

MINUTES OF THE MEETING JULY 27, 2015

PRESIDENT SCHULMAN: Good evening, Ladies and Gentlemen. Welcome to Canton City Council. Thanks for coming down on this beautiful, finally, summer evening. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote, please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

10 COUNCIL MEMBERS PRESENT: (CHRIS SMITH, JAMES BABCOCK, WILLIAM SMUCKLER, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, KEVIN FISHER, DAVID DOUGHERTY, JOHN MARIOL, & EDMOND MACK)

TEN COUNCIL MEMBERS PRESENT. (MEMBER MORRIS AND MEMBER HART ABSENT)

CLERK TIMBERLAKE: Ten present, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Leader. We have a couple absences tonight so our Assistant Majority Leader, Chris Smith, will be the leader.

MEMBER SMITH: Mr. President, I move we excuse Member Hart and Member Morris from tonight's meeting.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Hart and Member Morris from this evening's meeting. Any remarks? I'll only say that both Member Hart and Member Morris had business engagements and they are unable to make it tonight, unfortunately. Any other remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Member Smuckler is preparing for his invocation tonight so he's a little bit on edge. And tonight our invocation will be given by my good friend, Council Member-At-Large, Bill Smuckler. If you'll all stand and remain standing, please, for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on July 27, 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 William Smuckler, At-Large Council Member. The Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

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

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #13 through and including #21, Ordinance numbers 18 and 19 will be Retained in Committee .

MEMBER BABCOCK: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 13 through 21. 18 and 19 will be retained in Committee. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: NOTHING STATED UNDER PUBLIC HEARINGS.

OLD BUSINESS

PRESIDENT SCHULMAN: We turn now to Old Business and we have no Old Business according to our Deputy Mayor, Fonda Williams.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We now turn them to Public Speaks. We have 3 speakers this evening. Our first is Byron Dillon. Mr. Dillon, if you'll step forward and give us your name and your residential address, please. And I'd like to thank your interpreter this evening. Thank you very much for being here. We appreciate it.

BYRON DILLON: My name is Byron Dillon. D-I-l-l-o-n. I live at 1220 18th St. NW, here in the city of Canton, Ohio. The zip is 44703. My first thing I'd like to discuss tonight is in regards to the McKinley Monument, the Memorial there. In the back of the building it's a mess. There's leaves and trash, and no one's attended to the flowers. It looks horrible back there. The front looks great and on the sides, but you can see, I mean, it looks like things have just been left there since last fall. My other issue is on 18th NW, where I live, the potholes are still really, really bad. My third and final is, on the intersection of Arnold Avenue and 18th NW, there is a stop sign, but almost everyone just zips right through it and there's kids in the neighborhood. My wife likes to sit on the porch and she's scared to death when she sees these people just fly by. And that's all I have.

PRESIDENT SCHULMAN: Thank you, Mr. Dillon, very much for coming. (*Applause*). Our next speaker is Leroy Lynch. Mr. Lynch, if you'll step forward sir. As always, welcome. If you'll give us your name though, and your residential address, please.

LEROY LYNCH: My name is Leroy Lynch. I live at 3911 Highview Avenue. Actually, I'm here tonight because I wanted to thank the Council for all the help that they've...provided interpreters and the Civil Service Department. Good job everybody and I hope that with all your help, we can improve the deaf community here in Canton, so thank you very much for all your help. (*Applause*).

PRESIDENT SCHULMAN: Thank you, Mr. Lynch. Our last speaker this evening is Henry Preston. Mr. Preston, as always, welcome. If you'll step forward and give us your name and your residential address, please.

HENRY PRESTON: My name is Henry Preston. I live at 326 31st St. NW. I guess I have a reputation here to complain a lot. Several weeks ago I signed up for the notice that I got from the City, Mr. Drake, and I was a

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little upset with it. Highly upset to be...to make it clear. The word got out through the Clerk of Council, so the Service Engineer and the City Engineer, they had a little chat with me. They had a very productive chat. They sent out Mr. Drake to see me personally. I want to tell you that Mr. Drake is an absolutely fine person. He...I was upset and I was complaining to him about why this live tree doesn't look this bad, and he didn't hear a word I said. He just started talking about what needed to be done, and he showed me how to trim all the branches because there's different cuts on the tree that did need to be removed and never heard any of my dissatisfaction. I would say he is a great ambassador for the City and I think the City needs to know that those kind of people that do make a difference in the City, especially with people like me. I had a good feeling when he left, so I just wanted to thank the Service Director and the Engineer, and the Clerk of Council too, how it all worked out. Thank you.

PRESIDENT SCHULMAN: Great. Thank you Mr. Preston. (*Applause*). I want to thank all our public speakers this evening, very much. It's always nice to hear good news.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions. We have three this evening. Unless somebody has a strong objection, I'm just going to consolidate all three of them. So, will you please read the three Information Resolutions?

- #26. PERSONNEL CMTE: REAPPT VIRGINIA JEFFRIES TO FAIR EMPLOYMENT PRACTICES BD RETROACTIVELY COMMENCING 3/1/15 TO 2/28/18. - ADOPTED
- #27. PERSONNEL CMTE: REAPPT LOVIE HAILEY TO FAIR EMPLOYMENT PRACTICES BD RETROACTIVELY COMMENCING 3/1/15 TO 2/28/18. - ADOPTED
- #28. PERSONNEL CMTE: REAPPT RHODERICK SIMPSON TO STARK COUNTY REGIONAL PLANNING COMMISSION COMMENCING 11/16/15 TO 11/15/18. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolutions 26, 27, and 28.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolutions 26, 27, and 28. Any comments, any remarks?

CLERK TIMBERLAKE: Mr. President.

PRESIDENT SCHULMAN: Yes.

CLERK TIMBERLAKE: May I make a brief one.

PRESIDENT SCHULMAN: Sure.

CLERK TIMBERLAKE: I would like to apologize. It is, on #28, it is a reappointment of Mr. Rhoderick Simpson. I apologize for that.

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PRESIDENT SCHULMAN: Thank you very much, Madame Clerk. Any other remarks? Hearing none, by voice vote on Informal Resolutions 26, 27, and 28, all those in favor signify by saying aye. Those opposed no.

NO REMARKS RESOLUTIONS 26, 27, AND 28 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries and those three Resolutions are adopted.

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JULY 27, 2015.

270. COUNCIL-AT-LARGE HART: PROPOSE NOT PAVING FULTON RD FROM 12TH ST TO 17TH ST NW TO RESTORE THE BRICKS IN THAT AREA AND DO COST BENEFIT STUDY. - RECEIVED & FILED
271. MAYOR HEALY: ADVISE OF REAPPT OF JOYCE SUMLIN TO MAYOR'S COMMUNITY RELATIONS COMMISSION COMMENCING 8/1/15 TO 7/31/17. - RECEIVED & FILED
272. MAYOR HEALY: REQ AUTHORIZATION TO APPT BOB TILLIS TO BD OF BUILDING APPEALS RETROACTIVELY COMMENCING 7/1/15 TO 6/30/18. - PERSONNEL COMMITTEE
273. MAYOR HEALY: ADVISE OF REAPPT OF ED BAYLOCK TO MAYOR'S COMMUNITY RELATIONS COMMISSION RETROACTIVELY COMMENCING 7/1/15 TO 6/30/17. - RECEIVED & FILED
274. MAYOR HEALY: ADVISE OF REAPPT OF TIMOTHY MILLER TO MAYOR'S COMMUNITY RELATIONS COMMISSION RETROACTIVELY COMMENCING 7/1/15 TO 6/30/17. - RECEIVED & FILED
275. PLANNING COMMISSION: RECOMMEND APPROVAL OF REPLAT OF LOTS 42991 & 42992 LOCATED AT 1325 17TH ST NE (ED DOMER FOR CLIFF JUMPERS LLC, WARD 9). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
276. PLANNING COMMISSION: RECOMMEND APPROVAL OF REPLAT OF LOTS 184, 185 & 186 LOCATED ON WALNUT AVE BETWEEN 4TH & 5TH ST SE (DAVID GRABOWSKY OF STANDARD HEATING & PLUMBING, WARD 4). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
277. PROP OWNER, JON D. MILLER: REQ AUTHORIZATION FOR ZONE CHANGE LOCATED AT 1224 FULTON RD NW, WARD 1 (AZURE STUDIO & ART GALLERY). - PLANNING

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COMMISSION

278. SAFETY DIR PERRY: AUTHORIZE SAF DIR TO PAY \$12,800.00 MORAL OB TO DELL MARKETING LP. - FINANCE COMMITTEE
279. SAFETY DIR PERRY: AUTHORIZE SAF DIR TO RECEIVE AND APPROP \$3,500.00 GRANT FROM OH DEPT OF PUB SAFETY, DIV OF EMS FOR TRAINING AND EQUIP FOR FIRE DEPT. - FINANCE COMMITTEE
280. SAFETY DIR PERRY: AUTHORIZE SAF DIR TO APPROP BYRNE GRANT #2014-DJ-BX-1195, FUND 2787 IN AMT OF \$38,805.00 FOR USE BY POLICE DEPT. - FINANCE COMMITTEE
281. SERVICE DIR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL AGMTS WITH ODOT NECESSARY FOR COMPLETION OF RESURFACING WORK ON US 30, STA-US 30-9.58, PID 84627, GP 1229. - FINANCE AND PUBLIC SAFETY & THOROUGHFARES COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #12 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE FIRST TEE #2 ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Annexation Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$25,000.00 TO SARTA; AND DECLARING THE SAME TO BE AN EMERGENCY (MORAL OB FOR BUS PASSES DISTRIBUTED ON COMM DEV DAY)
Referred to Finance and Community & Economic Development Committees
- #3. (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (CHANGE REPORTING STRUCTURE OF PREVAILING WAGE COORDINATOR TO SERV DIR DEPT OF PROCUREMENT)

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- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$9,844.25 TO U.S. POSTAL SERVICE; AND DECLARING THE SAME TO BE AN EMERGENCY (MORAL OB FOR INVOICES FOR PARKING GARAGE ATTENDANTS)

Referred to Finance Committee

- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$8,101.33 TO AMERICAN ELECTRIC POWER; AND DECLARING THE SAME TO BE AN EMERGENCY (MORAL OB FOR TRAFFIC SIGNAL ELECTRIC BILL)

Referred to Finance Committee

- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$125,142.41 TO CARGILL, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY (MORAL OB FOR MINIMUM SALT PURCH FOR STREET DEPT)

Referred to Finance and Public Property Capital Improvement Committees

- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$19,950.00 TO HD SUPPLY WATERWORKS, LTD.; AND DECLARING THE SAME TO BE AN EMERGENCY (MORAL OB FOR PIPE FITTINGS FOR WATER DEPT)

Referred to Finance Committee

- #8. (1ST RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PERRY TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY (KOLP MGMT CORP TO SERV PROP AT NW CORNER OF NAVARRE RD & WHIPPLE AVE SW)

Referred to Environment & Public Utilities Committee

- #9. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$73,411.00 TO COON RESTORATION & SEALANTS, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY (MORAL OB FOR REPAIRING FACADE AT CIVIC CTR)

Referred to Finance Committee

- #10. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A COOPERATIVE AGREEMENT WITH STARK COUNTY FOR THE CITY OF CANTON'S SHARE OF STARK COUNTY'S MAPLEWOOD (NEW DAWN SUBDIVISION) SANITARY SEWER PROJECT, GP 1236; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$305,000.00 SUPP APPROP FR

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UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206317
MAPLEWOOD (NEW DAWN) PROJ, GP 1236 - OTHER)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:42 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCES #11 AND #12; RECONVENED AT 7:49 PM)

#11. (1ST RDG) **ADOPTED AS ORDINANCE NO. 145/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A ONE-YEAR PROFESSIONAL SERVICES CONTRACT WITH DLT SOLUTIONS, LLC IN AN APPROXIMATE AMOUNT OF \$42,630.00 FOR THE ONGOING SUPPORT AND MAINTENANCE OF THE CITY'S ORACLE SOFTWARE LICENSES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

#12. (1ST RDG) **ADOPTED AS ORDINANCE NO. 146/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO AMEND THE LEASE AGREEMENT BETWEEN THE CITY OF CANTON AND THE CANTON COMMUNITY IMPROVEMENT CORPORATION AND THE COOPERATIVE AGREEMENT BETWEEN THE CITY OF CANTON AND KUBOTA MEMBRANE USA CORPORATION THAT WERE EXECUTED ON APRIL 30, 2015; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

PRESIDENT SCHULMAN: And at this time, again the Chair would declare an in house recess for the recess for the Finance Committee to meet in regards to Ordinances 11 and 12 on your agenda. You're now in recess. Chairman Hawk.

PRESIDENT SCHULMAN: Thank you very much Chairman Hawk. Council will reconvene after the recess. Leader Smith.

MEMBER SMITH: Mr. President, I move we suspend Rule 22A to place Ordinances 11 and 12 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend Rule 22A to place Ordinance 11 and 12 back on this evening's agenda. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinances 11 and 12 are a legal part of your agenda. Leader Smith.

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MEMBER SMITH: Mr. President I move we suspend Statutory Rules on Ordinance #11.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule on Ordinance 11. Any remarks? Again, hearing none, Madame Clerk roll call vote again please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAY

CLERK TIMBERLAKE: Ten yeas, Mr. President.

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

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President

#11 ADOPTED AS ORDINANCE NO. 145/2015

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries. Ordinance 11 is adopted. Leader Smith.

MEMBER SMITH: Mr. President I move we suspend Statutory Rules on Ordinance #12.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule on Ordinance 12. Any remarks? Hearing none, Madame Clerk roll call vote again please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAY

CLERK TIMBERLAKE: Ten yeas, Mr. President.

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

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

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MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 12. Any remarks under Ordinance ? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President

#12 ADOPTED AS ORDINANCE NO. 146/2015

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

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for their Second Reading. Would you please Madame Clerk, begin with Ordinance #13.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #13 THROUGH ORDINANCE #21 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (ORDINANCES #18 AND #19 RETAINED IN COMMITTEE; #20 AND #21 ADOPTED ON 2ND READING)

- #13. (2ND RDG) AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 109/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-25379 LOCATED ON 2ND ST NW)
- #14. (2ND RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-15334 LOCATED ON SANDAL PL NE)
- #15. (2ND RDG) AN ORDINANCE ADOPTING THE CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2016; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE AND/OR PARK COMMISSION TO APPLY FOR, ENTER INTO AGREEMENT FOR, AND RECEIVE FUNDS FROM MULTIPLE POTENTIAL FUNDING SOURCES FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #17. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A GRANT FROM THE 2015 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT IN AN AMOUNT NOT TO EXCEED \$69,709.00; RATIFYING ANY AGREEMENT ENTERED INTO WITH THE STARK COUNTY

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COMMISSIONERS REGARDING THE DISTRIBUTION OF GRANT FUNDS; AUTHORIZING THE AUDITOR TO RENAME FUND 2769 TO THE 2015 BYRNE LOCAL SOLICITATION GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$69,709.00 FR UNAPPROP BAL OF 2769 2015 BYRNE LOCAL SOLICITATION GRANT FUND TO 2769 102001 POLICE ADMIN - OTHER)

- #18. (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE SUBMITTING, PURSUANT TO AN INITIATIVE PETITION, TO THE ELECTORS OF THE CITY OF CANTON THE QUESTION, "SHALL A COMMISSION BE CHOSEN TO FRAME A CHARTER?" AND FOR THE ELECTION OF MEMBERS OF THE CHARTER COMMISSION; AND DECLARING THE SAME TO BE AN EMERGENCY
- #19. (2ND RDG) **RETAINED IN COMMITTEE** A RESOLUTION PROCLAIMING A WITHDRAWAL FROM THE JOINT RECREATION DISTRICT; PROVIDING FOR CERTIFICATION AND DECLARING THE SAME TO BE AN EMERGENCY
- #20. (2ND RDG) **ADOPTED AS ORDINANCE NO. 147/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$26,915.50 FR 2335 301001 EARLY HEAD START GRANT - OTHER TO 2335 301001 EARLY HEAD START GRANT - PERSONNEL)

PRESIDENT SCHULMAN: Leader Smith.

MEMBER SMITH: Mr. President, I move we suspend Statutory Rule for Ordinance #20.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule for Ordinance 20. Any remarks? Hearing none. Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

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

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

MEMBER BABCOCK: Second.

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

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NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

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

#20 ADOPTED AS ORDINANCE NO. 147/2015

#21. (2ND RDG) **ADOPTED AS ORDINANCE NO. 148/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$340,000.00 FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 202010 ENGINEER - DAILY OPERATIONS - OTHER)

PRESIDENT SCHULMAN: Leader Smith.

MEMBER SMITH: Mr. President, I move we suspend Statutory Rule for Ordinance #21.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule for Ordinance 21. Any remarks? Hearing none. Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

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

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

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

#21 ADOPTED AS ORDINANCE NO. 148/2015

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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 22 .

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCE #22 THROUGH ORDINANCE #27 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 149/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH BELL EQUIPMENT COMPANY FOR THE PURCHASE OF ONE (1) REAR-LOADING PACKER TRUCK FOR AN ESTIMATED AMOUNT OF \$240,000.00 IN ACCORDANCE WITH OHIO REVISED CODE SECTION 9.48 AND CANTON CODIFIED ORDINANCE SECTION 105.11; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #22.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 22 . Any remarks? Again hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 149/2015

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #22 is adopted. Ordinance 23 please.

#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 150/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$11,000.00 FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202001 ENGINEERING ADMIN - OTHER; CONVERT 6TH ST SE BETWEEN WALNUT & MARKET BACK TO 2 WAY OPERATION)

PRESIDENT SCHULMAN: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #23.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 23. Any remarks under this Ordinance? Again hearing none, Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 150/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Motion carries. Ordinance 23 is adopted. Ordinance 24 please.

#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 151/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$23,000.00 FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202001 ENGINEERING ADMIN - OTHER; BIRCHDALE NW STORM SEWER PROJ)

PRESIDENT SCHULMAN: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #24.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 24. Any remarks under this Ordinance? Again hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 151/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Motion carries. Ordinance 24 is adopted. Ordinance 25 please.

#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 152/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$15,000.00 FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202001 ENGINEERING ADMIN - OTHER; GRENADA DR NE STORM SEWER PROJ)

PRESIDENT SCHULMAN: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #25.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 25. Any remarks? Again hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Ten yeas, Mr. President.

#25 ADOPTED AS ORDINANCE NO. 152/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Motion carries. Ordinance 25 is adopted. Ordinance 26 please.

#26. (3RD RDG) **ADOPTED AS ORDINANCE NO. 153/2015** AN ORDINANCE AUTHORIZING AND CONSENTING TO SINGLE AND DOUBLE MICROSURFACING TO STA 77 FROM 9.50 TO 11.84, STA 687 FROM 0.00 TO 0.36 AND 2.57 TO 5.53; AND DECLARING THE SAME TO BE AN EMERGENCY (I-77 & SR-687, "PROJECT" PID NO. 100287)

PRESIDENT SCHULMAN: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #26.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 26. Any remarks? Again hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#26 ADOPTED AS ORDINANCE NO. 153/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Motion carries. Ordinance 26 is adopted. Ordinance 27 please.

#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 154/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A ONE-YEAR AGREEMENT WITH ARTSINSTARK, WITH THE OPTION OF NINE (9) ONE-YEAR RENEWALS IF MUTUALLY AGREED TO BY BOTH PARTIES, FOR THE PURPOSE OF SHARING THE USE AND COST OF THE TWO (2) ELECTRONIC MESSAGE BOARDS AT THE CANTON MEMORIAL CIVIC CENTER AND THE CULTURAL CENTER FOR THE ARTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Smith.

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

MEMBER BABCOCK: Second.

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

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NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#27 ADOPTED AS ORDINANCE NO. 154/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Motion carries. Ordinance 27 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We now turn to announcement of Committees Meetings.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you, good sir. The Finance Committee will meet Monday, August 10th 2015 at 6:30 p.m.

PRESIDENT SCHULMAN: Thank you.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Chairman Mariol.

MEMBER MARIOL: Public Property Capital Improvement will meet at the same time, same place.

PRESIDENT SCHULMAN: Thank you. Leader Smith.

MEMBER SMITH: Mr. President, C&ED will also meet at the same time, same place.

PRESIDENT SCHULMAN: Thank you. Chairman Babcock.

MEMBER BABCOCK: Environmental & Public Utilities, same time.

PRESIDENT SCHULMAN: Thank you. Chairman West.

MEMBER WEST: Annexation, same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER GRIFFIN: Mr. Chairman.

PRESIDENT SCHULMAN: Yes, Chairman Griffin.

MEMBER GRIFFIN: Personnel will meet August 10th at 6:30.

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PRESIDENT SCHULMAN: Thank you.

MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Chairman Mack.

MEMBER MACK: Judiciary will be at the same time, same place.

PRESIDENT SCHULMAN: Thank you.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Alright, we now turn to Miscellaneous Business? Is there any? Mayor Healy. Please, all pay attention to this one.

MAYOR HEALY: I'm always the bearer of good news. We've had many discussions over the years about what's going on in Columbus. I know that President Schulman has been on the soap box many, many times about their intent and the impact it has on local government. We're dealing with House Bill 5 right now. The Treasurer and our Income Tax Department are still making many adjustments from that one piece of legislation. We're going to see reduced revenue from that action. We really don't even have an amount yet. We have some estimates, but those things are going to be starting to settle in. Our budget is tight and will continue to get tight and be tighter throughout the year, so, we've had many conversations with this body, and many members about looking for other sources of revenue. When we reduced the...eliminated the income tax credit reduction, that takes revenue. We're going to need more money to continue operating at the levels we're at. We're not at maximum levels by any stretch. So, I would encourage this Council to start having serious conversations about what we can do to increase our revenues. While we're doing that, I just want to share with you, another piece of legislation that was introduced this past week from the Ohio Senate. This is not a new piece of legislation, in fact, this was written into House Bill 5 and when I was (*Inaudible*), we fought this and was able to get it removed from House Bill 5 before it passed, and it was introduced in the past, in reference to Amendments to other pieces of legislation. Take a look at Senate Bill 198. Senate Bill 198, introduced by Senator Jordan, who is in his 2nd term in the House Senate, basically it's designed to prohibit Municipalities and Municipal Corporations from levying an income tax on non-resident's compensation for personal services or net profits for the sole proprietorship owned by a non-resident. To make it simple, if you don't live in the city, we can't charge you a tax. I can tell you that cities like ours, Cleveland, Columbus, Cincinnati, Dayton, Toledo, Youngstown, virtually every city that has a downtown corporate center where businesses are located, factories are located in our city, a large portion of those people come from the surrounding townships and regions. If we had to guess, I'd say that this could be as much as 50% of our income tax collected right now. You're talking about maybe 15 million dollars to the General Fund and another 5 million that goes into the Capital Fund, if this thing passes as is. There's going to be extreme heavy lobbying against this, but I think Council may want to look at this and take action very quickly in a Resolution. We need to make sure we jump on this fast. If this happens, if you thought the recession was bad to our revenue stream, you ain't seen nothing yet folks. Columbus is not giving up on taking it to the cities. Thanks.

PRESIDENT SCHULMAN: Thank you. Well, then also, Mayor, would you tell the Members and the public who Senator Jordan is, what his official title is with the Senate of Ohio...oh, he is...I thought he was the President.

MAYOR HEALY: The President of the Senate, Keith Faber, is in support of this piece of legislation.

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PRESIDENT SCHULMAN: He is in support?

MAYOR HEALY: Yes. He was one that was trying to get it into House Bill 5 and it got pulled out. So, we know that the President of the Senate is backing this. Thanks.

PRESIDENT SCHULMAN: Do you know where our local legislators stand on this?

MAYOR HEALY: Okay, if you are, for example...I have not spoken to the legislators, but if you're say...Senator Hagan or...excuse me, Representative Hagan or Representative Schuring, and your district is predominantly township areas, and this passes, the majority of your constituents are going to get a tax break. How do you vote?

PRESIDENT SCHULMAN: So, I think we've got some work to do, again. Any questions for the Mayor on this piece of legislation? And I say that very kindly because I could think of another piece of something I'd like to say. (*Laughter*). Any questions for the Mayor. Well, once again, we've said it over and over again, they just hate cities and they're going to do everything they possibly can to try to kill us. And in addition, at the same time, give the rich another tax break that they literally do not deserve. They just don't need it. That's the inequality we have in our society today. It's despicable and it's disgraceful and...I hope the public will take a little bit of attention in the audience and maybe send a message. It's just not fair. Anyways, any other remarks?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: Just real quickly, if you haven't ridden on 12th Street with the lights, it's just beautiful. I mean to see the lights up...you hate the lights? Shut up Chris. But, it's just beautiful. It's coming along and I'm just really proud of all the work that's going there. I want to applaud the Engineers and what they've been doing. I keep saying Ward 2 is on the move, and it is, but literally we've gotten two accidents already right in front of my house. So, we have to really start monitoring and have some police up there to monitor the traffic flow. So, even though we're on the move, we don't want to move too fast. But it's a really nice sight to see, so if you get a chance to ride by 12th, it looks really good.

PRESIDENT SCHULMAN: Engineer Moeglin has designed some great signs so that'll be something that will be coming up on the roads and the infrastructure that we keep working on. So that's a good thing. Anything else? Leader.

MEMBER SMITH: Motion to adjourn.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

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PRESIDENT SCHULMAN: Meeting is adjourned. Thanks everybody. Drive carefully. (*Gavel falls*).

ADJOURNMENT TIME: 8:10 P.M.

ATTEST:
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT