PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. We appreciate you being here. I believe, although no one told me, I sort of overheard it, I think we have a class from Jackson High School tonight. Stand up and we give you a warm welcome. (APPLAUSE) Our future. Thank you for being here. (Inaudible comment from the audience) With a quorum present...and that's a good thing by the way, it wasn't meant as an insult. 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:

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. For our Jackson Township students tonight's invocation will be given by my friend Council Member Frank Morris. This should be very interesting. Would you all please stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on October 21, 2013 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 9 Council Member Frank Morris. The Pledge of Allegiance led by President Schulman.

PRESIDENT SCHULMAN: Thank you Member Morris. Leader.

AGENDA CORRECTIONS & CHANGES

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to add 2nd Reading Ordinances 14 through 18.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2nd Reading Ordinances 14 through 18 to this evening's Agenda. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

PUBLIC HEARINGS

| PRESIDENT SCHULMAN: Turning | now to Public Hearings. | We have no Public Hearings scheduled this |
|-----------------------------|-------------------------|---|
| evening. | | |

OLD BUSINESS

PRESIDENT SCHULMAN: Under Old Business, I've been advised by the Mayor's Chief of Staff, Mr. Williams that we have no Old Business to discuss.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We are now on Public Speaks. We do have 2 speakers because Mr. DiGiacomo had his question answered before the meeting. Our first speaker is Jonathan Bailey. Mr. Bailey, good evening. Welcome to Canton City Council sir. If you'll give us your name and your residential address.

JONATHAN BAILEY: My name is Jonathan Bailey. I live at 405 3rd Street NE, Canton, Ohio. Go on about what I want to talk about?

PRESIDENT SCHULMAN: Sure, go ahead.

JONATHAN BAILEY: The issue today is, I was here before, it's about the bicycle theft in the city of Canton which is just outrageous. Since the last time I spoke here, at least 5 people that I know of, who I associate on occasion have had their bikes stolen. I had some research done and according to the Canton City Police Department only 39 bikes were actually reported stolen which is a very small fraction of the actual bikes actually stolen because two were covered out of these 39. The vast majority of people never report another bike stolen ever again because they don't get nothing back. What's the point? The vast majority of these bikes are winding up in the scrap yards. The scrap yard companies are not required to give any of, record any state ID's unless it's over \$100.00 worth of scrap. These bikes are going for under a \$1.00 or less. My bike outside is comally steel. It's worth \$350.00. There needs to be something changed about how these bikes are scrapped. They...every frame that goes to a scrap yard, needs to have the serial numbers recorded and needs to have an ID and check and see if they're stolen. It's outrageous. This is hurting the poor community. Poor people in this town is what ride bikes. Poor people is what goes out and works and get jobs and that's what they have for transportation. If they don't have that, they can't pay taxes. If they can't pay taxes, they can't pay any of you guys salaries. This is getting to be so bad now that people are getting hit in the head in the northeast end of town and they're getting their bikes taken out from underneath them. And nobody bothers to report cause like I said, there's nothing that gets done. We have to do something about this. This is hurting the poor community. It's poor people that's doing this to other poor peoples. We just found out today that we still have bicycle registration required in Canton, Ohio. I didn't know that we still had that. I went and did that today. It cost me a whole dollar. Get you bikes recorded, registered for your kids. Get it done. We've got to do something.

PRESIDENT SCHULMAN: Mr. Bailey do you have any suggestions?

JONATHAN BAILEY: Like I said, require these scrap metal places to get an ID for every single frame that comes in. Record the serial numbers of every single frame that comes in and if you can't read the serial numbers, they can't accept it. If you don't have an ID, you can't accept it and check again the registration against the theft that's reported for stolen bikes. And if we start catching these guys and it will start getting out there that they'll stop doing that as much. It's ridiculous now. I've lived in Canton my whole life. I've seen the rise in tide and fall of bicycle theft in Canton and I've never seen it this bad before. Nobody can keep a bike. Mine's locked up out front right now and I would stick around and listen to everyone else speak, but it's probably going to be tested tonight. My lock has been tested about 20 times this year alone and it's a very good lock but it's not a guarantee that I'm going to keep it.

PRESIDENT SCHULMAN: Thank you very much sir. We appreciate you coming down. (APPLAUSE) Our next speaker is Christine Rippert. Miss Rippert good evening. Welcome to Canton City Council. If you'll give us your name and your residential address and I will tell you our Law Director actually looked up the Ordinance you are going to discuss tonight so.

CHRISTINE RIPPERT: OK. Sorry I had write all this down. I didn't want to forget anything.

PRESIDENT SCHULMAN: That's OK.

CHRISTINE RIPPERT: My name's Christine Rippert. I live at 3031 Millridge Circle in Canton. I am the Director of Woozie Animal Rescue. I'm also the owner of Not to Tabby ReSale shop. The location there is 2140 Cleveland Avenue NW. A little bit about me real quick. I've been rescuing animals about 12 years, started my own group about 10 years ago and it's always been my dream to have a store like I have now where all the items are donated. All of us are volunteers so none of us are paid to work there and all the proceeds, 100% goes to help us do animal rescue, do low cost spay/neuter clinics for the community and help needy families with their pets. So I thought I was doing a good thing but, I was shocked to hear a message on our answering machine Friday morning from Darla, Zoning Inspector for the city. Although if she's here or if you guys see her I'd like to thank, have you guys thank her for calling versus sending us a letter. I do appreciate that. But basically the message said that Mary Cirelli is complaining about items we place outside for sale. She said she doesn't like the way it looks and she also brought up the vandalism incident we had with a client at the Friendship Center. Mary actually said that having items outside could be used to cause problems. I'm curious if she's implying that we asked to be vandalized and to have our lives threatened. For the record, the violence that this whole incident actually started at the Friendship Center where that gentleman kicked in their plexiglass door and did other damage over there. After he left there, before coming to our place, he went across the street and was trying to pull hedges out of the ground. So, I guess those are also dangerous items. More dangerous items I would think are benches and cigarette recepticals that are outside the Friendship Center. I would think that those could be picked up and thrown into windows like what happened at our business and not that I'm net, nitpicking but if our place looks like an eyesore, have you looked around that neighborhood like the two abandon houses across the street with the broken windows and the doors that are kicked in or at all the trash, the cans, the pop bags, the chip bags, the hypodermic needles that we pick up that are littering the streets that we pick up every morning but I find it ironic that she hasn't mentioned any of the good things that we've done for the community. Especially the folks at the Friendship Center such as giving them free clothes, free household items. We've paid to have many of their pets spayed on our dime. We've given them free pet food. I'm not clear on the Ordinance, it's a little confusing to me, 1129.18 but I'm assuming that it means businesses are not allowed to place items outside for sale. If I can't do that any longer that's going to put us out of business. We can't afford to advertise. We can't afford a sign. All of our money is going into helping animals so I just wondered how that helps charities like us and educational organizations. Like I said, all the profits from our store help us help animals and people and I don't see how a few Halloween and Christmas decorations in the yard of a building we own is a problem in the big scheme of things.

PRESIDENT SCHULMAN: The Law Director, Joe Martuccio said if you stick around he'll be here after the meeting. He'll be happy to discuss it with you.

CHRISTINE RIPPERT: OK.

PRESIDENT SCHULMAN: OK, thank you very much.

CHRISTINE RIPPERT: Thank you. (APPLAUSE)

PRESIDENT SCHULMAN: And that concludes Public Speaks.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We are now turning to Informal Resolutions and we do have one this evening. Madame Clerk.

#48. CNCL AT LG MBRS BABCOCK & CIRELLI & WARD CNCL MBRS HAWK, GRIFFIN, FISHER, MARIOL, MACK & MORRIS: REQ MAYOR & ADMIN TO USE BEST EFFORTS TO REINSTATE PREVIOUSLY EXISTING CAPTAINS' POSITIONS &/OR RELATED PROPOSALS & PROCEDURES ASSIGNING SAFETY OFFICER DUTIES. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Informal Resolution 48.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 48. Are there any remarks under this Resolution? Hearing none by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #48 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries and Informal Resolution 48 is adopted.

COMMUNICATIONS

PRESIDENT SCHULMAN: Turning now to 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 OCTOBER 21, 2013.

- 404. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 10/10/13. RECEIVED & FILED
- 405. COUNCIL AS A WHOLE: REQ LAW DEPT TO RESEARCH & DRAFT LEGISLATION REGARDING LANDLORD/TENANT ISSUES. JUDICIARY COMMITTEE
- 406. COUNCIL MEMBER SMITH: REQ STREET NAME CHANGE FROM FELLER CT SE BETWEEN 11^{TH} ST SW & 12^{TH} ST SE TO FLOYD SUMMERS CT SE. PUBLIC SAFETY & THOROUGHFARES COMMITTEE

- 407. FINANCE DIRECTOR DIRUZZA: AMEND APPROP O#209/2012 FOR VARIOUS DEPTS TO MEET THE OPERATING NEEDS FOR THE REMAINDER OF THE YEAR. FINANCE COMMITTEE
- 408. LAW DIRECTOR MARTUCCIO: REQ TO REPEAL SECTION 549.11 OF THE CODIFIED ORDINANCES WHICH IS AN OUTDATED & STATE PREEMPTED SEC. JUDICIARY COMMITTEE
- 409. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED ALLEY VAC OF GROVE PL SW 95' EAST OF EXETER AVE SW TO THE EAST OF THAT DEDICATED ROADWAY IN WARD 3 (REQUESTED BY AULTMAN HEALTH FOUNDATION). PUBLIC SAFETY & THOROUGHFARES COMMITTEE
- 410. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED ZONE CHANGE FROM R-2 (TWO FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS) @ 1809 22ND ST NE TO ALLOW THE CONTINUATION OF A SALES/SERVICE/STORAGE BUSINESS IN WARD 9 (REQUESTED BY ROBERT TABOR). JUDICIARY COMMITTEE
- 411. SAFETY DIRECTOR PERRY: REQ TO ENTER INTO PROF SVCS CONTRACT, EFF 11/1/13 W/AULTWORKS OCCUPATIONAL MEDICINE FOR 3 YR PERIOD. FINANCE COMMITTEE
- 412. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO REC \$1,500.00 OHIO DEPT OF PUB SAF 2013-2014 EMS GRANT ON BEHALF OF POLICE DEPT; AUTHORIZE \$1,500.00 SUPP APPROP FROM UNAPPROP BAL OF 2786 POLICE EMS GRANT FUND TO 2786 102001 POLICE ADMIN OTHER. FINANCE COMMITTEE
- 413. SAFETY DIRECTOR PERRY: AMEND O#108/2013 TO REFLECT CHANGE IN TYPE OF VEHICLES PURCHASED FROM 6 CHEVY CAPRICES TO 6 FORD INTERCEPTORS FOR POLICE DEPT IN AMT NOT TO EXCEED \$189,650.00. PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
- 414. SERVICE DIRECTOR BARTOS: REQ TO PURCHASE FOR COLLECTION SYSTEMS & WATER DEPT A JOHN DEERE 650K W/ACCESSORIES FROM MURPHY TRACTOR & SALES AT A COST NOT TO EXCEED \$150,000.00; REQ \$75,000.00 SUPP APPROP FROM UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 WATER DISTRIBUTION FUND OTHER. PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
- 415. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO AN AGMT W/CURRENT OWNERS OF PARCEL #240518 & ACCEPT THE DONATION OF A 3.81 ACRE, MORE OR LESS, TRACT OF LAND ON BEHALF OF CITY; ACKNOWLEDGE DONATION OF \$80,000.00 IN PROP VALUE BY H-P PRODUCTS TO CITY. COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #13 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012;
 AND DECLARING THE SAME TO BE AN EMERGENCY (\$300,000.00 FROM UNAPPROP BAL OF 2316 WIC GRANT FUND TO \$230,000.00 2316 WIC GRANT FUND OTHER AND \$70,000.00 2316 WIC GRANT FUND PERSONNEL Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,459.54 FROM 2323 301001 - OTHER TO 2323 301001 - PERSONNEL) Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH LENCO ARMORED VEHICLES IN AN AMOUNT NOT TO EXCEED \$79,623.50 TO REFURBISH THE SWAT ARMORED VEHICLE; AND DECLARING THE SAME TO BE AN EMERGENCY Referred to Public Property Capital Improvement Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO RECEIVE THE 2012 COPS HIRING PROGRAM GRANT IN AN AMOUNT NOT TO EXCEED \$821,489.00; AND DECLARING THE SAME TO BE AN EMERGENCY Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO RECEIVE THE 2013 COPS HIRING PROGRAM GRANT IN AN AMOUNT NOT TO EXCEED \$851,949.00; AND DECLARING THE SAME TO BE AN EMERGENCY Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO:
 ENTER INTO AN AMENDMENT OF THE PROFESSIONAL SERVICES
 AGREEMENT WITH CT CONSULTANTS, INC. IN AN AMOUNT NOT TO
 EXCEED \$756,200.00 AND TO FILE AN APPLICATION AND ENTER INTO AN
 AGREEMENT WITH OHIO EPA FOR A SUPPLEMENTAL LOW-INTEREST LOAN
 FROM THE WATER POLLUTION CONTROL LOAN FUND; AMENDING
 APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO
 BE AN EMERGENCY
 Referred to Public Property Capital Improvement Committee

- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR THE ABILITY TO CONDUCT MAINTENANCE OPERATIONS/CONTRACTS ON I-77 WITHIN THE CANTON CORPORATE LIMITS; AND DECLARING THE SAME TO BE AN EMERGENCY Referred to Public Safety & Thoroughfares Committee
- #8. (1ST RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO THE REPAIR OF STRUCTURE #7606516 (FAIRCREST BRIDGE) ON SR 627 OVER THE STREAM AT SECTION 4.32; AND DECLARING THE SAME TO BE AN EMERGENCY Referred to Public Safety & Thoroughfares Committee
- #9. (1ST RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO GUARDRAIL UPGRADES ON SR 43, SR 687, SR 800, US 30 AND US 62; AND DECLARING THE SAME TO BE AN EMERGENCY
 Referred to Public Safety & Thoroughfares Committee
- #10. (1ST RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO MISCELLANEOUS WORK ON 30TH STREET; AND DECLARING THE SAME TO BE AN EMERGENCY
 Referred to Public Safety & Thoroughfares Committee
- #11. (1ST RDG) RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR Referred to Finance Committee

(COUNCIL RECESSED AT 7:45 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #12; RECONVENED AT 7:48 P.M.)

#12. (1ST RDG)

ADOPTED AS ORDINANCE NO. 189/2013 AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A THREE-YEAR PROFESSIONAL SERVICES CONTRACT WITH AULTWORKS OCCUPATIONAL MEDICINE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

(COUNCIL RECESSED AT 7:48 P.M. FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #13; RECONVENED AT 7:50 P.M.)

#13. (1ST RDG)

ADOPTED AS ORDINANCE NO. 190/2013 AN ORDINANCE AMENDING ORDINANCE NO. 108/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (6 FORD INTERCEPTOR VEHICLES FOR POLICE DEPARTMENT) Referred to Public Property Capital Improvement Committee

PRESIDENT SCHULMAN: And at this time the chair would declare a recess for the Finance and Public Property Capital Improvement Committees to meet in regard to Ordinances 12 and 13 on your Agenda this evening. You're now in recess.

PRESIDENT SCHULMAN: Council will now reconvene after the recess. Leader Dougherty.

MEMBER DOUGHERTY: Yes sir, I move we suspend Rule 22A to place Ordinances 12 and 13 back.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to place Ordinances 12 and 13 back on this evening's agenda. Any remarks? Hearing none again Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The Ordinance carries. Leader. I mean the motion carries. Ordinance 12 and 13 are a legal part of your Agenda. Now Leader.

MEMBER DOUGHERTY: Yes, Mr. President, I move we suspend the Statutory Rules on Ordinance 12.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 12. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 12. Any remarks under this Ordinance? Hearing none, again Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#12 ADOPTED AS ORDINANCE NO. 189/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and Ordinance 12 has been adopted. Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 13.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 13. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 13. Any remarks under this Ordinance? Hearing none, again Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#13 ADOPTED AS ORDINANCE NO. 190/2013

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

MEMBER DOUGHERTY: Point of Order Mr. President.

PRESIDENT SCHULMAN: Yes, Leader.

MEMBER DOUGHERTY: I request to go back to Ordinance 12. I need to abstain from that Ordinance. I forgot to do so.

MEMBER GRIFFIN: Seconded.

NO REMARKS

ROLL CALL 11 YEAS, 1 ABSTAIN

(MEMBER DOUGHERTY ABSTAIN)

CLERK TIMBERLAKE: (Performed new roll call) Eleven yeas, one abstain Mr. President.

#12 ADOPTED AS ORDINANCE NO. 189/2013

MEMBER DOUGHERTY: Thank you Mr. President.

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

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Now we turn to Ordinance for their Second Readings. Madame Clerk would you please begin with Ordinance 14.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #14 THROUGH #18 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #14. (2ND RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE HOF ANNEXATION AREA CONTAINING APPROXIMATELY 5.776 ACRES; ASSIGNING SAID TERRITORY TO WARD 7 OF THE CITY; ZONING SAID TERRITORY AS CS (COMMUNITY SERVICE); AND DECLARING THE SAME TO BE AN EMERGENCY PUB HRG 10/28/13 @ 7:30 PM
- #15. (2ND RDG) AN ORDINANCE PROCEEDING WITH THE IMPLEMENTATION OF THE PUBLIC SERVICE PLAN ADOPTED BY THE DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; ADOPTING THE ESTIMATED ASSESSMENT PREPARED AND FILED WITH THE RESOLUTION OF NECESSITY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$295,081.00 FROM UNAPPROP BAL 5442 WRF PHOSPHORUS/NITROGEN PROJ TO 5442 206044 WRF PHOSPHORUS/NITROGEN PROJ OTHER)
- #17. (2ND RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$12,152.84 TO CENTRAL ALLIED ENTERPRISES; AND DECLARING THE SAME TO BE AN EMERGENCY
- #18. (2ND RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$23,195.00 TO LAKE ERIE CONSTRUCTION COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We now are under Ordinances and Formal Resolutions for their Third, Final Reading and Vote. Would you please begin with, Ordinance 19.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #19 THROUGH #25 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#19. $(3^{RD} RDG)$

ADOPTED AS ORDINANCE NO. 191/2013 AN ORDINANCE AUTHORIZING THE AUDITOR TO ENTER INTO A THREE YEAR PROFESSIONAL SERVICES AGREEMENT WITH JULIAN & GRUBE, INC. IN AN AMOUNT NOT TO EXCEED \$24,900.00 ANNUALLY; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 19.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 19. Any remark under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 9 YEAS, 3 NAYS

(MEMBERS MARIOL, MACK AND MORRIS VOTED NAY)

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

#19 ADOPTED AS ORDINANCE NO. 191/2013

PRESIDENT SCHULMAN: Ordinance 19 is adopted. Ordinance 20 please.

#20. $(3^{RD} RDG)$

ADOPTED AS AMENDED AS ORDINANCE NO. 192/2013 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$180,000.00 FROM UNAPPROP BAL 6041 MOTOR VEHICLES DEPT, DMV FUND TO 6041 208010 SERVICE & REPAIR - OTHER)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 20. Any remarks under this Ordinance? Hearing none....

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader.

MEMBER DOUGHERTY: I move we amend Ordinance 20 per the amendment in front of all Council

Members.

MEMBER GRIFFIN: Seconded.

Amendment

Pursuant to Rule 36, I move to amend Agenda Item No. 20 by the inclusion of a new supplemental appropriation in Section 1 as follows:

FROM: Unappropriated Balance of the 6041 Motor \$49,000.00

Vehicles Dept., DMV

TO: 6041 103001 Fire Admin \$49,000.00

- Other

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 20 by virtue of the amendment before each Member of Council. Any remarks? Hearing none by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS AMENDMENT PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Ordinance 20 is amended. Leader.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Ordinance 20 as amended.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you vote for Ordinance 20 as amended. Any remarks under this Ordinance? Hearing none again Madame Clerk roll call vote please.

NO REMARKS ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#20 ADOPTED AS AMENDED AS ORDINANCE NO. 192/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 20 as amended is adopted. Ordinance 21 please.

#21. (3RD RDG) ADOPTED AS ORDINANCE NO. 193/2013 AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING AND RENUMBERING OF OUTLOT 1150; AND DECLARING THE SAME TO BE AN EMERGENCY (MARET AVE NE)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 21.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded that you adopt Ordinance 21. Any remarks under this Ordinance? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#21 ADOPTED AS ORDINANCE NO. 193/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 21 is adopted. Ordinance 22 please.

#22. (3RD RDG)

ADOPTED AS ORDINANCE NO. 194/2013 AN ORDINANCE AMENDING ORDINANCE NO. 145/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$31,268.05 FROM UNAPPROP BAL 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 102000 POLICE - OTHER)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 22.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 22. Any remarks under this Ordinance? Hearing none again Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#22 ADOPTED AS ORDINANCE NO. 194/2013

PRESIDENT SCHULMAN: Ordinance 22 has been adopted. Ordinance 23.

#23. (3RD RDG)

ADOPTED AS ORDINANCE NO. 195/2013 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT REIMBURSEMENT GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$31,988.28 FROM THE STATE FOR A TRAFFIC ENFORCEMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 22.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: Moved and seconded to adopt Ordinance 23.

CLERK TIMBERLAKE: Right.

MEMBER DOUGHERTY: 23 sorry.

PRESIDENT SCHULMAN: That's alright. Again it's been moved and seconded to adopt Ordinance 23. Any remarks under this Ordinance? Hearing none again Madame Clerk roll call vote please.

NO REMARKS ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#23 ADOPTED AS ORDINANCE NO. 195/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 23 is adopted. Ordinance 24 please.

#24. (3RD RDG) <u>ADOPTED AS ORDINANCE NO. 196/2013</u> AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$8,067.84 TO KIMBLE CLAY & LIMESTONE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 24. Any remarks under this Ordinance? Hearing none Madame Clerk, roll call vote please.

NO REMARKS ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 196/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 24 is adopted. Ordinance 25 please.

#25. (3RD RDG)

ADOPTED AS ORDINANCE NO. 197/2013 AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO AMEND THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT WITH THE FEDERAL GOVERNMENT TO EXTEND THE GRANT PERIOD AND ACCOUNT FOR AEP ENERGY EFFICIENCY GRIDSMART GRANT FUNDS; AMENDING ORDINANCE NO. 248/2009; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$19,480.73 FROM UNAPPROP BAL OF 2236 ENERGY EFFICIENCY & CONSERVATION GRANT FUND TO 2236 202030 CANTON SUSTAINABILITY PROJ GP 1134 - OTHER)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 25.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 25. Any remarks under

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

NO REMARKS ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#25 ADOPTED AS ORDINANCE NO. 197/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 25 is adopted. That concludes our Ordinances for the Third Reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Announcement of Committee Meetings please.

MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cole.

MEMBER COLE: Yes, October 28th Finance will meet at 6:15 P.M. Thank you.

PRESIDENT SCHULMAN: 6:15 thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Public Property Capital Improvement will meet October 28th at 6:15.

PRESIDENT SCHULMAN: Thank you. Is that it?

CLERK TIMBERLAKE: Public Safety and Thoroughfares.

PRESIDENT SCHULMAN: Public Safety and Thoroughfares. Public Safety and Thoroughfares.

MEMBER CIRELLI: Will meet at 6:15 also sir.

PRESIDENT SCHULMAN: Thank you.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Turning now to Miscellaneous Business. Do we have any Miscellaneous Business? Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. I have a couple things here. One of them is that and I had called on about this...I got a call from a constituent that turned Channel 8 on one evening. The news was one and they were having the fact that Cleveland was passing something on their City Council that sexual predators

could not be turning...cause we have Trick or Treat coming, so they were cautioning them. They were wanting to have them not turn their lights on because the kids are drawn to where the lights are at. Now usually here we have it from I think 5 to, or 3 to 5 so usually, well people turn their lights on anyhow but I had spoke with the Law Director and he said that, you know that would be kind of a good thing to at least talk about so we can make parents aware to be very careful when we're out there because we do have sexual predators and that is something that you know, we don't want any children to be harmed and what have you. So, if it should go where we have it when it's dark then that should be something maybe we should think of down the road to do. Then I have a couple other things. I was delighted that the Repository put their real estate transfers is now comes out on a Friday so that they've changed their format so that could help our offices here check about the properties that are being moved in the city of Canton. And then I also had, I think we all got this about the electrocution death from, in Pennsylvania, \$109,000,000.00 verdict for FirstEnergy, against FirstEnergy for a 39 year old woman was killed on a wire that was down. An electrical wire and her children witnessed this as well as her mother-in-law and we've had people come...I've had people contact me in saying you know, they had buried the wires in downtown Canton why not whenever they're doing these projects into the neighborhoods as well can they not bury the wires, the electrical wires. And of course, I spoke with the Engineer and he's always saying it's too expense but, when you see what can come out of this, a death of a mother and a loved one, that's, I don't think there's any expense that can make for a persons life. So that's one thing. Then one of the houses, and yes this is across from the Friendship Center, and you've brought it up many times. 2123 Cleveland Avenue and I want to ask the Law Director, do we now have an enforcement if we turn in the person that is claiming to be responsible for that building or the buildings, the houses or what have you that we can contact them and have them put a \$10,000.00 bond. Is that ready to go sir?

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President, Member Cirelli. Under the terms of our amended Foreclosure Ordinance if they meet the terms and conditions, yes. I am happy to say the Mayor has devoted some staff to, I don't if Mr. Stone is here tonight but, there are some folks working on it and I understand there's been one bond perhaps already collected. Yea, so again if the terms and conditions are met, it's something we can look at to do.

MEMBER CIRELLI: OK and I just want to clarify, anybody that drives there will see 2123 is one of the two houses that you yourself Mr. President have spoke of and the address has been put on with some type of a permanent marker or something and the door is wide open there and the way...it seems like our Building Department is sort of in a flux. After I saw the letter that one of our Council Members received it's like who do we report this to and it is being sold. Now the seller is from Cutler. His name is Mike Boylan. I have his phone number here. Can we call him, tell him to board up his building and can he therefore, he's taking ownership whenever he's the salesperson, put a \$10,000.00 bond on that building. I think we should look into this because it's wide open and the way that the address is put there it almost, somebody just went up and put it there as if like maybe there going to use if for a drug place or something. You can't miss it if you're coming south. However I pulled into the driveway and went around and checked it out and you can see right through into the building so it needs to be taken care of. And I would like to speak also with that young lady about the issue of Canton Friendship Center because the way it was put to me was that it was one of the, a pole that they had picked up whenever something they were selling that this gentleman, a steel pole had broken a window and threatened them. And I for one do not like where the Friendship Centers at. If I would have been in Council cause I'm one of the founding organization mothers on the Board Members of this, 1984-85. It's a social recreational center for de-institutionalized, mentally ill, lonely, depressed and handicapped people. It since then has become a payee program. Now when people get their monies and that's whenever their very active, they are enticed to go where they can find a bargain and what I was upset about, there was a walker out there that could

be folded up and smashed into a window, there was an animal, metal animal carrying device, there was a stroller and then there was some wooden, like it was either something for Christmas or what have you and I appreciate them giving the people from the center clothes and what have you because their money is tight and this is a population whether we like it or not, it's not going to go away. And we are the keepers of them. I don't want them to do any damage to anybody and as well as I don't want them to be hurt. Had I been in Council whenever this Honorable Body allowed it to be moved from 919 Walnut Avenue NE or which we leased them the building, being the city of Canton for a \$1.00 a year and we gave that property to Nationwide and had that building torn down. I would have fought about, against it being moved to where it's at because it is not a condusive area for it. But it's something, and at that time it was not even a payee program. So, and most people are not aware, the people of the payee program, they don't have much money to go there and their charged \$38.00 a month to have somebody help them with their monies cause they cannot always manage their money. I know, now you've got more to ponder about, I seen that look on your face but you know, the money's got to come from apparently somewhere and I image they, I've seen all the forms. I went through all of it cause like you said, the whole mission seems to have changed a lot and yes I was concerned and I just didn't feel...when I saw what was out there and that was on a Thursday, last Thursday. I felt like those, the people that are there have some problems that they could go over there and use any of those things. You could fold up that walker and that could be used as a weapon and to me it was like putting things out there, dangling candy from, to a child and telling them they can't have it. So that was what I was concerned about is because I didn't want to see any more problems for them or the resale shop or the tanning business there. So that's my, you know explanation of it all whatever. I appreciate it.

PRESIDENT SCHULMAN: Thank you Member Cirelli.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I have a few things here actually. I was researching just for Council's knowledge as well as the community, I was researching some legislation we did in the past around our dumpster legislation, we did this back in 2012 and I was happy to learn that our new Sanitation officer, Mark Adams has been enforcing that Ordinance and in five months, out of 5 months, he's already brought in \$25,000.00 to the city and that Ordinance was all about when rentals, when people get evicted they have to provide a dumpster and I'm thankful to say that you know, Mark has enforced that Ordinance and it's already brought \$25,000.00 in. The other thing is as Joe Martuccio has indicated the foreclosure Ordinance already received \$10,000.00. It's first bond and a letter has even went out so people are already complying with that Ordinance so some of the things that we do down here does provide some fruit. Another thing, next week I plan on bringing down a Resolution asking this Council to support a Minority Business Assistance Center here in the city of Canton in collaboration with Cleveland and Akron and several of our local minority or small business developers here in the city so that will come down next week so....I may send it to a little earlier before so you can have some input on it. And the last thing I wanted to talk to about, I didn't vote for the Informal Resolution in reference to firefighters and I didn't vote against it. That was actually a really difficult decision on my part because two years ago I was here when we fought, when we actually took the captains away because we talked about, we had too many chiefs and not enough indians. This year I heard the Chief come and say we need some more indians. We need some more firefighters on the ground so I'm not clear on, in terms of us returned the existing captains but at the same time I'm not voting against it but I need more information. So, that's why I didn't vote it or against it. And I'm hoping that in the near future the Mayor and of course the Safety Director will come down to us and give us a sense on what do we need to keep the city safe and I don't know if Andrea you can bring that down to us or someone could cause I'm under the impression that our city needs more firefighters and like I said, more

indians not chiefs. So, I just wanted to mention that just for my own conscience and put it on record. Thank you.

PRESIDENT SCHULMAN: Thank you Member West. Any other remarks? Member Griffin.

MEMBER GRIFFIN: Mr. President, the Tree Commission had a meeting last Tuesday after, evening and I just want to announce that we are going to have an Arbor Day celebration next year, April 26th. It will be in the Stadium Park around the Garden Center is the focal point and you'll get more information on it after the 1st of the year. I want you to know that Arbor Day is coming with the planting of the trees, etc. so we're working on that. Thank you.

PRESIDENT SCHULMAN: Great thank you, Member Griffin. Any other remarks?

SAFETY DIRECTOR PERRY: Mr. President.

PRESIDENT SCHULMAN: Sorry.

SAFETY DIRECTOR PERRY: I just wanted to take the opportunity to introduce and welcome Amy Slater who is our new Director of HR so you guys can put a face with a name. Amy.

PRESIDENT SCHULMAN: Miss Slater you want to stand up. (APPLAUSE) Congratulations. It's a very easy job if you have a gun in your drawer. Anything else? Leader.

MEMBER DOUGHERTY: Mr. President with that comment, I move to adjourn.

CLERK TIMBERLAKE: Excuse me.

MEMBER DOUGHERTY: Hold on. Oh, that's right, I forgot.

CLERK TIMBERLAKE: Yes I'm sorry. I had a letter that came into the Council Office they had ask me to read so if you can enlighten me for a few moments. Dear Mr. Dougherty, Majority Leader in Canton City Council. As a senior, retired citizen I take a bus downtown Canton to visit shops, visit City Hall or just have lunch and meet friends at the Arcadia Grill. I've seen the list of Canton City Merchandise like caps, key chains, pens or shirts you are selling and I like it. Canton needs a bicycle police riding in the summer on Canton streets too. As a long time resident of Wards 4 and 5 before I moved, I always done my part in Canton over many years on many issues and wrote many letters to the Repository to help our fair city as all residents should but don't or do, right? I also believe Canton needs a motto to put on the Welcome to Canton sign and it also should put on the Canton cops, excuse me, the caps, cups and shirts. Do you agree? Enclosed is a letter he wrote saying "Welcoming to Canton, Thank you for coming". He just wanted to share the letter that Canton is a great city and we should do more to welcome people in the city.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Very nice. 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.

NO REMARKS ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Meeting is adjourned. Thank all our students tonight. Be safe on your way home.

(Gavel falls)

ADJOURNMENT TIME: 8:12 PM

ATTEST: APPROVED:

CYNTHIA TIMBERLAKE ALLEN SCHULMAN

CLERK OF COUNCIL PRESIDENT