

MINUTES OF THE MEETING NOVEMBER 17, 2014

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. Thank you for turning out on this beautiful night in November. I hate this weather. With a quorum being present, the Chair calls this meeting of Canton City Council to Order. Roll call vote please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. We'll have our invocation given tonight by my friend, Ward 6 Council Member, David Dougherty. If you'll all stand and remain standing, please, for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on November 17, 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 Council Member David Dougherty. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you very much, Member Dougherty. Leader. We're now under Agenda Corrections and Changes.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Readings Ordinances #7 through and include 11 and Communication 488 will be withdrawn.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 7 through 11 and withdrawing Communication #488, to this evening's agenda. Are there any remarks? Hearing none, Madame Clerk, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: 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 for which we have none this evening.

OLD BUSINESS

MINUTES OF THE MEETING NOVEMBER 17, 2014

PRESIDENT SCHULMAN: Turning now to Old Business. I ask Deputy Mayor Williams to address any Old Business. Deputy Mayor.

DEPUTY MAYOR WILLIAMS: Thank you Mr. President. At the meeting on November 10th, Mr. Lee Cote had given members of Council various questions he had concerning paving. And I'll attempt to answer those. The first question was: When is money allocated for street paving? The money is allocated at the beginning of the year when we vote on the budget. ...*(Cough)*...Excuse me. The second questions was: When are bids requested? This particular year, bids were requested in August of 2014 and we actually have bid openings in September 2014. The next question was: Is there a starting time for these streets to be paved? The answer is, the winning bidder has a thirty day calendar and a date set and a notice to proceed to have the paving completed. Of course, weather delays are taken into account and sometimes it *(Inaudible)* against the thirty day calendar window. He asked us if...the next questions was: Is there a penalty in the bid specs for not starting to pave by a specified date? We do have liquidated damages for not finishing in the thirty day calendar window and those damages are set at a \$1000.00 per day. Next questions was: What is the holdup for not starting sooner? This year alone, should be noted that our Engineering Department was dealing with about \$50,000,000.00 worth of projects. They are understaffed and obviously, it's not secret that we got behind in the paving program this year. Next questions was: Is the City Engineering responsible for not making these companies start earlier? Part of that responsibility is the City Engineer, Administration, etc., Director Bartos is putting together a new plan along with the City Engineer to address these issues so that we will have our Early Spring Paving Program. I know Member Smuckler has sent a communication also, that will help make that a reality and we're looking forward to working with Council in that regard. Thank you.

PRESIDENT SCHULMAN: Thank you Deputy Mayor. Sorry that Lee's not here to hear that, but we'll get that to him.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks. We have speakers 3 speakers this evening. Our first is Pete DiGiacomo. Mr. DiGiacomo, as always, welcome. And if you'll step forward and give us your name, your residential address please, sir.

PETE DIGIACOMO: Yes, my name is Pete DiGiacomo. I live at 600 Dent Place SW, Canton. Usually you come up here and you speak and maybe ask a question. I'm going to try something a little different. Kind of like a game show, even though this is not a game. Famous Quotes. Let's see, how did that go? ...

PRESIDENT SCHULMAN: For a hundred dollars...

PETE DIGIACOMO: For a hundred dollars, "before the snow flies"...If anybody has where that quote came from...*(Laughter)*...can I just...*(Laughter)*...*(Inaudible)*...President Schulman owes you a hundred dollars! *(Laughter)*...There you go. That was easier than I thought. Okay, now I got a lot of time...

PRESIDENT SCHULMAN: ...Well, no you don't because we're going to have to break for commercial. Thanks for coming! *(Laughter)*. Appreciate it! Our next guest tonight is...*(Laughter)*...

MEMBER SMUCKLER: Is it your commercial, Mr. President Schulman, we're breaking for?

PETE DIGIACOMO: Well, I have a hair product that I've been trying to push, but it's not going too well.

MINUTES OF THE MEETING NOVEMBER 17, 2014

Bill's my model for it. (*Laughter*). ...Maybe, I don't know. The other thing would be, this week, just by dumb luck I guess, I'm driving on Schroyer Ave. SW and I see one of our city, bigger trucks come by. Lot of steam coming out of the back and I look down towards what used to be the old salt drop off place. So I thought, I'm nosy, I'll drive down. So I do, and they were black-topping a driveway to go to the salt ...I'm going to call it the salt box. It's where they store the salt, which they have not used for the last umpteen years, but now they are using it. But I found it strange that they were black-topping and the temperature, I believe, was right around 30 degrees. It was a little before 9:00 in the morning. They put a nice coating of it down, you drive around back where the salt house is, and they actually put a little parking area in, what I would call it, there. Kind of brought this up at a Ward meeting and I was told that they did that because this way the salt trucks could get in and out without having to ride through all the bumps and everything else. It would be nice is they had that same thing going for the 12th Street area. My wife and me, we drove down there today and very truthfully, if somebody's not paying attention, we didn't drive over 20 mph, there are literally holes on the side, if your car goes in it, you're going to lose a whole wheel. That's all. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. DiGiacomo. (*APPLAUSE*) Our next speaker is Jason Scaglione. Good evening, again always welcome. If you'll give us your name and your residential address please.

JASON SCAGLIONE: Good evening. Jason Scaglione. 3027 Glen Place NW. The wife actually sent me down with this one tonight. She couldn't come down, she was working, but we all know East Ohio Gas is replacing some gas lines in the area. There's a concern of ours. We deal a lot with younger children. The protection around these excavations just is not suitable for our neighborhoods. They're digging big open holes, maybe 2, 3, 4 foot deep. They're driving some wood stakes, or metal stakes in the ground and then wrapping with plastic snow front fence around it, and that is what is going to keep someone out of this excavation. When you look in the hole, you can see the new yellow gas pipe down there. Everything going on, it's all out in the open. This time of year, everyone knows, we've seen it today, things are getting icy. It would take nothing for a car to slip and to go into that hole. We always look at how we're going to get money for this down here, how are we going to get money for that. I really think if we could get a hold of East Ohio Gas and keep from being pulled in on a lawsuit on something that may happen, it would just be a way to keep from losing some more of our money. We'd hate to see a kid get hurt in one of these. We'd hate to see someone wreck their car in one of these, or the work that they're doing get destroyed by a car running into one of these. I looked...I couldn't find a number for East Ohio Gas to contact them about this. I got on their website, and then, it just was not very user friendly to get a number for them, to contact. I don't know, maybe if our Law Department, it may be on the best interest of the City, to draft a letter saying we do require you to protect these excavations where people can't get injured and the City's not going to take any liability for these. I'm not sure what the answer is, but I really think they need to be protected by some concrete barriers, whatever it may be to have a little bit better protection here.

PRESIDENT SCHULMAN: Do you have a specific location for one that you've seen recently.

JASON SCAGLIONE: Right now there's one on Wertz and 12th; Wertz and 13th there, that corner there. There were several over on Maryland Avenue. I don't know if those have been completed or not. Seems like they're doing the same thing all over and over in the Maryland Avenue area, some of them are on the sidewalks and that just makes it that much worse, in my eyes. So, I think we really need to get with them to see what we can do from having any kind of injury. Nobody wants hurt and we don't want to see anyone hurt... Thank you.

PRESIDENT SCHULMAN: ...Right. Thank you Mr. Scaglione, very much Our last speaker is Linda

MINUTES OF THE MEETING NOVEMBER 17, 2014

Campbell. Ms. Campbell, good evening. Welcome to Canton City Council. If you'll give us your name and your residential address, please.

LINDA CAMPBELL: Good evening everyone. My name is Linda Campbell. 1016 Struble Avenue NE, Canton, 44705. The reason I'm here tonight is because I have concerns. My home sits on a corner lot. I mean on a corner..and...of Struble and Williams Place. And last year, I noticed that I had problems as far as when it snowed real bad, trying to get out of my carport or into the alley, and I was told that they didn't have to do this particular area because it was not stop sign on that...if...in that alley or whatever. I did talk to Tom West and then I talked to a lady, I believe her name was Pat, and they said they were going to send an engineer out, which evidently the person came out. I was told that because it wasn't a stop sign...I mean...you know, on this particular area, that's why I couldn't get them to mow the streets. So, this is why I'm here tonight. Okay, there's alleys all around in that area and my house faces a street that they do plow, but I don't park on the street because the street is narrow. I park under the carport because I can't park in my garage right now. But I do park under the carport. There's another lady, her house faces Sylvan. She has the same problem I do. She has to come out of her carport into this alley, and if they don't come through there with the snow trucks and plow it, we have a hard time getting in and out of there. So, I'm wondering why can't they put a stop sign, or why does it just have to have a stop sign or if they can just put a name street on there. It was a named street...a house that they tore down across from me, it's a stop sign there, but they don't have a name of the street. That still is no excuse for them not to be able to go through there. If that's the case, that whole area...nobody would be able to walk through there or ...I mean it's just gonna cause problems, you know. It should be no excuse for them not to come through there and, you know, what do they do, plow? Is that what it's called? Okay. Plow the snow up and this is why I'm here. I would like to see if something can be done. If it just got to have a name up there, put a name up there, you know. They tore the house down, put a house there then. *(Laughter)*. Do something.

PRESIDENT SCHULMAN: Very good. Thank you Ms. Campbell, very much. Appreciate it.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: Let me just be very clear. I think she is...someone, I don't know who, has told her that if there is no sign on the alley street, that's why they don't plow. But there's a policy in the city about alleys, if somebody could maybe state that policy around plowing in alleys, maybe that can help her address the issue. Thank you.

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Thank you. Councilman West, I know that you like to name streets, if you just want to go ahead and have a naming ceremony, we could...*(Laughter)*...I spoke to Bill about that. He's going to send somebody over and we'll figure it out, now that we're aware about it. Thank you for letting us know. We'll see if we can get somebody to put that on the route. Because it is an alley, it typically is a second tier plow, so we might do the main street first and then come back when we're doing the lower streets, to do that one. So, it probably won't get done when the main street is done, but we can get it on the rotation. We might even have somebody come out there to just touch base with you to make sure we've got the right place. Okay. But thank you for bringing that to our attention. Our Service Director will help on that.

MINUTES OF THE MEETING NOVEMBER 17, 2014

PRESIDENT SCHULMAN: Thanks Mayor, thank Ms. Campbell, for coming down.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: And now we are under Informal Resolutions. We have none scheduled this evening.

COMMUNICATIONS

PRESIDENT SCHULMAN: Turning now to Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED NOVEMBER 17, 2014.

486. CNCL-AT-LRG HART: DEV PROG TO USE VACANT LOTS AS GARDENS FOR CITY RESIDENTS. - RECEIVED & FILED
487. DEPT OF COMMERCE: OBJECTION WITHDRAWN FOR HEARING ON TRANSFER C-1-2 PERMIT FOR SSP OF CANTON, INC DBA S & K MINI MART @ 1735 CLEVELAND AVE NW. - RECEIVED & FILED
488. *DEPUTY MAYOR WILLIAMS: REQ SUPP APPROP FROM UNAPPROP BAL \$327,039.56 1001 GENERAL FUND TO 2237 506001 EDWARD "PEEL" COLEMAN SPRAY PARK - OTHER; AUTHORIZE & DIRECT AUDITOR TO DRAW WARRANTS FOR SERVS RENDERED & PERMIT REIMBURSEMENTS FROM ODNR. - FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES - WITHDRAWN*
489. LIQUOR CONTROL DIVISION (OHIO): REQ D1 D3 NEW PERMIT FOR LATINOS RESTAURANT LLC @ 3103 TUSCARAWAS ST W. - RECEIVED & FILED
490. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR OCTOBER 2014. - RECEIVED & FILED
491. TREASURER PEREZ: RPT OF DEPOSITS & PAY INS FOR AMBULANCE LOCK BOX FOR OCTOBER 2014. - RECEIVED & FILED
492. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS & CITY'S OUTSTANDING INVESTMENTS AS OF OCTOBER 31, 2014. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

MINUTES OF THE MEETING NOVEMBER 17, 2014

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE VACATING A PORTION OF HAFFER COURT S.W.; APPROVING AND ACCEPTING THE REPLAT OF THE VACATED STREET, ALL OF CANTON CITY LOTS 7443, 7444, 7445, 7446, 7447, 7448, 7449, 7450, 7451 AND THE REMAINING PARTS OF CANTON CITY LOTS 7473 AND 7474; AND DECLARING THE SAME TO BE AN EMERGENCY (TIMKEN STEEL CORP)
Referred to Public Safety & Thoroughfares Committee
- #2. (1ST RDG) AN ORDINANCE VACATING A PORTION OF 19TH STREET S.W.; AND DECLARING THE SAME TO BE AN EMERGENCY (TIMKEN STEEL CORP)
Referred to Public Safety & Thoroughfares Committee
- #3. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$40,000.00 FROM UNAPPROP BAL 2762 701001 INDIGENT DRIVER ALCOHOL TREAT FUND TO 2762 701001 INDIGENT DRIVER ALCOHOL TREAT - OTHER & \$68,000.00 FROM UNAPPROP BAL 2767 JAIL DIVERSION GRANT FUND TO 2767 701001 JAIL DIVERSION GRANT - OTHER \$18,000.00 & 2767 701001 JAIL DIVERSION GRANT - PERSONNEL \$50,000.00)
Referred to Finance Committee
- #4. (1ST RDG) AN ORDINANCE APPROVING THE EXERCISE OF A ONE-YEAR OPTION OF THE FUEL CREDIT CARD PROGRAM WITH SPEEDWAY, LLC; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$55,000.00 TO HOME TEAM COMMUNICATIONS; AND DECLARING THE SAME TO BE AN EMERGENCY (TELECOMMUNICATIONS AUDIT)
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ONE OR MORE CONTRACTS FOR THE MOWING OF DESERTED/VACANT LOTS THROUGHOUT THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Turning now to Ordinances and Formal Resolutions for the Second Reading. Would you please begin with Ordinance #7?

MINUTES OF THE MEETING NOVEMBER 17, 2014

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #7 THROUGH #11; FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#7. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013, AS AMENDED BY MAKING APPROPRIATION TRANSFERS; AND DECLARING THE SAME TO BE AN EMERGENCY (\$0.05 FROM 4501 801001 AUDITOR - OTHER TO 4501 201004 2006 CONSTRUCT/RECONSTRUCT BOND - OTHER AND \$25,000.00 FROM 1001 702001 CLERK OF COURTS ADMIN - PERSONNEL TO 1001 802001 AUDITOR - CLERK COURTS ATM - OTHER)

#8. (2ND RDG) **ADOPTED AS ORDINANCE 241/2014** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$21,907.20 TO RELATED PARTIES FOR WORK PERFORMED AS PART OF THE NEIGHBORHOOD INITIATIVE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (MOORE TITLE AGENCY \$6,000.00, HERITAGE UNION TITLE AGENCY \$3,000.00, PHILLIP D. SCHANDEL \$1,200.00, AMERICAN TITLE AGENCY \$8,400.00, THE PRESS NEWS \$3,307.20)

PRESIDENT SCHULMAN: Leader Morris. Ordinance 8.

MEMBER MORRIS: Mr. President, I move we suspend Statutory Rules for Ordinance #8.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinance #8. 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. Motion carries. Leader you've heard the three readings.

MEMBER MORRIS: Mr. President I move we adopt Ordinance #8.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #8. Any remarks? Hearing none again Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

MINUTES OF THE MEETING NOVEMBER 17, 2014**#8 ADOPTED AS ORDINANCE NO. 241/2014**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #8 is adopted. Ordinance #9 please.

- #9. (2ND RDG) AN ORDINANCE ADOPTING AMENDMENTS TO THE ECONOMIC GROWTH INITIATIVE REGULATIONS; AND DECLARING THE SAME TO BE AN EMERGENCY (JEDD & TAX INCENTIVES)
- #10. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A SUPPLEMENTAL AGREEMENT WITH THE CITY OF NORTH CANTON FOR THE OPERATION, MAINTENANCE AND REPLACEMENT COST SHARING AGREEMENT FOR THE WATER RECLAMATION FACILITY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO PURCHASE EASEMENTS IN CONJUNCTION WITH THE FAIRCREST WATER MAIN EXTENSION PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (JAMES REED ENTERPRISES LLC \$8,850.00, ROBERT D. MARRACCINI \$5,434.00, ZOLDAN FAMILY OHIO LIMITED PARTNERSHIP \$6,075.00, DGS DEVELOPMENT CO., LTD. \$6,075.00, SYSTEM CAPITAL REAL PROPERTY CORP. \$1,988.00)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We now turn to Ordinances and Formal Resolutions for their Third, Final Reading and Vote. Madame Clerk would you please begin with Ordinance 12?

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #12 THROUGH #19 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 242/2014** AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONSTRUCTION CONTRACT CHANGE ORDER IN AN AMT NOT TO EXCEED \$146,909.21 WITH CENTRAL ALLIED ENTERPRISES, INC. FOR THE 55TH ST. STORM SEWER AND ROADWAY PROJECT, GP 1125; AMEND APPROP O#264/2013 (\$11,763.63 SUPP APPROP FROM UNAPPROP BAL 2181 GERVASI 1700 LLC TIF FUND TO 2181-202001 GERVASI 1700 LLC TIF FUND - ENG ADMIN - OTHER, \$78,248.04 SUPP APPROP FROM UNAPPROP BAL 4501 CAPITAL FUND TO 4501-202087 CAPITAL FUND - 55TH ST PROJ, GP 1125 - OTHER; \$30,000.00 APPROP TRANSFER FROM 4501-202001 CAPITAL FUND - ENG ADMIN - OTHER TO 4501-202087 CAP FUND - 55TH ST PROJ, GP 1125 - OTHER AND \$30,000.00 APPROP TRANSFER FROM 4501-201001 CAPITAL FUND - SERV DIR ADMIN - OTHER TO 4501-202087 CAPITAL FUND - 55TH ST PROJ, GP 1125 - OTHER)

MINUTES OF THE MEETING NOVEMBER 17, 2014

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 12. Any remarks under this Ordinance?

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Myself and Member Mariol and Member Smuckler had an opportunity to meet with our Engineer, as well as our Service Director. We did get an opportunity to go through and discuss some of these change orders and the process. Although myself, personally, I still don't like the process and how it was done. The asphalt and everything is laid. We do have the Service Director and the Engineer's word that in the future, any change orders that exceed the 10%, prior to going forward, they're going to contact not only the Ward Council Member, or the Chairman of that Committee, but even possibly coming down and talking to Council. Also, I will be taking a course on how they put these bids together with the City Engineer, an on-line, 12 hour course so I get a better feel for how this is...these prices are put together because I'm still not liking it but I guess it's the industry standard.

PRESIDENT SCHULMAN: Great. Thank you leader. Are there any other remarks?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Hawk.

MEMBER HAWK: Thank you sir. First of all, congratulations to everybody for working so hard to get this straightened out. I don't believe that the cost overrun, which is only about \$32,000.00, is as important as the fact that the bulk of this came in change orders that didn't even get Council's approval or taken a look at. I think they're working to solve this problem to make it a better place in the future. Mr. Morris, congratulations for your hard work on it. Administration, thank you for putting it together and working with us on solving this problem. Thank you.

PRESIDENT SCHULMAN: Thank you Member Hawk. Any other remarks? Hearing none, 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. 242/2014

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

MINUTES OF THE MEETING NOVEMBER 17, 2014

(Inaudible)

#13. (3RD RDG) ***POSTPONED UNTIL 11/24/14 AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE AGREEMENT WITH STOLLE MACHINERY INC. PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY***

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

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

MEMBER MORRIS: Mr. President, I move we postpone Ordinance 13 until 11/24 of 2014.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you postpone Ordinance 13 be postponed until November 24, 2014. Any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Ordinance 13 is postponed accordingly. Ordinance 14 please.

#14. (3RD RDG) ***POSTPONED UNTIL 11/24/14 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOINT ECONOMIC DEVELOPMENT DISTRICT AGREEMENT WITH JACKSON TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY (STOLLE MACHINERY INC)***

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

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

MEMBER MORRIS: Mr. President, I move we postpone Ordinance #14 until 11/24 of 2014.

MINUTES OF THE MEETING NOVEMBER 17, 2014

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you postpone Ordinance 14 until November 24, 2014. Any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. And that Ordinance is accordingly postponed. Ordinance 15 please.

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 243/2014** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-26890 @ 902 CHERRY AVE NE)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 243/2014

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

#16. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 244/2014** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES FOR THE RECEIPT OF THE FY 2015 DRUG COURT FUNDING GRANT IN THE AMOUNT OF \$41,495.00; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

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

MINUTES OF THE MEETING NOVEMBER 17, 2014

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #16. Any remarks under this Ordinance? Leader.

MEMBER MORRIS: Mr. President, I move we amend Ordinance #16 per the copy that all Members have in front of them.

MEMBER SMITH: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend the caption and Section 1 of Agenda Item No. 16 by changing the dollar amount of "\$41,495.00" to "\$42,474.00".

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 16 by virtue of the copy before each Member of Council. Any remarks? Hearing none then by voice vote, all those in favor of the amendment signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 16 as amended. Any remarks under this Ordinance as amended? Again hearing none, 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. 244/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 16 as amended, is adopted. Ordinance 17 please.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 245/2014** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH COMMUNITY BUILDING PARTNERSHIP OF STARK COUNTY, INC. IN AN AMOUNT NOT TO EXCEED \$15,000.00 FOR WORK TO BE PERFORMED AND COMPLETED AS PART OF THE STARK COUNTY LAND BANK SIDE LOT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING NOVEMBER 17, 2014

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 1 ABSTAIN
(MEMBER GRIFFIN ABSTAINED)

CLERK TIMBERLAKE: Eleven yeas, One abstain, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 245/2014

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

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 246/2014** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$10,000.00 APPROP TRANSFER FROM 2318 301001 - PERSONNEL TO 2318 301001 - OTHER, \$3,000.00 FROM 2354 301001 - OTHER TO 2354 301001 - PERSONNEL AND \$7,000.00 FROM 2323 301001 - OTHER TO 2323 301001 - PERSONNEL; EMERGENCY (HEALTH DEPT)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

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

#18 ADOPTED AS ORDINANCE NO. 246/2014

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

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 247/2014** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$75.00 TO THE OHIO PEACE OFFICER TRAINING ACADEMY; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING NOVEMBER 17, 2014

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 19. Any remarks under 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.

#19 ADOPTED AS ORDINANCE NO. 247/2014

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We now move to Announcements of Committee meetings.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you good sir. Finance Committee will meet Monday, November 24, 2014 at 6:00 p.m.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West. Chairman West.

MEMBER WEST: Public Safety & Thoroughfares Committee will meet same time, same place.

PRESIDENT SCHULMAN: Thank you. Any other announcements? We're now under... what?

CLERK TIMBERLAKE: 6:30 Alex Zumbar will here.

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Yes, Member Smuckler announced that, we adjusted it...the Committee Meetings, accordingly.

PRESIDENT SCHULMAN: Thank you. Anyone else?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Now we turn to Miscellaneous Business. Is there any?

MINUTES OF THE MEETING NOVEMBER 17, 2014

PRESIDENT SCHULMAN: Leader. *(Laughter)*.

MEMBER MORRIS: Move to adjourn.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adjourn. 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. Meeting is adjourned. Drive carefully everybody and stay warm. *(Gavel falls)*

ADJOURNMENT TIME: 8:00 P.M.

ATTEST: NOVEMBER 20, 2014
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: NOVEMBER 20, 2014
ALLEN SCHULMAN
PRESIDENT