

MINUTES OF THE MEETING MARCH 9, 2015

PRESIDENT PRO TEM MORRIS: Ok...welcome to Canton City Council...and we've got the volume really loud. Okay, before we start this evening's meeting, I would like to get rid of that echo.

CLERK TIMBERLAKE: We are.

PRESIDENT PRO TEM MORRIS: (*Inaudible*). Okay, are we good?

CLERK TIMBERLAKE: Yes.

PRESIDENT PRO TEM MORRIS: No, I can still hear me over there.

CLERK TIMBERLAKE: We're good.

PRESIDENT PRO TEM MORRIS: Now we're good?

CLERK TIMBERLAKE: Yes.

PRESIDENT PRO TEM MORRIS: Okay, before we start this evening's meeting, I'd like to...kind of...briefly go over something that has been in the media pretty heavy, that Council Members are going at it over the Fulton Road Project. Actually, no Council Members are fighting over the actual Fulton Road Project, what we're...what the dispute has been is the funding stream in which we are using for the Fulton Road Project. As the Majority Leader, I failed to communicate this information to both sides. Fulton Road Project is not going to be delayed whatsoever, and to the best of my knowledge, we really don't have anybody on Canton City Council that doesn't see the value in paving Fulton Road, and nobody wants to delay that Project. Was that good, Chris?

MEMBER SMITH: That was excellent, Majority Leader.

PRESIDENT PRO TEM MORRIS: Thank you. 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:

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

ELEVEN COUNCIL MEMBERS PRESENT. (PRESIDENT SCHULMAN AND MEMBER GRIFFIN ABSENT)

CLERK TIMBERLAKE: Eleven present, Mr. President.

EXCUSING MEMBERS

PRESIDENT PRO TEM MORRIS: Thank you. Leader.

MEMBER SMITH: Mr. President I move we excuse President Schulman and Member Griffin from tonight's meeting.

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MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: Okay...President Schulman wanted to...wanted me to announce that he was in Florida, sitting on the beach, drinking Martinis...I'm sorry, wait...he's at an Attorney's Convention. *(Laughter)*...or something with Attorneys, I don't know. But he's not here tonight and Member Griffin, I am not sure what he's not here, and it doesn't matter because he really doesn't miss a lot of meetings. So, if there's no...any other remarks. Roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Thank you, Madame Clerk. Motion carries and both President Schulman and Member Griffin are excused from this evening's meeting. Tonight's invocation will be given by my friend, Edmond Mack, I'm sorry, Councilman Edmond Mack. If you'll all stand and remain standing, please, for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on March 9, 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 Edmond Mack, Ward 8 Council Member. The Pledge of Allegiance was led by President Pro Tem Morris.

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM MORRIS: We're now under Agenda Corrections and Changes. Leader.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #8 through and include #18, Ordinance #7 will be Retained in Committee.

MEMBER BABCOCK: Second.

CLERK TIMBERLAKE: Correction on that, Ordinance 7 is not retained. I apologize, that came out of Committee.

MEMBER SMITH: Okay.

CLERK TIMBERLAKE: So, it's 7 through 18. Thank you.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 7 through 18, to this evening's agenda. Are there any remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Thank you Madame Clerk. The motion carries. Rule 22A is suspended

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and the Ordinances are a legal part of your Agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM MORRIS: We are now under Public Hearings and we have a one scheduled for this evening. Bear with me. We have one Public Hearing this evening, scheduled for **7:30 PM** and it's AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE GEORGE HALAS RD NW ANNEXATION AREA CONTAINING APPROX 9.967 ACRES; ASSIGNING SAID TERRITORY TO WARD 7 OF THE CITY; ZONING SAID TERRITORY AS CS (COMMUNITY SERVICE); PLANNING COMMISSION RECOMMENDED APPROVAL. Is there anyone in the audience wishing to speak for or against this annexation tonight, will you please step forward. And I must repeat myself...If there is anyone in the audience wishing to speak for or against this annexation tonight, will you please step forward. Seeing no one step forward, the Chair declares the public hearing over in regard to this matter. The matter now rests in the hands of Council. The Ordinance will follow later this evening. You know, I really like when our Clerk tells me I have the authority to change things, so, we are go to...

CLERK TIMBERLAKE: It's your prerogative.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM MORRIS: It's my prerogative. I can say it but I can't spell that, but it's all good. We are going to move up Informal Resolution #13, ahead of Public Speaks this evening, on your Agenda. Madame Clerk.

13. COUNCIL-AS-A-WHOLE: COMMENDING NFL COACH JOSH MCDANIELS FOR ALL HIS SUCCESSES. - ADOPTED

PRESIDENT PRO TEM MORRIS: Oh, sorry Leader.

MEMBER SMITH: Mr. President, now I move we adopt Informal Resolution #13.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to approve Informal Resolution...to adopt Informal Resolution #13. Any remarks?

MEMBER FISHER: Mr. President, could the Clerk please read that Resolution?

PRESIDENT PRO TEM MORRIS: Absolutely.

CLERK TIMBERLAKE: **WHEREAS**, Canton, Ohio's native son, Josh McDaniels, once again in 2015 reached the pinnacle of excellence in Professional Football by coaching in his sixth Super Bowl with the New England Patriots and winning his fourth Super Bowl Championship Ring with a dramatic come from behind victory over the Seattle Seahawks; and **WHEREAS**, Josh McDaniels grew up on the practice field of the Canton McKinley football team, where his father, Thom, coached the Bulldogs from 1982 through 1997. He attended Woodland Elementary School, Lehman Junior High School and Canton McKinley Senior High School; and **WHEREAS**, Josh was a standout scholar and athlete at McKinley Senior High School, leading the Bulldog football team as both Quarterback and Kicker before graduating in 1995 and receiving an academic scholarship to John Carroll University, where he continued to excel in his football career, playing both Quarterback and

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Wide Receiver. Josh then turned to coaching, beginning at Michigan State University under Coach Nick Saben, before joining the New England Patriots in 2001; and **WHEREAS**, Josh has served as the Head Coach of the Denver Broncos at the age of 33, being the youngest Head Coach in the NFL at the time. Josh also coached with the St. Louis Rams before returning to New England to win a fourth Super Bowl. Josh now lives in Massachusetts with his wife Laura, son Jack, and daughters Maddie, Livia, and Nina. **NOW, THEREFORE, BE IT RESOLVED THAT:** we, the Members of Canton City Council do recognize and congratulate **JOSH MCDANIELS** for all of his successes as an NFL Coach and for making Canton proud by adding to our long legacy of greatness in professional football. (*Applause*).

MEMBER FISHER: We need to vote on that.

PRESIDENT PRO TEM MORRIS: Yes, we should. (*Laughter*).

PRESIDENT PRO TEM MORRIS: It's been moved and seconded that you adopt Informal Resolution 13. Any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #13 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MORRIS: The ayes have it. The Motion carries, and Resolution 13 is adopted. Member Fisher, you're up.

MEMBER FISHER: I don't walk over here very often, so, thanks for coming in. Many of you may know that Josh and I actually graduated from Canton McKinley in the same year, class of '95. Sadly enough, our 20th Reunion is coming up, but what people may not realize is, back at Canton McKinley, we actually shared the same goal moving forward, and tragically, only one of us has been able to achieve that, but alas, there can only be one Ward 5 Councilman, and I got it! (*Laughter*). I think it speaks highly of Josh that he has been willing to accept being merely a well compensated NFL Coach, and 4 Super Bowl rings! (*Laughter*). Gotta be a tough pill to swallow. (*Laughter*). But in all seriousness, coach, you know Canton's had a long storied history with our ties to football, obviously being the Hall of Fame City, the birthplace of the NFL. And in that history we have had many great names, just to name a few, obviously, Jim Thorpe, tied to the city, as well as Marion Motley. I think now, with 4 Super Bowl rings to his credit, you can add the name McDaniels to the list, along with Thorpe and Motley as the true titans of football in this city. Of course, he's in 4 Hall of Fames, so he's going to have to work a little bit to catch up with you on that, but then also, what we didn't mention there is there's a legacy that based on a family. I mentioned Coach McDaniels, the 4 Hall of Fames that you've been in, I believe that I (*Inaudible*). And then of course, Ben McDaniels, is his next son in line, has just accepted a job as Offensive Coordinate with Rutgers University, and I want you to know that we'll all be rooting for him, most of the year, except when he plays Ohio State, of course! (*Buzzer goes off - Laughter*). I don't get up here very often, so I will stop and present this to you. If you would pass this along to Josh and please give him our congratulations. (*Applause*).

THOM MCDANIELS: Members of Council and those in the audience this evening, I want to thank you on behalf of Josh's family. His mother, Christine, his brother, Jason, are here with me also this evening. He could not attend. You may or may not know, but the NFL is in the midst of something that they call free-agency. He was not able to attend, so I'm standing in on his behalf. As indicated, he's a product of what was then Woodland Elementary, now Schreiber, Lehman Middle School, Canton McKinley High School. But Canton's influence went way beyond his education. He's a product of what was then the CYC and youth programs at the CYC. A

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product of the YMCA. A product of the Mighty Mite Baseball at Shanafelt. He worked his way through John Carroll University for the Canton Park Department, the Canton Rec Department. He was not born in Canton, but he proudly claims Canton as his hometown. So, we are humbled and we are thrilled to accept this honor on his behalf. I'm sure that this will find a place in his office, or in his home, and he will broadcast and communicate to those in his home or his office, his pride in Canton Ohio. His blood runs through Canton veins and he's extremely proud of where he grew up. He'd be very proud to be here and I accept on his behalf. Thank you, very much. (*Applause*).

PUBLIC SPEAKS

PRESIDENT PRO TEM MORRIS: We are now under Public Speaks and we have 4 speakers signed up. First, Mr. Bruce Nordman. Please state your name and your current address for the record please.

BRUCE NORDMAN: Bruce Nordman, I reside at 1623 Logan Ave. NW. Good evening. I'm here wearing my Group 175 badge, but I'm only going to make a couple of brief comments related to that. When we started this program 2 years ago, our Police strength was at 140. Through some plotting and a lot of great help by you and the City Council, as well as the Administration, I've been informed that this year...by the Safety Director and by the Chief of Police, that we're going to be in the low 170's. As he said that at our Neighborhood Association, I pointed to my badge, so we still got a few more to go, so, thank you all for your help in that endeavor. When I was here 2 weeks ago, I talked about the Stark County Foundation and as of tonight, I can't report an answer on that, but within 2 weeks, I will get back to you because I know that all of you are eager to know where the Associations are and are not, and we'll help you in that endeavor. I'm here primarily tonight to talk about a comment that I made about a year and a half ago, about it's my dream that the City of Canton be in Money Magazine, Town & Country, etc, etc. as one of the 50 greatest cities of medium size, to live in the United States. I'm really pleased with what I've seen in the last several months, that we're starting to turn a corner, and I know that while we have issues about monies for streets and neighborhoods, I praise all of you, the Administration and the council for their wisdom to look at the big picture. To grown this city, and to reverse our population loss. Obviously, as we get more people moving into the city, it's going to enhance the revenue pot and we'll all share in that. Some of the things that I've noticed over the last several months are that 1: We got the Hall of Fame Village underway and it's going strong. The Palace Theater completed a \$1,135,000.00 fundraiser. That's a jewel in the city. The Canton Brewery is also going to add an attraction for folks coming into town, and the Market Square Project is underway. I'd like to see, although we've had enough of winter, I'd like to see us look forward to some skating down here, next year. Speaking of that, I attending a meeting on March 4th with Derek Gordon where there were 70 people that showed up to talk about a skateboard project and their going to go ahead and put forward a request for a \$250,000.00 grant. And last but not least, and I'll talk about this more in detail next week, the Onesto is up and running and it's a real plumb in the city, in terms of what's it's doing. I'll speak to that more next week. But thank you, again, thank you all for the job that you've done in helping this come true.(*Applause*).

PRESIDENT PRO TEM MORRIS: Thank you Mr. Nordman. Next up, Mr. Henry Preston. Please say your name and address for the record please.

HENRY PRESTON: Good evening, my name is Henry Preston. I live at 326 31st St. NW, Canton. Late last summer the City resurfaced 32nd St. NW, between Logan and Market Ave. Councilman Morris had conversations about the quality of the resurfacing performed at the completion of that project. I reported to Councilman Morris that the finished resurfacing project looked good. That tells what I know about asphalt. Mr. Morris asked if I had observed the thickness of the new asphalt. I told him that I did not, and that a core sample

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would be necessary to determine the thickness of the asphalt. Tonight Mr. Morris, here's your core sample. But I'm going to pass this around to all the Councilman to get a look and feel of the type of asphalt the City is putting down.

PRESIDENT PRO TEM MORRIS: I'll give you an extra few seconds here. You didn't physically take that from the road, did you? *(Laughter)*.

HENRY PRESTON: Let me explain...*(Laughter)*.

PRESIDENT PRO TEM MORRIS: Please do. *(Laughter)*.

HENRY PRESTON: Mother Nature gave us this core sample. I just picked it up. It was loose.

PRESIDENT PRO TEM MORRIS: Okay. *(Laughter)*. Just making sure you're not out there taking your own core samples.

HENRY PRESTON: Tonight I am providing a core sample from one of seven potholes within one block, to Mr. Morris, for the Council to get a look and feel of the compacted asphalt at 32nd St. That piece of asphalt that I have provided is one and a half inches thick. This thickness appears to be the same in all seven potholes. A brief study of asphalt paving and resurfacing will reveal that one and a half inches of compacted asphalt is the very minimum thickness for private driveways, not for city streets where cars and heavy trucks travel. Observing this compacted sample of asphalt from 32nd St. paving project, clearly shows that the repaving process on 32nd St. only meets minimal standards for private driveways. I'm going to read from Part 1 of the Administration Code, *(Inaudible)* Chapter 137, as it pertains to the City Engineer. Appointment - There shall be a Civil Engineer who shall be appointed by the Mayor. The Engineer and Engineering Department shall be under the joint responsibility of Council and the Mayor. The duties - he shall superintend all public works and improvements and see that the same are properly made. Well, I don't think that's occurring on 32nd St. Inspectors -there are hereby established, the position of inspectors of streets, sewers, bridges, and other public improvements of the City, except public buildings. The Inspector shall be appointed by the City Engineer, when any such public improvement is being made by the City or under it's direction. The Inspector shall require the improvements to be made in accordance with plans and specifications thereof and perform such duties as they be required. From what I have observed, the Mayor and the Council are not following the guidelines that spell out the Administration Code, to ensure that taxpayers money are being properly invested in the resurfacing project of 32nd St. Thank you

PRESIDENT PRO TEM MORRIS: Thank you. *(Applause)*. Okay, next up this evening, we have Ms. Norma Mills, and I think I saw Norma slide out the back door. Okay, next up we have Mr. Don Joliat. Did I say that correct? *(Inaudible)*.

DON JOLIAT: Don Joliat, I live at 1245 11th St. NW in Canton. I was going to talk about Fulton, but since you're going to go with it, I congratulate you for saying yes on it, because one of the big things about it is, it's going to have a lot of traffic on it in 14 months when 12th St. is closed to the Park System. When they're redoing the bridges. Other than that, I'd like to compliment the road crews on their snow plowing because every time that it snows and I get my walk cleared, it's only within a matter of a few hours til they close it back in. Thank you. *(Laughter)*.

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PRESIDENT PRO TEM MORRIS: Thank you. (*Applause*). Okay, I kind of skipped around here. Old Business...our Deputy Mayor is not here, so I think it's safe to say that we don't have any...okay, we'll backtrack there.

COMMUNICATIONS

PRESIDENT PRO TEM MORRIS: We now turn 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 MARCH 9, 2015.

88. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 2/26/15. - RECEIVED & FILED
89. AUDITOR MALLONN: MTHLY RPT BY FUND FOR 2/1/15 THRU 2/27/15. - RECEIVED & FILED
90. AUDITOR MALLONN: YRLY RPT BY FUND FOR 1/1/15 THRU 2/27/15. - RECEIVED & FILED
91. COUNCIL-AT-LARGE HART: ESTABLISH POLICY OF RESTORING BRICK STREETS, INSPECTING STREET BASES TO MEET ASPHALT STANDARDS, AND USING BETTER, HIGH TECH GRADES OF ASPHALT. - PUBLIC SAFETY & THOROUGHFARES
92. COUNCILMEMBER FISHER - WARD 5: REQ STREET NAME CHANGE FOR TIMKEN PL SW TO TIMKENSTEEL DR SW. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
93. HEALTH COMMISSIONER ADAMS: REQ CREATION OF FUND #2335 ENTITLED "EARLY HEAD START" FR \$34,000.00 IN FUND MONEY REC'D FR YWCA TO SUPPORT ONSITE SERVICES. - FINANCE COMMITTEE
94. HEALTH COMMISSIONER ADAMS: AMEND APPROP O#266/2014 TO MAKE \$42,200.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 301001 HEALTH ADMIN - OTHER, AND \$9,000.00 SUPP APPROP FR UNAPPROP BAL OF 2318 HIV GRANT FUND TO 2318 301001 - OTHER TO PURCH EXAM TABLES FOR CLINIC ROOMS AND LAPTOPS FOR SANITARIANS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
95. HEALTH COMMISSIONER ADAMS: REQ \$40,000.00 INTRAFUND TRF FR 2331 301001 OPERATING TRANSFERS IN TO 2331 301001 - OTHER FOR PAYMENT OF EPA CONTRACT EXPENSES. - FINANCE COMMITTEE
96. LIQUOR CONTROL DIVISION: NOTICE OF HRG FOR RENEWAL OF C1-2 PERMIT FOR HILL MINI MART, LLC DBA SHORB DRIVE THRU @ 829 12TH ST NW TO BE HELD 3/18/15 AT 1:00 P.M. AT STARK CTY JOB & FAMILY SRVS (WARD 2). - RECEIVED & FILED

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97. LIQUOR CONTROL DIVISION: NOTICE OF HRG FOR RENEWAL OF C1-2 PERMIT FOR WINE BARRELL, LLC DBA WINE BARRELL & DRIVE THRU @ 1816 CLEVELAND AVE NW TO BE HELD 3/18/15 AT 2:30 PM AT STARK CTY JOB & FAMILY SRVS (WARD 9). - RECEIVED & FILED
98. MAYOR HEALY: INFORM COUNCIL PURSUANT TO SUBSECTION 105.01(b) (5) OF CODIFIED ORDINANCES, THE CITY WILL NOT ENTER INTO A PROJ LABOR AGMT FOR THE 2015 CHIP SEAL PROG. - RECEIVED & FILED
99. SAFETY DIRECTOR PERRY: REQ APPROVAL OF DEMO OF 13 PROPERTIES (LIST ATTACHED). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
100. SAFETY DIRECTOR PERRY: REQ \$85,072.28 SUPP APPROP FR UNAPPROP BAL OF 2763 LAW ENFORCEMENT TRUST FUND TO 2763 102001 POLICE ADM - OTHER TO OFFSET COST ASSOC WITH PURCH OF TASER CARTRIDGES. - FINANCE COMMITTEE
101. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CO-OP AGMT WITH STARK COUNTY FOR CITY'S SHARE OF STARK COUNTY'S FAIRHOPE SANITARY SEWER LIFT STATION REHAB PROJ; MAKE \$120,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 (SANITARY SEWER FUND) TO 5410-206315 (SANITARY FUND-FAIRHOPE LIFT STATION PROJ ORG) - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
102. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO NEGOTIATE AND ACCEPT DONATION FROM PEPPERTREE FARMS LLC (WARD 8) OF 2 PARCELS OF LAND LOCATED NORTH OF 41ST ST NW, SOUTH OF FIELD ST NW, AND EAST OF VERNON AVE NW, BEING PARCEL NOS. 305205 AND 305206, FOR LAND CONSERVATION AND STORM WATER DETENTION OR RETENTION; RECOGNIZE TOTAL LAND VALUE OF \$5,600 (\$2,800 FOR EA PARCEL) AS ESTABLISHED BY THE STARK CO AUDITOR. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
103. STARK CO COMMISSIONERS: REQ ANNEX OF 0.4936 ACRES IN PLAIN TWP TO CITY OF CANTON (LESH-EVERETT). - PLANNING COMMISSION
104. TREASURER PEREZ: RECEIPT OF DEPOSITS AND PAY INS FOR FEB 2015 FOR AMBULANCE LOCK BOX. - RECEIVED & FILED
105. TREASURER PEREZ: RECEIPT OF DEPOSITS AND PAY INS FOR FEB 2015 FOR PARKING METER REVENUE. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM MORRIS: Turning now to First Reading Ordinances for their First Reading. Will you please begin, Madame Clerk, with Ordinance #1.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK TIMBERLAKE TO READ

MINUTES OF THE MEETING MARCH 9, 2015***ORDINANCES #1 THROUGH #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$3,305.95 TO AKRON VETERINARY REFERRAL & EMERGENCY; AND DECLARING THE SAME TO BE AN EMERGENCY (VET SRVS FOR POLICE CANINE K-9 LUCO)
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$350,000.00 FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 103001 FIRE ADM - OTHER FOR \$250,000.00 AND 4501 102001 POLICE ADM - OTHER FOR \$100,000.00)
Referred to Public Property Capital Improvement Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A SIXTY (60) MONTH LEASE TO OWN PURCHASE/MAINTENANCE CONTRACT WITH COPECO, INC. FOR A COPY, PRINT, SCAN AND FAX MACHINE AT AN ESTIMATED COST OF \$440.00 PER MONTH THROUGH THE NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT IN ACCORDANCE WITH OHIO REVISED CODE SECTION 9.48 AND CODIFIED ORDINANCE SECTION 105.11; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #4. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$165,100.00 FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 208001 DMV ADM - OTHER FOR \$5,100.00, 4501 504010 INFO TECH MGR - OTHER FOR \$100,000.00 AND 4501 202210 STREET MAINT - OTHER FOR \$60,000.00)
Referred to Public Property Capital Improvement Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT(S) FOR THE PURCHASE OF VARIOUS VEHICLES AND/OR EQUIPMENT FOR THE COLLECTION SYSTEMS DEPARTMENT; AUTHORIZING THE MAYOR OR DIRECTOR TO ALTERNATIVELY PURCHASE SAID VEHICLES AND/OR EQUIPMENT PURSUANT TO STATE COOPERATIVE PURCHASING AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY (1 FORD F-350, 1 JOHN DEERE 85G EXCAVATOR, 1 FORD E-450)
Referred to Public Property Capital Improvement Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH OMNIPRO SERVICES FOR CONSTRUCTION ENGINEERING FOR THE APPLGROVE STREET/MIDDLEBRANCH AVENUE/WERNER CHURCH ROAD

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PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$627,000.00 FROM UNAPPROP BAL OF 5201 WATER FUND TO 5201 207032 APPLGROVE/MIDDLEBRANCH/WERNER CH WATER MAIN PART B - JOINT PROJ - OTHER)

Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM MORRIS: We now turn to Ordinances and Formal Resolutions for the Second Reading. Would you please begin, Madame Clerk, with Ordinance 7.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #7 THROUGH #18 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #7. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$30,000.00 FR UNAPPROP BAL OF THE 2766 MUNICIPAL PROBATION SERVICES FUND TO 2766 701001 75806 MUNICIPAL PROBATION SERVICES - OTHER)
- #8. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A TAX REMISSION REFUND TO CANTON COURTHOUSE COMPANY, LLC IN AN AMOUNT NOT TO EXCEED \$40,236.39; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$63,598.94 FR UNAPPROP BAL OF THE 2233 FED CAMPUS FUND TO 2233 506001 FED CAMPUS - OTHER)
- #9. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,051,132.04 FR UNAPPROP BAL OF 2211 CDBG FUND TO 2211 506001 CDBG - OTHER; \$30,647.59 FR UNAPPROP BAL OF 2212 NSP1 FUND TO 2212 506009 NSP 1 - OTHER; \$2,623.50 FR UNAPPROP BAL OF 2213 NSP3 FUND TO 2213 506001 NSP3 - OTHER; \$637,747.27 FR UNAPPROP BAL 2214 HOME FUND TO 2214 506001 HOME - OTHER; \$159,487.79 FR UNAPPROP BAL 2219 ESG FUND TO 2219 506001 ESG - OTHER; \$133,223.82 FR UNAPPROP BAL 1152 NIP ACQ. DEMO FUND TO 1152 506001 COMMUNITY DEVELOPMENT DEPT - OTHER)
- #10. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (APPROP REDUCTIONS AND SUPP APPROPS LISTED ON EXHIBIT A. PAY LEGAL SETTLEMENT, MUNI RD FUND - ENG, AUDITOR MEET OBLIGATIONS FOR ENTIRE YEAR)
- #11. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (INTERFUND ADVANCE OF \$30,000.00 FROM 1001 301001 GENERAL FUND - OTHER TO 2323 301001 84341 PERS. RESPONSIBILITY EDUCATION PROGRAM FUND - OTHER)

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- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE CANTON PARK COMMISSION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE YMCA OF CENTRAL STARK COUNTY FOR THE MANAGEMENT OF THE EDWARD "PEEL" COLEMAN COMMUNITY CENTER; AND DECLARING THE SAME TO BE AN EMERGENCY (AMT NOT TO EXCEED \$66,000.00 IN 2015 AND AMT NOT TO EXCEED \$90,000.00 IN 2016)
- #13. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$67,000.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARK OPERATING FUND TO 2530 - OTHER; \$90,000.00 FR UNAPPROP BAL OF 2530 PARK OPERATING FUND TO 2530 - OTHER; \$40,000.00 FR UNAPPROP BAL OF 2530 PARK OPERATING FUND TO 2530 - OTHER)
- #14. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THREE SPECIAL PARK FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY (2531 - GARDEN CENTER FUND; 2532 - HOLIDAY LIGHTS FUND; 2533 - SPECIAL EVENTS FUND)
- #15. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT WITH A NON-PROFIT ORGANIZATION FOR A FIVE YEAR LEASE, WITH THE OPTION OF A FIVE YEAR RENEWAL, OF APPROXIMATELY THREE ACRES OF PARK PROPERTY AT HERBRUCK PARK FOR THE PURPOSE OF ESTABLISHING AN URBAN FARM; AND DECLARING THE SAME TO BE AN EMERGENCY (2600 - 19TH ST. NE.)
- #16. (2ND RDG) AN ORDINANCE RATIFYING THE DECISION TO FORGO THE ESTABLISHED PROCEDURE FOR ADJUSTING THE CITY OF CANTON'S SOLID WASTE COLLECTION RATES; MAINTAINING THE CURRENT RATES; AND DECLARING THE SAME TO BE AN EMERGENCY
- #17. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE FULTON RD. RESURFACING PROJECT, G.P. 1184; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION ENGINEERING SERVICES AND ENTER INTO AGREEMENT WITH AND/OR RECEIVE A GRANT FROM THE STARK COUNTY AREA TRANSPORTATION STUDY AND/OR OHIO DEPARTMENT OF TRANSPORTATION TOTALING \$1,258,000.00; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4577 FULTON RD. RESURFACING PROJECT, G.P. 1184 FUND; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,258,000.00 SUPP APPROP FR UNAPPROP BAL OF 4577 FULTON RD. RESURFACING PROJECT, G.P. 1184 FUND TO 4577 202042 FULTON RD. RESURFACING PROJECT, G.P. 1184 - OTHER; \$314,500.00 APPROP TRANSFER FROM 4501 601001 CAPITAL FUND -

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COUNCIL ADMINISTRATION - OTHER TO 4501 202042 CAPITAL FUND -
FULTON RD. RESURFACING PROJECT, G.P. 1184 - OTHER)

- #18. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A COOPERATIVE AGREEMENT WITH KUBOTA MEMBRANE USA CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM MORRIS: Thank you, Madame Clerk.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM MORRIS: We now turn to Ordinances and Formal Resolutions for the Third Final Reading and Vote. Would you please begin, Madame Clerk, with Ordinance 19.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #19 THROUGH #21 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

- #19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 41/2015** 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**

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: 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 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 41/2015

PRESIDENT PRO TEM MORRIS: Ordinance #19 is adopted. Ordinance #20, please.

- #20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 42/2015** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO DONATE ROAD SIGNS TO ARTSINSTARK (10 SIGNS)

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded that you adopt Ordinance 20, any remarks under this Ordinance? Again hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 42/2015

PRESIDENT PRO TEM MORRIS: Ordinance 20. Ordinance 21, please.

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 43/2015** 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)

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded that you adopt Ordinance 21, any remarks under this Ordinance? Again hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 43/2015

PRESIDENT PRO TEM MORRIS: Thank you Madame Clerk. Ordinance 21 has adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM MORRIS: Now we turn to Announcement of Committee Meetings.

MEMBER HAWK: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Hawk.

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MEMBER HAWK: The Finance Committe will meet Monday, March 16th at 6:30 p.m.

MEMBER MARIOL: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Mariol.

MEMBER MARIOL: The Public Property Capital Improvement Committee will meet same time, same place.

PRESIDENT PRO TEM MORRIS: No more Committees?

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM MORRIS: Now we turn to Miscellaneous Business. Is there any? Going once, going twice. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adjourn. Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Meeting's adjourned. Peace Out. *(Gavel falls)*.

ADJOURNMENT TIME: 8:00 P.M.

ATTEST:
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED:
FRANK MORRIS
PRESIDENT PRO TEM