

MINUTES OF THE MEETING FEBRUARY 23, 2015

PRESIDENT SCHULMAN: Good evening. Welcome to Canton City Council everybody. I hope you're staying warm. The winter progresses, it never seems to end. With a quorum being present, the Chair does call 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, WILLIAM SMUCKLER, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, KEVIN FISHER, DAVID DOUGHERTY, JOHN MARIOL, & EDMOND MACK)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All of our esteemed colleague are here today, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight's invocation will be given 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 February 23, 2015 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 David Dougherty, Ward 6 Council Member. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

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

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #5 through and include #10.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add 2nd Reading Ordinances 5 through 10, to this evening's agenda. Any remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We now turn to Public Hearings and we have none this evening. ____

OLD BUSINESS

PRESIDENT SCHULMAN: Deputy Mayor, Fonda Williams, has indicated to us there is no Old Business.

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PRESIDENT SCHULMAN: So, we turn to Public Speaks and we have 5 speakers tonight. Our first is Jason Scaglione. Good evening, as always. If you'll step forward and give us your name and your residential address, please.

JASON SCAGLIONE: Good evening. Jason Scaglione. 3027 Glen Place NW, Canton, Ohio. I'm here tonight to speak about our Canton City road conditions. The conditions of our roads are horrible. I know this is no surprise to anybody here. I'd like to point out one road in particular in Ward 3. I'd expressed concerns when Aultman Avenue NW, between Tusc and 4th St. NW was milled down late last year and repaved. The time of year that it was paved in was completely wrong, as it was snowing. Council here, has taken steps to make sure paving is not done in such unfavorable weather conditions and I praise you for that. The concern I have with Aultman Avenue was the base of the roadway. The base was in very bad condition. In some places, just plain dirt was under the asphalt. That was milled off and repaved...this road. Lack of adequate base material is a primary cause of payment...pavement failures. Moisture or water in the base material, and or in between the base of the paving, put over the base, as being the second. Aultman Avenue was paved only about three months ago and the pavement that was put down is already heaved up in places. You'll be able to see that in the pictures that went around. Where the new asphalt is heaved up is already cracked at the peak of where it is heaved up. Also, now chunks have been taken out of the pavement from the snow plows, as it's so uneven. Why is this? Well, as I said before, the base was in very bad condition. There was a mix of concrete in the base of this roadway, old paving brick that are allowing water to push up through them. Concrete patches where utilities have been repaired, and then the excavation filled in with concrete. In some places, there were just patches of dirt that I think were filled in with asphalt before it was repaved. Part of the problem being that all of these different materials in the base will shift, move, or rise differently when the frost sets in. The pavement on this roadway is already a loss. I've taken time to compare this roadway to the parking lot installed at the CVS Pharmacy at Tusc and Harrison. The CVS parking lot is flat and looks to be in very good condition. The CVS parking lot was paved a little earlier in the year, so that asphalt is actually older than Aultman Avenue. Why is the parking lot in better condition? When the parking lot was constructed, it was constructed in accordance to the City Ordinance 1339.01. You read the Ordinance, it says "*(a) Sub-base shall be a minimum of six inches compacted run-a-mine gravel or No. 4 slag, with binding. (b) Asphalt concrete base shall be a minimum of three and one-half inches compacted. (c) Asphalt concrete surface or wearing course shall be a minimum of one inch compacted.*" This Ordinance was passed in 6-16-69. There are a lot of different traffic classes of roadways, one being parking lots, driveways, and rural roads; two being residential streets all the way up to (*Inaudible*) freeways and (*Inaudible*). These class pavements (*Inaudible*) should range from three inches for parking lots to ten inches or more for class 5 freeways. Here in Canton, the paving that is done does not meet the requirements in the City Ordinance for a parking lot. I reviewed a bunch of information in the past few weeks, including information from Municipal officials and have found that no wonder Canton's roads are bad, as none of the work is to the minimum specifications found in anything I've read, including our own City Ordinance. I've had...heard many times since...said...City paves roads to ODOT specs. I find this to be false. The State of Ohio...

PRESIDENT SCHULMAN: Okay, Mr. Scaglione...let's wrap it up, please. Don't abuse the...

JASON SCAGLIONE: ...The State of Ohio actually requires a road to be bonded for three years. I know the City won't do this with a contractor because they wouldn't bid on the work...

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PRESIDENT SCHULMAN: Thank you...

JASON SCAGLIONE: ...This information...thank you...have a good evening...

PRESIDENT SCHULMAN: We appreciate it. Thank you, as always. (*Applause*). Our next speaker is Bruce Nordman. Mr. Nordman, as always, welcome to Canton City Council. If you'll give us your name, though, and your residential address please, for the record.

BRUCE NORDMAN: My name is Bruce Nordman. I reside at 1623 Logan Ave. NW. My purpose in being here tonight is to commend Canton Police Chief Lawver and Neighborhood Liaison, Patrol Officer Judy Solly. They were at our Neighborhood Association meeting last Tuesday and discussed, with our members, home robbery, car theft, and panhandlers. We also had James Knight, who is the Crime Specialist from the County Prosecutor's office, who talked about home, car, and personal safety, scam artists and ID thefts. My reason for bringing this up is, and I know all of our Council Members here, are concerned about citizen participation. It's something that is very dear and something that I know you work very, very hard at. I'm going to give you, at the end of my presentation, the telephone number for you to find out, in your Wards, what the Neighborhood Associations are, and if you have voids in your neighborhood, to start working with folks to start to get together to help you in your endeavors to keep this city safe, and to build strong neighborhoods. Now, we sit in our boundaries...Northwest, 15th Street to 18th Street and Cleveland Avenue to Market Avenue. We sit right in the middle of the most frequent address for police and fire, which is Ridgewood Castle, which accounts for about 40% of the crime in our neighborhood. Working closely with the Police Department and with safety officials, and particularly with Officer Solly, who is the neighborhood liaison, we were able to reduce our crime by 40%, and we won in 2011, the Prosecutor's Award for crime prevention. We also, last year, accounted for less than 2% of the police department's responses for neighborhood assistance. Now that figure is 1151 calls. So, it's still a big number, but it's...it works very well in terms of helping us with all matters concerned with the City. So, I'm going to give you Marilyn Thomas Jones' telephone number. She's the Program Officer for the Stark Community Foundation. Check with her and find out what the concentration of neighborhood associations in your Wards are. Her number is 330-454-3426, extension 401. And I thank you for your attention and Director, you're doing a great job, thank you. (*Applause*).

PRESIDENT SCHULMAN: Thank you Mr. Nordman, very much, as always. Thank you for your service to your neighborhood. Our next speaker is James Parker. Mr. Parker, good evening. As always, welcome. If you'll give us your name and residential address, please.

JAMES PARKER: James Parker. 630 Penny Street SE, North Canton, Ohio. Good evening. I would like to talk this evening about the Kresge Lot and the Renkert Building in accordance with the CZB Downtown Development Plan and Canton City Council's direction with that. So far, I'm told that a stage setup onto that lot, typically costs \$8,000.00. Last year, I believe there were four setups. That's \$32,000.00 as a baseline. You put a \$2,000,000.00 Muni Bond sale into an amphitheater and it would take you 62 ½ years, if you divide that number into \$2,000,000.00, to see a return on your investment. Ask yourself, how did Fawcett Stadium look after 60 years? Skating rink. They've failed three times already. I can count when I was a little boy skating at Central Plaza, then the re-configuration at Central Plaza, and then again beside the Courtyard. Failure, failure, failure. You are not Kennedy Center. Last year...I've went over that...so, this type of Cartesian, linear thinking and static planning does not compliment the ability of that space to be evolutionary, to be able to phase into different configurations as would be complimentary to say other aspects of the CZB Plan, like a public market, similar to Santa Fe. The Renkert Building, as well as the Kresge Lot, amount to a complimentary, yet opposing

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ying yong relationship. Mention the ice rink. I would like to present to the working group on this project, the ability to video map the Renkert Building and really bring it into the 21st century. This is being done all over the world. It's a fantastic show. You want to check out my Facebook account, you'll see several posts. Think North Star, think Directional Valet. This is what Buki put into the plan that should be a part of the Renkert Building marrying into the Kresge Lot. And...have these two spaces been considered simultaneously? As the last week to present honorary ideas for African American History month, I would be remiss if the plan to honor Canton resident, McKinley graduate, Football Hall of Famer, and exceptional gentleman, Marion Motley, with a small football field complete with blocking sleds, removable goal posts. You can hash it out with lime. For Christ's sake, the thing can go away, onto the portion of the Kresge Lot. It isn't even being considered. To the Council persons of African American descent, I encourage you, and all of you, to back *(Inaudible)* the notion of celebrating and honoring the contributions and life of Cantonian, Marion Motley, to a major block downtown. Not just the street beside the Old Cantonian restaurant. I've yet to hear a solid reason why not. Over the years, I've asked this Council, consult with the Partnership for Public Spaces, the organization out of New York City that's help encourage and distinguish...how do you distinguish and honor this space? I'm again encouraging you to do so. The PPS.org, the Partnership for Public Spaces. Thank you very much, good night. *(Applause)*.

PRESIDENT SCHULMAN: Thank you, Mr. Parker. Our next speaker, excuse me, I believe, is Oscar Todd. Oscar...okay.

OSCAR TODD: *(Inaudible)*.

PRESIDENT SCHULMAN: Oh, that's alright. I just want to make sure you were here. And I apologize...did I get your name right?

OSCAR TODD: Yes sir, you did.

PRESIDENT SCHULMAN: Good. Welcome, Mr. Todd...

OSCAR TODD: Just think of the hot dog...*(Laughter)*.

PRESIDENT SCHULMAN: I'll think of the hot dog. If you'll give us your name though, and your residential address please.

OSCAR TODD: Oscar Todd, Sr. and my address is 1219 Oxford.

PRESIDENT SCHULMAN: Great, thank you sir, very much.

OSCAR TODD: ...and this is my first time ever issuing this, but our neighborhoods needs to be taken care of. Number one, it's going to be about the gentleman that just spoke about our city streets. Our sidewalks over there by Oxford, and they are not taken care of. And *(Inaudible)* and stuff. And they...the City, they have the money and you have these people that supposed to be doing things on their...shoveling snow...their fines. The city's not providing for them. I'm tired of walking in the middle of the street and things and if it was like Cleveland, they'd fine these people for sidewalks. But we're not getting any...excuse my English...love *(Inaudible)*...that's another situation. Now *(Inaudible)* ...I wanted to say Community Service, that's what they should be doing so they can stay out of jail and redeem themselves. So, *(Inaudible)*, another thing is about the

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entertainment here in Canton, Ohio and I'm not being prejudiced or anything like that because I love it all. I like pop, I like country, but anyway...I've been trying to fight left and right. I've been getting in touch with Mr. Healous office and see what we can do about this because if it's...that's what going on with the young people. There's nothing here in Canton. Everything is just downright...it's nothing. But y'all got rid of Mother Goose Land and things like that. Everything out of the pocket. What we need is something for these kids so they can stay out of trouble. That's what I'd really like to speak about. If we can do something for these kids, these kids would not be out here wanting to...going to Stark County and everywhere else. This County needs some help. On top of that, we just need to take care of this issue and try to help people, and bring entertainment. Only thing we have is the HOF, and that's about it. Where's our money going to? We can't put it into anything else besides, what, HOF? We need...

PRESIDENT SCHULMAN: If you can wrap it up sir...

OSCAR TODD: Yes. We need to have funding instead of somebody else saying we can't, you don't have any funding. HOF has it all.

PRESIDENT SCHULMAN: Right. Thank you very much, Mr. Todd. Appreciate it. (*Applause*). Our last speaker is Pete DiGiacomo. Mr. DiGiacomo, as always, welcome. If you'll step forward and give us your name and your residential address for our record, please.

PETE DIGIACOMO: Good evening. My name is Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. Want to speak on a couple things here. One, in the Repository, and I've heard it here also, that the Council is thinking about getting a Nuisance person to control the animals. They left the one important thing out. Feral cats. There's probably more feral cats than you have racoons, groundhogs and everything else. To neuter them, that's great, but then you bring them back into the same neighborhoods, and now you still have all the cats. And not that I'm against cats. I don't own any, but I'm not against them. So there. The other thing is, I wanted to recognize the Street Department. Where I live, when it really snows like it has been, I don't even bother calling them for three days because I know I'm not gonna...you know, you've got the primary roads. I didn't have to call them. They came down yesterday morning and plowed Dent Place, Wells Avenue, really, really nice. Put some salt down. The sun came out and took care of all that good stuff. The other thing...the Kresge Lot. Personally, I know, I only wrote one thing down (*Laughter*)...

PRESIDENT SCHULMAN: No, I was just gonna say, it's Market Square.

PETE DIGIACOMO: Market Square, no, it's Kresge Lot (*Laughter*). If you didn't live your entire life in the City of Canton, you can call it Po Dung Hollow, I don't care...(*Laughter*), but I've lived all my life in Canton, Ohio...it's Kresge's. (*Laughter*). They should have a green space. (*Applause*). I know that's far fetched thinking, but a green space instead of putting up cement here, cement there. We've got cement everywhere. Green space. It would be a lot less money, it would look very nice. Put some nice landscaping in, some nice trees, that we don't have to maintain a whole lot on, but you would have to have a least one Buckeye tree. Thank you.

PRESIDENT SCHULMAN: Thank you. (*Applause*). And that concludes our Public Speaks. Thanks to all the speakers this evening.

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PRESIDENT SCHULMAN: We are now under Informal Resolutions and we have none 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 FEBRUARY 23, 2015.

53. AGENT FOR PETITIONER SLIMAN: COPY OF ANNEXATION PETITION DOCUMENTS FILED W/STK CTY COMMS FOR WATER RECLAMATION FACILITY. - RECEIVED & FILED
54. COURT ADMIN KOCHERA: REQ FOR \$30,000.00 SUPP APPROP FROM UNENCUMBERED BAL OF 2766-701001 MUNICIPAL PROBATION SRVS FUND TO CAPITAL OUTLAY EQUIP 2766-701001-75806 MUNICIPAL PROBATION SRVS FUND FOR REPLACEMENT OF A COURT VEHICLE. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
55. DEV DIRECTOR MILLER: AUTHORIZE AUDITOR TO PAY A \$40,263.39 TAX REMISSION REFUND TO CANTON COURTHOUSE CO, LLC FOR FEDERAL CAMPUS PROJ; AMEND APPROP O#266/2014 TO MAKE \$63,598.94 SUPP APPROP FROM UNAPPROP BAL 2233 FED CAMPUS FUND TO 2233 506001 CAMPUS FUND - OTHER. - FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
56. DEV DIRECTOR MILLER: AMEND APPROP O#266/2014 TO MAKE SUPP APPROPS AS FOLLOWS: \$1,160,343.00 FROM UNAPPROP BAL 2211 CDBG FUND TO 2211 506001 CDBG FUND - OTHER; \$44,323.31 FROM UNAPPROP BAL 2212 NSP1 FUND TO 2212 506009 NSP1 - OTHER; \$6,622.49 FROM UNAPPROP BAL 2213 NSP3 FUND TO 2213 506001 NSP3 - OTHER; \$944,998.53 FROM UNAPPROP BAL 2214 HOME FUND TO 2214 506001 HOME - OTHER; \$237,329.66 FROM UNAPPROP BAL 2219 ESG FUND TO 2219 506001 ESG - OTHER; \$133,223.82 FROM 1152 NIP ACQ DEMO FUND TO 1152 506001 COMM DEV DEPT - OTHER. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
57. DEV DIRECTOR MILLER: AUTHORIZE ISSUANCE OF UP TO \$2,000,000.00 IN MANUSCRIPT DEBT TO RETIRE INITIAL \$1,000,000.00 NOTE ISSUED PER O#113/2014, AND ADDITIONAL \$1,000,000.00 FOR NECESSARY FUNDING OF NIP DEMO PROG AS AUTHORIZED BY O#69/2014; REQ \$1,000,000.00 SUPP APPROP FROM UNAPPROP BAL 1152 NIP ACQ DEMO DEBT FUND TO 1152 506001 NIP ACQ DEMO DEBT FUND - OTHER. - FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
58. DEV DIRECTOR MILLER: AMEND APPROP O#266/2014 TO MAKE SUPP APPROPS AS FOLLOWS: \$1,051,132.04 FROM UNAPPROP BAL 2211 CDBG FUND TO 2211 506001 CDBG FUND - OTHER; \$30,647.59 FROM UNAPPROP BAL 2212 NSP1 FUND TO 2212 506009 NSP1 -

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OTHER; \$2,623.50 FROM UNAPPROP BAL 2213 NSP3 FUND TO 2213 506001 NSP3 - OTHER; \$637,747.27 FROM UNAPPROP 2214 HOME FUND TO 2214 506001 HOME - OTHER; \$159,487.79 FROM UNAPPROP 2219 ESG FUND TO 2214 506001 ESG - OTHER; \$133,223.82 FROM UNAPPROP 1152 NIP ACQ DEMO FUND TO 1152 506001 COMMUNITY DEV DEPT - OTHER. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES

59. EHD0C DIRECTOR CHARLETON: APPRISE COUNCIL THAT EHD0C PLANS TO BE THE GENERAL PARTNER OF A RESIDENTIAL RENTAL DEV (BILL BURGA TERRACE) LOCATED AT 1544 MARKET AVE N, AND HAS SUBMITTED AN APPLICATION TO UTILIZE THE MULTIFAMILY FUNDING PROG OF THE OHFA. - RECEIVED & FILED
60. FINANCE DIRECTOR DIRUZZA: AMEND APPROP O#266/2014 TO MAKE THE FOLLOWING APPROP REDUCTIONS AND SUPP APPROPS: \$100,000.00 FROM 1105 808005 PIROLOZZI JUDGMENT NOTE - OTHER TO UNAPPROP BAL 1105 POLICE SETTLEMENT FUND; \$21,000.00 FROM 2215 505010 FAIR HOUSING DEPT - PERSONNEL TO UNAPPROP BAL 2215 FAIR HOUSING ASSIST PROG; \$76,025.00 FROM 2216 505010 FAIR HOUSING DEPT - PERSONNEL TO UNAPPROP BAL 2216 FHAP FY13 PTNSHP PROJ GRNT; \$615.60 FROM 2433 701001 JUDGES ADMIN - OTHER TO UNAPPROP BAL 2433 COURT GPS COST FUND; \$7,699.92 FROM 2776 102001 POLICE ADMIN - OTHER TO UNAPPROP BAL 2776 POLICE DONATION FUND; \$429.22 FROM 2778 102001 POLICE ADMIN - OTHER TO UNAPPROP BAL 2778 CANTON AUXILIARY POLICE FUND; \$0.72 FROM 4573 202077 GP 1098 12TH ST N CORR PROJ - OTHER TO UNAPPROP BAL 4573 SIB LOAN 12TH ST N CORR PROJ; \$70,000.00 FROM 7508 852101 INCOME TAX ADMIN - OTHER TO UNAPPROP BAL 7508 JACKSON-CANTON JEDD CLEARING; \$20,000.00 FROM UNAPPROP BAL 1001 GENERAL FUND TO 1001 753020 LAW NON OPERATIONAL LEGAL EXP - OTHER; \$389,778.59 FROM UNAPPROP BAL 2113 MUNICIPAL RD FUND TO 2113 202001 ENGINEERING ADMIN - OTHER; \$23,281,220.39 FROM UNAPPROP BAL 7502 PAYROLL CLEARING FUND TO 7502 801001 AUDITOR - ADMIN - OTHER. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
61. HEALTH COMMISSIONER ADAMS: REQ \$30,00.00 ADVANCE OF FUNDS FROM HEALTH GENERAL FUND (1001 301001) TO PERSONAL RESPONSIBILITY ED PROG GRANT FUND (2323) TO BE PAID BACK TO GENERAL FUND BY 12-31-15. - FINANCE COMMITTEE
62. HEALTH COMMISSIONER ADAMS: ASBESTOS REGULATIONS, FACTS AND APPLICABILITY. - RECEIVED & FILED
63. MAYOR HEALY: REQ APPROVAL OF RE-APPT OF CHET WARREN TO THE STARK AREA REGIONAL TRANSIT AUTHORITY (SARTA) BD FOR TERM BEGINNING 4-1-15 TO 3-31-18. - PERSONNEL COMMITTEE
64. MAYOR HEALY: REQ APPROVAL OF RE-APPT OF JAMES REINHARD TO THE STARK AREA REGIONAL TRANSIT AUTHORITY (SARTA) BD FOR TERM BEGINNING 4-1-15 TO 3-31-18. - PERSONNEL COMMITTEE

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65. MAYOR HEALY: INFORM COUNCIL THAT, PURSUANT TO SEC 105.01(b)(5) OF THE CANTON CODIFIED ORDINANCES, THE CITY WILL NOT BE ENTERING INTO A PLA FOR THE WATER DEPT VALVE MAINT PROG. - RECEIVED & FILED
66. MAYOR HEALY: INFORM COUNCIL THAT, PURSUANT TO SEC 105.01(b)(5) OF THE CANTON CODIFIED ORDINANCES, THE CITY WILL NOT BE ENTERING INTO A PLA FOR THE FULTON RD RESURFACING PROJ, G.P. 1184, PID 99470. - RECEIVED & FILED
67. NDS DIRECTOR BROWN: APPRISE COUNCIL THAT NDA PLANS TO BE THE GENERAL PARTNER OF A RESIDENTIAL RENTAL DEV (WELLNESS VILLAGE) LOCATED AT 3055 MAHONING RD NE, AND HAS SUBMITTED AN APPLICATION TO UTILIZE THE MULTIFAMILY FUNDING PROG OF THE OHFA. - RECEIVED & FILED
68. PARK DIRECTOR GORDON: AUTHORIZE CANTON PARK COMMISSION TO ENTER INTO 2 YR PROF SRVS CONTRACT WITH YMCA FOR MANAGEMENT OF EDWARD "PEEL" COLEMAN COMMUNITY CTR COMMENCING 4/1/15. - PARKS & RECREATION AND FINANCE COMMITTEES
69. PARK DIRECTOR GORDON: AMEND APPROP O#266/2014 TO MAKE SUPP APPROPS AS FOLLOWS: \$67,000.00 FROM UNAPPROP BAL 2530 PARK OPERATING FUND TO 2530-401060-OTHER; \$90,000.00 FROM UNAPPROP BAL 2530 PARK OPERATING FUND TO 2530-401090-OTHER; \$40,000.00 FROM UNAPPROP BAL 2530 PARK OPERATING FUND TO 2530-401045-OTHER. - FINANCE COMMITTEE
70. PARK DIRECTOR GORDON: CREATE 2531 GARDEN CENTER FUND, 2532 HOLIDAY LIGHTS FUND, AND 2533 SPECIAL EVENTS FUND. - FINANCE COMMITTEE
71. SERVICE DIRECTOR BARTOS: 2014 WATER RECLAMATION FACILITY ANNUAL REPORT OF OPERATION. - RECEIVED & FILED
72. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT WITH A NON-PROFIT ORG FOR A 5 YR LEASE WITH OPTION OF 5 YR RENEWAL OF APPROX 3 ACRES OF PARK PROP KNOWN AS HERBRUCK PARK LOCATED AT 2600 19th ST NE TO ESTABLISH AN URBAN FARM. - FINANCE COMMITTEE
73. SERVICE DIRECTOR BARTOS: SEWER RATE INCREASE RECOMMENDATION. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
74. SERVICE DIRECTOR BARTOS: RATIFY DECISION TO FOREGO ESTABLISHED PROCEDURE FOR ADJUSTING SOLID WASTE COLLECTION RATES AND MAINTAIN CURRENT SOLID WASTE COLLECTION RATES PREVIOUSLY ADOPTED IN 2014, AS OUTLINED IN SEC 975.08 OF CANTON CODIFIED ORDINANCES. - ENVIRONMENTAL & PUBLIC UTILITIES

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COMMITTEE

75. SERVICE DIRECTOR BARTOS: REAUTHORIZE O#251/2009; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A CO-OP AGMT WITH ODOT THAT WILL ALLOW THE SR627, FAIRCREST RD RESURFACING PROJ TO MOVE FWD; MAKE \$151,080.00 SUPP APPROP FROM UNAPPROP BAL OF 4501 (CAPITAL FUND) TO 4501-202001 (CAPITAL FUND - ENGINEERING ADMIN ORG) - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
76. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE FULTON RD RESURFACING PROJ, G.P. 1184, PID 99470; AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE A PROF SRVS CONTRACT FOR CONSTRUCTION ENGINEERING SRVS FOR THIS PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH AND/OR RECEIVE A GRANT FR SCATS AND/OR ODOT TOTALING \$1,258,000.00 TO FUND BOTH THE CONSTRUCTION AND CONSTRUCTION ENGINEERING CONTRACTS; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE THE 4577 FUND FOR TRACKING PROJ REVENUES AND EXPENDITURES; MAKE \$1,258,000.00 SUPP APPROP FROM UNAPPROP BAL OF 4577 (FULTON RD RESURFACING PROJ, G.P. 1184 FUND) TO 4577-202042 (FULTON RD RESURFACING PROJ, C.P. 1184 FUND AND ORG) - OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
77. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A CO-OP AGMT WITH KUBOTA MEMBRANE USA CORP FOR CONSTRUCTION AND OPERATION OF A RESEARCH AND DEV FACILITY. - FINANCE COMMITTEE
78. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 1/31/15. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We now turn to First Reading Ordinances and Formal Resolutions for their First Reading. Let the Journal show that all Ordinances are to be given their first reading as required by law. Madame Clerk, would you please begin with Ordinance 1.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #4 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #4 ADOPTED):

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE GEORGE HALAS RD. NW ANNEXATION AREA CONTAINING APPROXIMATELY .967 ACRES; ASSIGNING SAID TERRITORY TO WARD 7 OF THE CITY; ZONING SAID TERRITORY AS CS (COMMUNITY SERVICE); AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 3/9/15 @ 7:30 PM**
Referred to Annexation Committee

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- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO DONATE ROAD SIGNS TO ARTSINSTARK (10 SIGNS)
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A \$898,050.00 CONTRACT MODIFICATION #2 WITH ARCADIS US, INC. FOR THE NEXT PHASE OF THE SEWER MAPPING AND MODELING PROJECT, G.P. 1130; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$898,050.00 SUPP APPROP FROM UNAPPROP BAL OF THE 5410 SANITARY SEWER OPERATING FUND TO 5410 202081 SANITARY SEWER OPERATING - SEWER MAPPING/MODELING PROJ, G.P. 1130 - OTHER)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:52 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #4; RECONVENED AT 7:53 PM)

- #4. (1ST RDG) **ADOPTED AS ORDINANCE NO. 25/2015** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY AMOUNTS NOT TO EXCEED \$47,122.00 TO E&M LIBERTY WELDING AND \$9,358.00 TO WORKMAN INDUSTRIAL SERVICES, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY (REPAIRS/INSTALLATION OF TERTIARY INFLUENT SCREW PUMP AT WATER RECLAMATION FACILITY)
Referred to Public Property Capital Improvement Committee

PRESIDENT SCHULMAN: At this time the Chair would declare an in-house recess for the Public Property Capital Improvement Committee to meet in regard to Ordinance 4 on your Agenda this evening. You're now in recess. Chairman Mariol.

(RECESS)

PRESIDENT SCHULMAN: Thank you Chairman Mariol. Council will now reconvene after it's recess. Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinance #4 back on this evening's agenda.

MEMBER SMITH. Second.

PRESIDENT SCHULMAN: It's been moved and seconded, excuse me, to suspend Rule 22A to place Ordinance 4 back on this evening's agenda. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and Ordinance 4 is a legal part of your agenda. Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #4.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 4. Any remarks? Again, 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 #4.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 4. Any remarks under this Ordinance? Again, hearing none, Madame Clerk, roll call vote please. *(Phone ringing)*. Is somebody's...is that Mr. Todd's phone, or who is that? *(Inaudible)*.

CLERK TIMBERLAKE: Thank you.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#4 ADOPTED AS ORDINANCE NO. 25/2015

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #4 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for the Second Reading. Madame Clerk, would you please begin with Ordinance 5.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #5 THROUGH #10 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #6 ADOPTED; ORDINANCE #10 ADOPTED AS AMENDED):

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#5. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$30,000.00 SUPP APPROP FROM UNAPPROP BAL OF 4501 CAPITAL PROJ FUND TO 4501 753001 LAW DEPT - OTHER)

#6. (2ND RDG) **ADOPTED AS ORDINANCE NO. 26/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH MINNESOTA LIFE INSURANCE COMPANY FOR LIFE AND ACCIDENTAL DEATH & DISMEMBERMENT INSURANCE FOR ELIGIBLE CITY EMPLOYEES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #6.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 6. Any remarks? Again, 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 #6.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #6. 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.

#6 ADOPTED AS ORDINANCE NO. 26/2015

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries. Ordinance 6 is adopted. Ordinance 7, please.

#7. (2ND RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A TOTAL

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AMOUNT NOT TO EXCEED \$7,775.00 TO C.R.S. CONTRACTING COMPANY;
AND DECLARING THE SAME TO BE AN EMERGENCY (DEMO OF PROP AT
706 MCKINLEY AVE SW DUE TO FIRE)

- #8. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH T.A.C. COMPUTER, INC. FOR CAD/RMS/JMS/MDT/FBR SUPPORT AND MAINTENANCE FOR THE SAFETY FORCES IN AN AMOUNT NOT TO EXCEED \$28,000.00 AND TO ENTER INTO TWO (2) ADDITIONAL ONE-YEAR RENEWALS IN AN AMOUNT NOT TO EXCEED \$21,000.00 ANNUALLY IF MUTUALLY AGREED UPON; AND DECLARING THE SAME TO BE AN EMERGENCY
- #9. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$277.50 TO CONLEY'S SERVICE FOR TOWING SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY (MONTH OF DEC 2014)
- #10. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 27/2015** 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)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #10.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance #10. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

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

MEMBER SMITH: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 10 by the substitution of the new amount of

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\$64,383.48 for the original amount of \$55,000.00 in both the caption and Section 1.

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

MEMBER DOUGHERTY: Point of Order.

PRESIDENT SCHULMAN: No, I'll get to it Member Dougherty, in one second. Go ahead.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas.

PRESIDENT SCHULMAN: Thank you. Leader, there's an Amendment to this Ordinance? Ordinance 10?

MEMBER MORRIS: Mr. President, I move we amend Ordinance #10, per a copy all Council Members have in front of them.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance #10 by virtue of the copy before each member of council. Any remarks? If not, by voice vote, all those in favor to amend Ordinance 10, signify by saying aye. Those opposed, no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: They ayes have it. Now, Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #10 as amended.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #10, as amended. Are there any remarks on the Ordinance, as amended?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Smuckler.

MEMBER SMUCKLER: I just want to let everybody know that I will voting against this Ordinance, as I stated several months ago when this came up, that this could have been done by someone in Stark County. We went to Cuyahoga County and even though they saved us a ton of money, someone here in Stark County could have saved us a ton of money. Don't tell me anyone...no one could do it because I've already contacted a company that could have done it in Stark County. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Smuckler. Any other remarks to Ordinance 10, as amended?

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

NO REMARKS

ROLL CALL 11 YEAS, 1 NAYS
(MEMBER SMUCKLER VOTED NAY)

CLERK TIMBERLAKE: Eleven yeas, one nay, Mr. President.

#10 ADOPTED AS AMENDED AS ORDINANCE NO. 27/2015

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and Ordinance #10, as amended, is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for the Third Final Reading and Vote. Would you please begin with Ordinance 11.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #11 THROUGH #18 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 28/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR 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 NO. 239677)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 11, any remarks under this Ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS, 1 ABSTAIN
(MEMBER GRIFFIN ABSTAINED)

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

#11 ADOPTED AS ORDINANCE NO. 28/2015

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

#12. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 29/2015** AN ORDINANCE AUTHORIZING AMENDED APPROPRIATION ORDINANCE NO. 266/2014; AND

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DECLARING THE SAME TO BE AN EMERGENCY (\$1,106,440.15 SUPP APPROP FROM UNAPPROP BAL OF 2212 DEMO FUND TO 2212 506002 DEMO - OTHER)

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend the caption of Agenda Item No. 12 by deleting the word "authorizing".

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

MEMBER MORRIS: Mr. President, I move we amend Ordinance #12 per the copy that all Council Members have in front of them.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance #12 by virtue of the copy before each member of council. Any remarks? If not, by voice vote, all those in favor signify by saying aye. Those opposed, no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: They ayes have it. Leader.

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

PRESIDENT SCHULMAN: The question you are now voting on is Ordinance #12, as amended. Are there any remarks on the 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.

#12 ADOPTED AS AMENDED AS ORDINANCE NO. 29/2015

PRESIDENT SCHULMAN: Ordinance #12, as amended, is adopted. Ordinance 13, please.

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 30/2015** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 4303 And 4304; AND DECLARING THE SAME TO BE AN EMERGENCY (CONLEY'S SERVICE - WARD 2)

PRESIDENT SCHULMAN: Leader Morris.

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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 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.

#13 ADOPTED AS ORDINANCE NO. 30/2015

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

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 31/2015** AN ORDINANCE APPROVING AND ACCEPTING THE DEDICATION PLAT OF PART OF HARMONT AVENUE N.E.; APPROVING AND ACCEPTING THE REPLATTING OF OUT LOT 806, LOT 37249, LOT 37250 AND LOT 37251; AND DECLARING THE SAME TO BE AN EMERGENCY (HARMONT AVENUE NE - WARD 6)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #14. Any remarks? If not, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#14 ADOPTED AS ORDINANCE NO. 31/2015

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

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 32/2015** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (ENGINEER - 2 POSITIONS; SANITARY SEWER ENGINEER, WATER REC FACILITIES ENGINEER, WATER DEPT ENGINEER, WATER REC FACILITY ASST SUPERINTENDENT AND WATER DEPT ASST SUPERINTENDENT - FROM GRADE 4 TO GRADE 3)

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PRESIDENT SCHULMAN: Leader.

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, any remarks under this Ordinance? Mr. President.

MEMBER SMUCKLER: Mr. President. If I could ask the Service Director, the Mayor, whoever...I thought that we expressed at the Council meeting that we were last at that we were going to look at some type of plan about how this was all going to work out, not just piece meal this thing together.

PRESIDENT SCHULMAN: Director Bartos.

SERVICE DIRECTOR BARTOS: To Member Smuckler, that was discussed, but I didn't believe that we were going to hold...hold this piece. As I discussed with all the members of Council last week, this is a...this is a...you know...to come up with one plan would be great, but really this is a piece that needs to be taken care of now. As you saw, with our Sanitary Sewer Presentation, we have millions of dollars of projects that weren't able to take place because we didn't have a Sanitary Sewer Engineer, so, we've looked internally at doing one large plan, but we really felt that this piece needed to move quicker than the other parts of the plan. I'd like to sit down with Members of Council and discuss the other pieces of the plan that would follow after this, but with the immediate need for these positions, we felt that coming down at this time was the correct action.

PRESIDENT SCHULMAN: Thank you, Director Bartos. Any other comments on Ordinance 15? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 9 YEAS, 3 NAYS
(MEMBERS HART, SMUCKLER AND HAWK VOTED NAY)

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

#15 ADOPTED AS ORDINANCE NO. 32/2015

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

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 33/2015** 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 (SANITATION DEPT - 58 UTILITY OPERATOR 3s, WASTE COLLECTORS AND UTILITY PERSON 1s)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 16, 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.

#16 ADOPTED AS ORDINANCE NO. 33 /2015

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

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 34/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF VARIOUS VEHICLES; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO STATE COOPERATIVE PURCHASING AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY (2 PICKUP TRUCKS, 2 CARGO VANS, AND 1 CAB AND CHASSIS CUTAWAY VAN)

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 34/2015

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

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 35/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A ONE-YEAR PROFESSIONAL SERVICES CONTRACT WITH CDW - GOVERNMENT, INC. FOR IBM SERVER MAINTENANCE IN AN AMOUNT NOT TO EXCEED \$21,716.53, IN ACCORDANCE WITH CANTON CODIFIED ORDINANCE SECTION 105.10; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

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

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MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 35/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Motion carries. Ordinance 18 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Now we turn to Announcement of Committee Meetings.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you, good sir. Finance Committee will meet Monday, March 2 at 6:45 p.m.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President

PRESIDENT SCHULMAN: Chairman West.

MEMBER WEST: Annexation Committee will meet same time, same place.

PRESIDENT SCHULMAN: Thank you.

CLERK TIMBERLAKE: Personnel.

MEMBER GRIFFIN: Mr. President. Personnel will meet same time, same place.

PRESIDENT SCHULMAN: Thank you, Chairman Griffin. Any other announcements?

MISCELLANEOUS BUSINESS

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

MEMBER SMUCKLER: Mr. President, and I will yield to the Service Director, if there's going to be any comments about Aultman Avenue. If not, I'd like to ask a couple questions. I spoke to Fonda Williams about this, and I know he's talked to you about this and I know he's talked to Dan Moeglin about this. Obviously the life expectancy of the street is next to nothing. It's a problem. One conv...and I don't need an answer tonight, but number one, I want to know who's going to pay for this? And number two, and I'm only doing this for the

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record, so, we're on record because sometimes we ask in Committee meetings and I don't know what happens to some of this. And number two, does the State of Ohio have a three year guarantee in their bids? If they do, do we have a three year guarantee? If we don't we soon will have one if I can legislatively propose it. So, I'd like that found out and gotten together with and whatever, because this isn't acceptable. I don't think for any Ward Councilman it ought to be acceptable.

PRESIDENT SCHULMAN: Director Bartos, do you want to comment?

SERVICE DIRECTOR BARTOS: Yes, Member Schulman, I agree. The problem is with the product that we were given. It's definitely unacceptable as well. I had spoken with both Superintendent Rorar and City Engineer Moeglin about this stretch. Unfortunately, the snow didn't help out so we were unable to take a complete look at the street. Now that the snow has melted and given way, we're going to be able to take a much better look at the road to see exactly what caused the effect that we see in the picture. I agree, if it's something with the material that we're getting, it totally unacceptable.

PRESIDENT SCHULMAN: Thank you, Director.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Can we have the Engineer look at all the roads that was just paved this last year and inspect them all to see if the same problem exists? I think that one thing he had mentioned, that Jason had mentioned, about a three year bond. Is that something that we currently put in our contracts or no?

PRESIDENT SCHULMAN: Director Bartos.

SERVICE DIRECTOR BARTOS: President Schulman, to the question about the three year bond, I can't say for certain if it's in our specs or not, but I can look. I believe that the Engineer will be down here next week anyways, on a couple of items, so we'll be able to also discuss this one when he comes down for that, as well.

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Member Hart, oh I'm sorry, Leader Morris.

MEMBER MORRIS: Yes, if memory serves me correct, I brought this up a while back, in regards to Colonial Blvd. where we had less than a half of an inch of asphalt. The question was put to our City Engineer, what kind of warranty are we actually getting on these roads and it appears, if you read the specs, and I think Member Smuckler's on to something here. It seems like we're getting a five and five guarantee on our paving. Five minutes or five feet, whichever comes first, and the first time we get hit with a snow, and our plows go down the street, it's like our vendors are wiping their hands free of walking away from these streets, and I think this particular street, Colonial Blvd., and I think we've got a few others that we're running into a major problem with. What kind of warranty are we getting, and maybe a three-year warranty, or some kind of contract that ties them in, might be the best way for the City to go to invest...or protect the taxpayer's dollars, here.

SERVICE DIRECTOR BARTOS: Member Schulman, I agree with the Majority Leader's assertion about the,

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perhaps the three-year warranty would be warranted in this case. I know we've got a meeting coming up on Friday where we're going to be discussing some paving issues also with the Capital Improvements Chairman. I think this is a perfect discussion to have as well, since we'll be...we're planning to bid this out earlier this year, so we're already looking at the specs and if addition of this kind of term is warranted, we'll definitely do that.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN. Thank you. Member Hawk.

MEMBER HAWK: I guess in the same vein as this real strong concern here, that somebody signs off on these things before we paid the bill, which means that somebody should be inspecting these things and looking at them, or we shouldn't be paying the bill. (*Applause*). And I think at that point in time, we need to take a look at, what are they doing as part of the inspections, how are they going about it. Now, in certain occasions, I have seen engineer's trucks out there and other times I have not. I think this is first and foremost, that whoever signs off on this thing, there's some responsibility here. As a former contractor, you're as...the contractor's rule is you're as good as your inspector. In other words, if we aren't diligent with our inspections, the contractors will shortcut you. I think we should take more diligence in time and energy and place (*Inaudible*) on the quality of testing and make sure we're getting what we're paying for before we spend the money. And I thank you very much for your time.

PRESIDENT SCHULMAN: Thank you, Member Hawk. Member Hart.

MEMBER HART: Just two things. You know, the Stark County Hunger Task Force is going to be out there collecting money and this has been a tough winter, and for a lot of people out there that are working, gas bills are going to be going up, electric bills, which means you're going to have less and less money for food. Again, if you can, donate whatever you can because one dollar will...I know for our church food bank, one dollar will buy seven pounds of food. With this winter, there's going to be a lot of hungry people out there. Again, going along with the pavement, today at approximately 3:38, I was going East on 30th Street and the City was out patching, which I was happy to see. But, again, when I look over, they're throwing asphalt into the pothole and I would see water splashing out of the pothole. I know there's gazillions of potholes out there, but I find it frustrating because I don't care what put you put in there, there's no adhesive to hold that asphalt down and it's just going to be popping out. If the guys could have a compressor, something to blow out that water, it's going to be...you know, we worry about taxpayer money and this is just one of the ways that the patch will last a heck of a lot longer, having been dry, at least the water out of it, and having some kind of adhesive to hold the patch.

PRESIDENT SCHULMAN: Director Bartos.

SERVICE DIRECTOR BARTOS: Mr. President. To the gentleman's point, the product that we're using now actually is designed to go in the hole wet or dry, that's just the problem that the season we're in right now, with the rain and the snow, it's hard to keep things dry. But actually, the product we're using, in the description of the product, it does say it can be used, it holds whether it's wet or dry. But, very good point and I appreciate the comments. Thank you.

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Griffin.

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MEMBER GRIFFIN: A little history on Aultman Avenue. You remember the time when they went out and they covered all the bricks up in Harter Heights, and they had... all covered with asphalt. Then they went by and they milled off the asphalt. They went one by one. They came to Aultman Avenue and they forgot that they put a large storm sewer pipe down the center of Aultman Avenue. When they milled off the blacktop, there was that ugly pipe. So, if you remember, Aultman Avenue is the only one between Tusc and Third that has asphalt. All the other streets are back to brick. The problem is that between where the, Member Mallonn can maybe tell it,...er...Treasurer Mallonn, because he was out there, but you have in the middle of the street, this large drain and the adhesion between the drain and the brick, that's where the problem is. I hope that Moeglin knows about...you know about that? Go ahead.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR BARTOS: I was just nodding and appreciating that you're sharing this. I'm sure that the Engineering Department does know about this...

MEMBER GRIFFIN: They didn't know it when they milled off the blacktop. *(Laughter)*. *(Applause)*.

SERVICE DIRECTOR BARTOS: Sure. When was that...do you remember when that was done?

MEMBER GRIFFIN: Excuse me?

SERVICE DIRECTOR BARTOS: Do you remember when that work was done? *(Inaudible)*.

MEMBER GRIFFIN: Before my time. *(Laughter)*. Before my time on Council. *(Laughter)*. So, but anyway, that's the problem with Aultman Avenue. If you traveled that street before...let's say, a year ago, you could see each side, there was about a four foot area there where it was broken up and they milled it off and they put asphalt over it. When the snow melts off, we'll see the results. You'll be able to see a weakness, is where the sewer pipe is. And also, along Aultman Avenue, take like, 2nd and Aultman, there were four additional storm sewers put in there. Aultman was a problem, it was a storm sewer problem, and that's what they did. That's why you have the problem on Aultman.

PRESIDENT SCHULMAN: Thanks Member Griffin. Any other remarks?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: On 12th Street...we've got a lot of work being done on 12th Street...and they have left some potholes, and I don't know if that's our responsibility or the contractor's responsibility, but if they could look at 12th Street. Specifically, between Market and McKinley.

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Member Griffin.

MEMBER GRIFFIN: Director Bartos, when you're out at Aultman, let me know. I'd like to be there. Thank

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you.

PRESIDENT SCHULMAN: And just a final word, it must be really nice to be a State Legislator. I'm sure Scott Oelslager is not getting any calls about the roads. For all the people in the audience, you've heard me say this eight million times. You know, Oelslager, Slesnick, read 'em off, Schuring, you name it. They sit in Columbus, they sit on top of \$2,500,000,000.00 of surplus and don't give cities one time to repair the roads. You know, I'm sure all of us would love to have the public to have a little meeting with them to say "Where's the money for the City to do all this?" Talk about inspectors. I don't know, Director Bartos, how many inspectors do we have in the department?

DIRECTOR BARTOS: *(Inaudible)*.

PRESIDENT SCHULMAN: A couple? Two? Could we use more inspectors?

DIRECTOR BARTOS: *(Inaudible)*.

PRESIDENT SCHULMAN: Well, we certainly could use more money, is that right? Okay. Well, I'm sick of it because they just hoard the money, and...no money for infrastructure and that goes right to the Federal Government, which gives no money either. But it's a brilliant strategy. Let the cities crumble. Leader Morris.

MEMBER MORRIS: Yes, before I move to adjourn, I would like to address something that was stated from, under Public Speaks. I think people are under the wrong misconception of the Nuisance Inspector. They will not be doing animal control tasks, okay. Currently, what we have is, if we want to send somebody out and we have a complaint regarding high grass and we have a repeat offender. When we send Code Enforcement out there, they have X amount of days that they have to give them seven day warning and then they have to give them all of this time to comply. What this Nuisance Officer will entitle, will give us the ability to do, is issue citations on the spot. Now, currently the only department that can, correct me if I'm wrong Law Director, that has the ability to issue these citations and drag their butts into court, is the Health Department, without going through the Prosecutor's Office. Correct?

PRESIDENT SCHULMAN: Director Martuccio?

LAW DIRECTOR MARTUCCIO: Thank you. Majority Leader. Yes, if it's health code violation they can go directly in front of the Health Commission, which has its own powers and its own abilities to fine, as well.

PRESIDENT SCHULMAN: Leader.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: My understanding was, Nuisance was all about animals and I can't support it if there is no animal piece in it. I just will not. Because that's the whole...the major...one of the major problems we have in my Ward, is animal nuisances. And that's where I thought the nuisance was coming from, and in addition to that, I thought we were going to address the other matters. But I thought the first thing was we were going to address was animals.

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PRESIDENT SCHULMAN: Leader, do you want to respond?

MEMBER MORRIS: Yes, yes I do. Member West, I can respect where you're at on that. The job description, most of the animal control issues were stripped out. This person is not going to be doing trapping by no size, shape, or form. We are not going to get involved in that. Once we get involved in trapping of animals, then we get involved with the issues of carrying firearms and training and certifications, things of that nature. What the Nuisance Inspector will do is enable Council to enforce the city nuisance laws which nuisance are property issues, zoning issues, and we are going to more or less assist the Administration in the day to day operations so we don't have to rely on other department heads to push for fines and penalties. So, it...by no stretch of the imagination is this an animal control officer. It was never intended to be an animal control officer.

PRESIDENT SCHULMAN: Member Hart.

MEMBER HART: Yeah, we'll be discussing the fine points of this in committee, once we get everything ironed out. So, it'll all be discussed and hashed out.

PRESIDENT SCHULMAN: Thank you. Director Bartos, you wanted to say one more thing.

SERVICE DIRECTOR BARTOS: Yes, Mr. President. I just wanted to remind everybody that Sanitation is one day behind this week, so we will be working on Saturday. If you usually put your trash out on Friday, it'll be collected Saturday. If usually on Thursday, it'll be on Friday and so on. I apologize about that, but due to the...yes...I am smart...due to the cold, we had to cancel two days last week. Baring any additional cold days, we'll hopefully be able to return to our normal schedule next week.

PRESIDENT SCHULMAN: Send our thanks to the Sanitation Department. Those crews are working hard in very bad circumstances. Leader.

MEMBER MORRIS: Mr. President, I move to adjourn.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to 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. Meetings adjourned. Drive careful everybody. (*Gavel falls*).

ADJOURNMENT TIME: 8:27 P.M.

ATTEST:
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT