

MINUTES OF THE MEETING MAY 23, 2016

PRESIDENT PRO TEM MORRIS: Good evening. Welcome to Canton City Council. With a quorum being present, the Chair now calls this meeting of Canton City Council to order. Roll call please.

ROLL CALL TAKEN BY CLERK SHOWES:

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

TWELVE COUNCIL MEMBERS PRESENT. (PRESIDENT SCHULMAN ABSENT)

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT PRO TEM MORRIS: Thank you. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to... uh, to excuse President Schulman from this evening's meeting. Are there any remarks under this? If not, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT PRO TEM MORRIS: Motion carries and President Schulman is excused from this evening's meeting. Tonight's invocation will be given by our Ward 2 Councilman, Member Thomas West. Please remain standing afterwards for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on May 23, 2016 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Kellen Showes. The invocation was given by Ward 2 Council Member Thomas West. 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 Smith.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Readings Ordinances 10 through 13.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to Suspend Rule 22A to add 2nd Reading Ordinances 10 through 13 to this evening's agenda. Are there any remarks? Hearing none, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK SHOWES: Twelve yeas, sir.

PRESIDENT PRO TEM MORRIS: Rule 22A is suspended. The Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM MORRIS: We are now under Public Hearings, and we do not have any scheduled tonight. So we move onto Old Business.

OLD BUSINESS

PRESIDENT PRO TEM MORRIS: We're under Old Business, and we have no Old Business.

PUBLIC SPEAKS

PRESIDENT PRO TEM MORRIS: We are now under Public Speaks, and tonight we have four speakers signed up. When I call your name please step to the podium, state your name and your address for the record and the subject you'll be speaking on. Our first speaker tonight is Mr. Jonathan Bailey.

JONATHAN BAILEY: Thank you. Jonathan Bailey. I live at 8-0- 803- 830 Cherry. Anyhow, I'm here about the vendor's license again. I know you guys are getting tired of hearing this. Um, I'm making less than \$50.00 a day doing this advertising thing, and doing this I'm on my way to paying off what I've invested in this four times over. At the end of this insurance season I'll be paid off four to five times at least what I put into that. I'm a legitimate business by the letter of the law according to the Federal government. I think I deserve a little bit of respect and I need some help with these vendor's licenses. I could be making close to \$250.00 a day. I made that out of a homeless shelter. I've increased Sam Robinson's business over 50% to the point where he had to hire another full time insurance salesman. I created a permanent job here in the city of Canton. I could make more. Can I get some help with it and get these vendor's licenses back into line? \$25.00 for a vendor's license for the entirety of the City of Cleveland. \$150.00 for the city limits. \$150.00 a month for downtown. And I'm stuck in market, I can't go nowhere. I have to buy a separate vendor's license in the name of every person I hire, and if I have to fire them or they quit it goes with them. This is a crippling law. It's not right. It's doing what it's supposed to. It's keeping poor people in their place and protecting these brick and mortar businesses. You keep doing that... any of you all read a history book? You keep putting poor people in a place where they have no hope, and no way to crawl their way up out of that. Nowhere to turn. The minimum wage jobs are disappearing. McDonald's is thinking about going fully robotic. You disenfranchise them too much and you start a powder keg. Read a history book, somebody in here. We need to get these on lines. We need to get these fixed. It's critical. I'm paying you guys \$22.00 in taxes this year. I could be paying you \$122.00 if you'd let me make that kind of money. I could have a house in a year and never worry about being homeless again. Paid for. City Council is stopping me. Thank you. *(Applause)*

PRESIDENT PRO TEM MORRIS: Thank you, Mr. Bailey. Our next speaker is Mr. Dan Moeglin. This will be the first time that we actually have to listen to you. *(Laughter)* But you're limited for three minutes.

DAN MOEGLIN: Very good, sir. Thank you. I appreciate being here. My name is Dan Moeglin, 1320 Buena Vista Street, Canton, Ohio. Tonight I'd like to talk a little bit about infrastructure. Uh, my... some of my memories of infrastructure and some important things to note. Back in 2003 I'm sure all of you will remember regardless of whether you sat in your current positions or not, the City endured some pretty significant flooding. I believe that was a watershed moment, not to make a pun but to do so, for the City. At

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that time City Council, the Administration, and the members of the staff of the City made a commitment, and I believe that commitment was to improve the infrastructure of the city of Canton. And that's a good thing. Since then there have been a lot of changes. The decision was made to create CSD as an individual department so they could focus on the out of sight, out of mind type infrastructure, the storm lines, the sanitary sewer lines. Civil Engineering and Traffic Engineering were merged into one department for a much more efficient operation. There were a lot of other technical staff that had been hired since, many of whom you see sitting around here. Some outstanding hires that make tremendous differences. In addition to the... the people in the administrative functions there have been a tremendous number of improvements made. The Water Department's replaced and upgraded three water treatment plants. The Civil Engineering Department has constructed multiple detention, regional detention and retention basins. Trunk sewers have been replaced and upgraded. The WRF that's under construction right now will be the most modern, up to date facility in the U.S. if not the world. Corridors have been constructed and are in the planning stages. Complete street policies have been implemented, safety improvements ained and so on. But most importantly I think we've changed from a reactive maintenance approach to a proactive maintenance approach. Water lines have been checked for leaks on a regular basis and repairs made. Sewer lines cleaned and televised so that things can be corrected before the storms, not after the storms. Pavement crack sealing, pavement chip and sealing, all proactive maintenance things. Those are all great things, but we have a long way to go. There's quite a bit of work to do done and we need to fund not just projects but people as well. So for that reason I'm coming up here to thank you folks tonight and your predecessors that were in your seats for the investment that you've made not just in projects but in people, and thank you for the investments you make in the future. It's greatly appreciated by myself, by the citizens of Canton, and everybody else that's been helped out and their lives improved by some of these infrastructure projects. So thank you very much and have a great evening.

(Applause)

PRESIDENT PRO TEM MORRIS: Our next speaker, Charlotte Costello.

CHARLOTTE COSTELLO: Hi. I live at 2409 10th Street S.W., Canton, and my concern is the grass. I talked to Mr. Scaglione May 10th. The house next door to me has been vacant since February. The grass is four feet high. He gave two addresses, there's two more on Arlington, so my concern is when's the grass gonna get mowed?

PRESIDENT PRO TEM MORRIS: Okay. I'll tell you what, if you would like to speak to our Service Director after the meeting, I'm sure that he would be more than glad to get with you and let you know when those will be cut.

CHARLOTTE COSTELLO: Yeah, because if I... if it doesn't get done I'm gonna e-mail pictures to 3, 5, 8, 19 and The Repository, and get it done, get it taken care of.

PRESIDENT PRO TEM MORRIS: And feel free to do that...

CHARLOTTE COSTELLO: And... and I will.

PRESIDENT PRO TEM MORRIS: Our crews work on a rotation.

CHARLOTTE COSTELLO: Well, once a month won't get it.

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PRESIDENT PRO TEM MORRIS: And they have just moved into Ward 3.

CHARLOTTE COSTELLO: Once a month won't get it.

PRESIDENT PRO TEM MORRIS: Yeah, so I know it's not what you want to hear. It's not what my constituents want to hear. It's not what any Council Member's constituents...

CHARLOTTE COSTELLO: I know that nobody wants to take responsibility cause I went to Council meetings back in the '90's when I rented for the guy that lived next door to me that didn't... that... that nobody wanted to get on him about cleaning up his yard. When Richard Watkins was Mayor and Paul Bair was Safety Director and nobody wants to take responsibility for nothing. And I've lived in Canton my whole life so I know.

PRESIDENT PRO TEM MORRIS: Okay. Thank you. And see the Service Director after the meeting. Our next speaker is Mr. Marc Schneider.

MARC SCHNEIDER: Good evening. My name is Marc Schneider. I live at 3875 Croydon Drive, and I'm here in the capacity of the co-chair of the Stark County Broadband Task Team. My day job is the Director of Innovation at Aultman Health Foundation. But for the last two years I've been helping the Stark County Broadband Task Team study the implementation of high speed broadband in Stark County and then also in the city of Canton and other municipalities. We have about 30 or so people who are... represent small, medium and large employers, also government and non-profits on our committee. And we raised a fair amount of money, a little short of \$100,000.00 so far, and this has allowed us to engage a consulting firm called Magellan Advisors that has something of a national reputation, to help us do a feasibility study on how we can bring gigabit broadband to Stark County. And we think that this is a transformation of ability to Stark County in the... uh, not only the areas of economic development, educational attainment, but also in the areas of household income. You know, just this evening my daughter's graduating from Glenoak High School, and if I make it out of here on time I might just get to watch her cross the stage. We lose about a thousand or so graduates every year, and that represents \$275,000,000.00 worth of human capital that walks out of Stark County never to return. And as an investment we can no longer sustain that. And I would think that we need to think about how we go about raising... uh, improv...improving the educational and digital attainment of the people who live here in Stark County because this is a critical endeavor for us. We are about 2.9% higher in terms of the people over the age of 65 than in Summit County to our north. And speaking for a large healthcare organization like Aultman Health Foundation, that's... that's who we see most everyday is people over the age of 65. But that's not the people that we need to have as a robust economy. And this is... I don't wish any disrespect to our seniors, but we cannot sustain a vibrant economy if we only have seniors who live here. Our biggest hole is between the ages of 20 and 35, and we have to think about how we retain those young minds and agile minds for a robust economy going forward. We have a non-binding resolution that's been forwarded to... uh, through the Mayor's office, and we would encourage your support in this endeavor. And I would be more than happy to answer any questions at this time.

PRESIDENT PRO TEM MORRIS: Well, normally, Mr. Schneider, during public speaks Council Members don't ask any questions. Kinda like an unwritten rule. So if anybody has any questions I would open up the floor to let you ask him a question or you can schedule an appointment to see somebody later.

MARC SCHNEIDER: Sure.

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MEMBER WEST: I would like to have his business card.

PRESIDENT PRO TEM MORRIS: Okay.

MARC SCHNEIDER: Okay. Great.

PRESIDENT PRO TEM MORRIS: Alright, thank you.

MARC SCHNEIDER: Thank you. (*Applause*)

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM MORRIS: Okay. We are now under Informal Resolutions. Mister Clerk, will you read Informal Resolution #40, please.

#40. COUNCIL-AS-A-WHOLE: SUPPORT & ENCOURAGE EXPLORATION OF APPROPRIATE STAKEHOLDERS TO COLLABORATE ON CITY-WIDE SOLUTIONS FOR HIGH-SPEED CONNECTIVITY & EXPLORE ASSET HOLDING LEGAL ENTITY TO RECRUIT NEW LEADERSHIP, ATTRACT & ADMINISTER GRANTS & INVESTMENTS. - ADOPTED

PRESIDENT PRO TEM MORRIS: Leader.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #40.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Informal Resolution #40. Are there any remarks under this? Hearing none, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #40 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MORRIS: The ayes have it. Informal Resolution #40 has been 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 MAY 23, 2016.

209. AUDITOR MALLONN: REQ RE-ISSUANCE AND SALE OF REVITALIZATION ANTICIPATORY NOTE IN MAXIMUM AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,000,000.00; EXPIRING NOTE WILL COME DUE 7/22/16; FUND TO BE UTILIZED FOR RECEIPT AND PAY OFF WILL BE 1152. - FINANCE COMMITTEE

210. AUDITOR MALLONN: REQ RE-ISSUANCE AND SALE OF REVITALIZATION

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ANTICIPATORY NOTE IN MAXIMUM AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,000,000.00 TO PAY OFF CURRENT REVITALIZATION ANTICIPATORY NOTE APPROVED VIA O#58/2016; EXPIRING NOTE DUE ON 7/8/16; FUND TO BE USED WILL BE 1152 (\$1,000,000.00 SUPP APPROP FR UNAPPROP BAL OF 1152 NIP ACQUISITION DEMO DEBT FUND TO 1152 506001 OTHER). - FINANCE COMMITTEE

211. AUDITOR MALLONN: REQ APPROVAL FOR RE-ISSUANCE OF \$2,000,000.00 ANTICIPATORY NOTE TO PAY OFF NOTE SET TO MATURE SAME DATE APPROVED VIA O#1/2016; INSTRUMENT TO BE DATED 7/5/16 AND SHALL MATURE 6 MTHS FR DATE OF ISSUANCE (\$2,000,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 801001 ANTICIPATORY NOTE OTHER). - FINANCE COMMITTEE
212. LIQUOR CONTROL DIVISION (OHIO): REQ STOCK TRANSFER ON D5 LIQ PERMIT FOR CORK & CANVAS ON 3RD LLC LOCATED @ 322 3RD ST NW, 1ST FLR ONLY. - RECEIVED & FILED
213. MAYOR BERNABEI: REQ LEGISLATION APPROVING 2013 DOWNTOWN MASTER PLAN. - DOWNTOWN DEVELOPMENT COMMITTEE
214. MAYOR BERNABEI: REQ AUTHORIZATION OF APPT OF SEAN S. DURKIN TO SYSTEMS PLANNING BOARD FOR 2-YR TERM BEGINNING IMMEDIATELY THRU 5/30/18. - PERSONNEL COMMITTEE
215. SAFETY DIRECTOR PERRY, SERVICE DIRECTOR BARTOS: AUTHORIZE APPROP OFFICIAL(S) TO PURCHASE AND/OR LEASE TITLED VEHICLES IN LIST, INCLUDING ALL NECESSARY EQUIP AND COMPONENTS, IN ACCORD WITH SEC 105.08 OF CODIFIED ORD; AUTHORIZE APPROP OFFICIAL(S) TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCHASE DESCRIBED IN LIST THAT EXCEED APPLICABLE DOLLAR AMT THRESHOLD(S); ALTERNATIVELY AUTHORIZE APPROP OFFICIAL(S) TO ENTER INTO CONTRACT FOR PURCHASES DESCRIBED IN #2 IN ACCORD WITH SEC 125.04 OF O.R.C. (STATE CO-OP PURCH THRU DEPT. OF ADMIN SERVS) OR SEC 5513.01 OF O.R.C. (ODOT CO-OP PURCH), EXEMPTING SAID PURCH FR REQUIREMENTS OF COMPETITIVE BIDDING; AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT WITH CITY OF LOUISVILLE, OHIO FOR PURCH OF ONE USED LADDER TRUCK FOR FIRE DEPT. IN AMT NOT TO EXCEED \$130,000.00 IN ACCORD WITH SEC 735.053 OF O.R.C. (\$314,427.48 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 102001 POLICE ADMIN - OTHER - \$87,000.00, 4501 103001 FIRE ADMIN - OTHER - \$56,318.48, 4501 202210 STREET MAINTENANCE - OTHER - \$46,000.00, 4501 204010 OTHER BUILDINGS - OTHER - \$29,000.00, 4501 301001 HEALTH ADMIN - OTHER - \$37,800.00, 4501 701001 JUDGES ADMIN - OTHER - \$58,309.00; \$126,181.52 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 103001 FIRE ADMIN - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (2016 CAPITAL PURCHASE). - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEE
216. SERVICE DIRECTOR BARTOS: REQ \$580,314.15 SUPP APPROP FR UNAPPROP BAL OF 2113

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MUNICIPAL ROAD FUND TO 2113 MUNICIPAL ROAD FUND - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (MUNICIPAL ROAD FUND). - FINANCE COMMITTEE

217. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR PURCH OF PROPERTY FR STARK READY MIX & SUPPLY CO. FOR AMT NOT TO EXCEED \$182,500.00; (\$182,500.00 APPROP TRF FR 4501 202042 FULTON ROAD RESURFACING PROJECT, GP1184 TO 4501 202045 PIONEER TRAIL PROJECT, GP1204 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (MULTIUSE REAL PROPERTY PURCHASE). - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM MORRIS: We are now under Ordinances and Formal Resolutions for their First Reading. Mister Clerk will you please begin with Ordinance #1.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK SHOWES TO READ ORDINANCES #1 THROUGH #9 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AMENDING CHAPTER 127 OF HE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (COLLECTION OF UNPAID DEBTS)
Referred to Judiciary Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE 30TH STREET NW RESURFACING PROJECT, G.P. 1238; AUTHORIZE THE CITY TO ENTER INTO AGREEMENT(S) FOR AND RECEIVE GRANT FUNDS IN THE AMOUNT OF \$735,000 AND A LOAN IN THE AMOUNT OF \$765,000 FROM THE OHIO PUBLIC WORKS COMMISSION; AUTHORIZE THE AUDITOR TO ESTABLISH AND CREATE THE 4579 30TH STREET NW RESURFACING PROJECT G.P. 1238 FUND; AMENDING APPROPRIATION ORDINANCE 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement and Finance Committees
- #3. (1ST RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE H.O.F. VILLAGE #1 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

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- #4. (1ST RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE FACTORY OF TERROR 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
- #5 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICES TO AMEND THE GRANT AGREEMENT BETWEEN THE OHIO DEVELOPMENT SERVICES AGENCY AND CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (PHASE II ENVIRONMENTAL ASSESSMENT @ “BROWNFIELD SITE”, 2408 13TH ST NE)
Referred to Finance Committee
- #6 (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 13337 AND 13338; AND DECLARING THE SAME TO BE AN EMERGENCY (1500 BLOCK OF ALDEN SW, HABITAT FOR HUMANITY, WARD 5)
Referred to Public Safety & Thoroughfares Committee
- #7 (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS 7641 AND 7642; AND DECLARING THE SAME TO BE AN EMERGENCY (600 BLOCK OF MARION SW, HABITAT FOR HUMANITY, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- #8 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH BRICKER & ECKLER LLP FOR LEGAL SERVICES RELATED TO THE WATER RECLAMATION FACILITY CONSTRUCTION PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$75,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206005 OPERATIONS AND MAINTENANCE - OTHER)
Referred to Finance Committee
- #9 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #1 WITH MICHAEL BAKER, JR., INC. IN AN AMOUNT NOT TO EXCEED \$149,745.84 FOR THE MAHONING ROAD NE CORRIDOR PROJECT, PHASE I, PID 90361, GP 1103, CONSTRUCTION ENGINEERING SERVICES, CONTRACT NO. 2014-68; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM MORRIS: We are now under Ordinances and Formal Resolutions for their Second

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Reading. Please begin with #10.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK SHOWES TO READ ORDINANCES #10 THROUGH #13 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (O#13 ADOPTED ON 2ND READING)

- #10. (2ND RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF ONE PARCEL OF CITY OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-39460, 2ND ST SW, TO LOCKSHIN ENTERPRISES)
- #11. (2ND RDG) AN ORDINANCE AMENDING SECTION 303.07, ADMINISTRATIVE AND STORAGE FEES FOR IMPOUNDED VEHICLES, OF THE CODIFIED ORDINANCES (RAISE FEE FR \$30.00 TO \$50.00 PER VEHICLE; INCLUDE \$50.00 FEE IN AUCTION PURCH PRICE)
- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A STATE COOPERATIVE PURCHASING/PROFESSIONAL SERVICES CONTRACT WITH FEDERAL SIGNAL FOR THE PURCHASE AND INSTALLATION OF ONE (1) WARNING SIREN; AND DECLARING THE SAME TO BE AN EMERGENCY (WRF)
- _____
#13. (2ND RDG) **ADOPTED AS ORDINANCE NO. 92/2016** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO VARIOUS CONTRACTS UTILIZING CDBG AND ESG FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY (\$391,000.00 CDBG FOR SPECIAL REHAB PROJ; \$607,243.00 CDBG FOR CBDO'S; \$231,450.00 FOR PUB SERV PROJ; \$212,400.00 ESG FOR ELIGIBLE PROJ)

PRESIDENT PRO TEM MORRIS: We are now under Formal Resolut... Ordinances and Formal Resolutions for the Third and Final Reading and a Vote.

MEMBER SMITH: Excuse me, Mr. President. We need to go back to Ordinance #13.

PRESIDENT PRO TEM MORRIS: Oh, I'm sorry. I apologize. Gotcha. I skipped right past it. We are passing #13. Leader.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rule for Ordinance #13.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to suspend Statutory Rules for Ordinance #13. Are there any remarks? Hearing none, roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT PRO TEM MORRIS: The Statutory Rules are suspended. You've heard your three readings, Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #13. Are there any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#13 ADOPTED AS ORDINANCE NO. 92/2016

PRESIDENT PRO TEM MORRIS: Ordinance #13 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM MORRIS: Now we're under Ordinances and Formal Resolutions for the Third and Final Reading. Ordinance #14, please.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK SHOWES TO READ THE FOLLOWING ORDINANCES #14 THROUGH #17 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #14. (3RD RDG) ADOPTED AS ORDINANCE NO. 93/2016 A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE TRUMP SCHOOL 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

PRESIDENT PRO TEM MORRIS: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #14. Are there any remarks? Hearing none, roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#14 ADOPTED AS ORDINANCE NO. 93/2016

PRESIDENT PRO TEM MORRIS: Ordinance #14 has been adopted. Ordinance #15, please.

#15. (3RD RDG) ADOPTED AS ORDINANCE NO. 94/2016 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$32,562.79 SUPP APPROP FR UNAPPROP BAL OF 2787 2014 BYRNE MEMORIAL GRANT FUND TO 2787 2014 BYRNE MEMORIAL GRANT - OTHER)

PRESIDENT PRO TEM MORRIS: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #15. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#15 ADOPTED AS ORDINANCE NO. 94/2016

PRESIDENT PRO TEM MORRIS: Ordinance #15 has been adopted. Ordinance #16 please.

#16. (3RD RDG) ADOPTED AS ORDINANCE NO. 95/2016 AN ORDINANCE AUTHORIZING THE HIRING OF ROBERT B. SOBNOSKY, P.E., AS FACILITIES ENGINEER OF THE WATER DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM MORRIS: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #16. Are there any remarks?

MEMBER FISHER: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Fisher.

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MEMBER FISHER: Inasmuch as this is doing... this Ordinance is actually structured to do two different things. One, hiring a new employee, but also number two, changing pay scales for existing employees. I would like to ask the Chair to use his prerogative under Rule 38 to divide the question for this Ordinance placing Section 2 as its individual reading.

PRESIDENT PRO TEM MORRIS: Okay. So, the question at hand here is we are going to divide this question, Section 1 for the hiring of Mr. Robert B., I apologize if I mispronounce his last name, Sobnosky? And that would be the first vote, and the second vote would be on the application for the following positions on Section 2 (a) through (f), correct?

MEMBER FISHER: I believe you just need to separate Section 2, but perhaps the Law Director could address that.

PRESIDENT PRO TEM MORRIS: Law Director.

LAW DIRECTOR MARTUCCIO: Thank you. Mr. President, Member Fisher. For those of us who haven't looked at this rule in awhile, I'm gonna share it with Council. It's called Rule 38, Division of the Question. A, and this has been done, any member may request the division of the question, or the Presiding Officer may direct the same. The question in either case may be divided at the discretion of the Presiding Officer. B. Any member may move to divided the question. A majority vote of the members present and voting is required for a division of the question. That'll take place next. C. Here's the key, and I think... I think you're here. When divided, two or more separate questions must remain. Each remaining question must be able to stand alone and present a separate and distinct question for a decision. So if I understand, what we have in front of us is Ordinance #16 and there are two sections of substance. Section 1, as I think the President pointed out, is authorizing the hiring of Robert Sobnosky as a Facilities Engineer at a starting salary of 94% of the current range and with ten days of vacation a year. Beginning on January 1st of '17 he'll be paid at 97% of the range, 15 vacation days. January 1st of '18 Mr. Sobnosky pays... gets 100% and 20 days of vacation. That is Section 1. That can stand alone from Section 2 which does something else. Section 2 has to do with the raises that are going to be proposed through this Ordinance to be granted to employees in positions labeled (a) through (f), Assistant City Engineer, Sanitary Sewer Engineer of different systems, and so on. They're specifically named. Again, and I can go into that aft... as you get to Section 2. But Section 1 and Section 2 as I read these can stand alone. And under Rule 38, depending on a vote that's about to take place, they can be divided as long as each one can stand alone and be discussed and voted on separately. And I believe they can cause they're two subject areas. They're similar but one deals with one person and the other deals with a group of people. I hope that helps. I'll answer any other questions if you have any. Thank you.

MEMBER FISHER: Thank you, sir.

PRESIDENT PRO TEM MORRIS: Okay. So, I will need a motion... oh, a motion to divide? Or can I rule on that. My understanding is I... (*Inaudible, President and others speaking in sotto voce*) Alright, the Chair will exercise its discretion and we will divide these questions, so Leader Smith, I will need two motions from you. One vote will be on the first half of Ordinance #16 which would be the hiring of this individual. Then once we go through that, then we will go for Section 2.

MEMBER SMITH: Okay. So what we're doing right now is we're separating this Ordinance #16. So first I would move that we adopt Ordinance #16...

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PRESIDENT PRO TEM MORRIS: Section 1.

MEMBER SMITH: For Section 1 to be voted on first. Is that correct?

PRESIDENT PRO TEM MORRIS: Correct.

MEMBER SMITH: Okay. Mr. President, I move we adopt Ordinance #16 to be separated...

PRESIDENT PRO TEM MORRIS: No. We've already sep... I've already separated the question. I need a motion to adopt Ordinance #16, Section 1.

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT PRO TEM MORRIS: Law Director.

LAW DIRECTOR MARTUCCIO: As a matter of clarification, because we're dividing out Section 1, the other sections besides 2 stick with it. Section 3 is the standard language we use about the Auditor's clause. Section 4 is typographical errors. Section 5 is an emergency. So just to be clear, no matter what happens on 1 and 2, 3, 4 and 5 stick with either one if they pass. Thanks.

MEMBER SMITH: Okay. Mr. President, I move we adopt Ordinance #16 for first section?

LAW DIRECTOR MARTUCCIO: 1.

MEMBER SMITH: 1.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: Okay. It's been moved and seconded to adopt Ordinance #16, Section 1. Are there any remarks under this? Hearing none, call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas for Section 1.

PRESIDENT PRO TEM MORRIS: Ordinance 16, Section 1 has been adopted. Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance 16 for Section 2? Is that correct?

PRESIDENT PRO TEM MORRIS: Correct.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance 16, Section 2. Are there any remarks under this Ordinance?

MEMBER FISHER: Mr. President.

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PRESIDENT PRO TEM MORRIS: Member Fisher.

MEMBER FISHER: Yeah, I just wanted to say briefly I would like to... I extremely value the work that our engineers do and I would like to give raises to all of our employees, but as we are furloughing many of our employees throughout the City and we have experienced layoffs in other departments, some people are taking pay cuts, I... I feel that it is inappropriate for me to vote so this time. But I did not want to vote to block a necessary hire as far as the Section 1, so that's the reason I asked to divide the question and that's the reason I'll be voting no on the second half.

PRESIDENT PRO TEM MORRIS: Anyone else?

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT PRO TEM MORRIS: Law Director.

LAW DIRECTOR MARTUCCIO: Thank you. Just again, cause it's been awhile since we've had a committee meeting on this. What you're voting on now is Section 2, and automatically what goes with that if it passes is Section 3, 4 and 5. The... the question before you as a divided question is Section 2 on its own with the others that come with it. And in Section 2 it says that beginning on 1-1 of '17, employees who hold the positions in (a), (b), (c), (d) (e) and (f) get 97% of their range. Beginning on January 1st of '18 those folks get 100% of their range. And the positions you're... you're looking at in your Ordinance are Assistant City Engineer, two positions in Engineering, Sanitary Sewer Engineer, Collection System Department, Assistant Superintendent, Water Reclamation Facility, Assistant Superintendent, Water Department, Supervisor, Filtration and Lab, Water Department, and lastly Supervisor, Pump and Supply Maintenance, Water Department. And it only applies to the people holding those positions now and not future hires. So that's Section 2.

PRESIDENT PRO TEM MORRIS: Thank you, Law Director. Any...

MEMBER DOUGHERTY: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Dougherty.

MEMBER DOUGHERTY: Yeah, I've been here for a little while. Um, I know what... I know what these guys do and I know if they leave us and we have to replace them, what it'll cost to do that will be a lot more than what we're talking about today.

PRESIDENT PRO TEM MORRIS: Thank you. Anyone else? Alright, just for the record, in a meeting that I had earlier in this year I did express concern... concerns. Some of these employees that we're looking to increase their salaries have been with the city of Canton for 25 going on 30 years. This is not the climate to be passing out raises. You got... you've got layoffs throughout the City. Every person sitting up here has taken a pay cut. You've got our employees, our own staff taking furloughs. You... you've got firefighters taking layoffs. It... it's not the climate to pass out raises. And I did not think that it was fair that this engineering position that we needed to hire... you know, we need to fill this position, I did not think it was fair to bundle this together and take a chance of this gentleman not getting his job, so that's why I moved to divided the question, and I agree with Member Fisher. So if there's no more remarks, roll call please.

NO REMARKS

ROLL CALL 10 YEAS, 2 NAYS
(MEMBERS MORRIS AND FISHER VOTED NAY)

MINUTES OF THE MEETING MAY 23, 2016#16 ADOPTED AS ORDINANCE NO. 95/2016

PRESIDENT PRO TEM MORRIS: And Ordinance #16, Section 2 has been adopted. Ordinance #17, please.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 96/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT AND TO EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR THE HARRISON AVENUE/44TH STREET N.W. WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$950,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207036 HARRISON AVENUE/44TH ST WATER MAIN REPLACEMENT PROJ - OTHER)

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #17. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#17 ADOPTED AS ORDINANCE NO. 96/2016

PRESIDENT PRO TEM MORRIS: Ordinance #17 has been adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM MORRIS: We are now under Announcements of Committees.

MEMBER MARIOL: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Mariol.

MEMBER MARIOL: Finance will be meeting June 6th at 6:00.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will be meeting at 6:00 P.M. on the 6th.

PRESIDENT PRO TEM MORRIS: Anyone else?

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MEMBER WEST: Mr. President.

PRESIDENT PRO TEM MORRIS: Member West.

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

PRESIDENT PRO TEM MORRIS: Thank you.

MEMBER WEST: And the Downtown Committee will be meeting on Wednesday, the 25th, at 4:30.

MEMBER MACK: Mr. President, Judiciary's gonna be meeting at the same time that the remainder of the committee meetings were scheduled for next week.

PRESIDENT PRO TEM MORRIS: Yeah, 6:00 P.M. June. June.

MEMBER MACK: We'll meet at the appropriate time.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM MORRIS: We are now under Miscellaneous Business.

SAFETY DIRECTOR PERRY: Mr. President, it's been brought to my attention that there are... there have been some serious incidents that have taken place in various neighborhoods and Council Members weren't notified. So I'd like each Council individual to please notify Clerk of Council Showes how you would like to be identify... or contacted, whether it be by e-mail, text, phone call. Let me know and I'll make certain that you are contacted if any serious matter happens in your specific ward. Thank you.

PRESIDENT PRO TEM MORRIS: Thank you, Safety Director.

MEMBER FISHER: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Fisher.

MEMBER FISHER: I'd like to thank the Safety Director for that. That's... uh, I appreciate being flexible on that as well. Um, a few weeks ago I shared the news that the Treasury Department denied the Central States pension plan proposed cuts, and I don't know how many people have been following this. This is something that Council voted on. They are returning back to the Treasury to propose another round of cuts to... uh, to many retired truck drivers and other pensioners on this plan. I just wanted to keep that... everybody aware of that. That that battle which affects many of our constituents is still going on.

PRESIDENT PRO TEM MORRIS: Thank you.

MEMBER SMITH: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Smith.

MEMBER SMITH: I would like to also invite everyone down to the Edward Peel Coleman Community Center on Saturday, the 28th, at twelve noon. This long awaited water, Spray Park sprinkler system, whatever, is going to be open. So please come out and witness this occasion.

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PRESIDENT PRO TEM MORRIS: Thank you.

MEMBER WEST: Mr. President, I do have one question.

PRESIDENT PRO TEM MORRIS: Member West.

MEMBER WEST: Mr. Bailey's been coming down here for quite some time asking about the vendors, and I'm... I'm believing he probably doesn't have to pay a vendor fee because he's not selling anything. He's just riding his bike and showing advertisement. Is that true, Law Department? Or I would think that he would be classified as the ice cream truck, if you will, but... or something around that line which is a lower fee.

LAW DIRECTOR MARTUCCIO: Mr. President. Member West, you raise a really good question. The Mayor and I were actually talking about that a bit. Mr. Bailey raises a good question. Obviously he is selling something and he's doing it downtown as a moving, or what we call an itinerate vendor, and permits would apply. Whether the same permits apply that were subdivided for food vendors in the SID is... is an interesting question. I'm gonna take a look at that. I'm gonna talk with our license person and I'll probably give Mr. Bailey... I'll contact him. Uh, it is something that I've made a note to look at, and look at the definitions more closely at your request, and I'll follow up. So, thank you.

MEMBER FISHER: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Fisher.

MEMBER FISHER: Sorry, I wasn't gonna jump in on this, but something you mentioned in your comment, Law Director, you said food vendor. Cause I know Mr. Bailey has mentioned wanting to... I don't know, sell tee-shirts or... or not just necessarily food. Does... does that divided vendor's license only apply to mobile food vendors in the SID district, or does it apply to any mobile vendor? Because I wasn't aware that that was simply as a mobile food vendor.

LAW DIRECTOR MARTUCCIO: Mr. President. Member Fisher, you raise a discerning question. It... it is... it talks about goods. Now it mentions foods and other goods, and I know part of the reason that we had a modification, an amendment to the Ordinance, was mostly over food. But let me clarify, it says goods, and whether or not selling a service of advertising is a tangible, fungible good I... I'll need to look at some... some case law perhaps on that. But it is a good question, and thank you. There is a distinction. It doesn't necessarily say food, it says goods.

PRESIDENT PRO TEM MORRIS: Just checking. Anyone else?

MEMBER WEST: Mr. President, I neglected...

PRESIDENT PRO TEM MORRIS: Member West.

MEMBER WEST: I neglected to tell everyone that that meeting for Wednesday, the Downtown Committee, is held at the Hall of Fame, not here. It's at the Hall of Fame, not here at Council.

PRESIDENT PRO TEM MORRIS: Okay. Thank you. And just for the record, on June 6th at 6:00 P.M. Public Safety and Thoroughfares Committee will also be meeting. Kinda missed that one. Anyone else?

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LAW DIRECTOR MARTUCCIO: Mr. President, if there...

PRESIDENT PRO TEM MORRIS: Law Director.

LAW DIRECTOR MARTUCCIO: If there are no other remarks, I have two quest... two points and a motion. Uh, first point, Member West called earlier today and he'd obviously been keeping up with current events and he was asking about the new changes in the Fair Labor Standards Act. As you know, this Presidential Administration and... and the Department have announced that effective December 1st there'll be some new rules on paying people overtime. It won't affect very many people at the city of Canton. Out of our 900 plus employees perhaps 50 or fewer will be affected by it. Anybody who's in a union has their own set of payment schedules. People who are classified civil service have their own set of schedules. So, really down to people who are non-classified, non-bargaining unit members who are non-exempt, so we're down to a few handfuls of people who may be eligible for overtime if they make less than \$47,000.00 and they're... they're known as salary exempt professional administrative. We'll get into that later, but I just want to let you know we're aware of it, we're looking at it, and we'll do the analysis before the times comes. Second thing, before the motion, I wanted to offer our congratulations to John Mariol and there was another person in the room tonight, I believe from First Tee, Angela, who just recently were named "Impressive 20 under 40" achievers in this city. And Kody Gonzalez who's in our Clerk's Office, and there may be some other city employees if I'm missing any, but I know Mr. Mariol was prominently featured, and congratulations on that achievement. (*Applause*) Are you ready for the motion, Mr. President, Members of Council?

PRESIDENT PRO TEM MORRIS: I have socks older than him. Go.

LAW DIRECTOR MARTUCCIO: The (*chuckles*)... the motion to be made is to go into Executive Session with your Law Director to discuss a matter of pending civil litigation. To be included are all of Council, the Council Clerk, the Mayor, his Cabinet, and the Law Director.

MEMBER SMITH: Second.

LAW DIRECTOR MARTUCCIO: So we'll need a so moved and a second, and then a roll call.

MEMBER BABCOCK: So moved.

PRESIDENT PRO TEM MORRIS: Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT PRO TEM MORRIS: We will be in Executive Session, and when we come back out of Executive Session, we will just move to adjourn. So if anybody wants to take off, feel free.

(*RECORDING STOPS AT THIS POINT, AND DOES NOT RESUME*)

ADJOURNMENT TIME: 8:45 PM

MINUTES OF THE MEETING MAY 23, 2016

ATTEST:

APPROVED:

KELLEN SHOWES
CLERK OF COUNCIL

FRANK MORRIS
PRESIDENT PRO TEM