

**MINUTES OF THE MEETING MAY 14, 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:*

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER HAWK NOT PRESENT FOR ROLL CALL)

CLERK TIMBERLAKE: Eleven present, Mr. President.

**EXCUSING MEMBERS**

PRESIDENT PRO TEM DOUGHERTY: Member Babcock, I'll recognize a motion to excuse President Schulman and Mr. Hawk, Member Hawk.

MEMBER BABCOCK: Yes sir. Mr. President I move we excuse President Schulman from tonight's meeting along with Member Hawk.

MEMBER CIRELLI: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: The Motion carries. President Schulman and Member Hawk have been excused from this evening's meeting. Tonight we'll have the invocation given by Greg Hawk. *(Laughter)* Go ahead Member Cole. Thank you. Remain standing for the pledge of allegiance.

*The regular meeting of Canton City Council was held on May 14, 2012 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Cynthia Timberlake. The invocation was given by Council-at-Large Member, Joe Cole. The Pledge of Allegiance led by President Pro Tem Dougherty.*

PRESIDENT PRO TEM DOUGHERTY: Thank you Member Cole.

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT PRO TEM DOUGHERTY: Agenda Corrections and Changes.

MEMBER BABCOCK: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Babcock.

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MEMBER BABCOCK: I move we....I...I move Rule 22A be suspended to add the 2<sup>nd</sup> Reading Ordinances #8 through and including #13.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to suspend Rule 22A to add the 2<sup>nd</sup> Reading Ordinances 8 through 13. Are there any remarks? Roll call.

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*(DURING ROLL CALL PRESIDENT PRO TEM DOUGHERTY INTERRUPTED THE CLERK WHEN SHE CALLED ON MEMBER HAWK FOR HIS VOTE)*

PRESIDENT PRO TEM DOUGHERTY: No, hold on...hold on, go...I didn't realize he was here. Pass him up.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

PRESIDENT PRO TEM DOUGHERTY: Let the journal show that Member Hawk is now present at tonight's meeting. Member Hawk.

MEMBER HAWK: Thank you. Sir, I apologize for my lateness.

PRESIDENT PRO TEM DOUGHERTY: You'll have the next six invocations.

MEMBER HAWK: You'll get the same one six times sir. *(Laughter)*

CLERK TIMBERLAKE: Twelve yeas Mr. President.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

PRESIDENT PRO TEM DOUGHERTY: Rule 22A is suspended and the Ordinances are a legal part.

**PUBLIC HEARINGS**

PRESIDENT PRO TEM DOUGHERTY: Public Hearings. We have one tonight....no Public Hearings, I'm sorry.

**OLD BUSINESS**

PRESIDENT PRO TEM DOUGHERTY: Old Business. Is there any Old Business from the Administration. Thank you.

**PUBLIC SPEAKS**

PRESIDENT PRO TEM DOUGHERTY: We're now under Public Speaks. We have two people signed up for this evening's meeting. Please come to the mic and you will have....give your name and address and you'll have three minutes for tonight's Public Speaks. Richard Drake. Good evening sir.

RICHARD DRAKE: Good evening City Council, people present. My name is Richard Dake, 3020 Sycamore Avenue, SE, Canton, Ohio. I've been here many times talking about trees. Today I spent eight hours out on City streets and taking care of your trees. What I'd like to know is, all this money you invested in these trees,

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you have no one in charge of it. Some of these people out there, they take it upon themselves to have these trees cut and trimmed and they're being mutilated and ruined. These are trees that you guys put money in so why isn't someone in charge to take care of them? I was here before and I told you guys that anyone cuts trees and wants to plant them, go through the City Engineer's Office, that's what I was told by Dan Moeglin. I was approached today by a fella giving me heck, taking care of the trees, I'm doing them for the Hall of Fame, I'm cleaning them up, picking them up. I went Market, went Cleveland, went Tusc. and some people think trees need clothes. I took towels and sweatshirts off of them, tied up with string. I mean isn't anybody looking out for them other than myself? And while I was uptown, right above the square on Market, I don't know if any of you people have ever just spent time watching the public, people walk out. I seen an assault right in front of me. A guy got beat right into my truck. He was a senior citizen, all he did was look at this guy and this guy just unloaded on him. Before I could even say anything, the guy was gone, he took off his fighting jacket he had on and was gone and don't you have cameras or anything to catch that? And another thing...point I want to bring up, we can't lose our law enforcement or safety forces with this kind of behavior uptown. I mean, it's a different world out there. Anyway, back....back to the trees, I know we got an Ordinance passed and everything, it's not really in effect but I...I mentioned before, we...we need to go block by block and take care of these trees. We got some outside the City square itself that are really bad and if one of them falls and kills somebody, we're going to really be in dire needs of money to pay for the lawsuits, it's...it's gonna happen and I've told you before, gonna have to get...get aggressive on this and if there is no money there to be had or to be done, I have ways to do it for free I've mentioned it before to different people around here. Every year we get a group together and get it done. There's a lot of guys that do community service. I do it all the time so I'm sure there's others out there that'll step forward, we just need to initiate a program that will save cost and money. And I only had one other thing but I'm gonna...I'll talk to the Mayor, I'm gonna let that slide. I don't want to (*inaudible*) run me out of here. But anyway, thank you for your time. Talk to you later.

PRESIDENT PRO TEM DOUGHERTY: Thank you very much. Jason Scaglione please. Good evening.

JASON SCAGLIONE: Good evening. Jason Scaglione, 3027 Glen Place NW, Canton, Ohio. I...after hearing someone last week here talk about finances and maybe some volunteerism, some donations and what not to help the City, I went ahead out and went and took a walk and Mayor, there's a list of some things coming to you I'd like to see these items looked at and enforced as the Ordinance is written here in the City have dictated. There's a lot of money that we need to come up with and by God I think I found a big part of it. A lot of it's right in our own Ordinances that we've written. We just enforce those Ordinances, we would collect the fines and monies that would give us money we need to operate. In this list is a lot of vacant properties that grass needs cut. As you know a lot of our members and members in the neighborhood associations do this. A lot of these that are being cut now are being cut year after year. The City can collect monies for this but they must go out and verify that these are the eight inches or higher. So, what I'm asking is that you enforce the Ordinance and collect these monies from these people. If you cut the 5,000 vacant properties or more that we have five times a year, I know they're going to grow eight inches at least five times a year. Some of the charges I've seen at \$123.00 or so being charged to some homeowners but not all homeowners. That would generate, if you took....if you changed that to \$150.00, that would bring in right around \$4,000,000.00 to the City of Canton. Now this Ordinance says that this...this Ordinance shall be enforced not we could, not we should bill some people, not others. We need to bill everybody and we...we, you know, we write these Ordinances, you all have good tools here. The Ordinances are great but they're not worth the paper their put on if we don't use them. I don't think anyone is in favor of a tax increase when we're not collecting the taxes, fines, penalties, monies we have in front of us. We can keep writing and keep asking for money, people are

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willing to donate time, they want to see you using what you already have. And we have on the...on the Agenda tonight about police cars. If we're in such bad shape, do we really need police cars? If we don't collect the monies that are due to us by people doing wrong or people not following the law, why ask the people that are to pay those monies. Let's collect them from people that are breaking the laws, they're not holding up being good neighbors and get our money from them. Let's not ask everyone else to pay more. Please take the Ordinances seriously, read them, collect the monies it will bring in. It will be a lot better for all of us. Hopefully we'll hear some answers about some of these because we are going to wait to cut them until you guys go ahead and start that, you know, the fine collection. No sense in cutting them for free. We don't mind doing good things but we're not going to be lawn services for landlords. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you.

**INFORMAL RESOLUTIONS**

PRESIDENT PRO TEM DOUGHERTY: We're now under Informal Resolutions. Will you please read Resolution 40.....

MEMBER BABCOCK: Mr. President, I move we adopt Informal Resolution #40.

MEMBER CIRELLI: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Resolution #40. Go ahead and read it please.

#40. COUNCIL AS A WHOLE: NOMINATING & ELECTING FIRST VICE PRESIDENT. - ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.

MEMBER CIRELLI: I move to nominate Jim Griffin as First Vice President.

PRESIDENT PRO TEM DOUGHERTY: Can I get a second?

MEMBER HAWK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to have Jim Griffin as the First Vice President. Any comments? This is on Resolution 40. Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Resolution 40 has been adopted. Congratulations Member Griffin.

*(APPLAUSE)*

PRESIDENT PRO TEM DOUGHERTY: This is called musical chairs. *(Laughter)* Member West.

MEMBER WEST: I decided that I make this side look good. *(Laughter)*

PRESIDENT PRO TEM DOUGHERTY: Thank you. Thank you very much.

**COMMUNICATIONS**

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

***NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED MAY 14, 2012.***

204. AUDITOR MALLONN: REQ FOR ADDTL AMENDED CERT DATED 5/4/12. - RECEIVED & FILED
205. COURT ADMIN KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT W/STATE OF OHIO, DEPT OF REHAB & CORRECTION (ODR&C) FOR RECEIPT OF FY 2013 COMMUNITY CORRECTIONS ACT (CCA) GRANT IN THE AMT OF \$170,601.00 FOR PERIOD OF 7/1/12 - 6/30/13. - FINANCE COMMITTEE
206. LAW DIRECTOR MARTUCCIO: AUTHORIZE LAW DEPT TO PREPARE LEGISLATION TO ENTER INTO CONTRACT FOR PROSECUTORIAL SERVICES WITH N & T RAILROAD, REPUBLIC STEEL FROM 5/1/12 - 12/31/12. - FINANCE COMMITTEE
207. LIQUOR CONTROL DIVISION (OHIO): REQ FOR NEW D1 LIQ PERMIT FOR MICHAEL NASVADI DBA BUZZBIN @ 339 CLEVELAND AVE NW. - RECEIVED & FILED
208. PLANNING COMMISSION: RECOMMEND APPROVAL OF ZONE CHG @ 617 MCKINLEY AVE SW, PARCELS 280007, 280082 & 280083, THE SW CORNER OF 6<sup>TH</sup> ST SW AND MCKINLEY AVE (FORMER WELLS ELEMENTARY SCHOOL) FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO PR-4 (PLANNED MULTI FAMILY) FOR STARK METRO HOUSING. - JUDICIARY COMMITTEE
209. SAFETY DIRECTOR REAM: REQ APPRVL TO ACCEPT & APPROP FUNDS FROM 2012

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EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT (JAG PROG) IN AMT OF \$39,369.00 ON BEHALF OF CANTON POLICE DEPT; APPLIED FOR & ADMINISTERED BY STARK COUNTY SHERIFF DEPT; REQ RENAME FUND 2771 AS 2012 LOCAL SOLICITATION BYRNE GRANT; AUTHORIZE SAF DIR TO ENTER INTO MEMORANDUM OF UNDERSTANDING WITH STARK COUNTY COMMISSIONERS REGARDING DISTRIBUTION OF FUNDS. - FINANCE COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

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

***NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #7 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (CORNER OF 6<sup>TH</sup> ST SW & BEDFORD AVE SW - AULTMAN HOSPITAL) **PUB HRG 6/4/12 @ 7:30 PM**  
Referred to Judiciary Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING THE RATE SCHEDULES FOR THE MILLENIUM AND CORNERSTONE PARKING GARAGES; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO EXCEED \$105,750.00 FOR THE WRF BIOFILTER MEDIA REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO COMPLETE THE CONTRACTING PROCESS FOR A CONTRACT PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY JANUARY 1, 2012; AND DECLARING THE SAME TO BE AN EMERGENCY (O#201/2011 - CRENSHAW PARK TO SARTA)  
Referred to Community & Economic Development Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONSULTANT CONTRACT WITH ARCADIUS US, INC. FOR THE 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETSCAPE PROJECT, PID 90671, GP1160; AMENDING APPROPRIATION ORDINANCE 220/2011; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER

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INTO COOPERATIVE AGREEMENTS WITH OTHER PROJECT STAKEHOLDERS;  
AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred Public Property Capital Improvement Committee

- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FIVE (5) YEAR CONTRACT WITH DIREXORY FOR THE PURPOSE OF INSTALLATION OF INTERACTIVE PUBLIC DIRECTORIES ON CITY OWNED PROPERTY IN CONJUNCTION WITH THE ENGINEERING DEPARTMENT'S WAY-FINDING PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee
- #7. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT FOR THE CONSTRUCTION OF THE HAMILTON AVENUE STORM SEWER PROJECT, GP 1168; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT PRO TEM DOUGHERTY: We're now to Ordinances for their Second Readings. Ordinance #8.

***NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #8 THROUGH #13 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #8. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011, AS AMENDED, BY MAKING THE INTERFUND ADVANCES AND INTERFUND ADVANCE REPAYMENT HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$38,500.00 INTERFUND ADV. REPAY TO GENERAL FUND)
- #9. (2<sup>ND</sup> 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 (\$777,213.66 & \$614,350.24 - TO MEET BUDGET REQUIREMENTS)
- #10. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11. (2<sup>ND</sup> RDG) A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF THE 2012 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #12. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY TO STARK COUNTY, UPON PROPER AND APPROVED INVOICE, RECURRING MAINTENANCE FEES FROM MOTOROLA SOLUTIONS FOR THE MERGED RADIO COMMUNICATION SYSTEM, THE CURRENT AMOUNT BEING DUE \$156,287.78 AND TO B&C COMMUNICATION, INC., UPON PROPER AND APPROVED INVOICE, RECURRING MAINTENANCE FEES FOR THE PORTABLE AND MOBILE RADIOS, THE CURRENT AMOUNT DUE BEING \$46,223.04; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH AGENCY FUND 7508, THE "JACKSON-CANTON J.E.D.D. CLEARING FUND"; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT PRO TEM DOUGHERTY: We're now under Ordinances for their Third and Final Reading. Ordinance 14.

- #14. (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 79/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH TAYLOR CHEVROLET FOR THE PURCHASE OF 12 2012 CHEVROLET POLICE CRUISERS IN AN AMOUNT NOT TO EXCEED \$387,756.00, TO ENTER INTO CONTRACT WITH TAYLOR CHEVROLET FOR THE PURCHASE OF 4 2012 CHEVROLET DETECTIVE VEHICLES IN AN AMOUNT NOT TO EXCEED \$119,868.00, TO ENTER INTO CONTRACT WITH GERMAIN FORD FOR THE PURCHASE OF ONE 2012 FORD E350 CARGO VAN IN AN AMOUNT NOT TO EXCEED \$20,199.00, AND TO PURCHASE ADDITIONAL EQUIPMENT FOR THESE VEHICLES IN AN AMOUNT NOT TO EXCEED \$48,000.00 FOR THE POLICE DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER GRIFFIN: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: I move that we adopt Ordinance 14.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 14. Any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.



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MEMBER CIRELLI: Thank you sir. I would like to ask Safety Director Ream if he would give us the status quo more or less of the reason that we're buying these because a lot of people are saying, you know, the City is short of money but yet your buying police vehicles but we're not going to have police. So, I know you will fill us in exactly why we need these sir. Thank you very much.

SAFETY DIRECTOR REAM: Sure, we haven't purchased police vehicles in four years. The present fleet is aging. We need the replacements and the money is coming out of the general fund budget. It was...

PRESIDENT PRO TEM DOUGHERTY: Capital.

SAFETY DIRECTOR REAM:....I'm sorry, it's the capital budget. It was budgeted at the beginning of the year and we waited for the budget to go through and be approved.

MEMBER CIRELLI: Mr. President, thank you Safety Director Ream. I appreciate that.

PRESIDENT PRO TEM DOUGHERTY: Yeah, Member Cirelli, I've been working with them. We really haven't been on the program just like a lot of things of how we were buying vehicles each year. We always, you know, that was cut in half and then one year we didn't get any. So, we are in pretty bad shape there but the money is there in budget in the capital dollars. Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we amend Ordinance #14 per copy as all Council Members have in front of them.

MEMBER BABCOCK: Seconded.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 14 by substituting the ordinance attached to this Amendment for the ordinance currently pending before Council.*

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to amend Ordinance 14 . Any remarks?

MEMBER GRIFFIN: Could we have the amendment summarized please?

PRESIDENT PRO TEM DOUGHERTY: Actually what happened was the amendment was...it was changed to have, originally it was 12 cruisers and 4 sedans and we're making it 16 cruisers and 0 sedans so that we make sure we get the right amount of cruisers that we need. And that's basically what it is.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance 14 as amended.

MEMBER BABCOCK: Seconded.

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PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 14 as amended. Any remarks? Roll Call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

MEMBER FISHER: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Fisher.

MEMBER FISHER: Just a point of order, I may have missed it. Did we actually vote on the...the amendment itself that was changed? I know we...it was moved but I don't know if we voted on it. I just want to make sure we don't have to go back and redo that.

PRESIDENT PRO TEM DOUGHERTY: Member Griffin, make a motion to vote on that amendment first.

MEMBER GRIFFIN: I make a motion that we vote on the amendment.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to vote on the amendment. Any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: I think we got it this time, thanks Member Fisher. Go ahead back just to make sure for clarification that now we're going to vote on the Ordinance 14 as amended so that we get this in the right order. Thank you.

MEMBER GRIFFIN: Mr. President I move that we adopt Ordinance 14 as amended.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 14 as amended. Any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#14 ADOPTED AS AMENDED AS ORDINANCE NO. 79/2012**

PRESIDENT PRO TEM DOUGHERTY: Ordinance 14 has adopted. Are you having fun yet Mr. Griffin?

MEMBER GRIFFIN: I'm in hog heaven. *(Laughter)*

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT PRO TEM DOUGHERTY: Announcement of Committee meetings.

MEMBER COLE: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cole.

MEMBER COLE: Thursday, May 17<sup>th</sup> Finance Committee will meet at 5:00 and Monday, May 21<sup>st</sup> Finance Committee will meet at 6:30.

PRESIDENT PRO TEM DOUGHERTY: Any other Committee Meetings? Judiciary.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes.

MEMBER WEST: Judiciary will meet at same time, same place on 6/11 right? Where am I at.....

PRESIDENT PRO TEM DOUGHERTY: May 21<sup>st</sup> at 6:30.

MEMBER WEST: I'm looking at the wrong things. Yeah.

PRESIDENT PRO TEM DOUGHERTY: Member Smith.

MEMBER SMITH: Community and Economic Development will also meet that day, same time, same station, same place.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Public Property Capital Improvement will also meet that evening at 6:30.

**MISCELLANEOUS BUSINESS**

PRESIDENT PRO TEM DOUGHERTY: We're under Miscellaneous Business. Is there any Miscellaneous Business?

MEMBER FISHER: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes, Member Fisher.

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MEMBER FISHER: I...I don't know...thank you....I don't know if anybody else saw this but as I...I think I have the reputation for being quite the nerd who scours over every piece of information out there. There was an article written up in the Cincinnati newspaper just recently regarding something that affects our budget. The State is getting some increase in revenues and the Governor, Governor Kasich announced in this, it was written up in the society paper over the weekend, that if any attempt is made to restore local Government funding that he has promised he will veto it, specifically local Government funding. That he will veto any attempt coming from the State Legislature to restore the funding that pays for our police, our fire and I know that, I don't know, I'm sure that other Members have as well, that people have asked why is this specifically police and fire. Well that's what we do with the local Government funds. It's all general fund money. So when you have Governor who is renegeing on a fifty year plus policy and pledge going back to the implementation....implementation of the sales tax at the State level and says "Well, I didn't make that promise so I don't have to keep it." You know I think that it's...it's important that everybody knows exactly where this is coming from and it's coming from one place and it's the Governor's mansion. Perhaps if he doesn't feel our police are important enough, maybe he'll come up and patrol the streets for us in his spare time.

PRESIDENT PRO TEM DOUGHERTY: Any other Miscellaneous Business?

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.

MEMBER CIRELLI: I guess I would direct this to Mr. Smith whose an Attorney for the Law Department, he's here today. In conjunction maybe with the Safety Director. As I heard Mr. Drake speak about the fact that he saw this gentleman being....the senior citizen being accosted, what if people...because we see so many people now a days that have cell phones that have cameras in their cell phones and a lot of them can take close ups. So, is it doable that a citizen out there could see something like that happening and take a photograph of it and bring it in and see if that could help take care of that situation would be some sort of evidence. Would that be doable because we all...mostly everybody has got them anymore. And they are always talking about cameras and I'm thinking if ya have a camera and ya see some action going like that, like somebody sent me an incident today where they actually got a license plate of a problem. So, I was wondering how...if that would be something that we could encourage people to do or discourage people to do. I don't know. Thank you.

SAFETY DIRECTOR REAM: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes sir.

SAFETY DIRECTOR REAM: Yes, anything like that would be beneficial. It can be used as evidentiary...furnished as evidentiary value in a criminal process, yes.

MEMBER CIRELLI: And Mr. President, Mr. Smith, you feel the same way too with that sir being an Attorney?

DAVID SMITH: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes sir.

DAVID SMITH: Absolutely, that would be helpful, beneficial and encouraged. There's a lot of cameras out in the City that aren't pointing in the right direction but there's nothing illegal or inappropriate about it.

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MEMBER CIRELLI: I really appreciate that. Thank you Mr. President and thank both of you gentlemen for saying that.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes Member West

MEMBER WEST: On May 16<sup>th</sup> at 4:30, that's Wednesday, we'll be having a meeting here in Council Chambers and I'm inviting a lot of the non-profits or social agencies and our system of care along with different levels of Government to address some of the issues surrounding violence. So, every Council Member, you are invited to come, public you're invited to come to participate and hear that discussion. But also, this Friday, Saturday and Sunday Noah's Ark in Nimisilla Park will begin. It's a children's amusement park and last week we had our first run and it was very successful. Upcoming this week...the weekend, you're sure to have a blast so bring your children out to Nimisilla Park and enjoy some of the amusement rides. In the summertime it will be everyday, all day throughout the summer. Alright, thank you.

PRESIDENT PRO TEM DOUGHERTY: Any other Miscellaneous Business?

MEMBER MARIOL: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes sir.

MEMBER MARIOL: I wanted to thank everyone on Council and the Mayor for being very welcoming. You've made the transition very easy for me. Also Pat has been tremendous, he calls me on a regular basis these past couple of days, he's let me know a lot of the loose ends and did a great job as a Councilman and he's doing a really good job at helping the transition for me. I'd also like to thank my...my girlfriend Kallie, she's been a great support system for me and I wouldn't be here without her help. So I wanted to thank everybody and thank her.

PRESIDENT PRO TEM DOUGHERTY: Good job. *(Applause)*

MAYOR HEALY: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Mayor.

MAYOR HEALY: Thank you Mr. President. I would like to..to respond a little bit in reference to Public Speaks and Jason, your comments about the vacant lots and the opportunity to...to go out and collect money on fines. That's an obvious source of revenue in reference to people that are violating the City Ordinance, whether it's high grass or any other Code that has fines attached to them. The biggest challenge that we have is not identifying which lots have high grass and who to fine, the bigger challenge is how do you get property owners who've walked away from their houses, abandoned their properties and stopped taking care of them, how do you get them to pay a fine? They've already taken their big hit whether they've been foreclosed or bankrupt of what have you. What the problem that we have like many Cities throughout the Country is we have a number of properties that were lost due to financial situations, bankruptcies, foreclosures or just abandonment, people aged and passed away and nobody was there to take over and again we can count somewhere between four and five thousand lots that the City does not own, yet the public like yourself are calling us and saying "Hey, you need to do something about this because they're in our neighborhoods and you should do something." It is very, very difficult to get blood from a turnip and we can pay

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people to go out there and inspect and write fines all day long but if there's nobody there to pay them, it just increased our cost of...of personnel to go out there and write fines. So, yes we would love to be able to fine those 4 or 5,000 properties and collect those dollars but in...in most cases, it's really uncollectible. So, we...we are and will do everything we can to address those people that are living there and...and have ability to address the problems. But unfortunately the...the overwhelming majority are just not collectible funds, they're delinquent, abandoned properties that have landed on our shoulders and your shoulders. So....

JASON SCAGLIONE: *(Inaudible from the audience)*

MAYOR HEALY: It's...it's not your turn to talk but thank you....

PRESIDENT PRO TEM DOUGHERTY: Okay...

MAYOR HEALY: I'll take care of that Mr. President. *(Laughter)* In reference to our newest Council Member, congratulations and welcome aboard. And by the way if you keep complimenting and....and....and referencing your girlfriend, she'll be with you for a longtime. So, good job. *(Laughter)*

PRESIDENT PRO TEM DOUGHERTY: Any other Miscellaneous Business? Member Griffin.

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

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Moved and seconded to adjourn, roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas.

PRESIDENT PRO TEM DOUGHERTY: *(Gavel falls)*

ADJOURNMENT TIME: 8:03 P.M.

ATTEST: MAY 17, 2012  
CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

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