign however he was waiting to see what Council did tonight. Nobody puts a gun to this Council's head and expects us to move at their whim so I don't see how anybody can in good conscience tonight knowing that, would

PRESIDENT PRO TEM DOUGHERTY: Can you explain yourself a little more Member Cirelli? I'm a little confused.

MEMBER CIRELLI: Sure.

PRESIDENT PRO TEM DOUGHERTY: Who's holding the gun to somebody's head?

MEMBER CIRELLI: I was told that, actually the phone call that I got was that Mr. Sedlacko had gave the administration on Thursday his resignation however, he would wait to see what this Council did on Monday night as to whether he would follow through. Now maybe my information was wrong sir, I don't know.

SAFETY DIRECTOR REAM: Mr. Leader.

PRESIDENT PRO TEM DOUGHERTY: Yes sir.

SAFETY DIRECTOR REAM: He did in fact tender a letter of resignation. I was out of town last week. When I got in this morning Mr. Sedlacko was waiting. He had a conversation with me and the Mayor. I asked him to leave the letter hang until he saw what went on in Council tonight and asked him to reserve his decision until Council had a chance to address this issue tonight so, that's how it played out and we'll see what his desires are once we conclude the meeting tonight.

MEMBER BARTON: Mr. President.

MEMBER HAWK: Mr. President.

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MEMBER WEST: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: As Committee Chairman I would like to just state, rushing to judge something this quick within a week, I think is reckless and therefore, I will support that we, I think that we are all in agreement that we need animal control officer but to rush to judge whether it's Mr. Sedlacko or not, I still think we need the 90 days to come up with an educated, researched decision. Therefore, I will support this.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member West.

MEMBER WEST: Shouldn't we be talking the, in terms of this personnel things behind closed doors versus out here...

PRESIDENT PRO TEM DOUGHERTY: Apparently not at this point.

MEMBER WEST: ...on the floor cause it sounds like there's a lot more issues that a lot of us are unfamiliar with, specifically the reasons why he's looking at retiring at stepping down. That could give us a more sound decision at the end. That's just my take on it.

PRESIDENT PRO TEM DOUGHERTY: Hold on, hold on.

MEMBER WEST: Seems like an Executive Session.

ASSISTANT LAW DIRECTOR REESE: If the individual would like, this would be an appropriate matter to take into Executive Session due to personnel, because it's a personnel reason if that's what Council would like or you could discuss it.

PRESIDENT PRO TEM DOUGHERTY: What I would like to do is vote on the amendment that's on the table right now. Member Hawk do you have something.

MEMBER HAWK: No sir. After the amendment I would like to have the floor for a moment please.

PRESIDENT PRO TEM DOUGHERTY: Sure.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM DOUGHERTY: We have a motion already, so all those in favor, by voice vote, all those in favor, signify by saying aye. Those opposed.

NO REMARKS

AMENDMENT PASSED BY VOICE VOTE
(MEMBER CIRELLI VOTED NO)

PRESIDENT PRO TEM DOUGHERTY: The ayes have it. So now in front of you, you have Ordinance 23 as

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amended and I will take a motion for adoption.

MEMBER WEST: Wait a minute.

MEMBER BARTON: Mr. President I move we adopt Ordinance 23 as amended.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 23 as amended. Are there any remarks?

MEMBER HAWK: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes sir.

MEMBER HAWK: Thank you sir. I've worked with Phil Sedlacko. I found him to be an outstanding gentleman and a true activist and a very, very humane individual. Some of us might remember back in the time when we didn't have an animal control officer and what went through this city and how we, and the problems that we had. I will always support Mr. Sedlacko. He's been a benefit to all of us.

PRESIDENT PRO TEM DOUGHERTY: Any other remarks?

MEMBER SMITH: Mr. Majority Leader.

PRESIDENT PRO TEM DOUGHERTY: Yes.

MEMBER SMITH: I too will be supporting Mr. Sedlacko. I know in my area, the 4th Ward, the area that Miss Turner was speaking of, he's been a great asset to that area and I understand that most of the people here are referring to cats but in that general area where we live, there are other animals and he has a control over it. So I will be supporting it.

MEMBER FISHER: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes, Mr. Fisher.

MEMBER FISHER: Yea, I was prepared to vote for the contract before tonight and I'll also support it as amended. I'd like to thank Chairman Barton for putting that amendment forward. Just relying on some of the Ward Council persons such as yourself and other, Member Hawk, Member Smith and others who have been on this body a lot longer than I, I'm taking, listening to them quite a bit on work that Mr. Sedlacko's done and I'm ready to support him. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Any more remarks?

MEMBER WEST: Mr. President just one last comment.

PRESIDENT PRO TEM DOUGHERTY: Member West.

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MEMBER WEST: I think I want to also thank Pat Barton for bringing this 90 day extension. I think it will give us time to learn some of the programs that some of the constituents brought forward, allow them an opportunity to present some things to you Pat but at the same time it will allow us to get some insight on what's going on with our animal control officer. I also want to say that he has done good things in my Ward and for a, and has trapped a lot of raccoons also at my house so I know that he's done a good job in that area. I'm not familiar with the videos that you're talking about Member Cirelli or some of the people out there but I do know that he has done a job and looking at the numbers here, based on the numbers that we've gotten it looks like trapping and animals are actually down from last year, 2010 til 2011. It looks like actually the cats were cut in half so we're not collecting as many cats as we did last year. So I don't know, maybe there's different policies already in place. Thank you.

PRESIDENT PRO TEM DOUGHERTY: OK, before you, you have Ordinance 23 to vote on as amended. Roll call.

NO REMARKS

ROLL CALL 10 YEAS, 2 NAYS
(MEMBERS CIRELLI AND MORRIS VOTED NAY)

CLERK TIMBERLAKE: Nine yeas, two nays Mr. President.

#23 ADOPTED AS AMENDED AS ORDINANCE NO. 8/2012

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

CLERK TIMBERLAKE: I'm sorry, I gave a wrong count on that. It was 10 yeas, 2 nays. Correct myself.

PRESIDENT PRO TEM DOUGHERTY: Yes it was 10 to 2.

CLERK TIMBERLAKE: Thank you.

#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 9/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO LEASE AGREEMENTS WITH THE STARK COUNTY COMMISSIONERS FOR THE PURPOSE OF UTILIZING CITY OWNED PARKING SPACE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move we adopt Ordinance 24.

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 11 YEAS, 1 NAY
(MEMBER CIRELLI VOTED NAY)

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

#24 ADOPTED AS ORDINANCE NO. 9/2012

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MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Ordinance 24 has been adopted.

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: 25. What?

MEMBER CIRELLI: I'll do it at the end of the meeting. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Ordinance 25.

#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 10/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A LEASE AGREEMENT WITH THE CANTON REGIONAL CHAMBER OF COMMERCE FOR THE PURPOSE OF UTILIZING CITY OWNED PARKING SPACE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: 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 9 YEAS, 3 NAYS
(MEMBERS CIRELLI, FISHER AND MORRIS VOTED NAY)

CLERK TIMBERLAKE: Nine yeas, three nays Mr. President.

#25 ADOPTED AS ORDINANCE NO. 10/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance has been adopted. Ordinance 26.

#26. (3RD RDG) **POSTPONED UNTIL 2/27/12** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LEASE AGREEMENT WITH THE CANTON JOINT RECREATION DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move we postpone Ordinance 26 until February 27th.

MEMBER BABCOCK: Seconded.

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PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to postpone Ordinance 26 till February 27, 2012. Any remarks? Roll call. Oh, this is a voice vote on this one, sorry. All those in favor signify by saying aye. Those opposed.

NO REMARKS

POSTPONED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Motion carries.

#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 11/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE EASEMENTS IN CONJUNCTION WITH THE HARTVILLE/LAKE TOWNSHIP WATER MAIN EXTENSION PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (\$74,525.00)

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move adopt Ordinance 27..

MEMBER BABCOCK: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#27 ADOPTED AS ORDINANCE NO. 11/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 27 has been adopted. Ordinance 28.

#28. (3RD RDG) **ADOPTED AS ORDINANCE NO. 12/2012** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT A DONATION OF LAND FROM THE JAMES F. RICH REVOCABLE TRUST, JAMES F. RICH, TRUSTEE; ENTER INTO AN AGREEMENT WITH THE JAMES F. RICH REVOCABLE TRUST AND THE MONTABELLA ESTATES HOMEOWNERS ASSOCIATION, INC; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move we adopt Ordinance 28.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 28. Any remarks? Roll call.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#28 ADOPTED AS ORDINANCE NO. 12/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 28 has been adopted. 29.

#29. (3RD RDG) **ADOPTED AS ORDINANCE NO. 13/2012** AN ORDINANCE AUTHORIZING THE AUDITOR TO ENTER INTO PROFESSIONAL SERVICE CONTRACTS FOR ALL CONTRACTUAL COMMITMENTS, INCLUDING BOND LEGAL COUNSEL AND RELATED BANK SERVICES NECESSARY FOR THE CITY OF CANTON TO ISSUE A BOND ANTICIPATION NOTE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move we adopt Ordinance 29.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 29. Any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 1 NAY
(MEMBER MACK VOTED NAY)

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

#29 ADOPTED AS ORDINANCE NO. 13/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 29 has been adopted. Ordinance 30.

#30. (3RD RDG) **ADOPTED AS ORDINANCE NO. 14/2012** AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE AND/OR DIRECTOR OF PUBLIC SAFETY TO COMPLETE THE CONTRACTING PROCESS FOR VARIOUS CONTRACTS PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY JANUARY 1, 2012; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move we adopt Ordinance 30.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 30. Any remarks?

MEMBER FISHER: Mr. President.

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MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.

MEMBER CIRELLI: Thank you sir. This is the Ordinance that is carrying to this Council incompleated or non, Ordinances that were not authorized and finished from the last Council. I have never seen the occasion were it was 95 or 96 Ordinances were carried over. I know it was maybe 30 some but to have that many Ordinances, this Council has to realize when we vote for this, that you are owning all those Ordinances. Quite a few of those Ordinances sir, I had voted no because this honorable body has choose to put it all lumped together and vote on it I will have to vote no on this. Thank you sir.

MEMBER FISHER: Mr. President....

PRESIDENT PRO TEM DOUGHERTY: Any other remarks? Member Fisher.

MEMBER FISHER: As was discussed during the Committee meetings last week, one of the Ordinances in this Ordinance is number 77/2001, which was the Ameridial economic development Ordinance which was a little more controversial than a lot of them which are merely engineering projects and others so, I would like to move at this time that we divide the question under Rule 38 to hold a separate vote for Ordinance 77/2001 the Ameridial.

PRESIDENT PRO TEM DOUGHERTY: I believe that would be 2011.

MEMBER FISHER: I'm sorry yes. That was 77/2011. Thank you sir.

PRESIDENT PRO TEM DOUGHERTY: I need a second.

MEMBER BABCOCK: I'll second that.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to divide the question. Any remarks? All those in favor signify by saying aye. Those opposed.

NO REMARKS

DIVIDED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: The question before you now is on Ordinance 30, dividing the question for Ameridial. Whether you, we're going to vote on that separately right now. So Member Barton could I get a motion for that.

MEMBER BARTON: Mr. President I move to adopt Ordinance 30.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Well we're not adopting Ordinance 30 right now, as divided per the number which was 77/2011. Roll call.

NO REMARKS

ROLL CALL 8 YEAS, 4 NAYS
(MEMBERS CIRELLI, HAWK, FISHER AND MORRIS VOTED NAY)

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CLERK TIMBERLAKE: Eight yeas, four nays Mr. President.

PRESIDENT PRO TEM DOUGHERTY: OK, now we need a motion to do the rest of the, Ordinance 30.

MEMBER BARTON: Mr. President I move to adopt Ordinance 30.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 30 as divided. Are there any questions? Any remarks?

MEMBER HAWK: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Hawk.

MEMBER HAWK: I will be voting no on this because again there is now 94 pieces of legislation here. Some of them go back as far as 2008. Other ones were passed because we needed to get it done on 2nd Reading. I just can't support the, you know, some of them I voted no for and I just can't support the whole package now. There are some very good ones in there. There are also some very bad ones. Thank you very much.

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Chief of Staff.

SERVICE DIRECTOR PRICE: While I understand the, there might be philosophical concerns or there may have been Ordinances that for folks who are on this Council, when those were passed that you may have or you may have voted against those Ordinances and I certainly, Councilwoman Cirelli, I respect you and I know that you vote your conscience and Mr. Hawk does the same. What I would caution you is because, you know there are no doubt going to be some of these Ordinances that philosophically you don't agree with, you have to keep in mind that the city's policy has been to, to error on the side of caution and list Ordinances that this Council, whether you were here or not, or whether you agreed with the legislation, has already authorized us to proceed with and so, there are contracts in this group that are currently, we're in the middle of. In other words, services have been performed. We have a legal obligation to complete that contract and it's because we error on the side of caution that it's been the Law Department's policy to pretty much take every Ordinance that has not been executed to full completion and to put it on this list. I mean if, just to warn, kind of, I trying not to at all put a gun to your head, since it's the expression that's been used tonight, but if defeat, if this Ordinance is defeated tonight, there are, I mean we'd have to back and do something because there are contracts that literally are being, you know, that there's work going on that have been authorized by a previous Council. So I would, in terms of how you vote on it, I'd urge you maybe not to view it so, so much as philosophical as you do proceed. That's just my two cents. Thank you.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Very good point. Member West.

MEMBER WEST: The other thing is, when we had the Judiciary Committee, I told everybody that they could speak about the things that you choose not to vote on before in the past and do it that way versus voting it all down so that you're consistent with your vote. So if you voted against Ameridial then you would just say, excuse me Mr.

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President, I do not want to vote for Ameridial but I will support the legislation in full. At least it's noted that you did not vote for Ameridial if that's the example, OK. Thank you.

MEMBER FISHER: Mr. President

PRESIDENT PRO TEM DOUGHERTY: Member Fisher.

MEMBER FISHER: Yea, I just want to take a minute to thank Director Price as well as Director Williams. I had a number of questions on these obviously being a freshman and having such a large number and the administration did a wonderful job of answering some of my questions on these and I'm having the one Ordinance, having a separate vote was my main concern. I'm more than happy to, to support the remainder of this Ordinance. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Alright before you is Ordinance 30 as divided. Roll call.

NO REMARKS

ROLL CALL 10 YEAS, 2 NAYS
(MEMBERS CIRELLI AND HAWK VOTED NAY)

CLERK TIMBERLAKE: Ten yeas, two nays Mr. President.

#30 ADOPTED AS ORDINANCE NO. 14/2012

PRESIDENT PRO TEM DOUGHERTY: Ordinance 30 has been adopted. 31.

#31. (3RD RDG) **ADOPTED AS ORDINANCE NO. 15/2012** AN ORDINANCE AUTHORIZING THE DIRECTORS OF PUBLIC SERVICE AND SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR SUPPLY ITEMS, MATERIALS AND PROFESSIONAL SERVICES FOR THE CITY OF CANTON'S OPERATIONS DURING THE 2012 CALENDAR YEAR; AUTHORIZING ALTERNATIVELY THE PURCHASE OF SAID ITEMS PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT AND/OR ODOT PURCHASING AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Mr. President, I move we adopt Ordinance 31.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 31. Any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#31 ADOPTED AS ORDINANCE NO. 15/2012

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PRESIDENT PRO TEM DOUGHERTY: Ordinance 31 has been adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM DOUGHERTY: Announcement of Committee meetings.

MEMBER COLE: Mr. President.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cole.

MEMBER COLE: Yes, Finance Committee will meet February 13th at 6:15 P.M. Thank you.

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

PRESIDENT PRO TEM DOUGHERTY: OK, anybody else? We also will have somebody here with a little presentation so we needed 15 minutes for that so that's why.

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.

MEMBER CIRELLI: Whenever we voted on Ordinance 24 sir, I sort of jumped the gun and I wanted to vote yea on that so I would like to know if I could reconsider my votes.

PRESIDENT PRO TEM DOUGHERTY: OK. You can do that next week at the next meeting. You have til the next meeting to do that. We can reconsider it then.

MEMBER CIRELLI: OK, thank you.

PRESIDENT PRO TEM DOUGHERTY: That way you can get procedurally what has to happen.

MEMBER CIRELLI: I appreciate that, thank you.

MEMBER BARTON: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Barton.

MEMBER BARTON: Personnel Committee will meet on February 13th at 6:15 P.M.

PRESIDENT PRO TEM DOUGHERTY: Anything else on Committee Meetings?

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM DOUGHERTY: Miscellaneous Business?

MEMBER BARTON: I move we adjourn.

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MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Roll call.

NO REMARKS

ROLL CALL: 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

ADJOURNMENT TIME: 9:16 P.M.

ATTEST: FEBRUARY 13, 2012
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: FEBRUARY 13, 2012
DAVID DOUGHERTY
PRESIDENT PRO TEM