

MINUTES OF THE MEETING JANUARY 14, 2013

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. Hope everybody's warm. It's a little chilly in here. Sorry about that. Just a couple things before we begin tonight's meeting. Welcome back Leader Dougherty. It's good to have you back. Hope you're feeling better. You know the Leader with the flu and it's a bad one so it's good to have you back. We have a special guest tonight that's sitting, looks like Mr. Mallonn's seat so I'd like to introduce, we have a new Auditor, Telia West is 11 years old and (*APPLAUSE*) has indicated that she will accept the position of Auditor. She knows she has big shoes to fill but she believes she will do a very good job so congratulations to you. Welcome. Okay with a quorum being present, the Chair call this meeting of Canton City Council to order. Roll call vote please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

12 COUNCIL MEMBERS PRESENT: (DAVID DOUGHERTY, JAMES GRIFFIN, JAMES BABCOCK, MARY CIRELLI, JOE COLE, GREG HAWK, THOMAS WEST, CHRIS SMITH, KEVIN FISHER, JOHN MARIOL, EDMOND MACK & FRANK MORRIS)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present Mr. President.

PRESIDENT SCHULMAN: Great thank you Madame Clerk. Tonight's invocation will be given I believe by my good friend Council Member Greg Hawk. Would you all stand and please remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on January 14, 2013 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 Ward 1 Council Member, Greg Hawk. The Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you Member Hawk. Leader.

MEMBER DOUGHERTY: Mr. President, I'd like to suspend Rule 22A to add 2nd Reading Ordinance #7.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2nd Reading Ordinance #7 to this evening's agenda. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, the motion carries and Rule 22A is suspended and the Ordinance is a legal part of your agenda.

PUBLIC HEARINGS

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PRESIDENT SCHULMAN: Turning now to Public Hearings. We have no Public Hearings this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: I understand from the Mayor's Chief of Staff and our very competent and able Service Director Warren Price he has no Old Business to discuss with you or the members of the audience.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: So that goes to Public Speaks. We have seven speakers this evening. We had a number of them ask whether they could take other time from people that won't speak as long and I said no, that's not what we do, otherwise James Parker would be here for 4 hours, so...in any case for those of you who have not addressed City Council, we do listen to you. Trust me and moreover we are here after the meeting if you have any questions, anything you want to say to the Mayor, his administration, any Member of Council and I'll stick around also, so if anybody has anything further to say you're more than welcome but I am going to ask you to restrict your time please to 3 minutes. That is a Council rule. I'm going to start a little out of order. First speaker will be Aaron Brown. Mr. Brown if you'll step forward and good evening. If you'll give us your name sir and your residential address and welcome to Canton City Council.

AARON BROWN: Thank you. My name's Aaron Brown. The address is 128 18th Street NW. On behalf of Community Partnership this evening, I'm here to support the ABC Mahoning Road Elderly Housing Project and here on behalf of the organization and stepping in for Joel Owens this evening. Bottom line is we've been, we have a lot of development going on in that neighborhood. As a Neighborhood Revitalization Organization we strongly support this because it's, the infrastructure's going to continue to leverage the neighborhoods that we are currently in. Most of you know that we are in these neighborhoods as a revitalization organization to, we're into these neighborhoods to get those residents to continue to invest. So over the past 10 years you're looking at about \$2,500,000.00 that have been put into this neighborhood. The neighborhoods that we're in, right there. We support this as an anchor for this neighborhood with the Mahoning Road Corridor Project coming through, it makes a lot of sense and we would strongly support this and as a Council, look at this, and using the federal dollars that are coming in to support this project. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Brown, very much. Appreciate you coming down. Our next speaker is Will Dent. Mr. Dent if you'll step forward and give us your name and your residential address and welcome to Canton City Council sir.

WILL DENT: I'm Will Dent. I live at 701 Stone Crossing, Canton. I'm also the Chief Executive Officer of ABCD who's address is 1225 Gross Avenue NE. Here to request support of the Mahoning Road Elderly Project which will be located on the corner of Mahoning and Midway. This is the site of the former bowling alley. This \$8,000,000.00 project will consist of one 2 story building with 28 two bedroom units, similar to that of Wilson Pointe at 6th and McKinley. It will consist of a community room, a kitchen, a library, fitness and computer rooms and lodging facilities on each floor. There will also be two villas each containing 4 two bedroom units, each with a covered porch and attached garage, similar to Queen Esther buildings in southeast Canton. The project will be for elderly people only, 55 years and older and in the area medium income range of 30 to 60%. That average out if you want figures would be from \$12,400.00 to \$28,780.00 on the high end. It is anticipated that the rents would be based on our other elderly housing projects would be in the range from \$325.00 to \$614.00 plus utilities. Last year we just missed by 5 points getting this project funded. Five points, Howe Housing Finance Agency said please come back. They encouraged us to come back which we planned to do. We have copies of the description of the project, as well as a layout for you. I might add that ABCD has sponsored the development of two elderly

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projects in Canton, Wilson Pointe and Queen Esther Village and Bradley Place in Massillon . Should be noted that all of these projects are fully leased now. Thank you.

PRESIDENT SCHULMAN: Mr. Dent you, Mr. Dent, did you say \$8,000,000.00 project.

WILL DENT: Yes.

PRESIDENT SCHULMAN: That's terrific and by the way, you had me with this project until you said elderly people, anyone over 55 years old. (*LAUGHTER*) Now there has to be a better word to describe people over 55 than elderly.

WILL DENT: Wise people....

PRESIDENT SCHULMAN: How about youthful seniors?

WILL DENT: Youthful seniors, OK.

PRESIDENT SCHULMAN: Thank you sir very much. Our next, thank you, (*APPLAUSE*). Our next speaker is Julie Sparks. Miss Sparks good evening. Welcome to Canton City Council. If you'll give us your name and your residential address please.

JULIE SPARKS: Good evening. My name's Julie Sparks. I live at and own the house at 1514 Vassar Avenue NW in Canton. And like yourself I was sitting here going, OK I'm five years away from being elderly but having worked on this particular project with Mr. Dent I believe the idea is to name it something like Renaissance Arms or something like that so maybe we could start that now, I don't know. But what I want to say it, I want to say to you, I did put a little...I put some information in front of you guys and to some of you guys this is old hat and for some folks it's probably new news. And what I wanted to do is I wanted to talk about the Elderly Housing Project, a title I have never really liked but I like the project but in the context of something else. Two contexts, one being the Mahoning Road Corridor Project and two being the community and here's what I mean by the community. I was here last week and I saw that we, you know that we had a proposal for SMHA and the Wells Building Development and you guys gave a Resolution in support of that and I appreciate it and now I'm here on behalf of the project on, that will hopefully be built on Mahoning Road and you know, those are both vying for similar funding pots ok, but they're not mutually exclusive in fact they're both...it's ok to have both and one of the things I noticed when I went down last year and presented with Mr. Dent and some other folks, it's always competitive and in other cities like Columbus and Cincinnati and those kind of places you can imagine more than one gets funded sometimes. But, you know my hope and prayer is that both projects get funded and it's not for me to say, I would suggest that you even educate yourselves as to how far along they are developmentally in terms of you know, preparation and stuff. But I don't even know how relevant that is to this board because you guys are adding your support and I don't know what else we might need except I think we need somebody to say it's a top priority but that's always the case. Alright so with 1 minute and 18 seconds, the context of Mahoning Road for, and this is what Aaron was referencing. Aaron and ...we all work together and we happen to be right now working in the northeast quadrant of Canton on Mahoning Road, 12th Street and all that. Dan Moeglin's here, you guys know the city and the feds and everybody's invested millions and millions and millions of dollars along 12th and Walnut and all that. They're also investing in the Mahoning Road area. One of the differences there is that J. R. Coleman, which is a non-profit is working really hard over the last number of years to spearhead this project and also to do community and economic development there. We don't take credit for what's happened but as an

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example Mercy Medical has come there and opened a facility which is why I put that in your packet. That's a big deal to the folks down there. They wanted a medical presence for about 20 some years so that's a big hard fought victory. Even this corridor project was something that was started in 1998. So 15 years later, 16 years it will take us to break ground on the thing for God sake so there's a lot of perseverance whether it be the elderly housing project or the Wells Building, whatever it might be. So, but what we have here, I will say I have attended some community meetings and citizens from that immediate neighborhood have come and have said, I want to live there. I like my neighborhood. I want aging places near a grocery store. It's near a Rite-Aid. It's near the library. It's near the Mercy facility. It's a very well chosen location and it will get some nice SARTA bus stops, things like that. So, bottom line is, isn't it great when there's choices in your community for development, and good things going on, more than one. Support the project.

PRESIDENT SCHULMAN: Great, thank you very much Miss Sparks. Perfect timing also. (*APPLAUSE*) Our next speaker is Chuck Osborne. Mr. Osborne as always, good evening. Welcome. Glad to know you're feeling better and if you'll give us your name and your residential address sir.

CHUCK OSBORNE: 307 Fairview Street SE, North Canton, Ohio. The city of Canton, Canton anticipates increased costs from disposal of sludge as a result of federal environmental regulation. This is a problem that was set in motion in the early '70's when Canton choose to shorten it's waste water treatment process and eliminate the use of digesters at the treatment plant. Digesters render the mass of sludge that remains at the end of a treatment process and converts it into a non hazardous form so that it may be handled or used with minimal health hazards. The Council body should be discussing the restoration of the use of digesters at the treatment plant so you are not left with hazardous sludge that requires special handling. Concocting an arrangement where Canton agrees to accept a waste product from American Landfill in exchange for their agreeing to accept Canton's hazardous sludge for disposal at a landfill only serves to increase the amount of hazardous materials going into a landfill. The taxpayers of Canton expect city leaders to handle the city's waste in an environmentally friendly manner. Sending ever growing amounts of hazardous sludge to a landfill when this can be avoided is not a prudent course of action to take in this situation. Any course of action that does not return to a more complete and environmentally friendly treatment of waste water at the treatment plant simply compounds the predicament that this Council is now facing. The legislation before you to approve a contract between the city of Canton and American Landfill allowing American Landfill to construct a 12 mile pipeline to dispose of leachate has been presented as a means to avoid increases and sewer rates for rate payers who utilize sewer services provided by the city of Canton. After analyzing the sewer charges I pay, I'd like to tell you a rate increase of 5% would result in a .25 per month increase for my wife and I. Is this really what the concern is all about? Entering into a deal such as this proposed simply to avoid increasing sewer bills by an amount that equals pocket change that most of us carry in our pockets. The need to dispose of sludge at a higher disposal rate has come at a convenient time at what I believe to be only a smoke screen for the highly questionable contract to except leachate from a landfill. The disposal of sludge at a lower rated is camouflaged for the contract that asks the taxpayers to take on the problems of a landfill. The upcoming increase in cost to dispose of sludge can easily be absorbed with an increase in Canton sewer rates with little impact on rate payers. I believe the proposed leachate pipeline is driven by politics and that the reasons that have been put forth by the administration to move ahead with the contract for waste management do not warrant passage of the legislation. The parent company of American Landfill is Waste Management a corporation with more than \$12,500,000.00 in revenue in 2010 and they are looking for ways to reduce expenses related to the disposal of leachate. That is what this deal is all about and what better way than to wrap this deal up and make it appear to be beneficial to the city of Canton when it is absolutely not good for Canton. In the interim I urge Canton City Council to cover the cost of sludge disposal through an increase in sewer rates and to

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look into restoring the digester treatment process at the treatment plant that was once utilized by Canton's Waste Water Treatment plant. Any action short of that is a band aid on the problem of sludge disposal. Until Canton further refines it's treatment process....

PRESIDENT SCHULMAN: OK, that's Mr. Osborne, I'm sorry that's...

CHUCK OSBORNE: I have just one sentence. We'll always be left with the sludge that must be landfilled and you will again find yourself at the mercy of people looking to unload their waste issue on the taxpayers of Canton.

PRESIDENT SCHULMAN: Thank you very much sir. Appreciate it.

CHUCK OSBORNE: *(Inaudible comment from audience)*

PRESIDENT SCHULMAN: Yes.

CHUCK OSBORNE: *(Inaudible comment)*

PRESIDENT SCHULMAN: OK, thank you very much sir. Thank you. OK, our next speaker is Dan Lincoln. Mr. Lincoln if you'll step forward and give us your name and your residential address.

CHUCK OSBORNE: *(Another inaudible comment)*

PRESIDENT SCHULMAN: I know Mr. Osborne, I know. Go ahead.

DAN LINCOLN: Hi. Dan Lincoln, 8866 Bowmont Avenue, Magnolia, Ohio. I promise not to take three minutes here. Just real quick comments about the leachate as well and I just wanted to clear up a couple of things about solidification. As Council's probably already aware, we received an email today Chris Weis of Ohio EPA and he stated if the landfill receives prior approval from ODNR and the fluids are solidified, oil field fluids containing brine can be disposed of in a solid waste landfill. Solidification can take place either at the drilling site or the landfill. Going back to 2012 just in the first 6 months, there was many, you know, 100's of 1,000's of tons of drilling waste accepted in the few landfills in Ohio that do solidification Apex Landfill received the following drilling waste, drill cuttings 8,000 tons, flow back fluid 165,000 gallons, used frack sand 171 tons, so they're solidifying it and they're putting it in the landfill. 1987 the US EPA issued a report to Congress on the management of waste from oil and gas and geothermal drilling and there's a little paragraph about drilling waste solidification that said, surface problems with on sight burial of preserved dead contents were reported such as environmental problems caused by leaching of salts and toxic constituents into ground water prompted increased interest reserve big waste solidification. Ohio has a long history of this also and some of you may be aware of that, with the problems that you have with the bids. And they said that in the solidification process the total reserve bid waste, fluids and cuttings, is combined with solidification agents such as cement which forms a relatively insoluble concrete like matrix so they try to lock it all up solid forms so it won't leach out and spread around and move, be mobile. I have the solidification permit from Apex Landfill and the permit granted to them states that examples of add mixture, which the dry contents that can be mixed with fluid that they're trying to solidify. The add mixture to be utilized at the facility include saw dust, mixed paper, dry waste and suitable municipal waste. Those are just some of the ones that are listed. And I guess the point here is, I'm not trying to pick on oil and gas industry per se, I'm just trying to raise the issue again of what's going to be in the leachate

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when the doors are beginning to open widely of the drilling waste that's going to be going to the landfills and already has started, it started last year or probably before that and it's many hundreds of thousands of tons coming in. It's going to be solidified. That's the materials they're going to use. They're going to spread it in the landfill. It's going to get run all over. It's going to get re-circulated with leachate. There's no doubt about it. These drilling wastes are going to be in leachate so pumping just 12 miles to Canton to a waste water treatment plant just seems like a very risky thing to do for a plant that's not designed to handle drilling waste.

PRESIDENT SCHULMAN: Thank you Mr. Lincoln. I wanted to ask you one question because I've asked this on the website or the email threads that we've been having back and forth. Some, one of you said that the liners in a landfill are suspect. That liners in a landfill that hold the leachate often times crack and break and that leachate then goes into the water table. Now, the question I have is, if that's the case would it not be preferable to in some fashion, get the leachate either piped out or shipped out of a landfill and into a water system or treatment plant that would be able to make attempts to remedy the leachate before it escapes in the ground water.

DAN LINCOLN: Excellent question and excellent concern and whatever company that's making profit off of leachate that's being generated should be held accountable for that problem with the leachate....

PRESIDENT SCHULMAN: OK, I guess I'm just asking. I don't want to prolong this but, which do you prefer? I mean if the leachate spilling out into the water table or taken or piping it into a facility that has the opportunity or the ability to clean it.

DAN LINCOLN: I prefer that a waste water treatment plant treats the waste that it is designed to handled.

PRESIDENT SCHULMAN: OK.

DAN LINCOLN: And a business that has a missing liner, or has a liner problem gets held accountable for that bad liner.

PRESIDENT SCHULMAN: OK.

DAN LINCOLN: Both situations should be held accountable.

PRESIDENT SCHULMAN: I got ya. Thank you very much sir. Appreciate it. Our next speaker is Renee Bogue. Miss Bogue if you'll step forward and give us your name and your residential address please and welcome as always.

RENEE BOGUE: Thank you. Renee Bogue, 204 Willow Avenue NE, Massillon. Our frustration in the three minutes is this, you know we only get three minutes to speak....

PRESIDENT SCHULMAN: Well do me a favor, don't give us your frustrations, start with, you know we want to hear from you so....

RENEE BOGUE: But I just want to say American Landfill I'm sure was not held to three minutes so...

PRESIDENT SCHULMAN: Well if they....

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RENEE BOGUE: OK, here we go. Citizens have raised many credible concerns some regarding costs involved. We have heard argued back, the city needs to find more ways of making money. What if you do this and it ends up costing you more down the road. There is the old saying, pound wise and penny foolish. Are short term goals worth it and at what expense. You may someday actually have concerned citizens to thank for raising all these concerns now. Please take the time to get concrete scientifically supportable answers back on all these questions. Please do more homework. Citizens have asked but have not heard back from the EPA to show that there is in fact "proof in technology" to show that solidified brine will not still leach out into the leachate collection system. One would think that this would be a demand that Canton Council would insist upon first seeing. There are many more reasons why you need to vote no or bare minimum indefinitely postpone this decision. Chuck brought up many good points and I think Council needs to investigate. We as citizens want to know why this is being pushed. Canton is taking on all the risk and not getting any benefit. Canton citizens will have higher sewer rates. If the landfill cannot deal with the leachate coming from the drilling waste, they should not take it in. There is no state law that demands the landfill takes the drilling waste and no state law that demands the city processes it. Please do not make Canton the Utica dumping capital for Ohio, Pennsylvania, West Virginia and New York's radioactive, toxic waste. Thank you.

PRESIDENT SCHULMAN: Thank you very much, appreciate it. Our last speaker is James Parker and if I've missed anybody please tell me but I think Mr. Parker's the last speaker. Good evening. Welcome as always. If you'll give us your name and your residential address.

JAMES PARKER: James Parker. 630 Penny Street SE, city of North Canton, Ohio. Thank you Council President Schulman. You know 18 months ago Canton received that EPA trophy helmet under the glass for 100% compliance with their Waste Water Reclamation Facility. By the way Council President I have to switch the subject to football art, I apologize.

PRESIDENT SCHULMAN: That's fine.

JAMES PARKER: For that congratulations. In relation to the leachate pipeline I see that our Ohio Constitution, Article 8, Section 13 under Economic Development most probably covers this deal under verbage as pollution control. The language whereas is up to 100,000 gallons of leachate per diem on this deal equals up to 36,500,000 gallons a year of leachate waste water to treat and release in exchange for what I believe is an objected \$500,000.00 per annum in savings in sludge disposal. At that rate, correct me if I'm wrong, but that is .73 cents per gallon cost of leachate disposal to American Landfill. Out of that leachate will produce its own amount of sludge per amount of solids in the leachate which the city then has to pay to dispose of. That may be an uncalculated cost to the city as well. Question, has anyone examined that unknown factor? I just wanted to make it clear that as the deal stands, American Landfill can have leachate accepted for less than 3/4 cent per gallon of leachate working at a maximum allowed flow and Canton will have to pay a further fee to dispose of the dissolved sludge that has settled. While truly impressed by Law Director Martuccio's bound understanding of the subject, as well as our Safety and Service Directors standing to put themselves at personal risk. I still am left to wonder if these numbers reflect the actual cost of waste water treatment. Had not this quid pro quo deal been crafted. Are we really coming out ahead or will it amount to a net loss. I say we drive a harder bargain. I called the city waste disposal treatment facility today, 1,000 gallons of my septic would cost me \$83.70 per gallon or per 1,000 gallons which is 11.47 times, 11.47 times the deal the landfill gets. That's an 11.47 fold savings per gallon from \$83.70 per 1,000 to \$7.30, a \$76.40 difference for 1,000 gallons of American Landfill leachate which is \$7,640.00 American Landfill could save a day under this language. \$2,788,000.00 a year Canton could stand to lose discounting this rate for what, a projected 1/2 million dollars per annum. 600, \$700,000.00. What about invoking

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Section 8, Article 13, Paragraph 4 that allows to have them contribute much more money. All I can say Council President Schulman is that it is too bad that more men aren't left like your stepfather, Leonard Steinberg to craft better deals that this direct. Thank you very much.

PRESIDENT SCHULMAN: Thank you Mr. Parker. OK that concludes Public Speaks. Thank you to all our speakers and I'm sorry you feel we've given you a short shift. We try not to.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We turn now to Informal Resolutions. Madame Clerk would you please begin with Informal Resolution #2 please.

#2. COUNCIL AS A WHOLE: SUPPORTING THE MAHONING ROAD ELDERLY HOUSING DEVELOPMENT. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Resolution 2.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 2. Any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #2 PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries and the Resolution is adopted. Resolution #3 please, Madame Clerk.

#3. PERSONNEL COMMITTEE: CONFIRM RE-APPT OF DONALD PETERSON TO CANTON RECREATION BD COMMENCING 1/1/13 - 12/31/17. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Resolution 3.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 3. Any remarks under this Resolution?

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: Yea, I'm sorry. I did not think to ask this during Personnel Committee, I guess I would address this to the Mayor because I'm not 100%, is Mr. Peterson also on the CIC Board and if, cause I believe

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that he is and if so, because I know that the obviously that Board isn't approved by Council but that's doesn't cause any problems being on both Boards? I don't imagine it would but I just wanted to double check that.

PRESIDENT SCHULMAN: Mayor.

MAYOR HEALY: Yes he does serve on both Boards. I don't anticipate any conflict. We haven't had any in the past but if there is, he would have to abstain just like you would if it conflicts with something you're doing. There are many people that are on Boards and Commissions that serve on more than one Board in the city and typically they're not related Boards.

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Yes Member Fisher.

MEMBER FISHER: I just wanted to thank the Mayor for that. I didn't know it, obviously with the CIC Board not being a Council appointment coming down through here in the same manner, I didn't think there would be but I just wanted to check that cause I was asked that before the meeting, so thank you.

PRESIDENT SCHULMAN: Thank you. Any other remarks? Hearing none, again by voice vote on Informal Resolution 3, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #3 PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries and Resolution 3 is adopted. Resolution 4 please, Madame Clerk.

#4. PERSONNEL COMMITTEE: CONFIRM RE-APPT OF STEVE LAMIELL TO BOARD OF ZONING APPEALS COMMENCING 1/1/13 - 12/31/15. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Resolution 4.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 4. Any remarks? Hearing none, again by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #4 PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Resolution 4's adopted. Resolution #5 please.

#5. PERSONNEL COMMITTEE: CONFIRM RE-APPT OF KARL "BUTCH" KRAUS TO BD OF ZONING APPEALS COMMENCING 1/1/13 - 12/31/15. - ADOPTED

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PRESIDENT SCHULMAN: And this may be the more difficult one. Leader.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Resolution 5.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 5. Any remarks under this Ord, or this Resolution? Again, hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #5 PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Resolution 5 is adopted. Resolution #6 please.

#6. PERSONNEL COMMITTEE: CONFIRM APPT OF JENNIFER LEWIS TO BD OF ZONING APPEALS COMMENCING 1/14/13 - 1/13/16. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Resolution 6.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 6. Are there any remarks? Again, hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #6 PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries and Informal Resolution 6 is adopted.

COMMUNICATIONS

PRESIDENT SCHULMAN: We turn now to Communications and 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 JANUARY 14, 2013.

29. COUNCILMEMBER WEST: REQ TO AMEND NUISANCE ORDINANCE TO IMPLEMENT NEW APPROACH TO ADDRESSING NEIGHBORHOOD DISTURBANCES. - JUDICIARY COMMITTEE

30. CNCL-AT-LRG MBR CIRELLI & WARD CNCL MBRS FISHER, HAWK, MACK, MARIOL & MORRIS: REQ TO AMEND EXHIBIT A TO O#40/2000, CLASSIFICATION PLAN FOR BARG

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UNIT PERSONNEL TO INCREASE THE SALARY FOR PROBATIONARY POLICE OFFICERS. - PERSONNEL & FINANCE COMMITTEES

31. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF C2 C2X LIQ PERMIT FROM T LANE INC DBA MAGGIORES BIG M DRIVE THRU TO COKET L PALMER DBA COKETS DRIVE THRU @ 1810 NAVARRE RD SW. - RECEIVED & FILED
32. SERVICE DIRECTOR PRICE: REQ TO ENTER INTO CONTRACT W/ODOT FOR CONSTRUCTION OF URBAN PAVING PROJECT ON US-30; \$54,282.00 SUPP APPROP TO 2113-202001 (MUNICIPAL ROAD FUND - ENGINEERING ADMINISTRATION); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTHORITY. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
33. SERVICE DIRECTOR PRICE: REQ TO AMEND O#209/2012 BY MAKING \$285,000.00 SUPP APPROP TO 5410 202010 ENGINEER - DAILY OPERATIONS PERSONNEL DUE TO IT BEING OMITTED FROM THE 2013 BUDGET PASSED ON 12/17/12. - FINANCE COMMITTEE
34. SERVICE DIRECTOR PRICE: REQ TO ENTER INTO PROF SVCS CONTRACTS FOR HEALTH CARE BENEFITS ADMIN & STOP-LOSS INS FOR CITY EMPLOYEES & THEIR DEPENDENTS. - FINANCE & PERSONNEL COMMITTEES
35. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 12/31/12. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: Turning now to First Reading Ordinances and Formal Resolution for the First Reading. Let the Journal show that all Ordinances are being given their reading as required by state law. Madame Clerk would you please read the First Reading Ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH SMITH AND NEJEDLIK, INC. TO COMPLETE APPRAISAL REVIEW WORK FOR THE 12TH STREET N. CORRIDOR PROJECT, GP 1098, PID 85299; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$194,500.00 4501 202077 CAPITAL FUND - 12TH ST N CORRIDOR PROJ GP 1098)
Referred to Public Property Capital Improvement Committee
- #2. (1ST RDG) AN ORDINANCE RATIFYING THE AUTHORITY GRANTED IN ORDINANCE NO. 194/2012; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$247,920.00 AND \$61,980.00 4501 202095 11TH ST SE INTERSECTION & ROADWAY IMPROVEMENT PROJ GP 1144)
Referred to Public Property Capital Improvement Committee

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- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE OHIO POWER COMPANY, AKA AMERICAN ELECTRIC POWER (AEP), IN AN AMOUNT NOT TO EXCEED \$53,031.00 FOR THE USE OF EXISTING AEP CONDUITS AND THE INSTALLATION/REMOVAL OF CITY OWNED ELECTRICAL CONDUCTORS IN SAID CONDUITS TO FACILITATE THE WALNUT/CHERRY COMPLETE STREETS PROJECT, PID 91592, GP 1153; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO RECEIVE TRANSPORTATION REVIEW ADVISORY COUNCIL FUNDS THROUGH THE OHIO DEPARTMENT OF TRANSPORTATION; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #1 WITH CTI ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$37,600.00 FOR THE 55TH ST NE STORM SEWER PROJECT, GP 1125; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$37,600.00 4501 202087 CAPITAL FUND - 55TH ST NE STORM SEWER PROJ GP 1125 - OTHER)

Referred to Public Property Capital Improvement Committee

- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR AND RECEIVE PROFESSIONAL QUALIFICATIONS FOR PROJECT MANAGEMENT CONSULTING SERVICES FOR THE MAHONING ROAD CORRIDOR ECONOMIC DEVELOPMENT PROJECT AND TO ENTER INTO CONTRACT IN AN AMOUNT NOT TO EXCEED \$50,000.00 PER YEAR FOR TWO YEARS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$16,450.00 TO OHIO BILLING, INC; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

PRESIDENT SCHULMAN: And we finally get Chairman Cole here.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Turning now to Ordinances and Formal Resolutions for their Second Reading. Would you please begin with Resolution 7 Madame Clerk. Thank you.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #7 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #7. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN ENGINEERING CONSULTANT CONTRACT WITH RICHLAND ENGINEERING LIMITED FOR THE 3RD STREET SE, BRIDGE

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REHABILITATION PROJECT, PID 91972, GP 1167; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO COOPERATIVE AGREEMENTS WITH OTHER PROJECT STAKEHOLDERS; AND DECLARING THE SAME TO BE AN EMERGENCY (\$118,217.00)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. Now we turn to Ordinances and Formal Resolutions for the Third, final Reading and vote. Would you please begin with Ordinance #8.

#8. (3RD RDG) ***POSTPONED UNTIL 2/4/13 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LONG-TERM AGREEMENT WITH AMERICAN LANDFILL, INC. FOR LEACHATE AND SLUDGE DISPOSAL; AND DECLARING THE SAME TO BE AN EMERGENCY***

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Ordinance 8.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 8. Any remarks? Leader.

MEMBER DOUGHERTY: Mr. President I move we postpone Ordinance 8 until February 4, 2013.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to postpone Ordinance 8 until February 4, 2013. Any remarks on that motion? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. And Ordinance 8 is postponed to 2/4/13. Ordinance #9 please Madame Clerk.

#9. (3RD RDG) ***ADOPTED AS ORDINANCE NO. 6/2013 AN ORDINANCE AUTHORIZING THE AUDITOR TO ENTER INTO A THREE-YEAR EXTENSION THROUGH JUNE 27, 2016, WITH IMMIX TECHNOLOGY INC., IN AN AMOUNT NOT TO EXCEED FOUR PERCENT OF THE CURRENT RATE, FOR CONTINUED USE OF THE KRONOS TIME AND ATTENDANCE SOFTWARE; AND DECLARING THE SAME TO BE AN EMERGENCY***

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 9. Any remarks under this Ordinance?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes Member Cirelli.

MEMBER CIRELLI: I'd just like to thank Treasurer R.A. Mallonn for, Auditor, excuse me sir. They stuck the Treasurer's sign in front of you. I don't know what became of, there your's is next to it, for having Gary Young come and yourself to our Caucus to explain that and the confusion that we had from last week so I really appreciate that sir. Thank you very much.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Any other remarks? Hearing none, Madame Clerk roll call vote please on Ordinance #9.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#9 ADOPTED AS ORDINANCE NO. 6/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 9 is adopted. Ordinance #10 please.

#10. (3RD RDG) ***POSTPONED UNTIL 1/28/13*** A RESOLUTION TO SUBMIT BEFORE THE ELECTORATE OF THE CITY OF CANTON A 4.0 MILL LEVY OUTSIDE THE 10 MILL LIMITATION FOR THE CANTON PARK SYSTEM FOR A PERIOD NOT TO EXCEED THREE YEARS

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 10. Any remarks under this Ordinance? Leader.

MEMBER DOUGHERTY: Mr. President I move we postpone Ordinance 10 until January 28, 2013.

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MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to postpone Ordinance 10 until 1/28/13. Any remarks under the motion to postpone? Hearing none, again by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Ordinance 10 is postponed to 1/28/13. Ordinance 11 please Madame Clerk.

#11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 7/2013** AN ORDINANCE AMENDING VARIOUS CHAPTERS IN TITLE NINE - PEDESTRIANS, BICYCLES AND MOTORCYCLES OF PART THREE - TRAFFIC CODE; PART SEVEN - BUSINESS REGULATION CODE; AND PART FIFTEEN - FIRE PREVENTION CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

PRESIDENT SCHULMAN: Leader.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 11. Any remarks under this Ordinance?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: You know this is really funny because I was just looking at this. I said we raised the rates on bicycles to \$1.00 to register a bicycle but we can't register a gun. I don't understand that.

PRESIDENT SCHULMAN: Yea. It's a very good point Member West. Any other remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#11 ADOPTED AS ORDINANCE NO. 7/2013

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

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#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 8/2013** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO A LONG-TERM AGREEMENT WITH MARATHON PETROLEUM COMPANY TO ALLOW DISCHARGE OF TREATED WATER INTO CANTON'S EXISTING NAVARRE ROAD SW STORM SEWER SYSTEM; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5301 STORM WATER OPERATING FUND AND THE 5303 MARATHON/NAVARRE ROAD STORM SEWER FUND; AUTHORIZING THE CITY TO RECEIVE AND DEPOSIT FUNDS FEES FROM MPC; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 12. Any remarks?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: May I please have a breakdown of on the fees for funding for this. I think Mr. Moeglin's going to help us with that.

SERVICE DIRECTOR PRICE: Mr. President.

MEMBER HAWK: Please. Thank you Mr. Price.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: There's an impact fee, a one time impact fee of \$800,000.00 to be paid to the city of Canton. \$400,000.00 would be reserved and placed in trust for the actual Navarre Road sewer. The remaining \$400,000.00 would be available as seed money for a storm water utility. There is also then approximately a \$1,500.00 per year maintenance fee on the line that was determined by taken the entire storm sewer budget for the city of Canton for maintenance, coming up with a linear, per linear foot cost to maintain the storm sewer and applying that on a yearly basis and then discounting for, well basically we considered the percentage of flow that Marathon would be adding to that line and they're paying based on that formula. So there are those two charges.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you very much Mr. Price and I appreciate all the diligent and hard work you put in on this thing. It's a good thing for the city of Canton. Thank you for your time.

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PRESIDENT SCHULMAN: Thank you. Any other remarks? Hearing none....

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: I'm sorry Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. I spoke with Mr. Greg Smith and I appreciate him coming down tonight if he's still here and asked him about the annexation and I want to say our Chief of Staff, Mr. Price tried to get them to buy into that early on, I understand but that was a no go so, I was sort of upset by that because they're just right there on the edge and we try to get what we can when we can for the benefit of this community so we can grow. Then I had some concerns and Mr. Greg Smith assured me that they will not be disposing any fluid from any hydrofracking that would be done at all. It just would be their fluids that they now have and nothing more than that and as I stated to Mr. Smith, it's sort of a two edge sword because the other alternative they would have, would have to put in a 10 mile pipeline to the Tuscarawas River and on that issue would be, course I'm looking at construction jobs. So, on one hand we're making money on this deal but on another hand we're losing potentially construction jobs so, it's a two way sword but we got to do whatever we feel is best for the community so I thank you very much sir.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Any other remarks on Ordinance 10? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#12 ADOPTED AS ORDINANCE NO. 8/2013

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Turning to Announcement of Committee Meetings.

MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Member Cole.

MEMBER COLE: Finance will meet January 28th at 6:30.

PRESIDENT SCHULMAN: Thank you Chairman. Leader.

MEMBER DOUGHERTY: Mr. President, Public Property Capital Improvements will meet January 28th at 6:30.

PRESIDENT SCHULMAN: OK, I think that takes care of Committee Meetings.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Turning to Miscellaneous Business. Is there any?

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MEMBER WEST: Mr. President.

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: I was looking for the Service Director between Committee and the meeting tonight. I had, there's a member of the audience that had a question actually on the contract regarding the pipeline and I wasn't real clear on the answer so I was wondering if you could answer this for me. The discounted rate that would go from, ballpark is \$45 to \$17.50 when, on the disposal of the solid waste would the timing of that rate be tied to the completion of the pipeline or would, is there a set date from the time of passage and invitation where we would begin to see that price for our disposal of our solids.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Yea, Mr. President. That is one question I have not been asked yet. I actually going to have to review the contract. I don't know that off hand.

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER FISHER: Would you be willing to bring that up perhaps in Old Business sir at the next meeting just, I know that some members of the audience had asked that and I didn't have a good answer for them so. Thank you.

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Service Director.

SERVICE DIRECTOR PRICE: Thank you. Yea, Councilman Fisher I'll get that to all of you before the next meeting. I can find that out tomorrow. Thank you.

PRESIDENT SCHULMAN: Somebody over here? Member West.

MEMBER WEST: We're having a Ward 2 Town Hall meeting here on the 17th at 4:30 PM followed by at 6:00 PM will have Redflex be here in Council Chambers to discuss the traffic cameras for anybody that would like to come. Also on, at 4:30 we'll also have employers here so, they'll be jobs. They'll be taking, or giving opportunities for those interested. Thank you.

PRESIDENT SCHULMAN: Thank you Member West. Does the Treasurer Telia West have anything she wishes to add? No, OK. Any other?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Question to the Safety Director Ream.

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PRESIDENT SCHULMAN: Director.

MEMBER CIRELLI: I'm not sure if I asked you this question or if it was Chief Lawver about what was in the paper a week ago Monday or Sunday I think it was, that a home there was...19 arrests within a year but I forgot to mention to him that it was 5 within a week when we were talking about for a domestic and they were both arrested and that was brought up at the other meeting that we had. That, it just dawned on me that Council Member Smith had that we discussed it so Chief Lawver was here. I have this theory and then Thomas West has brought forward, Councilman West brought forward something about 4 strikes and your out. How many times, because what we're hearing, there was at that same meeting we were told that over in that area of the Republic area of the northeast end, where Republic Steel used to be, a woman said that somebody got out with shotguns and they were shooting but the police, there was no police to respond. So when you hear that they responded to a domestic 5 times within one week but yet they can't respond to shotguns and being shot, it's like where's our priorities and is there something we can do about that sir? Will you look into it? It was on Broad Avenue NW.

PRESIDENT SCHULMAN: Director.

SAFETY DIRECTOR REAM: Yes that situational depending on the time and what's going on at the time. Say that the domestics you know match up to the shots fired, I just don't know. That would have to be researched and I don't have an answer for you on that.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you Mr. Ream. If you could possibly look, it was, I still have the article so I could tell you the day it was in. I could leave it on your recorder or whatever. I'll call you on that. I'd appreciate that. And then I'd like to please a question, some constituents have called and asked me, is there going to be, since we're having and I'm glad we're seeing Mahoning Road Corridor, working you know, all the way coming through to 12th Street and we're doing improvements on the road work on the southeast section and someone said are we ever going to do a Cleveland Avenue NW as a corridor entrance to the city. They're kind of upset with those lights that they have so I went out and looked at what they were talking about. We have, where Malone College has put in the, what do I want to call them, ornamental lighting, they're saying why can't we have that all the way up Cleveland Avenue. Does anybody see that, that might be a viable issue coming in the future?

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Mr. President, thank you. Councilwoman I think it's viable for the future, it's just a matter of you know, allocating the resources we have. Dan is there anything in the works, if you don't mind Mr. President.

PRESIDENT SCHULMAN: No, no.

SERVICE DIRECTOR PRICE: For streetscape on Cleveland.

PRESIDENT SCHULMAN: Director Moeglin.

DAN MOEGLIN: Yes, Cleveland Avenue is obviously an important corridor in, given that it's the Hall of Fame parade route as well as all the rest of the year, we have looked at some funding alternatives for Cleveland Avenue.

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Right now we have several pots of money available for these major corridor projects and what we have to identify is which projects match up with the funding at any given time. Right now the highest priority have been some of the safety projects which is 12th Street, Economic Development on Mahoning Road. We have safety we're looking at on West Tusc and we have a project pending out there. We actually had preliminary discussions with SARTA considering what they could do in a Mahoning Road type corridor and Cleveland Avenue was on the top of that list, so corridor, Cleveland Avenue is very important. We are looking at that. Until we come up with a major corridor project and large dollars it will take, we're working with individual property owners like Malone University to develop and improve individual pieces that will come together. We did apply south of 12th Street a few years ago for stimulus funding to do a full streetscape and some federal earmarks at one point to do that entire stretch from down here all the way to 12th Street. We didn't come up with any luck at that time but we're going to keep trying.

MEMBER CIRELLI: Mr. President thank you and thank you Engineer Moeglin.

PRESIDENT SCHULMAN: Thank you Mr. Moeglin.

MEMBER CIRELLI: Just wanted to thank both you gentlemen.

PRESIDENT SCHULMAN: And I know the Chamber Member Cirelli is, as you know, has retained an urban planner to look at both, that entranceway and Fulton and also Cleveland since those are two of the main corridors into the community.

MEMBER CIRELLI: Well as Mr. Moeglin said, Cleveland Avenue is where the Hall of Fame Parade is and it is, if we did a traffic count, I'm sure we're going to see a lot more traffic on those just as equal to some of the other areas, so whenever I got calls about it, I said well I ask and find out if it's going to be doable in the future Lord willing we will pray that it will. Thank you sir.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Any other remarks?

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Member Morris.

MEMBER MORRIS: Thank you sir. I had a wonderful opportunity to take a tour of Union Metal last Thursday and I was pleased with the management team down there and it actually wasn't really as much as a social call as I wish it would have been. Apparently and I'm going to direct this at the administration, maybe you can help me on this. Union Metal employs 375 union workers. They added an additional 50 workers to their staff in 2011 and they have plans to expand. OK and this is huge for the city because these are good, solid union jobs and recently they had a project on the back lot where they wanted to light it up and it would actually be more seen on Harrisburg Avenue side. This is the second largest manufacturer of light poles in the United States and our Building Department made them jump thru hoops on this. They are requesting basically the same latitude that the Timken Company would have. They provided the drawings, stamped by an architect or an engineer, followed procedure the whole way through. The only snag is City Ordinance requires them to hire a licensed contractor to actually wire it up. Now I know we can't bend the rules for anybody but has anybody in the administration other than Angela Cavanaugh contacted the management and I guess tried to patch this bitterness up or at least somebody above her pay grade tried to address this?

PRESIDENT SCHULMAN: Director Ream, you want to answer that?

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SAFETY DIRECTOR REAM: Yes, I saw the emails. I saw Angela's response and the explanation. They're not being treated any differently than anybody else including the Timken Company. It's by the Ohio Building Code and City Ordinances and if you would want to deviate from that it would be a change of the City Ordinance. The last I heard she was going to make contact, however I have not had a followup with her. As to that conversation, we did not initiate any conversation with them from the 8th floor at this time.

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Member Morris.

MEMBER MORRIS: Could somebody please reach out to them from the 8th floor? I think that it would go a long way if they could hear directly from yourself or the Mayor because in a community where we're embracing companies such as VXI for bringing in jobs that really aren't paying a huge amount of money, these good union jobs and we're talking steelworkers and union electricians. For a company that was just bought out by a Texas company, we'd really hate to lose 'em and I understand you can't deviate from policy and I'm sure they would understand too but I think that it would probably be in the best interest of the city of Canton if somebody from the administration could set up a meeting, do a walk through.

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Yes, Mayor.

MAYOR HEALY: Thank you and thank you Councilman. I visited the tour with Union Metal about a year ago as well. They had a real nice thing going on over there. In fact my grandmother worked for that company for, through her retirement and for 30 years so, I am very familiar with the company. I will follow up with them. Again, I did meet with the owners so, I'll follow up with them and just make sure that everything's OK but, keep in mind if we have an issue with licensed inspectors, that was an Ordinance passed by the Council, prior Council and if that's an issue for our customers, our constituents out there, then Council could potentially have a conversation about whether it makes sense to continue down that path or not. We've done the at protect the safety and quality of the work, as well as protect the local labor and I think that's the right decision but then when you enforce these decisions, sometimes people want to question it, especially those from out of town. When you have people that are from the Canton and Stark County area, they're familiar with things. It's when you get contractors and owners from out of state that come in and wonder why it has to be because they want to bring their contractors from out of state. We have certain requirements that we expect from a standpoint of safety and quality, that's why we have the local license and many times they want, it's not even about saving money, it's just that they want to bring their own guy in. So, having them contract with a local contractor is not a bad thing but it's really up to this Council if you want to change it.

PRESIDENT SCHULMAN: You know, I just want to follow up. Go ahead, I'm sorry.

MEMBER MORRIS: Just for clarification on the local contractors, they use Hilscher and Clarke which is a local contractor here in the city. It wasn't a matter of wanting to subcontract out to somebody else or use their own guy. For example in the Timken Company, if there is electrical work that needs done, the Timken Company will do one of two courses, either their electricians will do it, if the workloads too heavy, then they will subcontract out. So I don't really think the owner was looking to use somebody outside of the realm of the city to come in and outside labor. They are, you know Hilscher and Clarke is one of their standard vendors. I just felt that it was the loops that they had to go through just to get a light, a few light poles for the second largest manufacturer of light poles in the

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country. And I think they felt like they were held, you know treated a little roughly and I would just like to see somebody from the administration sooth the waters, that's all.

PRESIDENT SCHULMAN: And I was just going to say Member Morris, I'm not criticizing the administration but, it doesn't make any sense to annoy a major employer in this community. I mean you should some, not you, you know, the Building Department should have some tact when it comes to dealing with, well not you but, with dealing with a major employer. I understand exactly what Member Morris is saying. You know under that circumstance, there has to be some give or take or at least you should be notified. Somebody should have been notified before it goes to the Ward Member and they're complaining. I mean if they, you know there's a 150 jobs plus, I'm sorry, 375, OK, anyway anything else? Just one quick thing. If you could give me names of Water Commission people that you might recommend, just send it by email. Leader.

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

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve plus one yeas Mr. President.

PRESIDENT SCHULMAN: Meeting is adjourned. Thank you ladies and gentlemen. Safe trip home. *(Gavel falls)*

ADJOURNMENT TIME: 8:26 P.M.

ATTEST: JANUARY 22, 2013
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: JANUARY 22, 2013
ALLEN SCHULMAN
PRESIDENT