

**MINUTES OF THE MEETING OCTOBER 1, 2012**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Can everyone hear me out there? Can everybody...well that doesn't help either. Can everybody hear me now? Is that any better? No. Hello...hello..hello. Is that better. I don't know what we'd do without our Service Director, he is a man of many talents. Thank you ladies and gentlemen for coming to Canton City Council tonight, welcome. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please Madame Clerk.

*ROLL CALL TAKEN BY CLERK TIMBERLAKE:*

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

ELEVEN COUNCIL MEMBERS PRESENT. MEMBER COLE ABSENT

CLERK TIMBERLAKE: Eleven present. Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk

**EXCUSING MEMBERS**

PRESIDENT SCHULMAN: Leader Dougherty, I'll recognize a motion to excuse Member Cole from this evening's meeting.

MEMBER DOUGHERTY: Mr. President I make a motion to excuse Member Cole from this evening's meeting please.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Cole from this evening's meeting. Any remarks? I will tell the audience and for the record that Joe is sick tonight. So, we wish him the very best. We hope for a speedy recovery. I think he has the flu and that's the reason he's not hear. So, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight's invocation will be given by my good friend Council Member...Ward 1 Council Member, Greg Hawk. Would you please stand and remain standing for our Pledge of Allegiance.

*The regular meeting of Canton City Council was held on October 1, 2012 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Cynthia Timberlake. The invocation was given by Ward 1 Council Member Greg Hawk. The Pledge of Allegiance led by President Schulman.*

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PRESIDENT SCHULMAN: Thank you Member Hawk very much. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinances 6, 7 and 8.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2<sup>nd</sup> Reading of Ordinances 6 through 8 to this evening's Agenda. Are there any remarks? Hearing none Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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

**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: We turn now to Public Hearings. We don't have any hearings tonight.

**OLD BUSINESS**

PRESIDENT SCHULMAN: Turning now to Old Business I will ask the Mayor's Chief of Staff Warren Price if he has any remarks.

SERVICE DIRECTOR PRICE: Yes, thank you Mr. President. Yeah there is something wrong with your (*inaudible*). One item to follow up on and that's the Tree Commission appointments. I met with the Mayor today and those individuals, a couple of which maybe in the room this evening, we're going to be calling those folks to confirm they want to participate on the Tree Commission tomorrow and hopefully get that solidified so that Council can confirm the Mayor's appointments at the next meeting so that we can get those folks rolling with their tree inventory and some of the other activities associated with the Ordinance passed. I just wanted to keep you up to date. So, we should be coming to you next week with those names. Thank you.

PRESIDENT SCHULMAN: Thank you Chief of Staff.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We now turn to Public Speaks. We have six speakers this morning, I know we have the NAVE representatives and we welcome you. It's always good to have you hear. Our first speaker is Patricia Kirk. Ms. Kirk, good evening. If you'll step forward and give us your name and your residential address please.

PATRICIA KIRK: Hello, good evening. My name is Patricia Kirk and I live at 131 5<sup>th</sup> St NE. And thank you for having me. And as you look out on the audience, you see the best of the City of Canton right here. These are the people that work so hard and give their own time to clean their own neighborhoods to educate children, to grow gardens for food, to have different activities going at all times. These are the people that you have to

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think of when you are voting. I know there...it's been postponed until November that you will vote on the park...what will happen to the park systems but I ask you to do your research on this since it was voted in by the people in the 1800's and then again by the 1920's. When someone moves in to a City to live here and they have children, some of the things that they ask are, what are the schools like, do they have things to do, is it a nice neighborhood, are there recreation activities. Please make a wise decision because this was voted in by the people, it needs to be changed by the people if it's going to be changed but I pray that you do enough research into this matter because this is a very strong resource that we have. Another very strong resource that we have is our water system. Well, then we're fracking. Now we're going to give up our land and I'm sure the first thing that people ask when they move into a brand new City is, how many parking lots does this City has. I have a lot of confidence in you and I am entrusting that you will do the right thing. Thank you very much.

PRESIDENT SCHULMAN: Thank you as always Ms. Kirk. Our next speaker is James Parker. Mr. Parker, if you'll step forward and give us your name and your residential address and as always, welcome to Canton City Council.

JAMES PARKER: Thank you President Schulman. James Parker, 630 Penny Street SE, City of North Canton, Ohio. I would like to take a few minutes to bring to your attention an aspect of the upcoming McKinley vs. Massillon game on Saturday....I believe, October 27, 2012. Anymore, Massillon beats us every year with the pageantry and Tiger pride displays all along their downtown across the viaduct, Lincoln Way stretches the banners. Simultaneously, last year dingy, tattered United Way flags, 17 or so that had been flying well passed United Way week, flew well and above McKinley Bulldog flags that were adorning lamp posts, about 16 of them in the North and South Central Plaza. Our beautiful, 30 some foot high stainless steel brushed flag poles have since been replaced, thankfully with Pro Football Hall of Fame flags, which were the responsibility of the City. However, the lamp posts, is my understanding were the responsibility of the Canton Chamber of Commerce. These NFL team flags and Hall of Fame flags have been playing probably since the Blues Fest, thanks to the efforts of Team Healy, Cliff in maintenance and Derek Gordon. However, the time is now to ensure and pursue replacing NFL team flags and I would also say the summer flags that are probably still up, it's now fall, with McKinley Bulldog flags by asking the Booster Club or Chamber of Commerce to provide them, at least temporarily. Remember the wish list? Timken Trojan flags could fly along the McKinley Bulldogs to show the Bulldog and Trojan pride is Citywide. Thank you for helping to continue to uphold the most storied and legendary football rivalry. The real roots of the Pro Football Hall of Fame. This game is as old and well known as Army vs. Navy or Yale vs. Harvard games, so famous that Stark County's football rivalry still receives Las Vegas bookmaker odds. My bet is that Massillon will once again dominate in their display of Tiger pride but must they put us to shame. Thank you very much.

PRESIDENT SCHULMAN: Thank you Mr. Parker as always. Our next speaker is Patricia Howard. Ms. Howard, good evening. As always, welcome to Canton City Council. If you'll give us your name and your residential address please.

PATRICIA HOWARD: Good evening to the Honorable Mayor Healy, Council President Allen Schulman and Council Members. I'm here tonight, I'm Patricia Howard and I live at 1109 Melchoir Place SW, Canton, Ohio and we are here tonight representing our 50 plus neighborhood associations and I'd like to ask everyone here that is from the neighborhood associations to please stand. (*Applause*) Thank you. We want Council to know that we are actively dedicated to making a difference in our neighborhoods. We would like to invite Council to our upcoming event, which is our 8<sup>th</sup> annual neighborhood showcase and NAVE Town Hall

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meeting which will be held on Monday, October 8, 2012 at McKinley Grand Hotel in the ballroom. We will be showcasing our neighborhoods and providing an opportunity for neighborhood association leaders, members and concerned citizens in general to meet the candidates and learn about the issues that will be on the ballot. The doors will open at 5:30 PM and attendees will be able to learn about the wonderful projects various Canton neighborhood associations have or are working on. And we invite you to attend this event. Thank you.

PRESIDENT SCHULMAN: Thank you very much Mr. Howard. And I know I speak for all the Members of Council and the Mayor's Administration in thanking all of you in the neighborhood associations for the great things you do for our community. It certainly would be a lesser community if you were not here doing your public service and we greatly appreciate it. Our next speaker is Brenda Kimbrough. Ms. Kimbrough, if you'll come forward and give us your name and good evening, your residential address.

BRENDA KIMBROUGH: I'm Brenda Kimbrough and I'm from 902 Lippert Road NE in Canton, Ohio and I'm with CANDO Neighborhood Association. And I'd just like to thank you for letting us have the opportunity as the NAVE groups to come again and to tell you that we enjoy the City of Canton. *(Unknown noise heard)* Okay, I don't know what that was but alright...*(laughter)* Was that a minute, my time up? Okay, I see the clock is ticking. But anyhow, I just wanted to say that I am very grateful to live in the City of Canton and that we do some things right and in CANDO Neighborhood Association, we're excited to be a part of this City and then all of my neighborhood groups have worked very hard to make us all look good and it's like Vidal Sassoon, if you don't look good, we don't look good. We take pride in you and we take pride in ourselves and the City we live in. And I was just thinking that some of the things that we want to be grateful about is our summer activities. I understand that Cleveland now is going to start doing First Friday, I wonder where they got that from. *(Laughter)* Hello, you know. Okay and the City activities and our events and the people in our City then bringing the groups down here like Canton Cavaliers that are coming down to play, we're doing great things here. Yeah, we have our problems, *(inaudible)* and other things. But know this, one thing about it, we're a tree and all of us are part of that tree, every branch of you are covering this City and if we work together, we can get it done.

PRESIDENT SCHULMAN: Thank you very much Brenda. Our next speaker is Philip Shultz. Mr. Shultz, good evening. Welcome, if you'll give us your name and your residential address please.

PHILIP SHULTZ: Hello, my name is Philip Shultz. I live at 906 Essig Court NW. I'm here as part of the planning team for Mahoning Road Corridor Farmer's Market. We are a new market here. Our main concern is addressing the food desserts in our City and I'm planning to *(inaudible)* ya'll here because we wanted to talk to you. We have partnered up with Community Building Partnerships, Project Rebuild, JR Coleman Center, neighborhood garden clubs, the Canton Health Department, Mercy Medical Center. Aultman Medical Center, Walsh University, have all contacted us and are interested in working with us to create an urban farming initiative in Canton, Ohio. It is a necessary thing. We have starving children in Canton, Ohio. We have the resources, the availability of land and the *(inaudible)* concerned committee, people and volunteers. Everyone I've talked to has expressed incredible enthusiasm for this project. We are not just a farmer's market, we are here to create a market, create a demand and create a demand for sustainable jobs. Other Cities in America are doing these programs, are experiencing ex...financial growth, job growth. We are talking about addressing situations such as nutrition, diabetes...anyway...neighborhood blight. We can use this land bank which we have...are considering right now. This can be an incredible resource for us. We are the Mahoning Road

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Corridor Farmer's Market. We would like any of you to contact us at mrcfarmersmarket.org. We have been covered by the Repository, which did a great article on us, showed some of our neighborhood garden club ladies. We are here for another 2 weeks but we are not going away. This is a project that we are concerned about and we would like all of your support. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much. Thank you Mr. Shultz for all the good work that you're doing. Our last speaker is Deloris Angeli.

DELORIS ANGELI: You got that right.

PRESIDENT SCHULMAN: Wow did you fly up here, you scared me almost. Would you give us your name and your residential address please.

DELORIS ANGELI: Deloris Angeli, 1524 Fulton Road NW, that would be Planet Art, owned and operated for 20 years here in Canton, Ohio. Hope, it can change lives, it can transform Cities. When I look around my City, it looks hopeless. The Football Hall of Fame City is plagued with arson, drugs, crimes, shootings. Under this Administration, the starting salary has been reduced for new hired Police Officers. These are the people who risk their lives for us. Yet, this Administration finds \$38,800.00 to hire a Public Relations person who only risks carpal tunnel. I hope the present regime understands that there are those of out there that are watching. Instead of spending our money on smart boards for the Mayor's board room or automatic blinds for the 8<sup>th</sup> floor that blocks out an amazing view of McKinley's Monument and our parks. How about dealing with any of the issues that are destroying this City. I hope you understand this Administration's legacy is a less than truthful one. I hope City Council Members remember as a statutory City, Canton is a strong Council form of Government. I hope all of you can help us stop this from happening. This Council and Administration has lost documents and has lost open lines of communication and I hope they can figure out what credit card that they should be using. Please, I hope we can save our City. Thank you for your time.

PRESIDENT SCHULMAN: Thank you very much. Okay, I want to thank all our...I want to thank all our speakers this evening. We appreciate you coming down. It's always important to hear from you both pro and con.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: Moving to Informal Resolutions. We have none this evening.

**COMMUNICATIONS**

PRESIDENT SCHULMAN: We're under Communications. Let the journal show that all Communications have been 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 OCTOBER 1, 2012.***

355. HEALTH COMMISSIONER ADAMS: REQ LEGISLATION TO COMPLETE PURCHASE OF 1 FORD EXPLORER FOR THE HEALTH DEPT/AIR POLLUTION CONTROL FOR \$25,606.50. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

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356. HEALTH COMMISSIONER ADAMS: REQ \$154,054.00 APPROP FROM 2331 APC UNAPPROP FUNDS TO 2331 APC - OTHER. - FINANCE COMMITTEE
357. LAW DIRECTOR MARTUCCIO: REQ \$53,000.00 SUPP APPROP FROM UNAPPROP BAL 1105 POLICE SETTLEMENT FUND TO 1105 753001 LAW DEPARTMENT. - FINANCE COMMITTEE
358. SAFETY DIRECTOR REAM: REQ AMEND O#220/2011 FOR \$15,096.00 APPROP TRANSFER FROM 4502 103501 CENTRAL COMMUNICATION - OTHER TO 4502 103001 FIRE ADMIN - OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
359. SCHULMAN, A., CNCL PRES: AMEND THE CANTON CODIFIED ORDINANCES TO UPDATE CHAP 955 REGARDING THE WATER COMMISSION. - JUDICIARY COMMITTEE
360. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT MODIFICATION #2 W/M-E COMPANIES FOR THE AMT OF \$686,323.00 TO COMPLETE BAL OF DETAILED DESIGN, ENVIRONMENTAL DOCUMENTATION & RIGHT-OF-WAY WORK; SUPP APPROP OF \$39,536.56 FROM UNAPPROP BAL 4563 12<sup>TH</sup> ST N CORR PROJ, GP 1098 TO 4563-202077 12<sup>TH</sup> ST N CORR PROJ, GP 1098; SUPP APPROP OF \$103,150.25 FROM UNAPPROP BAL 4506 INFRASTRUCTURE BOND FUND TO 4506-202077 12<sup>TH</sup> ST N CORR PROJ, GP 1098; APPROP TRANSFER OF \$543,636.19 FROM 4506-201001 SERV DIR ADMIN - OTHER TO 4506-202077 12<sup>TH</sup> ST N CORR PROJ, GP 1098; AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: Turning now to First Reading Ordinances and Formal Resolutions. Madame Clerk would you please begin with Ordinance 1.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #5 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION AND APPROPRIATION TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$24,050.64 & \$27,030.88 - COMMUNITY SANCTIONS GRANT FUND)  
Referred to Finance Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$25,000.00 2318 HIV PREVENTION FUND - HEALTH DEPT)  
Referred to Finance Committee

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- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (\$600,000.00 - 2316 WIC FUND - HEALTH DEPT)  
Referred to Finance Committee
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$675.00 - 2784 2009 BYRNE MEMORIAL CANTON JUSTICE ASST GRANT FUND)  
Referred to Finance Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO MISCELLANEOUS BRIDGE REPAIR AND MAINTENANCE ON THE STRUCTURE AT 1R77-9.08R OVER THE NORTHBOUND RAMP ON IR77; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Safety & Thoroughfares Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: Turning now to Ordinances and Formal Resolutions for the Second Reading. Madame Clerk, would you please begin with Ordinance #6.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #6 THROUGH #8 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #6. (2<sup>ND</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 (1836 8<sup>TH</sup> ST NE, DAVID CONANT )  
**PUB HRG 10/15/12 @ 7:30 P.M.**
- #7. (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 253 AND 254; AND DECLARING THE SAME TO BE AN EMERGENCY
- #8. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE REMOVAL AND REPLACEMENT OF THE EXISTING ROOFING SYSTEM AT THE FORMER SEARS BUILDING/CANTON CITY GOVERNMENT OFFICE COMPLEX IN AN AMOUNT NOT TO EXCEED \$300,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

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

PRESIDENT SCHULMAN: Thank you Madame Clerk. We now turn to Ordinances and Formal Resolutions for their Third, Final Reading and vote. Madame Clerk would you please begin with Ordinance 9.

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- #9. (3<sup>RD</sup> RDG) ***POSTPONED INDEFINITELY AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE IN CONJUNCTION W/WATER RECLAMATION FACILITY (WRF) PHOSPHORUS/TOTAL NITROGEN REMOVAL AND MISCELLANEOUS IMPROVEMENTS PROJECT TO: FILE AN APPLICATION AND ENTER INTO CONTRACT WITH OHIO ENVIRONMENTAL PROTECTION AGENCY (OPEA) FOR A LOW-INTEREST LOAN; ENTER INTO CONTRACT WITH OVIVO USA, LLC FOR PURCHASE OF MEMBRANE BIOREACTOR (MBR) EQUIPMENT AND ASSOCIATED COMPONENTS; ADVERTISE, RECEIVE BIDS AND ENTER INTO A CONSTRUCTION CONTRACT FOR THE PROJECT; FILE AN APPLICATION & ENTER INTO CONTRACT W/OEPA FOR A LOW-INTEREST LOAN TO FUND THE CONSTRUCTION PHASE OF THE PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY***

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

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

MEMBER FISHER: Mr. President.

MEMBER DOUGHERTY: I move we postpone Ordinance 9 indefinitely.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: Did you want to say anything Member Fisher?

MEMBER FISHER: You know what, no, you know what, I'm sorry. I didn't realize the...the postponement was...was coming indefinitely. So, no I'm good. Thank you.

PRESIDENT SCHULMAN: Okay, thank you. It's been moved and seconded that you postpone Ordinance #9 indefinitely. Are there any remarks under the motion to postpone? Hearing none, by voice vote then, all those if favor signify by saying aye. Those opposed no.

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries and Ordinance 9 is postponed indefinitely. Ordinance #10 please Madame Clerk.



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#10. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 161/2012** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (\$10,000.00 FAIR HOUSING)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #10. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#10 ADOPTED AS ORDINANCE NO. 161/2012**

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

#11. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 162/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO EXTEND THE CONTRACT WITH OHIO BILLING, INC. FOR ONE ADDITIONAL YEAR; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 11. Any remarks under this Ordinance?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Could someone in the Administration give me a round about figure of how much money we did...they did collect for us.

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PRESIDENT SCHULMAN: I don't think anybody can at this point Member Cirelli.

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Yes, Director.

SERVICE DIRECTOR PRICE: I'll make sure somebody gets back to you with the figure tomorrow but I don't have that, I'm sorry.

MEMBER CIRELLI: Mr. President, thank you Mr. Price, I appreciate that.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#11 ADOPTED AS ORDINANCE NO. 162/2012**

PRESIDENT SCHULMAN: Ordinance 11 is adopted. Ordinance 12 please.

#12. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 163/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO THREE (3) YEAR LICENSE AND DISPATCHING AGREEMENTS WITH N&T RAILROAD TO ALLOW ACCESS TO OUR 800 MHZ SYSTEM FOR RADIO COMMUNICATION FOR SAFETY FORCES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #12. Any remarks under this Ordinance? Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#12 ADOPTED AS ORDINANCE NO. 163/2012**

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

#13. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 164/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO SOLICIT AND RECEIVE BIDS AND EXECUTE THE SALE OF PARCEL NO. 280824 WHICH IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES; AND DECLARING THE SAME TO BE AN EMERGENCY (FORMER FIRE STATION #9)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 13. Any remarks under this Ordinance?

MEMBER CIRELLI: Mr. President.

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Member Morris.

MEMBER MORRIS: Yes sir, thank you.

PRESIDENT SCHULMAN: You're welcome.

MEMBER MORRIS: In regards to this piece of legislation, I'll be voting in favor of the sale but as I made it very clear to a gentlemen that has expressed interest in this piece of property, I will do everything within my power to block a zone change on this property. We have Historic Ridgewood up in that area and I...I just get real nervous of what could possibly put...be put into this location. Thank you.

PRESIDENT SCHULMAN: Thank you Member Morris. Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President but Member Morris, I was just going to ask for his remarks and so he did that. Thank you very much.

PRESIDENT SCHULMAN: Okay, thank you. Any other remarks on Ordinance 13? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Eleven yeas Mr. President.

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**#13 ADOPTED AS ORDINANCE NO. 164/2012**

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

#14. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 165/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF VARIOUS VEHICLES FOR THE SANITATION DEPARTMENT; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT AND/OR OHIO DEPARTMENT OF TRANSPORTATION PURCHASING AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 14. Any remarks under this Ordinance?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Hawk.

MEMBER HAWK: Thank you sir. Quickly, I will be voting to support this but and I see that we're making steps to start purchasing equipment locally and I'm very glad that, that's happening and I think we should always endeavor to spend all our money within the Ci...Canton City limits and if limited only to the County at one time. Either one would keep money generated in our community. Thank you.

PRESIDENT SCHULMAN: I want to follow up just briefly on what Member Hawk said. It would be interesting to know how these vendors contract with the State of Ohio to become state cooperative purchasing companies. I mean, they seem to all be out of Columbus and there must be some reason for it. It would be helpful perhaps if the Mayor or somebody in the Administration could get back to us with an answer to that. I don't know why we don't have local, why local retailers wouldn't be allowed to sign up for...to be an authorized representative for this state cooperative purchasing agreement. But that's my opinion. Any other remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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#14 ADOPTED AS ORDINANCE NO. 165/2012

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

#15. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 166/2012** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ACCEPT THE COST ESTIMATE FROM JACK DOHENY SUPPLIES IN AN AMOUNT NOT TO EXCEED \$50,000.00 AND ENTER INTO CONTRACT TO MAKE REPAIRS AND REBUILD COMPONENTS ON THE VACUUM SYSTEM OF VACTOR UNIT 4362 FOR THE COLLECTION SYSTEMS DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 15.

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#15 ADOPTED AS ORDINANCE NO. 166/2012

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PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 15 is adopted. Ordinance 16 please.

#16. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 167/2012** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$186,597.67 TO BROWNFIELD RESTORATION GROUP; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Eleven yeas Mr. President.

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**#16 ADOPTED AS ORDINANCE NO. 167/2012**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 16 is adopted. Ordinance #17 please.

#17. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 168/2012** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (\$399,995.00 FROM 5201 WATER FUND AND \$22,000.00 FROM SEWER FUND)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 17. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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**#17 ADOPTED AS ORDINANCE NO. 168/2012**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 17 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: And now we turn to Announcement of Committee meetings.

MEMBER BABCOCK: Mr. President.

PRESIDENT SCHULMAN: Member Babcock.

MEMBER BABCOCK: Finance Committee will meet on the 15<sup>th</sup> of October at 6:45.

PRESIDENT SCHULMAN: I think that's it.

CLERK TIMBERLAKE: Public Safety and Thoroughfares please.

PRESIDENT SCHULMAN: Public Safety.

MEMBER CIRELLI: I'm sorry.

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PRESIDENT SCHULMAN: That's okay.

MEMBER CIRELLI: Public Safety and Thoroughfares will meet on October 15<sup>th</sup> at 6:45.

PRESIDENT SCHULMAN: And just so the audience knows, our next meeting is not next Monday, we're off for Columbus Day on that but the following week is our next meeting. So, don't come down here to see us next week because we will not be here. Well some of us will probably be here. I will not.

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: Miscellaneous Business, is there any?

SERVICE DIRECTOR PRICE: Mr. President.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes, Director.

SERVICE DIRECTOR PRICE: Thank you. Just a follow up to Mary's question regarding the revenue regarding the collection for Safety Department. Joe actually pulled the Communication out for me and I'll still have somebody follow up to verify this because it was just in the Communication so I'm just relaying the information. But it...the Communication states that the revenue averages between 130 and \$150,000.00 per month in general fund revenue.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you Mr. Price and I see...I assume you mean the Financial Director, Joe DiRuzzo pulled that? Oh a different Joe, I'm sorry, Joe Martuccio. Thank you Law Director.

SERVICE DIRECTOR PRICE: Yeah, I'm sorry, he just showed me the Communication which had the information on it. But I'll make sure somebody...we'll get the contact to verify it.

MEMBER CIRELLI: Okay, I thank you and I thank you Law Director Martuccio and thank you Mr. President.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Member Smith.

MEMBER SMITH: Yes, Mr. President, I don't mean to be biased with the neighborhood association. I appreciate what all of you do for the City but could the 4<sup>th</sup> Ward neighborhood association stand? *(Applause)* I just wanted y'all to see that...and if I'm not mistaken, it's about 7 of you all that's out here now? Yes, and I appreciate everything that you do for the 4<sup>th</sup> Ward and for the City of Canton. And...and we all will continue to work together to beautify our community and the City. Thank you so very much.

PRESIDENT SCHULMAN: Thank you Member Smith. Now of course every Council Member will have to ask for Ward people to stand up and...*(Laughter)* Any other...can...I want to make sure, is this microphone working? Can you hear me in the back?

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*(INAUDIBLE FROM THE AUDIENCE)*

PRESIDENT SCHULMAN: Okay, alright. We'll have this...we'll have this looked at 1 more time. Is there any other Miscellaneous Business? I want to raise 1 point. We have a large audience tonight. Our City, and I think the Mayor will certainly collaborate this, our Cities are suffering in Ohio because of the actions that Columbus is taking and when I say Columbus, I principally mean the Ohio Senate and the Ohio House of Representatives. There is an issue, Issue 2 on the ballot that I'm hoping Council will pass a Resolution endorsing which takes the redistricting of State and Federal districts out of the hands of politicians, whether they be Democrats or Republicans and places that redistricting in the hands of the people, of independent, impartial people from Ohio, citizens that will try to redistrict districts where they are competitive. Where there's actually a competition of ideas as opposed to simply a person that will re-elected over and over and over again because they've been put in a district where they cannot lose. I strongly encourage all of you in the audience to vote for Issue 2 and I also ask everyone in the audience to tell your friends to vote for Issue 2. There is a tidal wave of opposition to it from the vested interest who don't want to see this changed. Last example, the Ohio Senate has been in the Republican hands for 40 years. Now, I don't like any...I don't like any, well Mr. Parker, I was going to say, I don't like any branch of Government to be in any party's hands for that length of time unless the people decide, not simply a fact that politicians redistrict and make sure no one every loses. So, I'm strongly encouraging all of you to vote for Issue 2 and tell your friends to vote for Issue 2. Leader.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adjourn. Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: The meeting is adjourned. Be careful everybody. Thank you for coming. *(Gavel falls)*

ADJOURNMENT TIME: 8:06 P.M.

ATTEST: OCTOBER 9, 2012  
CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

APPROVED: OCTOBER 9, 2012  
ALLEN SCHULMAN  
PRESIDENT