

MINUTES OF THE MEETING DECEMBER 9, 2013

PRESIDENT SCHULMAN: Good evening....good evening....hello...hello....Good evening ladies and gentleman and welcome to Canton City Council. It's good to see everybody on this very cold night. Stay warm when you leave. With a quorum being present, the Chair calls this meeting of 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, JOE COLE, GREG HAWK, THOMAS WEST, CHRIS SMITH, KEVIN FISHER, JOHN MARIOL, EDMOND MACK & FRANK MORRIS)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: Eleven...I'm sorry, twelve...nine yeas...twelve yeas, Mr. President. *(Laughter)* I'm sorry.

PRESIDENT SCHULMAN: Okay, thank you. Tonight our Invocation is going to be given by my friend, Council Member-at-Large Joe Cole. If you'll all stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on December 9, 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 Council at Large Member Joe Cole. The Pledge of Allegiance led by President Schulman.

PRESIDENT SCHULMAN: Thank you Member Cole.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We're now under Agenda corrections. Leader Dougherty.

MEMBER WEST: Mr. President, before we start.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I just wanted to let everybody to know that we have hats for sale so if you're head is cold, you know you can wear one. And they don't cost that much. So, when you come to City Council and you have no hair, we have hats available. *(Laughter)*

PRESIDENT SCHULMAN: Actually that hat looks really good on you. It does. Okay, anyway....there must be something in the water tonight. We're now under Agenda corrections and changes. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to add 2nd Reading Ordinances 2 and 3 and 5 through 9 with 4 being withdrawn.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2nd Reading Ordinances 2, 3, 5 through 9, Ordinance 4 being withdrawn. Any remarks? Hearing none Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and the Ordinances are a legal part of your Agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: Turning now to Public Hearings. We have none scheduled this evening.____

OLD BUSINESS

PRESIDENT SCHULMAN: Turning now to Old Business. I will turn this over to the Mayor's Chief of Staff, Fonda Williams. Mr. Williams, thank you.

CHIEF OF STAFF WILLIAMS: Thank you Mr. President. From the December 2nd meeting we had 4 different pieces of Old Business. The first is for Mr. Bailey requested that Council and the Administration provide extra money and resources to fight the problem of bicycle theft and also wanted to know if Stark State Campus that's coming downtown is going to have their own security. And yes Mr. Bailey, they will have their...their own security. Mr. Nordman asked for support for a grand Easter parade in Canton sometime in 2014. Mr. Lynch wanted to know if deaf people in the community can be considered for positions within the City and I believe the Mayor met with Mr. Lynch after the last meeting. And then also Mr. Hawk, Mr. Jack Hawk asked about the Civil Service test being conducive to permit persons using American sign language to be able to participate and that is being looked into Mr. Hawk and secondly he requested information about obtaining special smoke detectors for the hearing impaired. Director Perry looked into that matter specifically and the grant that we just received and their specifically and the grant that we just received and there is specific language in the grant to address that, meaning that the smoke detectors will be able to assist those that are hearing impaired and also I believe Council Member Cirelli asked a question about will they be the sealed smoke detectors with the 10 year life lithium batteries and they will. So, that concludes Old Business.

PRESIDENT SCHULMAN: Thank you Chief of Staff Williams.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks. We have seven speakers this evening. Our first speaker is Jonathan Bailey. Mr. Bailey, as always, welcome to Canton City Council. If you'll give us your name and your residential address please.

JONATHAN BAILEY: My name is Jonathan Bailey. I live at 405 3rd Street, Canton, Ohio. Today, I wanted to...bicycle theft again. I've had five people come up to me this week saying their bicycle seats were stolen for that part right there. Less than a dollars worth of aluminum. It was a resident at the res...at the shelter I'm at right now who was at his sister's house. They left his bike while they went shopping or someplace. When they come back someone had...he had his bicycle seat stolen so many times he had it bolted on, he took off the quick release and bolted it onto his frame. Someone pulled and yanked and pulled and pried until they got his bicycle seat. They ruined his frame and he still thank God that he had this cheesy bicycle rack to park his butt on to ride home in time to get to curfew. If he hadn't made it, he would have been kicked out for 20 days. I request that we ban all bicycle scrapping, parts, pieces, accessories, if it has something to do with a bicycle, it should be scrapped period because it's all stolen. And if you haven't got the force to do it, make the force.

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Make these places abide by the law. If you can't, revoke their business license. Hire the people to do this. It should say 275 really. You know why it should say 275? I can show you why and how. This is more than the Pro Football Hall of Fame City. This is the Pro Football City period, one week out of the year. There's nothing more American than that. Someone out there is targeting this City. They got the Boston Marathon. That's a marathon, that wasn't...this...one week out of the year, this is American, the heart and soul of it. Either some misguided morons or a serious evil genius is out there right now targeting this City. So, you need 275 Fireman and Police Officers. You know why? Because you're going to need their backup force because if it's a smart attack like the four pronged attack was on New York alone was, a nice chunk of the force is going to be taken out and you're going to need a reserve force to take up the slack of the fallen brothers and sisters that's in the force. And in the meantime, we have the force, we need to make the neighborhood safe. Then they po...the poor people don't report this stuff. They're laughing at me, they're thinking I'm wasting my time coming up here to you and tell you about these bicycle thefts because they've called the police when they've had their bikes stolen and they were told too bad and so they never reported again, why bother. And they're definitely not going to come look for those bicycle seats so why are they gonna call them for that. They're not going to follow me up here, I've asked. They think you're a joke, they think the whole City is a joke. They have no protection. Thugs rule the neighborhoods and they're a minority, these thugs. But they control the whole damn neighborhood. Okay, I'm not done...

PRESIDENT SCHULMAN: Well...

JONATHAN BAILEY: I need 10, 15 minutes.

PRESIDENT SCHULMAN: Well, you can come back. Thank you very much Mr. Bailey, we always appreciate hearing from you. Our next speaker is Bruce Nordman. Mr. Nordman, welcome as always. If you'll give us your name and your residential address please.

BRUCE NORDMAN: Good evening, I'm Bruce Nordman. I reside at 1623 Logan Avenue NW. Good evening Mr. Mayor, Mr. President, Members of the Council. I'm here as the President of Group 175 to strongly endorse the reappointment of George Maier as Sheriff. Last March, we approached the Stark County Commissioners asking why after the tax renewal was passed for a ½ percent sales tax increase, why there were still 101 beds open. That was on March the 6th. The following week, George Maier showed up and opened up and opened up 50 new beds. I talked to him about running a job fair for veterans. He whole heartedly agreed. We ran a job fair on April 24th. Seventy applicants came in and submitted their resumes for consideration. Overall, 40 new Corrections Officers, Deputy Sheriffs and support personnel have been hired. Thirty percent of them were veterans. That's twice the normal hiring rate. Next thing we're starting to see bags along side of Route 62. George Maier reinstated that also to get the inmates out picking up...picking up the garbage. He established a substation in Plain Township. He had the first Police Officer's Association Meeting held at his office in years. He initiated the Violent Task Force which has initiated a tremendous amount of rest in troubled neighborhoods and not only that, folks are talking to these Officers and pointing out additional...additional...additional trouble spots in the area. This last parade that was held on Hall of...on the Hall of Fame weekend was one of the safest parades we have seen in years. One of the reasons for that is that Sheriff Maier dedicated 12 deputies to help the Canton Police force to keep the peace. He's an individual that reaches out to people. He's a joiner, he has done more in his nine months in office than has been done probably in the nine years preceding. There are half dozen delegates sitting in this room who are going to vote on Wednesday night. Group 175, it is unanimous that you would get behind and reappoint Sheriff Maier. Thank you very much.

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PRESIDENT SCHULMAN: Thank you Mr. Nordman as always. Our next speaker is Peter DiGiacomo. Mr. DiGiacomo, to you also. Always welcome to Canton City Council. If you'll give us your name and your residential address please.

PETE DIGIACOMO: My name is Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. I'm here for two things. One is good and ones....well you decide. I got this letter in the mail December 5th. City Income Tax, I've already spoke with the gentleman here. Basically what it is, I have a part time job, I've had it for 16 years, Ernie's Bicycle Shop. They have a store in Massillon, they have one in North Canton and they each take out tax, depending where I'm working. The tax time comes up, I send the W-2 in with the City income tax form and then I wait to see either I owe or they owe me. I never get nothing back so it's a good wash. So, on December 5th I get this letter saying that I owe money plus they're going to charge me interest. On here it shows when I mailed it, when they did it. They finished it up April 11th. So, I get it on December 5th. So, I believe I was charged the interest all that time. I went up today, spoke with a really nice lady. I can't pronounce her name, it's kind of like a good Irish name, first name, the gentleman, he knows who I'm speaking of and I'm going to say within 5 minutes she had everything corrected, was very pleasant, very professional and now I don't owe anything. It was only 10, \$12.00. It was just kind of the principal of the thing. But she did a very good job and I wanted to bring that to the Administration's attention. The other thing I want to speak about, Mr. Nordman kind of stole some of the things I was gonna say. So, I got a lot of time left. I know with...with I'm going to start with the Democratic Party of which I am, proud of it, always will be and okay. They got to get their house in order, please. Fighting amongst their selves and things like that, not good. But Mr. Maier, I...you know from what I've heard that he's done and everything, you know, it would be very nice to have it go back again. But again with the Democrats fighting amongst themselves, it's not good. If they get together and resolve the issue I believe we could have a good person in their for Sheriff and hopefully that will happen. Thank you very much sir.

PRESIDENT SCHULMAN: Thank you Mr. DiGiocomo, appreciate it. Our next speaker is Jon Hall. Good evening. Welcome again to Canton City Council. If you'll give us your name and your residential address please.

JON HALL: Yes sir. My name is Jon Hall, I stay at 633 Alan Page Drive. I'm here to speak in behalf of the Rooney Rule. I'm gonna ask if you guys would take the opportunity for people like me, minorities, to have a...more of a chance to have a job by voting yes. I'm asking for you to also just...I haven't....I'm a veteran. I have...I haven't had a job in like going on 2 years and there's no reas...I haven't...I've been at the Employment Source every week. I fill out at least 5 applications every week because I have to because I have...I have a child that I'm taking care of and I'm trying to...I'm...I'm trying to have better opportunities for myself. So, I would ask if you guys could help people like me to have a better chance at having a job and voting yes with this whole thing. And there's just one more subject that I have, on the streets of...between where Hartford School is and where Allen School is, people drive trucks, they're trucks and their vehicles and they crazy throughout the days, it's like you don't see but enough Policeman out anymore where...where people are driving very belligerent and...and when it comes to the safety of the kids, that's a concern for me and when it comes as well as for safety for my own life. I'm not able to even have my vehicle anymore because I was involved in an accident and my vehicle was totaled out and it left me with a injury, a spinal injury and I'm...and I'm getting that matter taken care of. But it's having me to really see sight of things that I haven't been seeing because I'm riding the RTA more, where vehicles are like just totally being belligerent on the streets and I'm...that safety is another concern that I have. So, I would...I would appreciate it if you guys

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would vote yes on the Rooney Rule or take...take the opportunity to look into it so that I can have more a future and I wish you folks a great day. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Hall, appreciate it. Our next speaker is Jim Parker. Mr. Parker, welcome. Mr. Parker told me he wasn't speaking tonight, so apparently he is. But welcome....

JIM PARKER: *(From the audience)* Maybe I should go into politics.

PRESIDENT SCHULMAN: Oh no that's...our next speaker is LeRoy Lynch. *(Laughter)*

JIM PARKER: Thank you President Schulman for your kind introduction and I am James Parker at 630 Penny Street NE in the City of North Canton. I didn't know we could have bearing on the Sheriff's chicanery that's going on. You know this dates back to the Beren's law when the Auxiliary Policeman for 6 months, some insurance salesman from Massillon, Robert C. Berens, I think, defeated Papadopulos, the nations number one Sheriff, President of the Sheriff's Associations, at the time President of Stark County for 18 years, really honored and distinguished his office was basically killed by a character assassination. This time though however by proxy and acclamation and chicanery, this teacher's pet mentality has taken its toll on our County and the office the dignified and distinguished office, the honorable office of the County Sheriff I think has taken a black eye and I think Papadopulos would roll over in his grave once again after seeing all these cells closed. I think George Maier by far is the natural choice and I don't know about this, you know, let's put it this way, Attorney Conley told me if a Judge says an elephant is a carrot then an elephant is a vegetable. So, I don't appreciate Mr. Conley's input on this situation. However, he does feel that the ruling of the law is the ruling of the law. I say the spirit of law needs to take effect in this and that some serious consideration needs to be taken for this usurping of power, this interloping upon what was supposed to be a bench warming position for sometime. I don't think it's a classy move at all coming in and taking those names off. I think it shows the true character of the person that it was out to slight somebody and that it was underhanded basically and not in good moral standing with what you would consider to be a the type of moral standing that you would want to represent this County and move forward. Like...like the gentleman said, this is a very serious situation. We have people punching, knocking people out just for kicks. So, the type of crime that's out in these streets, the people need locked up and then they need sent to prison and I don't care about all this community service hubbub. Nothing is going to break them of their habits and all these dope on the streets until their locked up and put away for sometime. So, that's not what I came to talk about. I take it that the flags were lowered in...in honor of Nelson Mandela who, you know, went to prison for in sighting people to strike. Fortunately we are free to assemble peacefully and growing up in Stark County, I'm no stranger to organized labor unions and their rights. I think if Walmart is so oppressive, let the associates exercise the rights to collectively bargain into the UFCW and let them pick at Walmart's 1.3 million associates who turn over about 500,000 every year according to the Plain Dealer article. If you notice they've been buying back a lot of their stocks increasing the value of their associates, not their workers because the associates do that stick around get bonuses and stock options and actually the ones I've talked to are pretty happy. The anti propaganda facts of the matter say that theirs is approximately 12.67 per hour. I hope that they could consider abating the income taxes on those what he considers below a liveable wage and to put some canned goods in the box at Walmart. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Parker, appreciate it. Our next speakers are Leroy Lynch and Mr. Hawk you want to come up in addition or do you...you don't want to Leroy? Okay, our next speaker then will

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be Jack Hawk. Good evening Mr. Hawk, as always welcome to Canton City Council. If you'll give us your name and your residential address please.

JACK HAWK: My name is Jack Hawk, I live at 217 16th Street, Canton, Ohio. I'm here to again encourage you to again look into that civil service exam. I was called by Mr. Lynch saying that there is an exam being given on December the 18th at the Civic Center at 5 and he needs an interpreter. I called the Civil Service people and they said they'd have to look into it a little further and I don't know what we're going to do about that. I'm willing to sit down with the Civil Service people without Mr. Lynch and with people who understand ASL and to look at the...and look at an exam and try to explain what the nature of the language that's problematic to a deaf person. We're willing to do that with the City. The Mayor and some of those people have asked me to look for other Cities. I think that we need to discuss amongst ourselves what's the next step before I go looking at other Cities first. Okay, thank you for any of the support you give. And also I've called the Safety Director about the fire alarms and I will wait for her call back. Thank you again.

PRESIDENT SCHULMAN: Thank you Mr. Hawk. Thank you to all our speakers tonight. Thank you Mr. Hawk for all that you do for our community. We very much appreciate it.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: Turning now to Informal Resolutions. Madame Clerk would you please begin with Informal Resolution 61.

#61. COUNCIL MEMBER WEST: RECOMMEND CITY OF CANTON TO ASPIRE TO THE "ROONEY RULE" WITH HIRING AT-WILL EMPLOYEES. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Informal Resolution 61.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 61. Any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Question to the Law Director. Hiring at will employees, would that mean, in my mind I think of only Elected Officials that that's encompassing. Am I correct or incorrect with that sir?

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Member Cirelli, essentially you are right. We have about approximately 900 employees at the City of Canton. I'm thinking about 80% of them if not more come through the classified civil service. They...those folks have to take competitive civil service exams and they have to pass it and there are also some points added for various reasons and if they score high enough

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then they are eligible. This Rooney Rule Informal Resolution does not affect that process. That process is done by law and if we were to deviate from it, we could be sued. But to get to your point, we have several Elected Officials, including me and others who have a number of employees who are at will, meaning they can be hired and fired at will and they are only there as long the Elected Official is there and it allows them to be there. So this applies to those employees who are at will, trusted fiduciaries who...who don't come through the collective civil service...or civil service exams or collective bargaining (*inaudible*). The Informal Resolution before you is aspirational. It aspires to...to ennoble people to voluntarily contact, interview and consider minorities. It also asks private employers within the City to aspire to do the same thing.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: I'm sorry, are you done Member Cirelli? Do you want to continue?

MEMBER CIRELLI: Yes, I wanted to know if women are considered a minority within this Resolution.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I was going to suggest if Cindy read the Resolution then it would probably address that question.

PRESIDENT SCHULMAN: That's fine. Thank you. If you would please. Thank you.

CLERK TIMBERLAKE: The "Rooney Rule," named after Pittsburgh Steelers owner Dan Rooney while he was head of the NFL's Diversity Committee, had established an affirmative action policy in 2003 which requires NFL teams to interview and consider minority candidates for head coaching and senior football operation job vacancies; and **WHEREAS**, The, "Rooney Rule" has achieved more diversity inclusion in the NFL, and the same goal should be aspired to in the public sector where legally authorized, as well as by other businesses in the private sector; and **NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF CANTON, STATE OF OHIO, THAT:** When and where legally permissible, city appointing authorities and private sector employers in the city make a good faith effort to voluntarily interview and consider qualified minority candidates for job vacancies in order to reap the various benefits of a more diverse cultural and gender employment base.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: It does and I remember reading it but I wasn't sure, it does say gender. However, the Rooney...to my understanding, I've never seen any female coaches nor have I ever seen any NFL players that were female. Now maybe I'm missing something but I...I don't see as how we can compare this with the Rooney Rule when they have definitely excluded females in that. So, I mean how can you support something that's based on a gender only resolution and...and somebody else's ruling. I can't support that because they're leaving the women out.

PRESIDENT SCHULMAN: Member West do you have anything you wish to add?

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MEMBER WEST: Yes I would if you don't mind. This rule, the Rooney Rule, I asked for it to be an adaptive version of the Rooney Rule and more specifically using the Rooney Rule as the logo because this is the Pro Football Hall of Fame City and of course Dan Rooney is or was the head coach of the Pittsburgh Steelers. So, therefore that's the NFL version of it. But the reality of is the point still stands Member Cirelli that we aspire in our City to have minority inclusion. It's funny because each and every....each and every week we come down here, we advocate for something different. We advocate for minimum wage to be raised, we advocate for people with disabilities. We advocate for the Chamber to get more money and businesses to flourish and right now in our community, in our state and our nation, African American men are double that of the state national average, double. They're about a 14%. During the presidential elections, every week we heard about the unemployment rate dropping. Remember that? Remember when the election was going on and the Republicans was making light of the unemployment rate not dropping? Well you know what, it hasn't dropped for African American men for years and we want to know in my mind, why is it that we are not appalled at the disparity that exists between minorities and none minorities on hiring. Years ago there was a dissent decree here at the City of Canton. We had people like Al Sharpton come to town and threaten to shut down the Hall of Fame and we're about dropping at those same numbers. Today I did a point of....point in time survey where I called all the departments and find out what...how many employees they had. I asked for the number of minorities that they had and the number of female employees that they had. They broke those numbers down and I broke it down by department. Most of those departments had less than 10% minority participation. Across the board we looked at the Mayor....I think the Mayor has probably...was one of the tops, they had 25% and did a great job of hiring his cabinet but we have to go down the chain, we have to get minorities in some of these departments that are...so that they are representing their community, they're more reflective of their community and I think that's very important. So, right now as it stands, based on this point in time survey, we're looking at 14% minority and the total population of the City, I don't know if you guys know, is a little over 20%. It's time that we start looking at this seriously and I would hope that some...maybe the personnel next year, maybe we have the Personnel Committee look at some strategies to get more minorities in similar to what we did...or what the Mayor did with the Police and Fire Departments. So, I'm asking for support in this, not just for minorities, I'll advocate for women as well as you've seen it in the legislation. So, that's why I'm putting forth this legislation.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I have the graph here like he passed out and I see where you got the 14% and I see where you have total females but also where you have zeros, some of those places have like total female 50% but they have zero minority. I could have supported this more if you would have just said ethnicities, not including women, do you see what I'm saying? And Rooney....Rooney's Rule does not include woman. So, I think it's comparing apples and oranges. It's just the principle of the thing. I think women should have been included as a minority and not in comparable with the NFL, their players and their coaches that are all male.

PRESIDENT SCHULMAN: Okay, thank you. Any other remarks? All those in favor of Informal Resolution 61 signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #61 PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: According to the President's ears, the ayes in favor have it and Informal Resolution

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61 is adopted. Madame Clerk, Resolution 62 please.

#62. PERSONNEL COMMITTEE: REQ APPRVL OF APPT OF AMY LAKRITZ TO CANTON CITY BOARD OF HEALTH FOR RETRO TERM OF 10/9/13 - 5/2/15. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Informal Resolution 62.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 62. Any remarks under this Resolution? Hearing none, by voice vote all those in favor of signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #62 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Resolution 62 has been adopted.

COMMUNICATIONS

PRESIDENT SCHULMAN: We're now under Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED DECEMBER 9, 2013.

475. AUDITOR MALLONN: MONTHLY RPT BY FUND 11/1/13 - 11/27/13. - RECEIVED & FILED

476. AUDITOR MALLONN: YEARLY RPT BY FUND 1/1/13 - 11/27/13. - RECEIVED & FILED

477. CHIEF OF STAFF WILLIAMS: REQ APPRVL OF CREATION OF 2 FUNDS IN ACCORDANCE WITH CODIFIED ORDINANCE 1353 "FORECLOSED PROP & BLDG"; 2160 VACANT/FORECLOSURE REGISTRY EXPENSE FUND IS A SPECIAL REVENUE FUND FOR REGISTRATION & 10% ADMINISTRATIVE FEES AND 7509 VACANT/FORECLOSURE DEPOSITRY FUND USED TO ADMINISTER THE PROG; \$2,620.00 SUPP APPROP FROM UNAPPROP BAL 2160 VACANT/FORECLOSURE REGISTRY EXPENSE FUND TO 2160 VANCANT/FORECLOSURE REGISTRY EXPENSE FUND - OTHER & \$290.000.00 SUPP APPROP FROM UNAPPROP BAL 7509 VACANT/FORECLOSURE DEPOSITRY FUND TO 7509 VACANT/FORECLOSURE DEPOSITRY FUND. - FINANCE COMMITTEE

478. CHIEF OF STAFF WILLIAMS: REQ WITHDRAW OF COM #461 FROM 11/25/13 AGENDA. - RECEIVED & FILED

479. DEVELOPMENT DIR FREEMAN: REQ FOR TAX INCREMENT FINANCING DESIGNATION FOR HERCULES ENGINES PROP (PARCEL #244692, MARKET AVE S). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

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480. DEVELOPMENT DIR FREEMAN: REQ FOR TAX INCREMENT FINANCING DESIGNATION FOR JEBCO MACHINE SHOP & OTHER OWNERS PROP (PARCELS #10003278, #244630, #228714 & #10001448 IN VARIOUS AREAS OF CANTON). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
481. DEVELOPMENT DIR FREEMAN: REQ FOR TAX INCREMENT FINANCING DESIGNATION FOR DABILCO, INC. (KEYBANK BRANCH) PROP (PARCELS #248119 & #248120 WEST TUSC AND WHIPPLE AVE). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
482. FINANCE DIRECTOR DIRUZZA: AMEND O#209/2012 WITH A \$4,000.00 APPROP TRANSFER FROM 1001 901001 CIVIL SERV OTHER TO 1001 901001 CIVIL SERV PERSONNEL & A \$225,000.00 SUPP APPROP FROM UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102001 POLICE ADMIN. - FINANCE COMMITTEE
483. FINANCE DIRECTOR DIRUZZA: TEMP BUDGET APPROPRIATIONS FOR 2014. - FINANCE COMMITTEE
484. HEALTH COMMISSIONER ADAMS: REQ PAYMENT TO THE CENTER FOR COMMUNITY SOLUTIONS FOR PROF SERV REGARDING A STUDY TO COMBINE STARK COUNTY & CANTON CITY HEALTH DEPTS. - FINANCE COMMITTEE
485. HEALTH COMMISSIONER ADAMS: REQ TO WITHDRAW O#4 ON 12/9/13 AGENDA. - RECEIVED & FILED
486. MAYOR HEALY: ADVISING OF RE-APPT OF WYANBU ZUTALI TO CANTON PARK COMMISSION FROM 1/1/14 - 12/31/16. - RECEIVED & FILED
487. SERVICE DIRECTOR BARTOS: AUTHORIZE ENG DEPT TO MAKE PAYMENT OF \$1,550.00 AS A MORAL OB TO BEAVER EXCAVATING, INC. FOR ADDT'L WORK ON SANITARY SEWER ACCESS DRIVE AT MILL ST & AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
488. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO A 1 YR MGMT SERV AGMT WITH BOARD OF CANTON CITY HEALTH DISTRICT TO PROVIDE MGMT OVERSIGHT OF CITY OF CANTON SANITATION DEPT IN AMT NOT TO EXCEED \$65,000.00; AUTHORIZE AUDITOR TO DRAW UPON RECEIPT OF VOUCHERS DULY APPROVED. - FINANCE COMMITTEE
489. SERVICE DIRECTOR BARTOS: RESOLUTION DECLARING NECESSITY & INTENT OF CITY OF CANTON TO APPROP PROP WITHIN CORP LIMITS, PURSUANT TO ORC, CHAP 719, FOR PURPOSE OF ACQUIRING WARRANTY DEEDS, STANDARD HIGHWAY EASEMENTS AND/OR TEMP EASEMENTS NECESSARY FOR CONSTRUCTION OF 12TH ST N CORRIDOR PROJ, GP 1098 AND AUTHORIZE MAYOR &/OR SERV DIR, OR THEIR DESIGNEE, TO MAKE MINISTERIAL CHANGES TO CORRECT PROP OWNER NAMES, PARCEL NUMBERS & OTHER NUMERICAL DESCRIPTIVE OR TYPOGRAPHICAL ERRORS, SHOULD THEY

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OCCUR. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

490. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR, SERV DIR &/OR LAW DIRECTOR, OR THEIR DESIGNEE ON BEHALF OF CITY OF CANTON TO APPROP PROP WITHIN CORP LIMITS, PURSUANT TO ORC, CHAP 719, FOR PURPOSE OF ACQUIRING WARRANTY DEEDS, STANDARD HIGHWAY EASEMENTS &/OR TEMP EASEMENTS NECESSARY FOR CONSTRUCTION OF 12TH ST N CORRIDOR PROJ, GP 1098 AND AUTHORIZE FOR MAYOR, SERV DIR &/OR LAW DIR, OR THEIR DESIGNEE TO MAKE MINISTERIAL CHANGES TO CORRECT PROP OWNER NAMES, PARCEL NUMBERS & OTHER NUMERICAL DESCRIPTIVE OR TYPOGRAPHICAL ERRORS, SHOULD THEY OCCUR. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
491. SERVICE DIRECTOR BARTOS: AMEND EXHIBIT A TO O#120/2013 TO INCLUDE ADDT'L PROP APPRAISALS AS HIGHLIGHTED IN EXHIBIT A, REV 3. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
492. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 11/30/13. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: Turning now to First Reading 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 ORDINANCE #1 FOR ITS FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE TASOS ELECTRIC ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Annexation Committee

PRESIDENT SCHULMAN: That concludes First Reading Ordinances.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Now we turn to Ordinance and Formal Resolutions for the Second Readings. Would you please begin with Ordinance #2.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #2 THROUGH #3, #5 THROUGH #9; #4 WITHDRAWN FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #2. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 230/2013** AN ORDINANCE

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AMENDING SECTION 1107.04, MEMBERSHIP, OF THE PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 2.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 2. 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. You've heard the three readings, Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 2.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 2. Any remarks? Leader.

MEMBER DOUGHERTY: Mr. President, I move we amend Ordinance 2 per the Amendment in front of all Council Members.

MEMBER GRIFFIN: Seconded.

Amendment

Pursuant to Rule 36, I move to amend Agenda Item No. 2 by the substitution of the attached revised ordinance for the originally proposed ordinance.

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 2 by virtue of the copy of the Amendment before each Member of City Council. Any remarks under this Motion? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 2 as amended.

MEMBER GRIFFIN: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 2 as amended. Any remarks? Again, hearing none, Madame Clerk, again roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#2 ADOPTED AS AMENDED AS ORDINANCE NO. 230/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 2 has been adopted.

- #3. (2ND RDG) _____ AN ORDINANCE AMENDING CHAPTER 917, TREES, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
- #4. (2ND RDG) **WITHDRAWN** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012 BY MAKING THE INTERFUND TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$145.14 FROM 1001 301001 - OTHER TO 2312 301001 - OTHER - HEALTH DEPT)
- #5. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$0.03 FROM 4501 801001 AUDITOR - OTHER TO 4501 201004 2006 CONSTRUCT/RECONSTRUCT BOND - OTHER; \$20,000.00 FROM 1001 702001 CLERK OF COURTS - PERSONNEL TO 1001 802001 AUDITOR - CLERK OF COURTS ATM - OTHER)
- #6. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT FUNDS IN AN AMOUNT NOT TO EXCEED \$349,500.00 FROM THE 2013 FAIR HOUSING AGENCY PARTNERSHIP GRANT; AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THE 2216 FHAP FY13 PARTNERSHIP PROJECT GRANT FUND; AND DECLARING THE SAME TO BE AN EMERGENCY
- #7. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO RENAME THE 2530 PARK SPECIAL REVENUE/PROJECT FUND TO 2530 PARK OPERATIONS AND SPECIAL REVENUE/PROJECT FUND; AND DECLARING THE SAME TO BE AN EMERGENCY
- #8. (2ND RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$20,740.00 TO TRUCK SALES & SERVICE, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY (REPAIR OF 4700 MODEL FIRE ENGINE)
- #9. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE AND/OR PARK COMMISSION TO APPLY FOR, ENTER INTO AGREEMENT FOR, AND RECEIVE FUNDS FROM MULTIPLE POTENTIAL FUNDING SOURCES DURING 2014 FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY

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PRESIDENT SCHULMAN: Thank you Madame Clerk. Now we turn to Ordinances and Formal Resolutions for the Third, Final Reading and Vote. Madame Clerk, would you please begin with, Ordinance 10.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #10 THROUGH #21 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 231/2013** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION AND INTERFUND ADVANCE AND INTERFUND ADVANCE REPAYMENT HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$35,616.00 BYRNE GRANT FUNDS)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#10 ADOPTED AS ORDINANCE NO. 231/2013

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

#11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 232/2013** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-08490 DANIEL C & ELIZABETH SUMMERS ON 11TH ST SE)

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

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this Ordinance? Again, hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#11 ADOPTED AS ORDINANCE NO. 232/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 11 is adopted. Ordinance 12 please.

#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 233/2013** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE STARK COUNTY PUBLIC DEFENDER COMMISSION FOR THE PROVISION OF LEGAL SERVICES TO INDIGENTS; 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? 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. 233/2013

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

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO 234/2013** AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE JACKSON-CANTON JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT; AND DECLARING THE SAME TO BE AN EMERGENCY

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

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#13 ADOPTED AS ORDINANCE NO. 234/2013

PRESIDENT SCHULMAN: Ordinance 13 is adopted. Ordinance 14 please.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO 235/2013** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOT 35853 AND PART OF LOT 35852; AND DECLARING THE SAME TO BE AN EMERGENCY (MR. & MRS. THOMAS FORBES @ 369 47TH ST NW)

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 remark under that Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#14 ADOPTED AS ORDINANCE NO. 235/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 14 is adopted. Ordinance 15 please.

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 236/2013** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PART OF LOT NUMBERS 30740, 38867, 38868, ALSO BEING PART OF PARCEL NUMBERS 209862, 209861 AND 202512; AND DECLARING THE SAME TO BE AN EMERGENCY (REED FUNERAL HOME @ 3737 GREENWOOD PL SW)

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 remark under this Ordinance? Hearing none, Madame Clerk roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#15 ADOPTED AS ORDINANCE NO. 236/2013

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

#16. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 237/2013** AN ORDINANCE APPROVING AND ACCEPTING THE DEDICATION PLAT OF RIGHT-OF-WAY ALONG THE WEST SIDE OF RAFF ROAD S.W.; APPROVING AND ACCEPTING THE REPLATTING OF PART OF LOT 31008 AND PART OF LOT 31009; AND DECLARING THE SAME TO BE AN EMERGENCY (955 RAFF RD SW)

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? Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we amend Ordinance 16 per the Amendment in front of all Members of Council.

MEMBER GRIFFIN: Seconded.

Amendment

Pursuant to Rule 36, I move to amend Agenda Item No. 16 by the substitution of the attached revised exhibit for the originally proposed exhibit and the substitution of the word "easterly" for the word "westerly" in the first whereas clause and Section 1.

PRESIDENT SCHULMAN: It has been moved and seconded to amend Ordinance 16 by virtue of the copy before each Member of Council. Any remarks under this Motion to amend? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Leader.

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

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#16 ADOPTED AS AMENDED AS ORDINANCE NO. 237/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 16 as amended has been adopted. Ordinance 17 please.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 238/2013** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$11,000.00 TO DESANTIS ENTERPRISES; AND DECLARING THE SAME TO BE AN EMERGENCY

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 remark under this Ordinance?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Hawk.

MEMBER HAWK: Thank you sir. Member Griffin first brought this to light about some of these contractors not completing their jobs and getting them finished according to the specifications and the qualifications under the contract. Where this job was done in fact as an emergency tear down under a house that had caught fire. It's still not finished to this day and it has taken four...th...at least four weeks for this piece of legislation to wind it's way through Council. We did pay them extra money for coming out on an emergency basis. But I think that we should begin holding these people to a higher standard, at least finish their contracts and get it done. My question would be, does passing this moral obligation make them eligible to receive the money and...or can we still hold it up until the job is completed and finished. Later and in our next Council we will begin reviewing some of these processes and procedures but I'll point out another flagrant one that the Safety Director was more than gracious in working with me and that was one that was done at 1010 Troy Avenue NW where we paid the people over six weeks ago for the job and finally got the last piece of...the last dumpster removed from it. In doing so, they destroyed the black top and paving program on Croad Court NW. We got to quit signing off on some of these things and getting them done before we get our monies worth. We paid \$9,950.00 for a horrible job at 1010 Troy and we're spending \$11,000.00 for a job based on emergency...on emergency basis, it's still not finished and yet another job that was done just down the street from it, after this one is completed, finished,

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grated and put back in shape. So, I would ask that we don't pay these people until the passes specifications. Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: If I might, let me refer this over to Chief of Staff Williams and then you can make some remarks.

CHIEF OF STAFF WILLIAMS: Yes, thank you Mr. President. I can assure Member Hawk and the rest of Members of Council that final payment will not be disbursed until the job is complete. We have had some issues with demolition. Member Hawk and Griffin, you attended a couple of meetings that we had where we called in the actual contractors and laid down the letter of the law. But I can assure you, final payment will not be made until the job is rectified.

PRESIDENT SCHULMAN: Thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: With that, I will then support this. Thank you for your assurances.

PRESIDENT SCHULMAN: Thank you Member Hawk.

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Member Griffin.

(INAUDIBLE)

PRESIDENT SCHULMAN: Yeah, Member West?

MEMBER GRIFFIN: Okay...

PRESIDENT SCHULMAN: Member Griffin, Member West..

MEMBER GRIFFIN: Okay, Chief of Staff, I agree, I mean it took meetings and it took us to you know, really, what we might say is take them to the pavement to get the jobs done right. After we had those meetings, we had some good jobs done. I have two now that are up in the air on Blair Place and I'm going to follow up on those. But you've got to embarrass these guys before they'll really get the jobs done.

PRESIDENT SCHULMAN: Thank you Member Griffin. Now Member West.

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MEMBER WEST: Mr. President, I think Chief of Staff answered my question but I'm going to address the other issue under Miscellaneous.

PRESIDENT SCHULMAN: Okay, great. Any other remarks? Yes Member Cirelli.

MEMBER CIRELLI: (*Inaudible*)moral ob in something that (*inaudible*)....will not pay them until the work is completed. (*Inaudible*)....and that's the way it should go but the moral ob part should have been dropped and just brought as a normal Ordinance.

PRESIDENT SCHULMAN: Chief of Staff Williams.

CHIEF OF STAFF WILLIAMS: Thank you Mr. President. The definition that I'm talking about when I say the job is complete is meeting the actual Ordinance that was passed by Council years ago. Just because a house is torn down, it may...people may assume the job was complete but there is other language in the Ordinance that speaks to the re seeding of the lot and making sure that everything is clear of debris, etc. Some of these contractors weren't actually aware and to be quite honest, some of our own inspectors weren't even aware of what the Ordinance stated. So, we had a, excuse me, come to Jesus meeting to make sure everyone was on the same page. Thank you.

PRESIDENT SCHULMAN: Thank you. Any other remarks?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: I'd like to commend Director Perry for her outstanding job in getting this done. This building was in danger of collapsing, one of the walls was remained standing and she made sure somebody got out there and got it done. So, I can understand the moral ob part of it because it was truly a safety factor and again she was really right on top of it and got it done immediately. But we just have to take a better look at some of these guys we're paying an awful lot of money to. I mean it used to...the average cost of dropping a house in this town has tripled or let's say over doubled. We used to tear houses down for, anywhere from 2,800 to \$3,500.00. We're now hitting 99,000...or \$9,950.00 to tear down a house. This one is \$11,000.00. I think that Member Griffin pointed out very well, we're now spending a lot of these...a lot of money on this stuff and not getting an adequate job. I don't mind giving them money but just let's do it. They all know when they bid the job what the specifications say. This is not a new set of laws or Ordinance, this has been in effect for a long time. It's very specific, it calls for top soil, it calls for final grating. All this is in the spec sheet when they get it. If they bid it that way, they should finish it that way. Thank you.

PRESIDENT SCHULMAN: Thank you. Member Cirelli.

MEMBER CIRELLI: To the Chief of Staff, while we're at it, there's been about for two months a contractors...the...it's a huge piece of equipment on Cleveland Avenue South just north of 9th Street on the west side of the street. There's a gas station right at 9th and Cleveland and probably I think it's about one or two lots up and it's been sitting there for two months and the hole is not completed and the...and the equipment has not moved, it's just been sitting there and I don't know what the story is there with that one.

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PRESIDENT SCHULMAN: Well let's...let's go back to the Ordinance we were under...

MEMBER CIRELLI: Right, but that's part of it.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Any other remarks under Ordinance 17? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#17 ADOPTED AS ORDINANCE NO. 238/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance 17 is adopted. Ordinance 18 please.

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 239/2013** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A FEMA FIRE PREVENTION GRANT IN AN AMOUNT NOT TO EXCEED \$80,010.00 TO PURCHASE SMOKE DETECTORS; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$64,008.00 FROM UNAPPROP BAL 2813 FIREFIGHTERS ASSIST GRANT TO 2813 103001 FIRE - OTHER)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 18. 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.

#18 ADOPTED AS ORDINANCE NO. 239/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 18 is adopted. Ordinance 19 please.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 240/2013** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH THE CANTON CITY BOARD OF HEALTH TO ESTABLISH RATES FOR INDIGENT BURIALS; AMENDING CHAPTER 979, CEMETERIES, OF THE CODIFIED ORDINANCES OF CANTON

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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 19? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#19 ADOPTED AS ORDINANCE NO. 240/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance 19 is adopted. Ordinance 20 please.

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 241/2013** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO VARIOUS CONTRACTS AND AGREEMENTS FOR THE WATER METER AND METER TRANSMITTING UNIT REPLACEMENT PROGRAM; AUTHORIZING THE AUDITOR TO RECEIVE ALL LOAN AND REVENUE PROCEEDS AND TRACK EXPENDITURES; AND DECLARING THE SAME TO BE AN EMERGENCY

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? Again, hearing none, Madame Clerk roll call vote please.

NO REMARKS

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

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

#20 ADOPTED AS ORDINANCE NO. 241/2013

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

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 242/2013** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF

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CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (ADD CLASSIFICATIONS PIPEFITTER 3 AND CONSTRUCTION SUPERVISOR TO SERV DIR PUBLIC WORKS COLLECTION SYSTEMS DEPT)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's 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. 242/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 21 is adopted. That concludes our Ordinances.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: And turning now to Miscellaneous Business. Member West.

CLERK TIMBERLAKE: Committee Meetings.

PRESIDENT SCHULMAN: Oh, I'm sorry, Committee Meetings, Announcement of Committee Meetings.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you good sir. As the Annexation Committee is the only one in Second Reading next week, we will meet at 6:55 PM on Monday, December 16th. Thank you sir.

PRESIDENT SCHULMAN: Thank you Member Hawk. That really awakened the students back there. It's good that you yelled out. We appreciate you being here tonight too, I've been watching you all night. Where you from by the way?

(INAUDIBLE FROM THE AUDIENCE)

PRESIDENT SCHULMAN: Central Catholic, welcome. Thank you, are you here for...

CLERK TIMBERLAKE: Government?

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PRESIDENT SCHULMAN: Government? Very exciting tonight. *(Laughter)*

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Now we turn to Miscellaneous Business.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yeah, I just wanted to comment in reference to the tear down or the demolition process. Several years ago when I put forth a Informal Resolution trying to put a committee together...or an Ordinance trying to put a committee together. The Safety Director at that time was Thomas Ream and we stopped that process and we said that every demo at that point would get signed off by a Council Person at least to go out and look at that and that was the last Chief Building Official. But my question, that never...that happened to me once, I don't know if it happened to any other Council Member. So, I only signed off on one. Saying that to say this, but also on 10th Street they just demoed a house and they cut the trees down but they left the big stumps there so it really looks really bad and from my understanding, they was also supposed to take out the stumps as well. That job is paid for and done. But this has been a problem, an ongoing problem. Not just for...for your Wards but also in Ward 2 and hopefully we can come to a resolution and maybe we have to go back to that plan is having a voluntary committee or a commission to go and review these from start to finish.

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

MEMBER GRIFFIN: Mr. President, I'd like to remind everybody that this coming Friday, December the 13th, the Ex-Newsboys will be out with the publication to raise money for children's clothes. Remember, our motto is no child shall miss school for the lack of clothes or shoes and we appreciate everything you can do for us. And all the money goes to charity, goes to the kids. We...our expenses, the postage, the printing and everything comes out of our dues, we pay \$20.00 a month dues. We have over 200 members, maybe 250 now. And the dues, you know, takes care of all of our expenses but we do buy the clothing out at Penny's for them. Secondly, I don't know if anybody else has received calls in regards to St. Joe's and Canton St. Peter's closing. I realize there is nothing we can do legislative wise on their case but if you could give them the support, this is what they want, they want support and I know letters are going out to the Bishop and all the dignitaries in Youngstown. I don't know what we can do but please don't blow them off. They are our constituents and it is a trying time, it's very emotional, trust me my home is very emotional. And just help them out and like I say, be supportive to them. There's a meeting tomorrow night at St. Haralambo's and there's various meetings. If you hear about them, try to go to them. Thank you.

PRESIDENT SCHULMAN: Thank you Member Griffin. I do...before I turn to Member Cirelli, I also would be remiss if I didn't recognize two of our Board of Education, Ida Ross Freeman. Ida, good to see you and Ryan Brahler, Ryan in the back. Thank you, welcome to Canton City Council. Now, Member Cirelli.

MEMBER CIRELLI: Thank you sir. I'd like to echo, as the first female on the Ex-Newsboys on the board, I will be circulating through City Hall in the morning. I'd be glad to see all of you in your offices. Mayor, I will probably start at the top like I did last year.

MAYOR HEALY: *(Inaudible)*

MEMBER CIRELLI: No you don't, it's open Government and you know I'll be there and you...and you were

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kind enough to donate and I know you will donate this time because it's all about the kids. And speaking of that, another thing and I guess we can...whoever Mr. Williams, Chief of Staff, did we get everything straightened out at Case Farms sir? Because we've all got...received letters about that. So....

PRESIDENT SCHULMAN: Chief.

MEMBER CIRELLI: ...if you can fill us in on that issue, we'd appreciate it.

CHIEF OF STAFF WILLIAMS: Mr. President, yes, Law Director Martuccio was just talking about that. The agreement has been....a final draft has been sent to Case Farms, had some conversation with them today. We'll make some small changes but we expect that to be executed this week.

MEMBER CIRELLI: Thank you very much and thank you Mr. President, I appreciate that.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Any other remarks?

MEMBER HAWK: Mr. President.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: Yes, I know you mentioned about the two board members that are here from the Board of Education. They also unveiled the school board's building, the Administration building as Nadine McIlwain's Administration Center...it is called. And that was a very nice affair. The Mayor was there and he gave a proclamation and on behalf of City Council, we also congratulate her. So, I just wanted that to be known also.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you. Quickly, we'll wrap this up. Possibly Jim, why don't we take a look at sponsoring an Informal Resolution supporting those schools and getting it off to the Bishop. And the second thing is, before we get in here next week, if the temperature is this low, could we have somebody please turn on the heat?

MEMBER SMITH: Amen, do we have to have a Jesus meeting for that?

PRESIDENT SCHULMAN: We need a good Service Director, that's what we're looking for. Leader.

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

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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PRESIDENT SCHULMAN: *(Gavel falls)* Meeting is adjourned. Dress warmly everybody. It's very cold out there. Have a great evening. Thanks to our guests.

ADJOURNMENT TIME: 8:27 PM

ATTEST: DECEMBER 12, 2013
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: DECEMBER 12, 2013
ALLEN SCHULMAN
PRESIDENT