

MINUTES OF THE MEETING OCTOBER 23, 2017

PRESIDENT SCHULMAN: Good evening, ladies and gentlemen. Welcome to Canton City Council. It's good to have all of you here. With a quorum being present, the Chair calls this meeting of Canton City Council to Order. Roll call vote please, Mr. Clerk.

ROLL CALL TAKEN BY CLERK DOUGHERTY:

9 COUNCIL MEMBERS PRESENT: (FRANK MORRIS, CHRIS SMITH, JAMES BABCOCK, TOM HARMON, GREG HAWK, JASON SCAGLIONE, ROBERT FISHER, KEVIN HALL & EDMOND MACK)

NINE COUNCIL MEMBERS PRESENT (MEMBER SMUCKLER, MEMBER CHESTER AND MEMBER MARIOL ABSENT)

CLERK DOUGHERTY: Nine present, three absent, Mr. President.

PRESIDENT SCHULMAN: Thank you. Leader.

EXCUSING MEMBERS

MEMBER MORRIS: Mr. President, I move we excuse Member Smuckler, Member Mariol and Member Chester from this eve... tonight's meeting.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Smuckler, Member Mariol and Member Chester from this evening's meeting. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK DOUGHERTY: Nine yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. Member Smuckler, Member Mariol and Member Chester are excused from this evening's meeting. We'll have our invocation tonight given by my good friend, Kevin Hall. If you'll all stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on October 23, 2017 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council David Dougherty. The invocation was given by Ward 6 Council Member, Kevin Hall. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: We're now under Agenda Corrections and Changes. Leader.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Readings Ordinances #6 through #7.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to... to suspend Rule 22A to add 2nd Reading

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Ordinances 6 and 9... or, 6 through 7 to this evening's agenda. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK DOUGHERTY: Nine yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. Rule 22A is suspended and the Ordinances 6 and 7 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. We have no Public Hearings this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: We are now under Old Business. We have no Old Business this evening.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We are now under Public Speaks. We have three public speakers, and our first public speaker is... I'm sorry (*brief pause*), Raheen Hayres. Raheen Hayres. Vicki Boatright. Ms. Boatright, welcome as always. If you'll step forward and give us your name and your residential address, please.

VICKI BOATRIGHT: Good evening. My name is Vicki Boatright. I live at 1516 Loddy Avenue in Canton, 44714. I've come before this body a number of times for a variety of issues, feral cats, downtown development, neighborhood concerns, health care, and a variety of other issues. Tonight however, I'm bringing something different to you. Um, all my life I have known military veterans. I have revered them and I have appreciated them for their courageous dedication to service. I confess, though, I have not always taken the opportunities available to me to listen to their stories. Their stories are important, and I have now come to realize that our community needs to give them a greater voice. Those of us who are not veterans need to understand their sacrifice and their commitment to serving their country more clearly. We need to learn about how they have served and why they have served. We need to listen and learn so that we don't take the values our country was built upon lightly. Veterans come from all walks of life. They come from different ethnic backgrounds, different political persuasions, different religions, different socioeconomic standings. Their character and their commitment to something greater than themselves, however, unites them. And it unites all of us. I believe that unity of character is something badly needed in our community and in our country right now. Hearing more about veterans' purposes can perhaps bring us hope for more unity in these fractious times. My friend, Tom, who will speak after me is an Air Force veteran who has served in both Iraq and Afghanistan. I'm extremely proud to know him. He is working with a National Veterans Town Hall Initiative to create events across the country for veterans to engage with their communities. Along with local citizens, Tom is working to pull together a town hall event for our Can... our community, for Canton and Stark County, which will be held on Veterans Day this year, November 11th. He will be reaching out to various local government bodies and civic leaders in hopes that they will support the event, attend themselves, and encourage their constituents to join in this rare opportunity to listen and learn. We both hope all of you will join us at this event. Tom will give you some details here in a second. At this point I'd like to introduce you to my friend, Tom Smith, who will give you more details. Thank you. (*Applause*)

PRESIDENT SCHULMAN: Mr. Smith, good evening. Welcome to Canton City Council. If you'll give us

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your name and your residential address, please, for the record. Thank you.

TOM SMITH: Yes, sir. My name is Tom Smith. I'm at 157 Somerset Lane in Avon Lake, 44012. Thank you very much, BZ, for that wonderful... um, try to live up to her kind introduction. So the quick details. Um, we meet at Perry Sippo Lake. Uh, we've met with several of the VFW's, American Legions. They have that wonderful event I believe the Mayor will be attending at Metro Park at 11:00. They have a great feed afterwards, so we don't want to get in their way. So that's why we made it at 2:30 to 4:30 on that Saturday, November 11th. But one of the big things that we're trying to do is the why, and that's what I want to speak on, speak... spend my two minutes on that. I was at a wonderful VFW a while back and I heard an Afghanistan vet, he was a combat medic, share his story. And he was riding on a helicopter picking up an injured Afghanistan family. It was a mom with a son and a baby, and her son had been shot, we don't know by who, whether it was Taliban or... or one of our own forces, and he stepped out and before they get on the aircraft you have to search everybody. You have to do head to toe, and if you know about the Islamic faith you try to show respect, especially a male searching a female. You try to do that in... uh, as discretionary... discretionary as possible. However, we had to search every single person. They... they had to search every single person on this aircraft. Um, but they rushed and he didn't check the baby. Um, so they were going on and they had a 15 minute flight to try to get this young son to the hospital before he passed away. And they stabilized the son, then the paramedic went to check out the baby and when they were checking out the baby, underneath her cloth a hand grenade fell out. And so my buddy turned to me and said that that changed his viewpoint, but the next day he had another family get on that aircraft, and he said I'm gonna treat this person like it's my mom. I... I don't... I don't care what that person, whatever that... that mom had to face to make that decision and decide to possibly kill herself and her entire family, but I'm gonna continue doing my duty and serving my country. Those are the stories that I don't think are on the news today, cause I came away with quite an appreciation of my own life for the great things that this country does as well as the complexities of war. It's not black and white. It's not what you see on the movies. And so I invite all of you to come out. We have eight veterans, hopefully nine, of all different conflicts, all different branches, as well as male and female, to share about the complexities of what they're seeing. And more importantly, I have also my great friend, Miranda, here. She's helping us coordinate... we're trying to have half our 300 people that come to this event being young students as well as well professionals, cause I just got done with grad school, and some of those discussions I felt didn't have a place and a name to tie a personal story. Uh, some of us don't have ties to the military, and I just love bringing a personal name and a face to these complex issues that we're facing over seas today. So I greatly appreciate your support. We're on Ohio Veterans Town Hall.org. You can find us on Facebook, and I'm pretty you'll see a flyer somewhere around this place in the near future. I appreciate it. Thank you. (*Applause*)

PRESIDENT SCHULMAN: Thank you so much. Where is the meeting going to be?

TOM SMITH: Sorry, I said it briefly. It's the Perry Sippo Branch Library, just about ten minutes west of here right on the Perry Sippo Lake. Thank you, sir.

PRESIDENT SCHULMAN: Thank you very much. Thank you for all the work that you do. We really appreciate it.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions. We have two this evening. Mr. Clerk, would you please begin with Informal Resolution 20... uh, 37 by title.

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#37. COUNCIL-AS-A-WHOLE: COMMENDING 2017 CANTON FIREFIGHTER/PARAMEDIC OF THE YEAR, JUSTIN DEIERLING. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #37.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 37. Any remarks? Hearing none, roll call vote...

CLERK DOUGHERTY: Can we have that read, please.

PRESIDENT SCHULMAN: Yes, let's do a roll call though. Roll call vote, please. All those in favor signify by saying aye. Those opposed nay.

NO REMARKS

RESOLUTION #37 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Ayes have it.

CLERK DOUGHERTY: An Informal Resolution respectfully submitted by Council-as-a-Whole on this 23rd day of October, 2017. **Whereas**, Justin Deierling's superior acts of service, which he has shown to the Department and to the members of the community, have directly improved the lives of citizens who inhabit our city, and **Whereas**, Justin has participated in and organized many community events, such as the Madge Youtz Father-Daughter Dance, Fill the Backpack, Build a Better me, car-seat inspections, and multiple open house events and block parties; and **Whereas**, Justin's efforts in helping to organize hurricane relief, have not gone unnoticed. Your dedication and compassion for helping others have not only impacted the citizens here, but have stretched far beyond the City of Canton. **Now, therefore be it resolved:** that we, the Members of Canton City Council, do hereby go on public record commending and honoring **Justin Deierling, the 2017 Canton Firefighter/Paramedic of the Year**. *All men are created equal, then a few become firemen.* –
Author Unknown (Applause)

MEMBER MORRIS: Young men like yourself walk in here and I look at this, and your colleagues and your peers are not bragging about what you've done at the station, they're bragging about how you're conducting yourself outside of the station. We all know that you guys are a huge asset, but I mean it makes us feel good to know that you're going above and beyond off the clock, cause we know you give it all while you're on the clock. So congratulations...

JUSTIN DEIERLING: Thank you.

MEMBER MORRIS: ...on the award, and I see you got units out there...

JUSTIN DEIERLING: Yeah.

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MEMBER MORRIS: ...so if you want to say a few words and run out the door, have at it.

JUSTIN DEIERLING: Um, just... just thank you. It's truly an honor and it's a true privilege to work for this department and the City. So, thank you. (*Chuckles*) (*Applause*)

PRESIDENT SCHULMAN: I think we're Resolution...

CLERK DOUGHERTY: 38.

PRESIDENT SCHULMAN: Informal Resolution 38.

#38. COUNCIL-AS-A-WHOLE: HONORING 2017 FIRE PREVENTION 4TH GRADE ESSAY WINNER, ALAYNA GRAFF. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #38.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 38. Any remarks? Hearing none, by roll call vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #38 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it.

CLERK DOUGHERTY: An Informal Resolution respectfully submitted by Council-as-a-Whole on this 23rd day of October, 2017. **Whereas**, At the 52nd Annual Fire Prevention Week Kickoff Breakfast, there was a Fourth Grade Essay Contest. "Every Second Counts...Find 2 Ways Out!" was the topic of this year's contest; and **Whereas**, This year's winner is Alayna Graff, a fourth grader from Clarendon Leadership School. Her teacher is Miss Paumier; and **Whereas**, In her essay, Alayna stated that everybody in Canton is important. She also stressed the importance of having a plan in case of a fire. First, make sure you have working smoke alarms; second, make sure there are two areas in your house to exit; and third, make sure you have a place to meet. Alayna also encouraged us to have our smoke detectors checked often. **Now, therefore be it resolved:** that we, the Members of Canton City Council, do hereby go on public record congratulating and honoring **Alayna Graff** as the 4th grade winner of the 2017 fire prevention essay contest, for reinforcing the need to have an escape plan because every second counts! (*Applause*)

MEMBER SCAGLIONE: Alayna, it's my... my pleasure to present this to you tonight. I... I have to say it was very well done, and I'm very very glad to read some of the stuff in this Resolution because I know that you truly do care about everyone in Canton. And I know that you're... you're a great student and everybody looks up to you. So please keep doing the great things that you're doing. You'll go a long way. I know Mom and Dad are more than proud of you. And you... you're just a great person. Keep up your work, you'll go very far.

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You'll do good in college and everywhere else in life. You know that we appreciate what you're conveying to other people in Canton on how fire safety is important. (*Applause*)

PRESIDENT SCHULMAN: Congratulations, and you'll be happy to know you can go if you want to. (*Laughter*) You don't have to stick around. Thank you so much for being here. Congratulations and all the happiness. Even the deputies.

MEMBER MORRIS: (*Inaudible*) who has to stay, or I would have walked out. (*Laughter*)

PRESIDENT SCHULMAN: You do, you do.

COMMUNICATIONS

PRESIDENT SCHULMAN: We're 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 OCTOBER 23, 2017.

397. AGENT FOR PETITIONER, SLIMAN: COPY OF ANNEXATION PETITION DOCS FILED WITH STARK CO. COMMISSIONERS FOR 4229 - 4th ST. NW ANNEXATION. - RECEIVED & FILED
398. FINANCE DIRECTOR CROUSE: REQ TO AMEND APPROP O#41/2017 (\$15,000.00 APPROP TRF FR 1001 506001 - COMM DEVELOPMENT ADMIN - OTHER TO 1001 103001 FIRE ADMIN - OTHER - \$5,000.00, TO 1001 504010 INFORMATION TECH MANAGER - OTHER - \$2,000.00, TO 1001 852001 TREASURER - ADMIN - OTHER - \$8,000.00); EMERGENCY. - FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
399. FINANCE DIRECTOR CROUSE: REQ TO AMEND APPROP O#41/2017 (\$134,484.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPER FUND TO 1001 103001 FIRE ADMIN - OTHER; \$134,484.00 SUPP APPROP FR UNAPPROP BAL OF 2658 FY 2016 ASSIST TO FIREFIGHTERS GRANT FUND TO 2658 103001 FIRE ADMIN - OTHER; \$134,484.00 INTER-FUND TRF FR 1001 103001 FIRE ADMIN - ADV OUT TO 2658 103001 FIRE ADMIN - ADV IN; \$134,484.00 INTER-FUND TRF FR 2658 103001 FIRE ADMIN - ADV OUT TO 1001 103001 FIRE ADMIN - ADV IN). - FINANCE COMMITTEE
400. FINANCE DIRECTOR CROUSE: REQ TO AMEND APPROP O#41/2017 (\$149,810.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207010 - WATER PUMPING - PERSONNEL - \$64,810.00, TO 5201 207022 - WATER DISTRIBUTION - OTHER - \$85,000.00; \$4,356.00 SUPP APPROP FR UNAPPROP BAL OF 5215 55TH WATER STREET FUND TO 5215 207013 - 55TH STREET WATER LINE - OTHER; \$6,664.00 SUPP APPROP FR UNAPPROP BAL OF 5219 OWDA LAKE WATER FUND TO 5219 207015 - LAKE LOCAL WATER LINE - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE

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401. MAYOR BERNABEI: REQ AUTHORIZATION OF APPT OF CEDRICK GOODEN TO FAIR HOUSING COMMISSION COMMENCING 10/30/17 - 5/31/22. - PERSONNEL COMMITTEE
402. SERVICE DIRECTOR BARTOS: CERTIFY AMTS OF UNPAID INVOICES FOR SERVICES PERFORMED BY AND/OR ON BEHALF OF CITY OF CANTON TO STARK COUNTY AUDITOR TO BE ENTERED UPON TAX DUPLICATES TO BE LIENS UPON APPLICABLE PROP; AUTHORIZE MAYOR AND/OR SERV DIR, IN CONJUNCTION WITH STARK CO. AUDITOR, TO WAIVE CERTIFIED LIEN AMTS ONCE THEY ARE PAID OR OWNER PROVIDES SUFFICIENT PROOF THAT LIEN AMTS WERE UNJUST OR UNWARRANTED; EMERGENCY (MOWING - BEGINNING OF SEASON 2017 - 10/17/17 - TOTAL \$188,844.00). - FINANCE COMMITTEE
403. SERVICE DIRECTOR BARTOS: MAKE \$200,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207010 PUMPING - OTHER; RETROACTIVELY AUTHORIZES AND RATIFIES ANY ACTIONS TAKEN PRIOR TO PASSAGE OF ORDINANCE TAKEN TO PROTECT ENVIRONMENTAL INTEREST OF CITY OF CANTON; AUTHORIZE AUDITOR TO PAY ALL MORAL OBS OWED TO BENNETT & WILLIAMS ENVIRONMENTAL CONSULTANTS, INC. FOR SERVICES RELATED TO PROTECTION OF CITY OF CANTON'S SUGARCREEK WELLFIELD; AUTHORIZES AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING.

PRESIDENT SCHULMAN: Turning now to First Reading Ordinances and Ordinances for their First Reading. Mr. Clerk, please begin with Ordinance 1.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #5 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AMENDING SECTION 353.03, TIME LIMIT METERED ZONES; NOTICE; HOURS OF OPERATION OF THE TRAFFIC CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
Referred to Judiciary Committee
- #2. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF OUTLOTS 1118, 1119, 1124, 1132, AND 1192 AND DEDICATION OF FORD MOTOR WAY; AND DECLARING THE SAME TO BE AN EMERGENCY (CCIC & CITY ENGINEER, 3300 BLOCK OF GEORGETOWN RD NE, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO JOIN A COALITION OF MUNICIPALITIES RETAINING SPECIAL COUNSEL FOR PURPOSES OF INITIATING LITIGATION TO CHALLENGE THE CONSTITUTIONALITY OF AMENDMENTS TO CHAPTER 718 OF THE

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OHIO REVISED CODE RELATING TO MUNICIPAL INCOME TAX;
AUTHORIZING THE EXPENDITURE OF \$8,000 FOR CANTON'S SHARE OF
THE COSTS OF THE LITIGATION; AND DECLARING THE SAME TO BE
AN EMERGENCY

Referred to Finance and Judiciary Committees

- #4. (1ST RDG) **ADOPTED AS ORDINANCE NO. 236/ 2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,824.00 APPROP TRF FR 2312 301001 I03 GONORRHEA (VD) - 600 PAYROLL FUND TO 2312 301001 I03 GONORRHEA (VD) - 700 OTHER; \$2,245.00 FR 2318 LOCAL AIDS PREVENTION - 600 PAYROLL FUND TO 2318 301001 LOCAL FUNDS PREVENTION - 700 OTHER)

Referred to Finance Committee

- #5. (1ST RDG) **ADOPTED AS ORDINANCE NO. 237/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE PURCHASE OF ONE (1) SALT TRUCK CAB AND CHASSIS; OR TO ALTERNATIVELY PURCHASE SAID VEHICLE PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement and Finance Committees

CLERK DOUGHERTY: We will go into recess for Ordinances 4 and 5.

PRESIDENT SCHULMAN: We're now in recess.

(COUNCIL RECESSED AT 7:21 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #4; RECONVENED AT 7:22 PM)

(COUNCIL RECESSED AT 7:22 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT FINANCE COMMITTEE TO DISCUSS ORDINANCE #5; RECONVENED AT 7:23 PM)

PRESIDENT SCHULMAN: Thank you very much. Leader.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinances #4 and 5 back on this evening's agenda.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add Ordinances 4 and 5 back on this evening's agenda. Any remarks? Hearing none, roll call vote, please.

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NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK DOUGHERTY: Nine yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries and... uh, they are a legal part of your agenda, O-4 and 5. Leader.

MEMBER MORRIS: Mr. President, I move we suspend Statutory Rules for Ordinances #4 and 5.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for 4 and 5. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK DOUGHERTY: Nine yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Motion carries. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #4.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 4. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK DOUGHERTY: Nine yeas, Mr. President.

#4 ADOPTED AS ORDINANCE NO. 236/2017

PRESIDENT SCHULMAN: Motion carries. Ordinance #4 is adopted. Ordinance 5, please.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #5.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 5. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

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CLERK DOUGHERTY: Nine yeas, Mr. President.

#5 ADOPTED AS ORDINANCE NO. 237/2017

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinance #5 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Turning now to Ordinances #... I'm sorry.

CLERK DOUGHERTY: 6

PRESIDENT SCHULMAN: 6. Leader. Or, sorry, not Leader.

CLERK DOUGHERTY: Second Reading Ordinance #6.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #6 THROUGH #7 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #6 ADOPTED AS AMENDED ON SECOND READING; #7 ADOPTED ON SECOND READING):

#6. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 238/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO VARIOUS CONTRACTS UTILIZING CDBG, ESG, AND HOME FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY

#7. (2ND RDG) **ADOPTED AS ORDINANCE NO. 239/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT AMENDMENT WITH BRICKER & ECKLER LLP; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$200,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 2060005 OPERATIONS AND MAINTENANCE - OTHER)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we suspend Statutory Rules for Ordinance #7.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend... suspend Statutory Rules for Ordinance #7. Easy for me to say. Any remarks?

CLERK DOUGHERTY: Uh...

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PRESIDENT SCHULMAN: 6 and 7?

MEMBER MORRIS: According to my agenda, it says we have an amendment on 6, but it didn't say we're passing it. Are we passing #6? (*Brief pause*) Are we passing #6? Mr. President, I move we suspend Statutory Rules for Ordinances 6 and 7.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Statutory Rules for Ordinance 6 and 7. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK DOUGHERTY: Nine yeas, Mr. President.

PRESIDENT SCHULMAN: Motion to carry. Uh, Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #6.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #6. Any remarks? Hearing none... yes.

CLERK DOUGHERTY: We got to amend.

PRESIDENT SCHULMAN: We have an amendment.

MEMBER MORRIS: Mr. President, I move we amend Ordinance #6 per a copy all Council Members have before them.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved & seconded to suspend Rule... not to suspend... suspend, right? What are we doing here? To amend Rule 6... Ordinance 6. Any remarks? Hearing none, by voice vote all those signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #6, as amended.

MEMBER SMITH: Second.

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Pursuant to Rule 36, I move to amend Agenda Item No. 6 by the substitution of the attached revised ordinance for the original proposed ordinance.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend... to adopt... I'll get this right today... um, Ordinance #6 as amended. Any remarks? Hearing none, roll call vote please.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes, I'm sorry.

MEMBER HAWK: What did we amend on this?

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT SCHULMAN: Yes.

DEPUTY MAYOR WILLIAMS: The Ordinance was rewritten to include the proper language that was necessary to spend the dollars as HUD requires us to.

MEMBER HAWK: Thank you, sir.

PRESIDENT SCHULMAN: That's good? Anyone else?

CLERK DOUGHERTY: Roll call.

PRESIDENT SCHULMAN: Roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK DOUGHERTY: Nine yeas, Mr. President.

#6 ADOPTED AS AMENDED AS ORDINANCE NO. 238/2017

PRESIDENT SCHULMAN: Ordinance #6 as amended has been adopted. Ordinance #7.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #7.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #7. Any remarks? Hearing none, roll call vote, please.

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NO REMARKS

ROLL CALL 8 YEAS, 0 NAYS, 1 ABSTENTION
(MEMBER HALL ABSTAINED)

CLERK DOUGHERTY: Eight yeas, one abstention, Mr. President.

#7 ADOPTED AS ORDINANCE NO. 239/2017

PRESIDENT SCHULMAN: Motion carries, and... where are we now?

CLERK DOUGHERTY: We're on Third Readings.

PRESIDENT SCHULMAN: What's this over here? Yeah, (*inaudible*).

CLERK DOUGHERTY: Yeah, I (*inaudible*).

PRESIDENT SCHULMAN: Oh, Third Readings.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We're now under Third Readings and Informal Resolutions for their Third and Final Reading and Vote. Mr. Clerk, would you please begin with Ordinance 8.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #8 THROUGH #9 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

(*Brief pause*)

CLERK DOUGHERTY: It's just not coming up right.

PRESIDENT SCHULMAN: (*Inaudible*)... did we...

CLERK DOUGHERTY: Yeah, it did. I... I... yeah. (*Inaudible*).

#8. (3RD RDG) **ADOPTED AS ORDINANCE NO. 240/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$170,601.00 APPROP TRF FR 2767 701001 MISDEMEANANT JAIL DIVERSION GRANT FUND - OTHER TO 2767 701001 MISDEMEANANT JAIL DIVERSION GRANT FUND - PERSONNEL)

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 9 YEARS, 0 NAYS

CLERK DOUGHERTY: Nine yeas, Mr. President.

#8 ADOPTED AS ORDINANCE NO. 240/2017

PRESIDENT SCHULMAN: Motion carries. Ordinance 8 is adopted. Ordinance 9, please.

#9. (3RD RDG) **ADOPTED AS ORDINANCE NO. 241/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$5,000.00 APPROP TRF FR 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER TO 1001 901001 CIVIL SERVICE - OTHER)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #9.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #9. Any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 9 YEARS, 0 NAYS

CLERK DOUGHERTY: Nine yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 241/2017

PRESIDENT SCHULMAN: Motion carries. Ordinance #9 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We now turn to Announcement of Committee Meetings.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes, sir.

MEMBER HAWK: Thank you, good sir. The Public Safety & Thoroughfares Committee will meet at 6:45 on Monday, October 30th. Mr. President, the Finance Committee will meet also on Monday, Sept... October 30th at 6:45.

PRESIDENT SCHULMAN: Thank you very much. Anyone else? We now turn to miscellane...

CLERK DOUGHERTY: Just.... hold on, hold on, hold on, Judiciary.

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MEMBER MORRIS: Uh, Public Property Capital Improvement, same time.

MEMBER MACK: And Judiciary, same time, same place.

CLERK DOUGHERTY: What was the second one?

MEMBER MACK: Judiciary.

MEMBER MORRIS: And Capital...

CLERK DOUGHERTY: No, no. (*Inaudible voices*) We need Public Safety & Thoroughfares called, please. (*Inaudible voices*)

MEMBER HAWK: I called that first.

CLERK DOUGHERTY: Okay, thank you.

PRESIDENT SCHULMAN: All done?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're now under Miscellaneous Business. Is there any?

QUOTE FOR THE WEEK

CLERK DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes.

CLERK DOUGHERTY: Quote of the week for our firefighters with the award tonight. "*Firemen never die, they just burn forever in the hearts of the people who lives they saved.*" - Susan Murphree

PRESIDENT SCHULMAN: Thank you, Mr. Clerk. Leader.

MEMBER MORRIS: Ouch. I'm not sure if I like that quote. Especially if I'm a fireman and you're referring to me as burning in the heart of anything forever. Move to adjourn.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adjourn. Mr. Clerk.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK DOUGHERTY: Nine yeas, Mr. President.

PRESIDENT SCHULMAN: (*Gavel falls*). Meeting is adjourned. Thank you, everyone. Have a safe trip (*inaudible*).

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ADJOURNMENT TIME: 7:37 P.M.

ATTEST: 10/25/17
DAVID R. DOUGHERTY
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT