

MINUTES OF THE MEETING SEPTEMBER 8, 2014

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. I report to the citizens that your government is now working full-time, at least the Council is working full-time after the summer outing of just having a meeting every other week. It's hard to believe how fast time goes and the older you get, the faster it goes. With a quorum being present the Chair calls this meeting of Canton City Council to Order. Roll call vote please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

11 COUNCIL MEMBERS PRESENT: (FRANK MORRIS, CHRIS SMITH, JAMES BABCOCK, RICHARD HART, BILL SMUCKLER, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, KEVIN FISHER, DAVID DOUGHERTY & EDMOND MACK)

ELEVEN COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: Eleven present, Mr. President.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader.

MEMBER MORRIS: Mr. President I move we excuse Member Mariol from tonight's meeting.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Mariol from this evening's meeting. I don't know why he's not here. *(LAUGHTER)* He is on his honeymoon with Kallie and they had the most beautiful wedding you could ever imagine last week and they are having fun somewhere in California I think, according to Facebook. So any other remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk and Member Mariol is excused from this evening's meeting. Tonight's invocation will be given by my good friend, the Majority Leader and Ward 9 Council Member Frank Morris. Will you all please stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on September 8, 2014 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.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you Leader. We're now under Agenda Corrections and Changes. Leader Morris.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Readings Ordinances #23 through and include #25...

MINUTES OF THE MEETING SEPTEMBER 8, 2014

MEMBER SMITH: Seconded.

MEMBER MORRIS: And change referral in #16 from Finance Committee to Public Property Capital Improvement. O#22 and 26 will be Retained in Committee.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 23 through 25 to this evening's agenda and change the Referral on O#16 from Finance to Public Property Capital Improvement Committee. And Ordinances 22 and 26 are being Retained in Committee. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We turn now to Public Hearings of which we have none of this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: Under Old Business, Deputy Mayor Fonda Williams has indicated he has no Old Business to attend to tonight.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We now move to Public Speaks. We have 4 Public speakers. We thank you for coming down. For those of you who have never participated in our Public Speaks, there will be a timer eventually on the screen behind the Clerk and you have three minutes to make your remarks. We would appreciate you trying to limit your remarks to that amount of time and we do appreciate always, your coming down and sharing your thoughts and your positions with us. Our first speaker is Laura Simon. Miss Simon if you'll come down and give us your name and residential address please.

LAURA SIMON: Good evening everyone. My name is Laura Simon. I live at 520 32nd Street NW, Canton, Ohio 44709. I am here tonight to express my views on Ordinance 108/2012 which changed the city income tax credit for residents of Canton who work in another municipality from 2% to 1.7%. I am unhappy and think this Ordinance is an unfair tax targeted to a certain group of Canton city residents. On July 30, 2012, City Council voted on Ordinance #108 to reduce the income tax credit from 2% to 1.7%. This is a 3/10's of a percent tax increase to all working Canton city residents that work in another municipality. The vote was 6 to 6 with the tie breaking vote by President Schulman who voted yes. The discussion previous to the vote was by Councilmen Morris and Fisher. Their concern was about construction workers being penalized because they could work aside the city of Canton and incur the additional income tax. I will give you another concern. Me. I have lived in Canton 30 of my 39 working career years. The last 25 years have been with my 3rd generation family business in East Canton. Our business has an accountant who, to keep track and pay the income tax due to each of the municipalities where our employees live. When I filed my 2013 city income

MINUTES OF THE MEETING SEPTEMBER 8, 2014

tax, I had already paid the correct amount. The accountant had adjusted to the additional 3/10's of a percent. I did not recognize the change and did not realize at the time I was paying 3/10's of a percent more city income tax than my neighbor. It wasn't until my college student daughter's Canton city income tax paper came back in the mail, stated that she owed more income tax. She lives at home and went to Kent State University main campus and worked in Kent. It wasn't until the second letter came, that I investigated and found out that she also has been penalized an additional 3/10's of a percent because she lives with me but worked in Kent. I understand that Canton needs more money. I understand that it is difficult to ask Canton city residents to vote to raise the income tax but targeting only the working wage earner because they work in another city is unacceptable. I do applaud however our Treasurer, Kim Perez and Councilman Morris and Smuckler in trying to reverse this inequality this past spring only to be passed in Council and vetoed by the President, by the Mayor in June 2014. Mr. Mayor....

PRESIDENT SCHULMAN: Well ma'am you've got about 15 seconds to wrap it up if you don't mind.

LAURA SIMON: Do you remember when Stark County Commissioners voted on their own to raise the county sales tax. People who feel they were taken advantage of by the, that very group that was voted into watch over them, don't forget that action.

PRESIDENT SCHULMAN: Thank you very much ma'am. That's, that's all we have. Thank you. *(APPLAUSE)* And Miss Simon I would invite you to stay through the meeting. I'll be happy to make some remarks in Miscellaneous Business for you.

LAURA SIMON: Will you give me a refund.

PRESIDENT SCHULMAN: I would probably give you a refund, yes. Our next speaker is Debra Berbelis. Miss Berbelis if you'll step forward and give us your name. Welcome to Canton City Council.

DEBRA BERBELIS: Thank you. My name is Debra Berbelis and I'm a lifelong resident of Canton. I'm 58 years old. For 10 years we have resided in Ward 8. We have been through 3 different Councilmen during that time. My concern is the park at St. Marks. I feel that it's unnecessary. The demographics do not warrant a need. We're mostly middle aged concerned citizens who live in the neighborhood. Mr. Mack feels the park would attract young families to the neighborhood. It is not a transitional neighborhood. Many are original homeowners. We're the third owner of our home that was built in the '60's. A park would definitely change the climate of the neighborhood in a negative way. More traffic, loitering, noise, litter, crime, all the problems that are in existence in our Canton city parks. Our tax money should not be used to assist St. Marks. They need to internally find a long-term solution to their problems. We have several existing parks in Ward 8. We are one of the farthest north neighborhoods in Canton. The existing city parks are not maintained. My husband and I have drive, have driven through them. Montibello has young families, build it there. There are undeveloped lots there. Negotiate with them cause that's where the young families are not in our neighborhood. The way it was handled by Mr. Mack is disturbing. He's not in touch with his constituents and doesn't represent their views. Especially those who would be most affected by this. We have at least 70 people who are against this. We have gone door to door talking to our neighbors. The voices of those who are closest to the site, should be listened to with more attention. I was told not to "Rally the troops". Mr. Mack requested we not tell neighbors that this was in the plan but it is on his terms what and when information is made public. Example, today's Repository article. It did not represent how the neighbors feel and this is hard. As a City Council Rep, the Councilperson should be that. A representative of those in their Ward. I voted for Mr. Mack and campaigned for Mr. Mack. I will not in the future if he runs for office again.

MINUTES OF THE MEETING SEPTEMBER 8, 2014

I am disappointed in his lack of representation during his term. We are currently circulating a petition among the residents who are against this. I have been approached by friends who I have said, vote for Mr. Mack. He'll be great for our neighborhood and my consensus is, this is not great for our neighborhood. Please listen to the constituents of Ward 8. I just met with people today. There's a park on Norman and Bernard that need money. They want money. That \$10,000.00 can go somewhere else if we don't have the need, the demographics does not warrant it. Please talk and listen to the people who live in this Ward. Thank you.

PRESIDENT SCHULMAN: Thank you very much ma'am. Our next speaker is Tom Berbelis. Mr. Berbelis. I apologize for mispronouncing your wife's name. Thank you. If you'll give us your name and residential address please.

TOM BERBELIS: Tom Berbelis. 4800 Ellinda Circle, 2 doors down from Mr. Mack. Just some background on myself. I've been a state parole officer for 35 years, retired from being a parole officer. I currently work in another county as Chief of Probation so that's a little background on me. Before I proceed to tell you how upset I am about the issue and I've expressed that to Mr. Mack, I have been also a supporter of Mr. Mack. I've worn his t-shirts, signs have been in my yard, I've signed his petitions for different things, so I've been a supporter. Also the Chief of, or the head of Parks, Derek Gordon, I think a lot of Derek. Great kid. I'm 58 so he's a kid. I think a lot of him but the two major points I wanted to make and some of them are just what my wife said. It's the subject matter and the process of going about it that I'm upset with. I've never been to a Council meeting before so I feel passionately about this as other neighbors do also. First Mr. Mack when you approached the church, that was wrong. You should approach your people first. For Derek, I think it's unethical and a conflict of interest that he as the head of the Parks would go to his own church which he's a member of, I think every Member here would agree with that. You can't do that. You should not do that. It's unethical, it's a conflict of interest. I know he can't vote when the church votes but he still has influence. Everybody has to agree to that. That's a problem Mayor and President Schulman. Again Edmond, you represent us, the people, your neighbors in the neighborhood, not the church nor the churches in our neighborhood but us first. Why not discuss it with us. Why were a group of friends and the church told first before us. That's a problem. Then when confronted about this both yourself and Derek, your response to that was "who told you". What the heck is going on with government today? Who told you is coverup? Who cares? Who cares who told me about this? A neighbor told us who lives right across the street from Edmond told us about it or we wouldn't know. That's a problem, coverup. Then on multiple occasions Edmond admonished my wife and myself not to talk about this. That's the God's honest truth, no matter what he might have said. Between me and my wife, that's the truth. What's going on here folks? What's going on is what I'd like to know? Then told my wife as she had mentioned to "quit rallying the troops". Who do you think you are? You're supposed to be representing us, not yourself and your own interests. Please. We've talked to at least 70 residents face to face who are strongly opposed to this proposal. Neighbors are circulating a petition against this proposal. You really don't know your neighbors or your neighborhood. I know you work a lot and that's the situation but you need to...if you knew your neighbors and your neighborhood, keep...there's one person, one person that's for this, everybody else is strongly opposed. That's why I'm here. I'm strongly opposed about that and how you went about it. Terrible. Terrible. I guess that's about it. Again, it's your proposal, not ours. Listen to your people. Quit pushing your own agenda. Listen to us is all I'm asking.

PRESIDENT SCHULMAN: Thank you very much sir. Appreciate it. (APPLAUSE) Our last speaker is Charles Cox. Mr. Cox good evening. Welcome to Canton City Council. If you'll step forward and give us your name and your residential address please.

MINUTES OF THE MEETING SEPTEMBER 8, 2014

CHARLES COX: Yes sir. My name is Charles Cox. I live at 377 49th Street NW approximately 1 block from where this proposed park is to be built at the church there. My wife and I moved into this neighborhood about 5 years ago. A nice, quiet, peaceful neighborhood that the roads...I sat on my porch after I retired. I sat on my porch. I watched mostly senior citizens and area residents walking up and down the street. There's very little traffic, very little traffic. I watch track teams run 4 abreast down the street, up and down running. People out walking with their families, riding their bicycles. I can sit out there and have a cup of coffee or a glass of ice tea and I'm lucky if I see 3 or 4 cars come around that 49th Street in a half an hours time. So after I heard about this, I went and I started talking to some of the neighbors and getting their opinions on this proposed park and right here I'm sure every one of ya's got a copy of this and I just went home and wrote this stuff down. This come from me and my neighbors. We're very concerned about this here park and right here's the list of the reasons and that's pretty much all I have to say to about it.

PRESIDENT SCHULMAN: Great, thank you Mr. Cox.

CHARLES COX: I got time left. *(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you very much. I want to thank our speakers for coming down and sharing their very strong and passionate views. We do listen to you by the way. We do hear you and that's what this Public Speaks is for and I will also say as I always say that we'll be here after the meeting if you'd like to discuss any of these matters with us, either the Mayor or the administration, any Members of Council or myself will be happy to do so. We do appreciate hearing from you. And we wish you attended more meetings so you could be here to kinda watch over what goes on because sometimes we don't necessarily have a pulse for every single belief in our community although we try.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: So moving on, we have 2 Informal Resolutions this evening. The first is Informal Resolution 35. Madame Clerk, if you'll, will you read that please.

#35. COUNCIL AS A WHOLE: COMMENDING PAUL BAIR FOR HIS YEARS OF SERVICE. -
ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #35.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 35. Any remarks?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Several weeks ago this Council participated in what's become a nationwide craze of

MINUTES OF THE MEETING SEPTEMBER 8, 2014

helping ALS. For those of you that don't know, Paul Bair has ALS and this will be presented Thursday evening by myself and Member Hawk who had the opportunity to be a part of Council when Paul Bair was Safety Director and also a policeman. My wife's aunt died of this disease. This is a horrible disease and those of you that pray, please say a prayer for Paul, he's going to need it.

PRESIDENT SCHULMAN: Thank you Member Smuckler. Any other remarks? Hearing none then, all in favor of Resolution 35 signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #35 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. We're turning now to Resolution 36 please Madame Clerk.

#36. COUNCIL AS A WHOLE: APPROVING THE DISTRICT SOLID WASTE MANAGEMENT PLAN. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #36.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 36. Any remarks under this Resolution? Director Bartos.

SERVICE DIRECTOR BARTOS: Mr. President this is for the Stark, Tusc, Wayne Joint Solid Waste District. It's a regular function that we have to perform based on the Ohio Revised Code. All 3 counties, the Boards of County Commissioners for all three counties must pass this as much the largest municipality in each county, Canton being the largest county in Stark county means that we have to...I'm sorry the largest city in Stark county. Mayor or Deputy Mayor Williams is always looking over me. Being that we are the largest municipality in Stark county we have to pass this for this to move forward. I've requested that the Executive Director of the Joint Solid Waste District, Mr. David Held come and speak on a few matters before this is passed so if it's OK, I'd ask Executive Director Held to step up to the microphone.

PRESIDENT SCHULMAN: Sure, Mayor, Executive Director. Good to see you. Welcome.

EXECUTIVE DIRECTOR HELD: Yes and thank you Council, Council President and Mayor for having me here today. It's always a pleasure to visit here in the city of Canton and what one of the things is, we've got very positive news. The city of Canton's recycling program is the largest recycling program out of the 3 county area that we serve, out of the Stark, Tuscarawas and Wayne county. The curbside recycling program is very successful and we're seeing, we're seeing an increase and steady, you'll have fluctuations from one quarter to the next but right now the city of Canton is on track to collect about 65 to 75,000...65 to \$70,000.00 in recycling grant money from the District. That's no cost, no expense to the city of Canton. That usually comes out to, we passed out the handout there as far as the total tonage and, but it's a very positive program. You see a lot of communities across the country going to curbside recycling program and curbside collection and we greatly appreciate the commitment of all of our Council Members and the Mayor and the

MINUTES OF THE MEETING SEPTEMBER 8, 2014

administration for the curbside recycling program. We will certainly do anything that we can to make sure that this program grows and improves and we just thank you all for your commitment to that.

PRESIDENT SCHULMAN: Thank you Mr. Mayor. Any other remarks?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Smuckler.

MEMBER SMUCKLER: It's time to give credit where credit is due. Richard Hart, that Councilman, what Ward was it?

MEMBER HART: Ten and then seven.

MEMBER SMUCKLER: Ten and seven. Helped take us into this kicking and screaming all the way and we did scream and we did kick and we were very concerned about this costing us money. But, Councilman Hart pushed, pulled and got us there and I think that a lot of the credit for that happening was from City Council. *(APPLAUSE)*

MEMBER DOUGHERTY: Mr. President. Mr. President.

PRESIDENT SCHULMAN: Yes, Member Dougherty.

MEMBER DOUGHERTY: Yea, I was here for every second for what he had to do to make this happen and I too want to congratulate you because we soon forget who was responsible for making things happen and that was you and I appreciate it. Thank you.

PRESIDENT SCHULMAN: Thank you. *(APPLAUSE)*

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Thank you. Thank you Mayor Held for coming to Canton and I'm...from what I understand you need City Council to pass this Resolution in order to be able to move forward with you tri-county waste district process.

EXECUTIVE DIRECTOR HELD: Yes.

MAYOR HEALY: Yes. So, I just have one request for this Council if they would not vote until David Held admits that the city of Canton is better than North Canton, *(LAUGHTER)* then we would not be moving forward with it. So, go ahead Dave.

EXECUTIVE DIRECTOR HELD: You folks are absolutely better at recycling as far as your volume is concerned. No doubt about it. I think the city of North Canton has like about a 1,000 tons a year and you folks are at a much higher rate than that and so, I concede. I admit to that.

MINUTES OF THE MEETING SEPTEMBER 8, 2014

PRESIDENT SCHULMAN: This is the second time I've said to you, do you not understand what this is doing? It's recording all your conversation.

EXECUTIVE DIRECTOR HELD: That's right. All accurate there, right. No but this really is, I truly do and on behalf of the County Commissioners from Stark, Tuscarawas and Wayne county, there was a 15 month planning process that went into upgrading the plan and really what we do is we just make sure that we're doing everything in accordance with the Ohio EPA regulations and really what the goal is, is to make sure that we have sufficient landfill capacity for Stark county, Tuscarawas county and Wayne county and given the fact that we have 2 of the largest landfills in the State of Ohio right here in Stark county, that really hasn't been a challenge for us but at the same time, our second goal is to increase the recycling and Canton has been a leader in curbside recycling and we use that when we're getting other municipalities and villages to adopt a curbside program. We had down in Tuscarawas county, we had Dennison and Urichville which just adopted a curbside recycling program and you know, we like to refer to the success we've had here in Canton. So we do greatly appreciate it.

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Thank you and I want to thank you David Held for all that you do for the Tri-County Waste District and we certainly appreciate the benefits that we receive here in Canton and Stark county. Also would like to take a moment to thank Councilman Hart too for his...he was on his way out when we came in. He got this thing going and we really walked in with a recycling program that he had to implement and it was because of his work so thank you for that as well and we appreciate all you guys do.

PRESIDENT SCHULMAN: Director Bartos.

SERVICE DIRECTOR BARTOS: Yea, since we have the Executive Director here and since we want to make sure we're accurate, if it's alright would the Council Clerk read the Resolution in it's entirety just to make sure we got all the language correct because I know that this needs passed this week. I apologize Cindy.

CLERK TIMBERLAKE: *Whereas*, The city of Canton is located within the jurisdiction of the Stark-Tuscarawas-Wayne Joint Solid Waste Management District (District); and *Whereas*, The District Policy committee prepared and adopted a final draft of the Solid Waste Management Plan in accordance with Ohio Revised Code Sections 3734.53, 3734.54 and 3735.55; and The District has provided a copy of the Draft Final Solid Waste Management Plan for ratification to each of the legislative authorities of the District; and *Whereas*, The city of Canton must decide whether it approves of said Solid Waste Management Plan before September 13, 2014. *Now, Therefore, be it Resolved by the Council of the City of Canton, State of Ohio that:* The City of Canton approves the District Solid Waste Management Plan. If the plan is ratified (60% approval by local jurisdictions, county commissioners of each county in the District approval and the largest municipality in each county of the District), the parties agree to pass any and all lawful and appropriate resolutions and ordinances, and to do all things necessary and proper to authorize and allow for the lawful implementation of the contingent funding and the supplemental funding portions of the plan when and if the contingencies manifest. The Clerk is hereby directed to send the District a copy of this resolution to the attention of Mr. David Held, Executive Director, Stark-Tuscarawas-Wayne Joint Solid Waste Management District, 9918 Wilkshire Blvd., Bolivar, Ohio 44612. All formal actions of this Council concerning and relating to the passage of this resolution were adopted in an open meeting of this Council and of any of its committees that resulted in such formal actions were in meetings open to the public in compliance with all

MINUTES OF THE MEETING SEPTEMBER 8, 2014

legal requirements including Sections 121.22 of the Ohio Revised Code. And this was verified twice by the Law Department. Thank you.

PRESIDENT SCHULMAN: Great. Thank you.

SERVICE DIRECTOR BARTOS: Mr. Director, everything in compliance.

EXECUTIVE DIRECTOR HELD: You can tell that the city of North Canton is important to the approval of our plan because we have read through the Resolution and we're just very appreciative of the work that you folks do...

PRESIDENT SCHULMAN: Member Hart.

EXECUTIVE DIRECTOR HELD: ...and if there's anything that we can do from a recycling prospective, Council and the administration, you can call us at any time and we'll do the best that we can to help serve you.

PRESIDENT SCHULMAN: Thank you. Member Hart.

MEMBER HART: Yea, I, you know, I want to thank some people for the comments that were made but you know, throughout the years that it took you know, there was a lot of Service Directors, a lot of Mayors that were always encouraging and you know, many times hoops were put in front and you know, you hop through those hoops but I think one of the biggest changes that this city had was who began to run the Solid Waste District. You know there was a change in leadership there and who the leader's commitment was actually to recycling not building off ramps off Interstate 77. And somebody who thought, well, you know the people are entitled to those millions of dollars in tipping fees to promote recycling for the community. And again I guess the sad thing is, is as a community we need to be ever vigilant because as Mayor Held said, we still have some of the largest landfills in the state and we still take a huge amount of landfill waste from other areas in the state and at least for the Ohio EPA, I don't know if it makes a big difference that one landfill, I think according to the report said is oxidizing. I think that's a nice way of, scientific terms of saying it's on fire. I guess to them it doesn't bother them but looking at where our water table is and everything, it really does kind of affect me and a lot of other people in this community and I feel a heck of a lot better if the Ohio EPA would be building their headquarters on top of that landfill and using that water. But again, the gentleman standing there with the blue shirt and the red tie has a lot to do with this community and Stark county and many other districts. It's the leader at the head that tends to make things go and get things done.

PRESIDENT SCHULMAN: Thank you Member Hart. Thank you for all your work and Mayor, thank you for all your work. We appreciate it.

EXECUTIVE DIRECTOR HELD: Thank you for having me.

PRESIDENT SCHULMAN: Are there any other remarks? Hearing none, by voice vote all those in favor of Resolution 36 signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #36 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries and it's a good thing.

MINUTES OF THE MEETING SEPTEMBER 8, 2014**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 SEPTEMBER 8, 2014.

378. AGENT FOR PETITIONERS SLIMAN: REQ FOR ANNEXATION (0.967 ACRES OF LAND LOCATED IN PLAIN TWP. TO BE KNOWN AS THE GEORGE HALAS DR. NW ANNEXATION). - RECEIVED & FILED
379. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 8/27/14. - RECEIVED & FILED
380. AUDITOR MALLONN: MTHLY REPORT BY FUND FOR 08/01/14 THRU 08/29/14. - RECEIVED & FILED
381. AUDITOR MALLONN: YRLY REPORT BY FUND FOR 01/01/14 THRU 08/29/14. - RECEIVED & FILED
382. BOARD OF DIRECTORS CIC: PROPOSAL THAT A LOAN BE MADE TO HISTORIC ONESTO, LLC FOR THE HISTORIC RENOVATION AND REDEVELOPMENT OF THE FORMER ONESTO HOTEL. - RECEIVED & FILED
383. COMM DEV DIR MILLER: REQ AMEND O#83/2014 TO CORRECT TERMINOLOGY FOR HUD REQUIREMENTS; AUTHORIZE MAYOR AND/OR SERV DIR TO PURCH AND/OR ENTER INTO CONTRACTS FOR CDBG PROGRAMS (FOOD VOUCHERS, SARTA PASSES, DEMOLITIONS); AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH HABITAT FOR HUMANITY IN AMT OF \$500,000.00 FOR 10 - 15 SINGLE FAMILY HOMES; AND AUTHORIZE CITY AUDITOR TO REVISE BUDGETS AND DRAW WARRANTS AGAINST CDBG FUNDS UPON RECEIPT OF VOUCHER. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
384. COUNCIL MEMBER-AT-LARGE HART: REQ LIST OF CITY PROP THAT MAY NEED MAJOR EXPENSIVE REPAIRS. - RECEIVED & FILED
385. DEPUTY DIRECTOR MILLER: REQ FOR ISSUANCE OF LICENSE FOR 4 PERSONS WITH OHIO DEPT. OF DEVEL DIS. DEVELOPMENTAL DISABILITIES (WHITMER HOME - LARRY MCKINSTRY SERVICES @ 1219 HAWTHORNE AVE SW CANTON, OHIO 44710). - RECEIVED & FILED
386. DEPUTY MAYOR WILLIAMS: AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT OF \$147,618.55 TO BROWNFIELD RESTORATION GROUP, (BRG) FOR PHASE II

MINUTES OF THE MEETING SEPTEMBER 8, 2014

ENVIRONMENTAL ASSESSMENT WORK PERFORMED AT FORMER REPUBLIC TECHNOLOGIES, INC. FACILITIES (RTI). - FINANCE COMMITTEE

387. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS AND ENTER INTO LEASE OF COMMERCIAL SPACE @ 204 WALNUT AVENUE SE; EMERGENCY. - FINANCE COMMITTEE
388. FINANCE DIRECTOR DIRUZZA: REQ AMEND APPROP O#264/2013 (\$87,375.00 FR UNAPPROP BAL 2216 FHAP FY 13 PARTNERSHIP PROJ GR FUND TO 2216 505010 FAIR HOUSING DEPT PERSONNEL - \$55,000.00 AND TO 2216 505010 FAIR HOUSING DEPT - OTHER - \$32,375.00); (\$50,000.00 FR 2215 505010 FAIR HOUSING DEPT - PERSONNEL TO UNAPPROP BAL OF 2215 FAIR HOUSING DEPT). - FINANCE COMMITTEE
389. HEALTH COMMISSIONER ADAMS: REQ UNAPPROP FUNDS BECOME APPROP FOR USE (\$25,000.00 FR UNAPPROP BAL OF 2323, PREP GRANT TO 2323 FUND - OTHER). - FINANCE COMMITTEE
390. LIQUOR CONTROL DIVISION: REQ NEW CI C2 PERMIT FOR MACS CONVENIENCE STORES LLC DBA CIRCLE K STORE @ SW CORNER OF MAHONING RD NE & HARMONT AVE N.E. - RECEIVED & FILED
391. PLANNING COMMISSION: REQ AUTH FOR VACATION OF AN UNNAMED 15' ALLEY BEING NORTH OF LOT 6452, EAST OF ALLEN AVE SE, WEST OF THE WHEELING AND LAKE ERIE RAILROAD, AND SOUTH OF LOTS 15304 AND 15305, WARD 4 (LEE DICOLA ON BEHALF OF FOLTZ REALTY, LLC). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
392. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO APPLY FOR, ENTER INTO AGMT FOR AND ACCEPT RECYCLING MAKES SENSE GRANT FUNDS FROM STARK-TUSCARAWAS-WAYNE JOINT SOLID WASTE MANAGEMENT DISTRICT DURING FY 2015. FUNDING AGMT TO RENEW FOR ONE YR AT SAME RATE(S) AND CONDITION UNLESS CHANGE IN FUNDING IS COMMUNICATED TO CITY OF CANTON BY THE DISTRICT; EMERGENCY. - FINANCE COMMITTEE
393. SERVICE DIRECTOR BARTOS: REQ SUPP APPROP \$100,000.00 FR. UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202260 - STREET PAVING - OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
394. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCHASE OF TWO (2) TANDEM VIBRATORY ROLLERS AND TWO (2) TRAILERS FOR THE TRANSPORTATION OF SAID ROLLERS; ALTERNATIVELY AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR PURCHASE OF SAID ITEMS IN ACCORD WITH ORC SEC 125.04 OR ORC SEC 5513.01; MAKE SUPP APPROP (\$44,000.00 FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 202210 - STREET MAINTENANCE - OTHER). - PUBLIC

MINUTES OF THE MEETING SEPTEMBER 8, 2014

PROPERTY CAPITAL IMPROVEMENT COMMITTEE

395. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT FOR THIS PROJECT; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO COOP AGMT WITH COUNTY AND NORTH CANTON TO REIMBURSE CANTON FOR A PORTION OF WORK ATTRIBUTABLE TO THESE ENTITIES; MAKE SUPP APPROP OF \$2,500,000.00 FR UNAPPROP BAL OF 5410 (SANITARY SEWER FUND) TO 5410-206310 (SANITARY FUND - ALLENFORD DR. SANITARY SEWER REPAIR, GP 1114 ORG) OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
396. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH OF AN ALL WHEEL DRIVE SUV OR TO ENTER INTO CONTRACT FOR PURCH OF SAID VEHICLE IF IT CAN BE PURCH FOR LESS THAN THE \$20,000.00 THRESHHOLD; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR PURCH OF AN ALL WHEEL DRIVE SUV IN ACCORDANCE WITH ORC SEC 125.04 OR ORC SEC 5513.01; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
397. TREASURER PEREZ: REQ AMEND INCOME TAX CODE (SEC 181.08; SEC 181.09; AMEND AND REPLACE SEC 181.90 (A) ENTIRELY). - JUDICIARY COMMITTEE
398. TREASURER PEREZ: REPORT OF BANK RECONCILIATION AND CITY'S OUTSTANDING INVESTMENTS AS OF AUGUST 29, 2014. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We're now turn to Ordinances and Formal Resolutions for the First Reading. Madame Clerk would you please begin with Ordinance #1.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #21 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1 (1ST RDG) AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (CITYWIDE ZONE CHANGE) **PUB HRG 9/29/14 @ 7:30 PM**
Referred to Judiciary Committee
- #2 (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF FOUR PARCELS OF CITY OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY; AND DECLARING THE SAME BE TO AN EMERGENCY (PARCEL NO. 225695; 228723; 202030; 233228)
Referred to Community & Economic Development Committee

MINUTES OF THE MEETING SEPTEMBER 8, 2014***(COUNCIL RECESSED AT 8:10 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCES #3 & #18 - #20; RECONVENED AT 8:27 PM)***

- #3. (1ST RDG) **ADOPTED AS ORDINANCE NO. 173/2014** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,410,452.00 FOR CDBG FUND; \$489,048.00 FOR HOME FUND AND \$202,563.00 FOR ESG FUND)
Referred to Community & Economic Development Committee
- #4. (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DIV OF CD & PLANNING MGMT)
Referred to Personnel Committee
- #5. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$7,035.00 FOR COURT CAPITAL/SPECIAL PROJECTS & 8,275.00 FOR MUNI PROBATION)
Referred to Public Property Capital Improvement and Finance Committees
- #6. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$250,000.00 FROM UNAPPROP BAL 1001 GENERAL FUND TO 1001 852002 TREAS GROWTH INIT SETTLEMENT - OTHER)
Referred to Finance Committee
- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH AMBAFLEX MANUFACTURING, INC. TO PROVIDE AN ECONOMIC DEVELOPMENT GRANT BASED ON JOB CREATION IN AN AMOUNT NOT TO EXCEED \$125,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH I²R POWER COMPANY TO PROVIDE AN ECONOMIC DEVELOPMENT GRANT BASED ON JOB CREATION IN AN AMOUNT NOT TO EXCEED \$125,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #9. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS, APPROPRIATION TRANSFER AND INTRAFUND TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

MINUTES OF THE MEETING SEPTEMBER 8, 2014

- #10. (1ST RDG) AN ORDINANCE AUTHORIZING THE CANTON CITY BOARD OF HEALTH AND/OR THE HEALTH COMMISSIONER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$40,000.00 WITH THE NATIONAL ORGANIZATION OR URBAN MATERNAL AND CHILD HEALTH LEADERS (CITYMATCH), OF THE UNIVERSITY OF NEBRASKA MEDICAL CENTER, FOR THE PURPOSES OF PROVIDING TRAINING, FACILITATION AND TECHNICAL ASSISTANCE FOR THE STARK COUNTY EQUITY INSTITUTE FOR INFANT MORTALITY; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #11. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (4 GRANTS FOR HEALTH DEPT)
Referred to Finance Committee
- #12. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (1501 HENRY AVE SW FROM B-2 (NEIGHBORHOOD BUSINESS) TO PUB-4 (PLANNED SPECIAL BUSINESS)
Referred to Judiciary Committee **PUB HRG 10/6/14 @ 7:30 PM**
- #13. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$13.92 UNAPPROP BAL 2769 BYRNE GRANT FUND & \$20.39 UNAPPROP BAL 2771 BYRNE GRANT FUND)
Referred to Finance Committee
- #14. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A THREE YEAR AGREEMENT WITH THE GREENTOWN VOLUNTEER FIRE DEPARTMENT TO LEASE AVAILABLE SPACE ON THE CITY'S COMMUNICATION SYSTEM; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #15. (1ST RDG) AN ORDINANCE AMENDING SECTION 1 (K) OF ORDINANCE NO. 177/2006; AND DECLARING THE SAME TO BE AN EMERGENCY (PETTY CASH & CHG DRAWER FOR INCOME TAX)
Referred to Finance Committee
- #16. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$125,000.00 UNAPPROP BAL 4501 CAPITAL IMPROVEMENT FUND TO 4501 85-21-01 TREAS - INCOME TAX - OTHER)
Referred to Public Property Capital Improvement Committee

MINUTES OF THE MEETING SEPTEMBER 8, 2014

- #17. (1ST RDG) AN ORDINANCE RENAMING A PORTION OF GIBBS AVENUE NE IN THE CITY OF CANTON, W. C. HENDERSON AVENUE NE
Referred to Public Safety & Thoroughfares Committee
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(COUNCIL RECESSED AT 8:10 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCES #3 & #18 - #20; RECONVENED AT 8:27 PM)

- #18. (1ST RDG) **ADOPTED AS ORDINANCE NO. 174/2014** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO PURCHASE AND/OR ENTER INTO CONTRACTS FOR FOOD VOUCHERS, BUS PASSES AND DEMOLITION OF BLIGHTED PROPERTIES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #19. (1ST RDG) **ADOPTED AS ORDINANCE NO. 175/2014** AN ORDINANCE AMENDING ORDINANCE NO. 83/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (FY 2014 CITY ACTION PLAN; CDBG, HOME & ESG)
Referred to Community & Economic Development Committee
- #20. (1ST RDG) **ADOPTED AS ORDINANCE NO. 176/2014** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH HABITAT FOR HUMANITY OF GREATER STARK AND CARROLL COUNTIES IN AN AMOUNT NOT TO EXCEED \$500,000.00 FOR THE CONSTRUCTION OF A MINIMUM OF TEN (10), AND A MAXIMUM OF FIFTEEN (15) SINGLE-FAMILY HOMES FOR LOW-TO-MODERATE INCOME FAMILIES FOR THE HOME PROGRAM WITHIN THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

(COUNCIL RECESSED AT 8:10 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #21; RECONVENED AT 8:30 PM)

- #21. (1ST RDG) **ADOPTED AS ORDINANCE NO. 177/2014** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A ONE-YEAR PROFESSIONAL SERVICES CONTRACT RETROACTIVE TO SEPTEMBER 1, 2014 WITH DLT SOLUTIONS, LLC IN AN AMOUNT NOT TO EXCEED \$42,000.00 FOR ONGOING SUPPORT AND MAINTENANCE OF THE CITY'S ORACLE SOFTWARE LICENSES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

PRESIDENT SCHULMAN: At this time the Chair would declare an in-house recess for the Community & Economic Development and Finance Committees to meet in regard to Ordinances 3, 18 & 21 on your agenda. You're now in recess.

(RECESS)

MINUTES OF THE MEETING SEPTEMBER 8, 2014

PRESIDENT SCHULMAN: Council will now reconvene after our recess. I'd like the record to reflect, I think I said in breaking for recess that you were going to discuss Ordinances 3, 18 & 21. I stand corrected. It's 3, 18 through 21. OK, now that we're back, Leader.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinances 3 & 18 - 21 back on this evening's agenda.

MEMBER SMITH. Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend Rule 22A to place Ordinances 3 & 18 - 21 back on this evening's agenda. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: The motion carries and the Ordinances are a legal part of your agenda, Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #3.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance #3. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Motion carries. You've heard the three readings, Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #3.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 3. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Ordinance #3 has been adopted. Leader we now turn to Ordinance 18..

MINUTES OF THE MEETING SEPTEMBER 8, 2014

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #18.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: There's a motion to suspend the Statutory Rules on Ordinance 18. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Motion carries. Leader you've heard the three readings.

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

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 18. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 18 has been adopted. Ordinance 19 Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #19.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: Its' been moved and seconded that you suspend the Statutory Rules on Ordinance 19. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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

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

MEMBER SMITH: Seconded.

MINUTES OF THE MEETING SEPTEMBER 8, 2014

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 19 has been adopted. Ordinance 20 Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #20.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance #20. Any remarks? Again Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Motion carry, or no, motion carries. You've heard the three readings Leader.

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

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 20. Any remarks?
Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 20 has been adopted. Ordinance 21 please.

LEADER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #21.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 21. Any remarks? Again hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

MINUTES OF THE MEETING SEPTEMBER 8, 2014

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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

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

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 21. Any remarks? Hearing none again Madame or Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #21 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Before we go into Second Readings, can everyone hear me back there. Is it coming through the speaker or not? OK, alright, thanks. We turn now to Ordinances and Formal Resolutions for their Second Reading. Would you please begin with Ordinance 23.

(NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #23 THROUGH #25, FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS; ORDINANCE #22 & 26 RETAINED IN COMMITTEE)

#22. (2ND RDG) ***RETAINED IN COMMITTEE*** A RESOLUTION AUTHORIZING AND ORDERING SIDEWALK REPAIRS UPON SERVICE OF RESOLUTION; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EFFECT SAID REPAIRS IF NOT COMPLETED; AUTHORIZING THE CLERK OF COUNCIL TO ASSESS AND CERTIFY COSTS TO COUNTY AUDITOR AS A TAX LIEN; AND DECLARING THE SAME TO BE AN EMERGENCY (1117 8th St NW)

#23. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION TO PROVIDE A GRANT UTILIZING GENERAL FUND DOLLARS IN AN AMOUNT NOT TO EXCEED \$250,000.00 FOR GRANTS, LOANS AND ADMINISTRATIVE COSTS; AND DECLARING THE SAME TO BE AN EMERGENCY.

#24. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LOAN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$2,000,000.00 WITH HISTORIC ONESTO, LLC IN ORDER TO PROVIDE GAP FINANCING TO THE HISTORIC ONESTO, LLC REDEVELOPMENT PROJECT; AUTHORIZING THE ISSUANCE OF A REVENUE BOND ANTICIPATION NOTE;

MINUTES OF THE MEETING SEPTEMBER 8, 2014

AMENDING CHAPTER 181.14(C); AND DECLARING THE SAME TO BE AN EMERGENCY.

#25. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE AGREEMENT WITH STONE CROSSING CARE CENTER PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY.

#26. (2ND RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE REPEALING SECTION 133.051; CHARGE FOR PUBLIC SAFETY SERVICES AT SCENES OF MOTOR VEHICLE ACCIDENTS; APPEAL, OF THE CODIFIED ORDINANCES

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We now turn to, thank you Madame Clerk, Ordinances and Formal Resolutions for Third, Final Reading and Vote. Would you please read Ordinance 27.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCE #27 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 178/2014** AN ORDINANCE AUTHORIZING THE DISCHARGE OF THE DEMOLITION LIEN, ASSESSMENTS, PENALTIES & INTEREST ON THE PROPERTY KNOWN AS PARCEL #02-21664; AND DECLARING THE SAME TO BE AN EMERGENCY (BEDFORD SW)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #27.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 27. Any remarks? Hearing none again, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#27 ADOPTED AS ORDINANCE NO. 178/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 27 is adopted. The motion carries.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We're now under Announcement of Committee Meetings.

MEMBER HAWK: Mr. President.

MINUTES OF THE MEETING SEPTEMBER 8, 2014

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you good sir. Finance Committee will meet Monday, September 15th at 5:30 PM right here in Council Chambers.

PRESIDENT SCHULMAN: Thank you Chairman. Leader before we go on to the other Committee Meetings, we're going to have the Onesto Hotel bond issue and I know we discussed this but,

MEMBER SMITH: 5:30.

MEMBER HAWK: It's all been....

MEMBER SMITH: 5:30.

PRESIDENT SCHULMAN: Are you sure that we have enough time from 5:30 to get all this done.

MEMBER SMITH: Uh-huh.

MEMBER HAWK: I'm sure we will.

PRESIDENT SCHULMAN: Alright great.

CLERK TIMBERLAKE: We've got 16 Ordinances....

PRESIDENT SCHULMAN: We have 16 Ordinances.

CLERK TIMBERLAKE: ...that will be in 2nd Reading.

MEMBER MORRIS: I will make them move fast.

PRESIDENT SCHULMAN: Alright. Go ahead then. Thank you. Member Hart.

MEMBER HART: Thank you to our illustrious President. I would like to call the Personnel Committee meeting also at 5:30.

PRESIDENT SCHULMAN: Thank you. I thought you were going into Miscellaneous Business for a minute.

MEMBER SMITH: Mr. President. CD will also meet at the same time.

PRESIDENT SCHULMAN: Assistant Majority Leader Smith.

MEMBER SMITH: CD will also meet at the same time.

PRESIDENT SCHULMAN: Thank you.

MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Chairman Mack.

MINUTES OF THE MEETING SEPTEMBER 8, 2014

MEMBER MACK: Judiciary will meet at the same time, same place and on behalf of Chairman Mariol, Public Property Capital Improvement will also meet at the same time.

PRESIDENT SCHULMAN: Great. Thank you. Any other Announcements? OK, we turn to....

CLERK TIMBERLAKE: Member West, Public Safety and Thoroughfares.

PRESIDENT SCHULMAN: Public Safety and Thoroughfares.

MEMBER WEST: Sorry I didn't see that. Yes Public Safety and Thoroughfares, same time, same place.

PRESIDENT SCHULMAN: Thank you. That's why we have a crack Clerk. Any other Announcements?

MISCELLANEOUS BUSINESS

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

MEMBER HART: Yea, I mean we all have defining moments in our lives and I think we are all old enough that we can remember what we were doing when President Kennedy was assassinated and you know this week on the 11th, you know, we have I guess unfortunately another time of defining moment for each and every one of us cause I think that we remember that day, September 11th we can all think back to what we were doing and I, you know, I guess I look back at defining moments and how that affected me. I remember my son Rich was in the Marines during that time and I got a call and I proceeded to go over his will with him. You know when it looked like he was going to go. And you know, history was changed that day for our country and the world and you know, I guess it's like riding along the highways I see sections of highways that are named after young folks that paid the ultimate price and you know, when you go out and you see these, again I'll say kids, you know, missing a limb, you know, and I guess if you ever get the opportunity I think it owes the world of difference and it will make your day if you just give that thanks. You have to realize that freedom is not created in this country and in this world that it seems like it's the Americans are the ones that pick up the heavy cost of that toll of freedom. You know, so on the 11th and just everyday, I hope you don't take that for granted.

PRESIDENT SCHULMAN: Thank you very much Member Hart.

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: Thank you. There's 2 quick items that I wanted to touch on. The first I was actually going to bring up something Member Dougherty brought up during Committee meeting, passage of items on 1st and 2nd Reading and you know, obviously there are times of the year where we do that more in summer obviously than at the end of term or moving forward. I had actually asked last week if the Law Director could look into something that on a night like this were we have multiple items that would possibly get passed on 1st or 2nd Reading if there's a way to streamline that and Director Martuccio, I don't know if you feel that at this point you're prepared to kind of summarize what we had talked about it at all. I don't know if it is something that is plausible but it seemed like if we could kind of streamline the meeting somewhat if it is.

LAW DIRECTOR MARTUCCIO: Thank you. Mr. President.

PRESIDENT SCHULMAN: Law Director.

MINUTES OF THE MEETING SEPTEMBER 8, 2014

LAW DIRECTOR MARTUCCIO: Member Fisher yes, I found a couple of State Code Sections on points. One of them is mirrored word for word practically by your own local Council Rule 30. There are things that you have to do by state law. You have to have Ordinances that are captioned and they have to be read by title only. There are exceptions of course. They have to be read 3 different times unless you all agree to suspend that by a 3/4's vote of your membership, which you often do. It goes on to say, Revised Code Section 731.17, each Ordinance or Resolution shall be passed, passed except as otherwise provided by law by a vote by a majority and so on. Anyway, what it doesn't say is that 2nd Readings or all 1st Readings have to be individually read and suspended one at a time. Member Fisher and I were talking about the possibility of looking at the Rules and Procedure in Robert's Rules and it may be feasible for example, when you've got a long list to say or make a continuing motion to suspend and then the Clerk could read each of them by title and just add them to the one motion so that all the titles would be read but, you'd be combining them into one super Ordinance, one super motion to suspend the readings and it would save some time on meetings like this as you've pointed out and Member Dougherty said. We should have a definitive answer by next week but I appreciate the thought processes that went into that in asking for specifics.

MEMBER FISHER: Thank you, thank you Law Director and just to clarify. There are some things that we do like suspending Rule 22A where we add 2nd Readings on, at the, you know, 12 - 19 and if it's possible that we could do that suspending Statutory Rules on Ordinances 15, 16, 17 and 18. They could still be read by title obviously, but we wouldn't have to individually vote to suspend Statutory Rule on each one, it just might streamline things. Thank you Law Director on that. If you could let us know when you have a definitive answer it might be something to look at. Number 2, I'd just real quickly, there was, many of you might have saw it in the paper that a long time Repository writer Jim Hillibish passed away this week. He passed away from cancer. I know from reading the newspaper article that he had been at the Repository since 1974 and covered the city. He was the City Editor along with other numerous titles and I thought it might be appropriate if we had a short moment of silence for Jim.

PRESIDENT SCHULMAN: Sure. Let's have a moment of silence. (*MOMENT OF SILENCE OBSERVED*) Thank you. Thank you Member Fisher. Any other....

MEMBER WEST: Mr. President. Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: Yes I wanted to, in the audience today we have with us Cheli Curran who is the Executive Director of the Domestic Violence Shelter. Could you stand up Cheli? And the reason I am bringing (*APPLAUSE*), yes give her a hand. That's the new Director by the way. And the reason that I asked Cheli to stand is October 3rd she is having a fundraiser. Kind of a unique one. I know this Council took on the ALS Challenge and we dumped ice on us but Cheli's asked us to do something very interesting. It's a Walk a Mile in Her Shoes and on October 3rd several community leaders are going to be walking a mile in some high heels and we got one of our Captains, Tim Belden right there and myself so, I am challenging this Council to join us in walking around the block with some high heels and this is in an effort to combat rape and domestic violence so, please, let's see if you guys are willing to challenge, or stand with me. I know the Service Director who wears size 13's will be there as well. So, I am of course challenging you on that. And if you don't want to walk then that means you've also got to donate if you don't want to walk. So, Cheli make sure you hold them to the task, OK. The second thing I wanted to thank the Street Department once again. I've got a lot of positive comments from the residents about them sweeping the streets and they've been doing it on a regular basis and you know that's not something normal that they see in their community and I have to say, I want to applaud them and whatever they're doing, keep doing it because it has everybody pretty excited. And the third thing was, you

MINUTES OF THE MEETING SEPTEMBER 8, 2014

heard, read something in the paper in reference to the 12th Street water lines. We met with the, Tyler Converse in the Mayor's office along with the Service Director and Tyler is going to come down and give us a presentation on the 12th Street project and the water lines and the shape they're in. It's going to be a very detailed explanation so, he's going to schedule that with Cindy and to the Service Director would you like to add anything to that?

PRESIDENT SCHULMAN: Thank you Member West. Member Mack. I'm sorry. Oh, I'm sorry, Director Bartos.

SERVICE DIRECTOR BARTOS: Mr. President, Member West. I'd just like to say, I think we had really great meeting with both Member West and Member Hawk since 12th Street affects both of your Wards and I'll work with the Council Clerk. I know next week's going to be a pretty busy week so I'm thinking the week after might be ideal and we'll have Mr. Converse and probably somebody from Engineering as well to discuss the overall project. So, that's all.

PRESIDENT SCHULMAN: Thank you Director.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you. In taking Mr. Hart's suggestion to heart, I would like to thank a fellow graduate of Lincoln High School Class of 1968 Don McVehil for his service of our country. Thank you Don very much. *(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you.

(Inaudible from the audience)

PRESIDENT SCHULMAN: Well it's actually...I hate to do this to you. It's not appropriate and I'm going to have to ask you to hold off but...

DON MCVEHIL: Alright.

PRESIDENT SCHULMAN: Next week is fine. You can come back next week or you can talk to all of us after the meeting. I'm sorry. After that accolade I apologize.

DON MCVEHIL: Thank you. Mr. Hawk thank you very much.

PRESIDENT SCHULMAN: We love your service but you can't talk. I'm sorry. *(LAUGHTER)* Member Mack.

MEMBER MACK: Thank you Mr. President. I did want to take a moment to address some of the remarks about the park at St. Marks that we've been talking about. First...

PRESIDENT SCHULMAN: Member Mack may I, I just, I think there may be something wrong with our sound system.

MEMBER MACK: Is that better?

MINUTES OF THE MEETING SEPTEMBER 8, 2014

PRESIDENT SCHULMAN: That's much better.

MEMBER MACK: Alright. First I wanted to genuinely thank you for coming down to City Council and expressing your thoughts. That's certainly a very, very important thing and it's important to be engaged in democracy and you know, there's nothing I think from a certain prospective, a better way that you can be involved in your government, civically involved than be coming to City Council and addressing our body like you just did. Certainly I take issue with some of the remarks themselves, the notion that Parks Director Derek Gordon and I are engaged in a coverup with respect to St. Mark's park. I don't particularly agree with but, you know one thing that I did want to stress and make sure that everyone in this room understands that if this project, this proposal isn't supported by the people that live in the area, in the neighborhood, my neighborhood, Mr. Cox's neighborhood, the Berbelis's neighborhood and Mr. McVehil's neighborhood, then we're not going to do it. This hasn't been approved by St. Marks. It's not been approved by this Council. And so we're talking about certainly an idea and I think your passion about the idea is very, very important and I want to hear that. And we've scheduled a meeting to talk about this, to take the temperature of the neighborhood on October 23rd at St. Marks Church at 6:00 and I hope everyone's there. I hope all of the people that joined us tonight are there because at the end of the day, as a Ward Councilman, it's my job to represent the Ward and this won't be Edmond Mack Park. This would be our park if it happens and it's not going to happen at all if you don't want it. And so, I look forwarding to seeing everyone on October 23rd and if you have any questions at all or want to talk about this more, everyone has my cell phone number. It's 323-3755. Call me anytime and you know, even if this doesn't happen that's great. On to the next issue but, the conversation's good and the involvement by you here is definitely positive and I'm looking forward to October 23rd to talking about it more. So, thanks again for coming tonight.

PRESIDENT SCHULMAN: Thank you Member Mack. Mayor Healy.

MAYOR HEALY: Thank you Mr. President. I just wanted to share with this body and our citizens out there, many times we hear about stories and rankings and national news that doesn't always put our city in the best light. You know there's an article in today's New York Times if you haven't seen it, it's titled "Fracking Spurs a Rust Belt Rebound in Manufacturing" and it is a pretty extensive article focusing on Youngstown and Canton and the area here between Youngstown, Akron, Canton and Carrollton and that area addressing many positive things that are happening and how some of the turnaround is happening and I think we need to make sure that we point out that we are getting some national attention here for positive news and I thought that was important. I will point out too, not only does it reference Canton and specific things and businesses in Canton about rebounding from the recession and from the Rust Belt era. In 2013 we actually had an all-time record collection in income tax in 2013 which means there were more people working any paying taxes than ever before in our history and that's great except, this is something that President Schulman has referred many, many times, myself, same thing with Treasurer Perez has mentioned it. The changes that have been made in Columbus, as they have cut the local government funds and cut the Inheritance Tax and cut the Tangible Personal Property Tax for corporations. They have forced cities like our to find other ways to generate resources. So, while our income tax is growing, our overall revenue is still millions of dollars below what is was just 5 years ago and yet we're trying to do more and more and more with less dollars. So, I will tell you that the local economy is strong, the state support has been pulled out from under us and collectively we're looking for ways to make sure that we can continue to moving forward but this is a great article talking about how our economy is growing and we're being recognized for some of the things that happen here. So I wanted to share that with everybody and it's nice to have some good news for a change.

PRESIDENT SCHULMAN: Thank you Mayor. Any other Miscellaneous Business? If you'll just bear with me for two minutes. I wanted to, and I appreciate you Miss Simon you sticking around. It can be very tedious and

MINUTES OF THE MEETING SEPTEMBER 8, 2014

boring I understand and the chairs might not be all that comfortable but I do appreciate you staying here and rarely in our lives are we defined by one specific event or thing that we do. Maybe John Wilkes Booth was defined by the assassination of President Lincoln. That's certainly true but most of us in our ordinary lives which don't reach some notoriety are not defined by one event. You're not, I'm not, by one vote when you're a public servant and one idea for the Berbalis's and Mr. Cox, one idea of a public servant should not define that public servant's duty to the citizens that he or she represents. I appreciate what you said Miss Simon and I did cast the deciding vote raising the tax on you and it probably raised the taxes on others. There have been occasions where I have been called to cast a deciding vote to raise the amount of money you pay for your water sewage treatment costs where you may pay for water bills more than you would last year. I don't like to do that. None of us do. To follow up what the Mayor said, we are probably \$6,000,000.00 behind where this city should be, \$6,000,000.00 in a city this size which is not particularly gigantic from where we were just 6 years ago because of what the State House and the Governor has done to urban areas and I have to say if I were in your shoes, I would much rather come down to Canton where I live and by the way, I'm a neighbor of yours, come down to Canton City Council and raise holy hell with us than get in the car and drive to Columbus where they have no Public Speaks by the way. No citizen has a right to speak unless they are invited by the Chairs of their various and respective Committees than get in the car and go down there and complain because it would be like yelling in a hurricane. I'm not happy with what I did to you. I apologize for what I did to you but would I do it again, yes. I would do it again and it's because our city is not just one person, it's many people who share common interests and also common infrastructure. The roads, the water, the police, the fire, all those things that make a community are supported by the members of that community. And I don't like to pay taxes any more than you do and I'm sorry that you have to pay more. I wish that was not the case but sometimes when you represent the community and not simply individual people, that's what happens. Some people do pay more. Some people may pay less. But we all pay to enjoy the privileges of living in our city and so, I apologize and if you want to, I apologize to you for raising your taxes but, if you want to talk about it more after this, I would be happy to talk with you about it. And I do understand...

LAURA SIMON: I do.

PRESIDENT SCHULMAN: Very good. I do understand...

LAURA SIMON: *Inaudible (LAUGHTER)*

PRESIDENT SCHULMAN: I'm already married but, we can talk....

CLERK TIMBERLAKE: You know this is on record right? *(LAUGHTER)*

PRESIDENT SCHULMAN: You want to cut off the recording. But I do appreciate it. Thank you and I will talk to you afterward.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: If you'll just, one more thing. A great Judge once said in a decision "Taxes are the cost we all pay for civilization". And that's true. Without communities and all of us chipping in we would have no civilization. But let's talk afterwards. Thank you for coming down and Mr. and Mrs. Berbalis and Mr. Cox thank you for coming down. I'm sorry we couldn't to you sir. Member West, nothing? Leader.

MEMBER MORRIS: Wow what a meeting. Thomas, no I'm not wearing high heels. Richard, I have no idea where I was when JFK was shot because it was like 3 years or 4 years, 3 years before I was born. Motion to

MINUTES OF THE MEETING SEPTEMBER 8, 2014

adjourn.

MEMBER SMITH: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The meeting is adjourned. Drive carefully everybody.
(Gavel falls)

ADJOURNMENT TIME: 9:00 P.M.

ATTEST: SEPTEMBER 12, 2014
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: SEPTEMBER 12, 2014
ALLEN SCHULMAN
PRESIDENT