

MINUTES OF THE MEETING JUNE 17, 2013

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. It's good to see everybody tonight. With a quorum being present, the Chair does call this meeting of Canton City Council to order. Roll call vote please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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)

ALL COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present, Mr. President.

PRESIDENT SCHULMAN: Great, thank you Madame Clerk. Tonight's invocation, will be given by my friend, Majority Leader and Ward 6 Council Member David Dougherty. If we'll all stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on June 17, 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 6 Council Member, David Dougherty. The Pledge of Allegiance led by President Schulman.

PRESIDENT SCHULMAN: Thank you very much Leader.

AGENDA CORRECTIONS & CHANGES

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

MEMBER DOUGHERTY: Yes, Mr. President, suspend Rule 22A to add 2nd Reading Ordinances 6 through 13 with 5 being Retained in Committee.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to the 2nd Reading Ordinances 6 through 13 to this evening's agenda with Ordinance #5 being retained in Committee. 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 Member Clerk. The Motion carries and Rule 22A is suspended and the Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: Turning now to Public Hearings. We have none this evening.

OLD BUSINESS

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PRESIDENT SCHULMAN: Under Old Business, I've been informed by the Mayor's Chief of Staff, our Safety Director, our Service Director, Warren Price, he has no Old Business.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks. We have four speakers this evening. Our first speaker is James Parker. Mr. Parker, as always welcome. If you'll give us your name and your residential address please.

JAMES PARKER: James Parker, 630 Penny Street, SE, City of North Canton. Thank you President, Council President Schulman. I had two corrections a few...about a month ago I spoke about the flags, I mentioned a movie called "The Book of Ely." The correction is the film was called "In the Valley of Elum" I believe, with Tommy Lee Jones. Secondly, the last time I spoke, I mentioned liko phosphate, the active ingredient in Round Up weed killer is glifosate, that's the correct pronunciation as Law Director Martuccio pointed out, he has no more frogs in his pond thanks to this stuff and maybe you can tell your children how we used to have birds singing and you know, we used to hear birds, I don't know. But hopefully the detectable levels will be assessed in our ground water. Let's see, June 14th was Flag Day in your Central Plaza, I'd be down right embarrassed. It's despicable actually. You have 17 vacant flagpoles on Flag Day and you, the City of Canton are in charge of. The Chamber of Commerce did their bit on the Central Plaza, they maintain, they do not maintain the flagpoles, I've been telling you for two years they don't maintain the flagpoles, they're naked. And it's a crying shame, I don't know why none of you seem to care. I've been up here for 2 years b-i-t-c-h-ing about those flags on the flagpoles. They put up, thanks to Derek Gordon, the football flags. They were up for 3 months, they told me "Well they're going to get weathered so we have to take them down." Well it's 84 days until the Hall of Fame turns 50, when are the football flags going to go back up on Central Plaza? It's an omni...a sin of omission not to have something there. To have it and not use it, which they have, is useless. To not have anything there for as of before is...is dangerous, it sends a message, it says poverty, it says vacancy, it says we left, we don't care. That is the welcome mat of your City. People look at that from the hotel, from the restaurant, they go back and forth, they look up, they see one flag, 17 empty flagpoles. Could we at least get the Football Hall of Flame...the football flags up there with the Hall of Fame and the teams denoting that we are the one and only Football Hall of Fame City. Thanks to people like pioneer, Jack Cusack who sold the team Ralph Hay. The Brown's plaque there where the Odd Fella's building was directly across the street, as you know is the birth place of the NFL. Why not distinguish this area as Ralph Hay Way? You have a professional football player, one of the great iron men of football, Pete Calac, third generation Policeman, I said why don't we designate an area here, Pete Calac Way, nothing. (*Inaudible*) nothing. We need some action on this. I'm going to be approaching Councilman Hawk, apparently I called him at his home, he doesn't like that kind of stuff, you have to run all the messages through here. Dr. James King will be calling you and you and different people and we want results. We've got 84 days, I've been up here almost 2 years. I plan on getting results this time, this summer. The pressure will be put on you. You will be getting phone calls, so you just don't think it's big mouth me coming up here about this. I don't know, you know, what...what is it, am I the only one that sees this...this negligence...this...this nakedness basically. That's why I call it the emperor's new clothing. And yes, it upsets me because after 2 years I expect something to be done about it and I'll be back if you don't. Thank you very much.

PRESIDENT SCHULMAN: Thank you Mr. Parker very much. You've raised some good issues Mr. Parker and we'll follow up on that. Our next speaker...our next speaker is Steve Silver. Mr. Silver, good evening. Welcome as always, if you'll give us your name and residential address please.

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STEVE SILVER: Hi, Steve Silver, 2007 Kirk Court NW, Canton. Good evening, I'd like to take a moment to talk to you about the Informal Resolution you passed last meeting. As a citizen of the City, I agree with what Mr. Price said as quoted in the Repository that this is a community problem and it requires a community solution. I am part of this community and as such, I would ask Council to think about a couple of issues before formalizing this Resolution and contracting with someone as an Animal Control Officer. Number 1. How are you going to humanely deal with the animals the Animal Control Officer traps? Do you have a place that they are going to take the animals instead of killing them? That's the humane way to approach this job, not killing the animals, treating the animals humanely is what this is...should all be about. Councilman West stated that the Animal Control Officer was needed for wild and vicious animals. Is that wild and vicious animals as written in the Canton City Ordinances or the Ohio Revised Code or what? Whose going to make the determination whether a mouse, skunk, rabbit, cat, dog, raccoon or whatever is wild and vicious? The animals you are talking about live in the City also, they didn't ask to live here and can't just get up and move. They have a God given right to exist like all of you do. Number 3. As I've advocated before with Council about the treatment of cats that made up quite a bit of the animals that the last Animal Control Officer was trapping, I applaud each and every one of you for your wording in Resolution #29 by stating that vicious and nuisance animals other than cats, my question then becomes what happens when the Animal Control Officer accidentally traps a cat? This issue needs to be addressed in writing in the contract of the Animal Control Officer and not left verbatim. Number 4. I would ask Council that when it comes to hiring an Animal Control Officer that you post the position, advertise the position and look for someone with references that can treat this position with dignity and treat the animals as compassionately as possible. I would ask Council to speak with Council...with Councilman Morris and Cirelli who chaired a committee with some citizens about TNR, we came up with an animal control policy. That policy should be looked at and adhered to and tailored for your Animal Control Officer. Councilman West was quoted in the Repository as stating that taxpayers paid for a service their not receiving. As I ponder this quote I just kept saying to myself "really, I've been paying taxes in this City since I was 13 years old, it was a long time ago, how long...how many times have we had an Animal Control Officer during that time, maybe a year and a half? My point is, I think there's a lot more important things that my taxes should pay for. If I have a heart attack and call an ambulance and the City automatically sends a fire truck, I have to pay both for the ambulance and the fire truck. I'm talking a lot of money, 800 to \$1,000. That's what my taxes should be paying for. I ask Council to immediately suspend citizens having to pay for ambulance and fire service. I believe my taxes should pay for a strong police force and a strong fire department but I should not have to pay as a citizen of this City when I pay taxes for an ambulance should I fall down and hurt myself and have to call for an ambulance. Thank you very much for allowing me to speak.

PRESIDENT SCHULMAN: Thank you very much Mr. Silver. Our next speaker is Bruce Nordman. Mr. Nordman, as always welcome to Canton City Council. If you'll give us your name and your residential address sir.

BRUCE NORDMAN: My name is Bruce Nordman, I live at 1623 Logan Avenue NW. Good evening Mr. Mayor, President and Members of the Council. At Derek Gordon's request, the new Park's Director, he coordinate a meeting through Frank Morris and at that meeting Derek Gordon asked for Group 175's support of the park's levy going forward this fall. At that meeting where Frank Morris was present and all of the Members of Group 75, we told Derek Gordon that we would be happy to support the park's levy after we get \$1,335,000.00 necessary to hire the additional 25 Officers. We asked him to take this message to the Mayor, we asked for word back last Monday, we have not had an answer. We take that as an answer. We've been asking for these additional 25 Officers since the end of March. We've had a meeting with the Mayor on the

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16th of April that lasted 3 hours and every week to 3 weeks, there seems to be money falling from heaven for everything except public safety and Police Officers. We found \$360,000.00 over 3 years for ShotSpotter, 3 million for the Hercules Project a 2½% increase in salary for all the non union employees, \$175,000.00 to the Chamber of Commerce and 2 weeks ago, \$250,000.00 for Canton Economic Development. Not a penny, not a penny devoted to public safety. I'd like at this time to thank the support of Frank Morris, Mary Cirelli, Kevin Fisher and Greg Hawk for their vocal support at these meetings to pursue this objective. So, looking at the action where monies have been found for everything except public safety and the non answers that we're getting, we're now in a situation where Group 175 is going to proceed and take the necessary action to achieve this objective. The citizens of the City of Canton are desperate for additional Officers on the street. This is something that cannot wait, this is something that we are going to pursue on the part of the citizens of the City of Canton. It is a necessary thing for all of our public safety. Chesapeake Oil, when they were looking for a place where they wanted to have their business, they were looking for a quite City that was safe, had a good crime record and had lots of churches and that was part of the choice they made and why they're in Louisville not Canton. I thank you for your time for those of you were quietly supporting us, we thank you also.

PRESIDENT SCHULMAN: Thank you Mr. Nordman. Our last speaker tonight is...and I apologize if I mispronounced your name, Joyce Angerer.

JOYCE ANGERER: You were right.

PRESIDENT SCHULMAN: I was right the first time. Well good evening, welcome to Canton City Council. If you'll give us your name and your address please.

JOYCE ANGERER: My name is Joyce Angerer, I live at 5801 Echodell Avenue NW, North Canton. My name is Joyce Angerer and I'm here today in response to the Canton Repository article on June 11th stating Canton City Council asked for an Animal Control Officer. I saw the word cats listed among racoons and skunks, as I continued to read the article my mind flashed back to January 30th of last year when an 11 year old little girl named McKenzie Quartz spoke to you asking you to change the City's current policy with allowing a new Animal Control Officer that doesn't trap, stray and feral cats and kittens and then take them directly to be euthenized. March 14, 2012, a special meeting was held at the Canton Library which turned out to be a packed and standing room only room with concerned citizens wanting Canton to explore a more humane approach calling...called trap, neuter and return, also known as TNR. With the support of At Large Member Mary Cirelli and Councilman Frank Morris, a subcommittee was formed to explore the TNR program and effect those changes to the current animal policy. The subcommittee began April 11th and lasted clear to June 26th of last year. Due to being informed, no monies was available for the City...from the City to actually fund a trap, neuter program, Alley Cat Allies, an advocate for cats offered to pay for the spayed and neutering costs for Canton's cats. It lasted from May 30th through June 13th of last year. The subcommittee, along with various cat organizations and a lot of the volunteers who didn't have the opportunity to sit on the subcommittee distributed these throughout Canton and I kept them informed, all volunteers...each of our meeting what has transpired. We then asked after that, it turned out to be 108 cats paid for in full by Alley Cat Allies for free. What direction do we go next on the subcommittee? We had...still had no funds. So, with the help from Health Director Jim Adams, the subcommittee focused on developing a trap, neuter and return policy he said. Councilman Frank Morris was the Director of the subcommittee and had the final say as to the content of the policy. He advised the policy would need to go to the legal department to have it written in a legal format. On August 1st of last year, I contacted Attorney Martuccio, I think you pronounce it, regarding

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the status of the policy. He has not seen yet anything pertaining to an animal control policy but gave a great idea to just have the policy turn into rules that would be attached to the Animal Control Officer's contract. I then contacted Councilman Morris and he informed me that the subcommittee policy would be held until...for legal review...until or when the City considers of hiring an Animal Control Officer. Recently, Safety, Service Director Warren Price stated "We need to find a humane way to deal with the problem but I'm not going to make up a system for animal control." Councilman Morris...

PRESIDENT SCHULMAN: That's...that is your time. I'm sorry.

JOYCE ANGERER: Ewe, okay can I distribute something?

PRESIDENT SCHULMAN: Sure....

JOYCE ANGERER: Of the policy.

PRESIDENT SCHULMAN: go right ahead and thank you very much...

JOYCE ANGERER: Okay.

PRESIDENT SCHULMAN: ...we appreciate it. I'm sorry, we only give three minutes.

JOYCE ANGERER: I thought it was five. Okay, I should have talked faster.

PRESIDENT SCHULMAN: But we'll all be around afterwards and be happy to talk to you personally.

JOYCE ANGERER: Oh, I appreciate it. Should I distribute after we are done?

PRESIDENT SCHULMAN: Sure, you can give it to Member Morris and he'll pass it down. Thank you very much ma'am, really appreciate it. And that concludes our Public Speaks.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now to Informal Resolutions. Madame Clerk would you begin with Resolution 32.

#32. CNCL-AT-LRG MBRS BABCOCK, COLE; WARD CNL MBRS HAWK, WEST, GRIFFIN, SMITH, FISHER, DOUGHERTY, MARIOL: SUPPORTING AND ENDORSING THE PROPOSED LEVY FOR THE CANTON PARK COMMISSION. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Resolution 32.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 32. By voice vote all

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those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #32 PASSED BY VOICE VOTE
(MEMBER CIRELLI VOTED NAY)

PRESIDENT SCHULMAN: Let the record reflect that, that was Member Cirelli. The ayes have it the Motion carries. Informal Resolution 32 is adopted.

MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Yes?

MEMBER MACK: Can the record also reflect that I oppose it as well?

PRESIDENT SCHULMAN: I'm sorry?

MEMBER MACK: Can the record also reflect I oppose it.

PRESIDENT SCHULMAN: Oh, I'm sorry, I didn't hear you. Member Mack, for the record also opposes it. Resolution 32 is adopted. Resolution 33 please.

#33. CNCL-AT-LARGE MBRS BABCOCK & CIRELLI; WARD CNL MRBS HAWK, FISHER, MARIOL, MACK AND MORRIS: OPPOSING THE AMENDMENT KNOWN AS SC3466 ABOUT OHIO'S OPEN MEETING LAW. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Resolution 33.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 33. Any remarks? And I apologize, I should have done that for 32. It's the summertime. Hearing none, by voice vote on 33, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #33 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries Resolution 33 is adopted. Resolution 34 please Madame Clerk.

#34. PERSONNEL COMMITTEE: REQ CONFIRMATION OF RE-APPT OF DEBORAH ROHRBACH TO FAIR EMPLOYMENT PRACTICES BOARD. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

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MEMBER DOUGHERTY: Mr. President, I move that we adopt Resolution 34.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 34. Any remarks under this Resolution? Hearing none, by voice vote again, all those in favor by....signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #34 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries and Resolution 34 is adopted. Either Member Cirelli or Member Mack, did you any comments you wish to make of Resolution 32 since I neglected to ask whether you did? If not, that's fine.

MEMBER MACK: None here Mr. President.

PRESIDENT SCHULMAN: Pardon?

MEMBER MACK: None here Mr. President.

PRESIDENT SCHULMAN: Thank you.

MEMBER CIRELLI: Same Mr. President.

PRESIDENT SCHULMAN: Okay, thank you very much.

COMMUNICATIONS

PRESIDENT SCHULMAN: Alright, now we turn to Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JUNE 17, 2013.

235. AGENT FOR PETITIONER SLIMAN: RECEIPT OF PERTINENT DOCUMENTS IN REGARD TO THE HOF ANNEXATION AREA FILED WITH STARK COUNTY COMMISSIONERS. - RECEIVED & FILED
236. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 5/29/13. - RECEIVED & FILED
237. AUDITOR MALLONN: MONTHLY RPT BY FUND 5/1/13 - 5/31/13. - RECEIVED & FILED
238. AUDITOR MALLONN: YEARLY RPT BY FUND 1/1/13 - 5/31/13. - RECEIVED & FILED

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239. AUDITOR MALLONN: AMEND O#61/2012 SECTION 2 (ADD LANGUAGE TO CANTON MERCHANDISE PROG). - JUDICIARY COMMITTEE
240. CNCL-AT-LRG MBR CIRELLI AND WARD 8 CNCL MBR MACK: REQ PREPARATION OF LEGISLATION TO ADD QUESTION OF CHARTER GOVERNMENT TO BALLOT. - JUDICIARY COMMITTEE
241. DEPT OF COMMERCE: NOTIFICATION OF HEARING RULING FOR DG HOLDING & MGMT CO INC DBA THE SPOT @ 2600 8TH ST NE & PATIO (OBJECTION OVERRULED). - RECEIVED & FILED
242. GILL, MICHAEL, PRESIDENT OF SID: REQ APPROVAL OF RESOLUTION OF NECESSITY TO PROCEED WITH IMPLEMENTATION OF PUBLIC SERV PLAN ADOPTED BY DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT FOR ANOTHER 4 YEARS. - JUDICIARY COMMITTEE
243. HEALTH BENEFITS ADMIN MCBRIDE: MONTHLY COMPARATIVE REPORT OF INSURANCE CLAIMS FOR MAY 2012. - RECEIVED & FILED
244. LAW DIRECTOR MARTUCCIO: REQ \$12,500.00 SUPP APPROP FROM UNAPPROP BAL 1105 POLICE SETTLEMENT FUND TO 1105 753001 LAW DEPARTMENT. - FINANCE COMMITTEE
245. LAW DIRECTOR MARTUCCIO: AMEND O#21/2013 (CORRECT LANGUAGE FOR PARK LEVY FOR BALLOT). - JUDICIARY COMMITTEE
246. LIQUOR CONTROL DIVISION (OHIO): REQ C1 C2 NEW LIQ PERMIT FOR DOLGEN MIDWEST LLC DBA DOLLAR GENERAL STORE 12191 @ 2103 TUSCARAWAS ST E. - RECEIVED & FILED
247. LIQUOR CONTROL DIVISION (OHIO): REQ C1 C2 NEW LIQ PERMIT TO DOLLAR & MORE OF CANTON LLC @ 824 12TH ST NW. - RECEIVED & FILED
248. LIQUOR CONTROL DIVISION (OHIO): REQ D1 NEW LIQ PERMIT TO CHIPOTLE MEXICAN GRILL OF COLORADO DBA CHIPOTLE MEXICAN GRILL @ 4130 TUSCARAWAS ST W. - RECEIVED & FILED
249. LIQUOR CONTROL DIVISION (OHIO): REQ D5 NEW LIQ PERMIT TO GLENDALE PLAZA INC @ 1210-12 30TH ST NW. - RECEIVED & FILED
250. MAYOR HEALY: ADVISE OF RE-APPT OF JOYCE SUMLIN TO MAYOR'S NEIGHBORHOOD COMMISSION FROM 6/1/13 - 5/31/14. - RECEIVED & FILED
251. MAYOR HEALY: AUTHORIZE RE-APPT OF ROBERT THOMPSON TO FAIR EMPLOYMENT PRACTICES BOARD FROM 3/1/13 - 2/28/16. - PERSONNEL COMMITTEE

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252. SAFETY DIRECTOR PRICE: REQ APPROVAL TO ACCEPT FUNDS FROM 2013 EDWARD BYRNE MEMORIAL JUSTICE ASST GRANT (JAG PROGRAM) IN AMT OF 35,616.00 ON BEHALF OF CANTON POLICE DEPT; REQ RENAMING OF FUND 2769 FROM 2006 BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TO THE 2013 BYRNE LOCAL SOLICITATION GRANT FUND AND RATIFY ANY AGMT ALREADY ENTERED INTO WITH STARK CTY COMMISSIONERS. - FINANCE COMMITTEE
253. SAFETY/SERVICE DIRECTOR PRICE: AMEND O#178/2008 FOR BISON REMEDIATION PROJ TO INCREASE CONTRACT AMT TO \$889,206.40 FOR MULTIPLE CHG ORDERS INCREASING TIME & SCOPE OF PROJ TO BE PAID BY CLEAN OHIO FUNDS. - FINANCE COMMITTEE
254. SERVICE DIRECTOR PRICE: REQ WARRANTY PERIOD INCREASE FROM 3 TO 5 YEARS ON PHOSPHORUS/TOTAL NITROGEN PROJ; AMEND O#70/2013 CHANGING AMT NOT TO EXCEED FROM \$28,500,000.00 TO \$28,820,200.00. - FINANCE COMMITTEE
255. SERVICE DIRECTOR PRICE: AMEND O#209/2012 WITH \$157,020.00 APPROP TRANSFER TO 4501 103001 FIRE ADMIN TO PURCHASE VITAL ITEMS INCLUDING TURNOUT GEAR AND RESCUE EQUIP. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
256. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONTRACT FOR PURCHASE OF BATHROOM FACILITY & INSTALLATION AT BUP REARICK PARK NOT TO EXCEED \$60,000.00. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND PARKS & RECREATION COMMITTEES
257. SERVICE DIRECTOR PRICE: AUTHORIZE MAYOR AND/OR SERV DIR OR THEIR DESIGNEE TO ESTABLISH FAIR MARKET VALUE OF ALL PARCELS ON 12TH ST CORRIDOR; AUTHORIZE MAYOR AND/OR SERV DIR OR THEIR DESIGNEE TO NEGOTIATE WITH PROP OWNERS FOR PURCHASE/ACQUISITION OF THEIR PARCELS UTILIZING FMV & FOR CITY TO ACCEPT TITLE TO SAID PARCELS; AUTHORIZE MAYOR AND/OR SERV DIR OR THEIR DESIGNEE TO MAKE MINISTERIAL CHGS TO CORRECT PROP OWNER NAMES, PARCEL NUMBERS & OTHER ERRORS; COUNCIL DECLARATION OF INTENT TO APPROP PARCELS FOR PROJ; MAKE A \$579,637.58 SUPP APPROP FROM 2113 MUNI ROAD FUND UNAPPROP BAL TO 2113-202001 MUNI ROAD FUND - ENG ADMIN; MAKE A \$49,514.78 SUPP APPROP FROM 4506 INFRASTRUCTURE BOND FUND UNAPPROP BAL TO 4506-202001 INFRASTRUCTURE BOND FUND - ENG ADMIN; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPTS OF VOUCHERS BASED ON NEGOTIATED SETTLEMENT PRICE; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS FOR FMV FOR THOSE PARCELS THAT REQUIRE PROP APPROP TO BE DEPOSITED WITH COURTS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
258. SERVICE DIRECTOR PRICE: REQ 3 CHANGE ORDERS IN TOTAL AMT OF \$32,350.00 FOR NECESSARY WORK TO COMPLETE THE REPLACEMENT OF THE ROOFING ON THE SEARS BLDG. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

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259. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS FOR MAY 2013 IN AMBULANCE LOCK BOX. - RECEIVED & FILED
260. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR MAY 2013. - RECEIVED & FILED
261. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 4/30/13. - RECEIVED & FILED
262. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 5/31/13. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: Turning to First Reading Ordinances and Formal Resolutions for the First Reading. Let the journal show that all the 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 #4 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 NEGOTIATE AND ENTER INTO THREE OHIO WATER POLLUTION CONTROL FUND WATER RESOURCE RESTORATION SPONSOR PROGRAM SPONSORSHIP AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SAFETY AND SERVICE TO NEGOTIATE AND ENTER INTO A CONTRACT WITH HALL OF FAME CITY CHALLENGE, LLC FOR SERVICES TO BE RENDERED BY THE CITY OF CANTON IN SUPPORT OF THE HALL OF FAME CITY CHALLENGE RACES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH WALT SWEENEY FORD FOR THE PURCHASE OF ONE FORD F-250 PICKUP TRUCK IN AN AMOUNT NOT TO EXCEED \$22,798.70 PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement Committee

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- #4. (1ST RDG) AN RESOLUTION AMENDING RESOLUTION NO. 58/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (TACO BELL ANNEXATION - CHG ACREAGE TO 1.547)
Referred to Annexation Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Turning now to Resolutions and Ordinances for their Second Reading. Madame Clerk, would you please begin with Ordinance 6.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #6 THROUGH #13 (ORDINANCE #5 RETAINED IN COMMITTEE) FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #5. (2ND RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AMENDING SECTION 749.02, PERMIT REQUIRED, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
- #6. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (133 HARRISON AVE SW, PARCEL #228696, LOT #9775, RICHARD & SHARON MEDLA) **PUB HRG 7/1/13 @ 7:30 PM**
- #7. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (127/129 HARRISON AVE SW, PARCEL #214861, EAST END OF PT LOT #9774, LUBOV, INC.) **PUB HRG 7/1/13 @ 7:31 PM**
- #8. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (SW CORNER OF DRYDEN AVE SW AND GROVE PL SW, PARCEL #222629, PT LOT #9774, LRC-A-TUSC PROP, LLC) **PUB HRG 7/1/13 @ 7:32 PM**
- #9. (2ND RDG) AN ORDINANCE VACATING PORTIONS OF DRYDEN AVENUE SW AND GROVE PLACE SW; APPROVING AND ACCEPTING THE DEDICATION OF PARTS OF LOTS 9747 AND 9748 FOR STREET PURPOSES; AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 7/1/13 @ 7:33 PM**
- #10. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT TO PURCHASE SWAT TACTICAL VESTS AND HELMETS IN AN AMOUNT NOT TO EXCEED \$56,900.00 PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE LEASE OF APPROXIMATELY 282 SQUARE FEET OF COMMERCIAL SPACE LOCATED AT 215 WEST TUSCARAWAS STREET IN ORDER TO PROVIDE A SNACK BAR/CONCESSION STAND; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT FOR THE CONSTRUCTION OF THE FRAZER ESTATES STORM SEWER REPAIR, GP 1189; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE FOR ENGINEERING SERVICES DURING THE PLANNING, DESIGN AND BIDDING PHASES OF THE WATER METER AND METER TRANSMITTING UNIT (MTU) REPLACEMENT PROGRAM IN AN AMOUNT NOT TO EXCEED \$348,500.00; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO APPLY FOR AND ENTER INTO CONTRACT WITH THE OHIO WATER DEVELOPMENT AUTHORITY FOR A PLANNING LOAN FOR THE PROJECT; AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THE 5227 WATER METER/MTU REPLACEMENT PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. Now we turn to Ordinances and Formal Resolutions for their Third, Final Reading and Vote. Would you please begin with Ordinance 14.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #14 THROUGH #19 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

- #14. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 105/2013** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (10P PROBATIONARY POLICE OFFICERS)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 14.

MEMBER GRIFFIN: Seconded.

AMENDMENT

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Pursuant to Rule 36, I move to amend Agenda Item No. 14 by substituting the ordinance attached to this amendment for the ordinance currently pending before Council.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 14. Are there any remarks? Leader.

MEMBER DOUGHERTY: Mr. President, I move we amend Ordinance 14 per the Amendment in front of everyone. Could we have that summarized.

PRESIDENT SCHULMAN: Yes, Law Director Martuccio, if you will.

LAW DIRECTOR MARTUCCIO: Thank you. Mr. President, Members of Council, the Ordinance pending before you is the Ordinance that addresses raising the rates pay to probationary police cadets. The amendment makes it retroactive to January 1st even though they weren't hired until a few months later. It also says that only those who are currently in that position will be subject to the retroactive increase.

MEMBER DOUGHERTY: Mr. President, I want to finish this Motion on this Amendment before there is any conversation. So, we didn't do that so I want to make sure it gets done. So, I move we amend Ordinance 14.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance 14. I do have one question of the sponsor of the amend...of the Ordinance and the Amendment. It seems to me that this could go forward as an Ordinance and be passed without retroactivity and then it could be amended with retroactivity by a vote of Council. Is that your desire and do you understand what I'm saying? And do you understand Leader what I'm suggesting? I'm thinking that this is really a stand alone Ordinance. There maybe support for Ordinance 14 as it stands, as written. And then there maybe support to amend it to include retroactivity to...to the cadets that were hired 4 months ago or 5 months ago. So, does that make sense to the Leader?

MEMBER DOUGHERTY: I didn't bring the Amendment down here, I can't...

PRESIDENT SCHULMAN: I understand but I'm just saying I think it would be under...under this Ordinance I think the better course would be to vote on the Ame...on the Ordinance itself, see if that passes. If it passes, then you make a motion to amend for retroactivity purposes. Law Director, I will defer to you for a moment.

LAW DIRECTOR MARTUCCIO: Thank you. Mr. President, I think I understand. Ordinarily, the Amendment gets voted up or down and if the Amendment fails then you go back to Ordinance alright.

MEMBER DOUGHERTY: Yeah, that's...that's what...procedurally we're doing right.

LAW DIRECTOR MARTUCCIO: And it...to do what was suggested Mr. President by you, we could pass it then reconsider it by someone on the prevailing side and amend it by reconsideration. But it might be easier to just to....to...to make the Amendment up or down before...

PRESIDENT SCHULMAN: Well ho....just so we're clear, the procedure has always been we introduce the Ordinance, the Leader motions for its adoption, seconded and then I say are there any remarks and the Leader says "Yes, I want to amend it." But now we're voting on an amended Ordinance, if it fails....

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MEMBER DOUGHERTY: No we're not....we haven't...we haven't went through that. No, no....I was just...we didn't get a second for the Amendment, that's what I was clarifying earlier.

PRESIDENT SCHULMAN: Oh, alright.

MEMBER DOUGHERTY: That's what I was clarifying earlier. No, we haven't had a vote and this is...we're still procedurally accurate. I just...before the my conversation, we didn't get a second from Member Griffin.

PRESIDENT SCHULMAN: Okay. So...

MEMBER DOUGHERTY: We are on the Amendment this time.

PRESIDENT SCHULMAN: Is there a second?

MEMBER CIRELLI: Seconded.

MEMBER DOUGHERTY: Yeah, he already did. He already did. So, now we're under discussion.

PRESIDENT SCHULMAN: Are there any remarks on the Motion to Amend?

MEMBER CIRELLI: On the Amendment Mr...

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Thank you, thank you Majority Leader Dougherty. There's a lot of discussion and people are saying...well I even heard a person in the audience say I'd like people to pay me more money to go to college and they're saying they're...these young men are safe when they're in college and they're not in danger. I think some of us also feel that this is to try and appeal to the people that we want to come on board by raising the starting salary because I feel...at least from my part I think ours is extremely low, especially when they're recruits and we have it right now they could qualify as we...as many of the Council Members have said for food stamps, assistance in housing. We're trying to make Canton a place where we want good qualified candidates with good paying jobs for what they are doing and...and to do that, you've got to appeal to the...if everybody seen the article that was in the paper, some people said "Well they're not paying enough to start with." So in my understanding, I think that's what this Amendment does. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli, any other remarks?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader.

MEMBER DOUGHERTY: The Ordinance came down and I'm...I'm happy with the Ordinance because I'm one of the many that brought this down here. It's...it's important to get them back on track where they need to be moving forward, not backwards. This is for the new group and thereafter coming in is the Ordinance, that's what we should be focused on. The Amendment takes you back to the last group who signed on for that...for that salary and....and then, what about the group before them and the group before them? They're gonna come right back down here screaming up and down, that they...they deserve this too. We made a decision financially

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when we did this. Now we're making a decision financially to get them back on track, which is important, which will start next year. We had to do it now so that when the test goes out and they advertise it, that 31,000 or whatever it is will be on there saying this is what you'll make from now on. Because we decided we can go that route. We...when we went back to 26,000, we didn't go back and attack groups before that and say "Oh, by the way we're going to get our money back because we didn't want to pay you that much to begin with. It just...moving forward is what we need to do. So, that's just my opinion.

PRESIDENT SCHULMAN: Okay, thank you Leader.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yes, Member Dougherty, the current class that is in....in session right now, going forward, meaning next month, will they get the pay or will they be excluded from that pay?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader.

MEMBER DOUGHERTY: This doesn't affect anybody currently. This Ordinance is for the next time the Police test is taken. Moving forward, period. That's all this Ordinance does is get them back on track where they were before. The 4 other groups or 5, I don't know how many there was before that, that is done. That was done by Ordinance, now we want to go back and back.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Member....Mr. President, Member West, Member Dougherty, the Ordinance, as we talked about in Committee Meetings, the Ordinance that is here now in its original form is what Majority Leader Dougherty said, it's an Ordinance intended to take the 12, I believe it's 12, current Police Cadets...current 12 Police Cadets up by the amounts that are here, 30 to 30...whatever they are....

(UNKNOWN COUNCIL MEMBER): Inaudible.

LAW DIRECTOR MARTUCCIO: No, no the Amendment takes...the Amendment takes that amount and makes it retroactive. See, ordinarily, if this Ordinance is passed in its current form, if the original Ordinance is down here is passed in the form it is without the Amendment, after this Ordinance is effective, then those 12 get paid the higher rate prospectively in the future, forward, from the date of the effective date of this Ordinance. What the amendment does, is it takes that higher rate and retroactively applies it to the day they were hired a few months ago instead of now.

PRESIDENT SCHULMAN: So, the present class would get an increase but this Amendment relates to an increase backwards, not forwards.

LAW DIRECTOR MARTUCCIO: And in Committee, we were trying to estimate how much more that would cost to take those 12 people, give them all those raises, 3 months backward. So, again, the original Ordinance takes the current 12 Cadets who are in probation and pays them the raise after the effective date of this

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Ordinance and if the Amendment passes, it gives them a retroactive check or a few months worth of additional increase.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: When we read the synopsis of the original Ordinance it says 10 PO Probationary Officers, are we 10 or are we 12?

CLERK TIMBERLAKE: That's just the group.

PRESIDENT SCHULMAN: Oh, that's the group, that is the group number. Yes....

LAW DIRECTOR MARTUCCIO: It's a classification that Human Resources uses.

PRESIDENT SCHULMAN: Not the number of Probationary Officers. Alright now, we're getting ready to vote on the Amendment to the Ordinance per the copy before each of you and the explanation of our Law Director and that satisfied you Member West? Okay, so by voice vote, if I can hear the yeas and nays, if not we'll call roll vote. If not, we'll call roll call vote. Why don't we do this, let's just call a roll call vote, it makes it a lot easier. So, Madame Clerk roll call vote please on the Amendment.

NO REMARKS

ROLL CALL 6 YEAS, 6 NAYS

(MEMBERS DOUGHERTY, GRIFFIN, BABCOCK, COLE, WEST & SMITH VOTED NAY)

CLERK TIMBERLAKE: Six yeas, six nays.

PRESIDENT SCHULMAN: Well that falls on me then to decide the Amendment. Having heard the entire discussion and having been moved by the fact as Member Mack indicated, we're talking about a limited, very limited period of time. And I think the consensus is that people want to raise the rates of our Probationary Officers. I will vote yea. So the Amendment carries. Now we turn to the Ordinance 14 as amended. Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 14 as amended.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded. So, now the question you are voting on is Ordinance 14 as amended. Are there any remarks under this Ordinance as amended? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#14 ADOPTED AS AMENDED AS ORDINANCE NO. 105/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk.....

MEMBER DOUGHERTY: Mr. President.

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PRESIDENT SCHULMAN: Yes.

MEMBER DOUGHERTY: We didn't want to put any more pressure on you.

PRESIDENT SCHULMAN: Thank you. *(Laughter)* Ordinance...Leader Dougherty must have read my mind because I was just thinking it is somewhat easy to sit here and not have to cast the vote. When you have to cast the vote and defend it, it's a little harder. In any case, thank you Leader. Ordinance 14 as amended is adopted. Ordinance 15 please.

#15. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 106/2013** A RESOLUTION TO SUBMIT TO THE ELECTORS OF THE CITY OF CANTON INCREASING THE TERM OF COUNCILMEMBERS FROM TWO YEARS TO FOUR YEARS EFFECTIVE FOR THE 2016-2019 TERM AND THEREAFTER

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 15.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 15. Any remarks?
Leader.

MEMBER DOUGHERTY: Mr. President, I move we amend Ordinance 15 per the Amendment in front of all Members.

MEMBER GRIFFIN: Seconded.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 15 by the substitution of the attached amended ordinance for the version currently pending before Council, in order to include the President of Council in the proposed ballot measure to increase terms of office from two years to four years.

PRESIDENT SCHULMAN: It's been moved and seconded then to amend Ordinance 15 per the copy before each Member of Council. Law Director do you want to just briefly summarize that Amendment?

LAW DIRECTOR MARTUCCIO: I'm sorry Mr. President, for which Ordinance?

PRESIDENT SCHULMAN: Sorry, 15.

LAW DIRECTOR MARTUCCIO: Members of Council, Amendment, the Amendment to Ordinance #15 takes the original Ordinance and expands it by one person. The original Ordinance pending before you is the Ordinance to increase the terms of Council from 2 years to 4 years under the Revised Code. The Amendment adds the President of Council so that the voters will have that choice as well in November. Again, if you pass this Ordinance as amended the voters...and again, you have to pass this...let me check to make sure, I believe this is a simple majority and if this Ordinance is voted by a simple majority, again, it would increase the terms of Council, not this coming year but in 2016, 17, 18 and 19, the Amendment adds the President of Council. What it would do, if you vote for it as amended, is also add the President of Council to go from 2 years to 4

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years but when it appears on the ballot, assuming it gets a majority vote, then our voters that live in the City of Canton would be presented with 2 questions, almost identical to each other. The one question would be shall the terms of Council Members be increased from 2 years to 4 years for the increased term or against it, those are the choices the voters have. And right under it, (*inaudible*) on the ballot, it would say shall the term of the office of the President of Council be increased from 2 years to 4 years for the 2016 through the 2019 term and thereafter. And there's a box for the Resolution or against the Resolution, they read the same. So, again the Amendment includes the President of Council. Now the reason the voters are getting separate votes is because these stem from 2 separate sections of the Revised Code. It was the consensus of...of my research and that...it was concurred to by the County and the Board of Elections as well that it should be 2 separate votes. Thank you.

PRESIDENT SCHULMAN: Great, thank you Law Director. Now, any other remarks on the Motion to amend? Hearing none then, by voice vote, all those in favor, signify by saying aye. Those opposed, no.

NO REMARKS

AMENDMENT PASSED BY VOICE VOTE
(MEMBER CIRELLI VOTED NAY)

PRESIDENT SCHULMAN: The ayes have it...Okay, Member Cirelli has voted emphatically no. Thank you The motion carries. The Ordinance is amended. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 15 as amended.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 15 as amendment... as amended. Are there any remarks?

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Fisher.

MEMBER FISHER: Thank you sir. I want to commend our Judiciary Chairman for bringing this forward because it's...it's not something that's real easy to put forward, you know, a change like that. And I...I indicated to him and several others, I don't know that there is a issue that I was more a coin flip on since I've been here. You know, there are a thousand good reasons to do it and a thousand good reasons for me not to. In the end I've ended up spending a lot of time talking with my constituents at neighborhood association meetings on Ward 5 Facebook groups, so if you guys aren't members, send me a request. At the end, most...the...the biggest, you know, for them is that they didn't like the idea of all of Council being up at the same time, whether it was with the Mayor or half way through with the Mayor. They liked the idea of staggered terms which was not the format that it came down. Like I said, it's on a coin flip but I...at the end of the day I'm going to have to vote no on passage. But I do think there are a lot of positives that could go either way on this. But again, thank you for brining it down. I do think it was an important discussion to have.

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

MEMBER CIRELLI: Mr. President.

MEMBER MORRIS: Mr. President.

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PRESIDENT SCHULMAN: Member Morris.

MEMBER MORRIS: Ah yes, I also would like to thank Member West for bringing this down. Especially in my situation with the last primary election I just had, the large amounts of money that was spent. It would be very pleasing to only have to run every 4 years and roll the dice there. But I'm going to have to go with my constituents in Ward 9. For some reason they want to keep me on a short leash over there, every 2 years, keep me on my toes. So, I will not be supporting this, this evening.

PRESIDENT SCHULMAN: Okay, thank you Member Morris. Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President. I guess I'm going to say thank you Thomas West, Councilman West for bringing that down so that the group here can vote on it. But I believe this Ordinance is definitely self serving. The only ones that's...have anything to gain in this is the politicians and the Council Members and the President of Council. If a bad Councilman happens to get elected and then they're there for 4 years. I guess I can honestly say I don't know how many times I've ran for Council and I'd have to stop and figure how many years that even had to spend any money and it's always been every 2 years. So, if a Council Person is doing their job, they will find that they don't have to spend any money. And generally, you just are always campaigning whenever you are serving your citizens. So, I don't know what the deal is other than like I said, it's definitely self serving on the part of Council to want to only run every 4 years and I don't think that is...I have to stop and say what is in it for the general citizens, I see nothing in there that can be of any good. So, I will...will vote no against this Ordinance.

PRESIDENT SCHULMAN: And I think...just so the record is clear for all those thoughtful reasons that you have expressed, all 3 Members of Council so far, just to note, we're not passing 4 year terms, you understand that? You're not going to pass a 4 year term, you're actually asking the public to decide the term of office for Members of Council and its President. So, as long as we all....and particularly the public understands this, it's the public, the Electorate's determination whether you would get 2 or 4 years. And my understanding from Member West was, this would be a significant cost savings to the Board of Elections, as I understand it for the Ordinance. So, any other remarks?

MEMBER WEST: Yes, Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I just wanted to tag off of what you just said. I'm not certain that...again, it's not a self serving thing. This is something that every other year, I continue to hear whether it be the discussion of Charter Government, they bring up well you can change the terms, so 4 years and all the other Cities are going 4 years, you'll hear that when they talk about Charter Government. So...you'll also hear the thing about, you know, eliminating Council at Large positions or eliminating...making all people at large. This is way to say that you know what, Statutory Government does...you can do creative things, there is some flexibility within Charter Government, you just have to go to the people. If you want to put on 2 years terms like....or 4 year terms, I seem to think that it's more efficient for the people which means I can get more done in my Ward for my people instead of after 11 months, somebody taking out a petition to run against me. So, you voted for me and 11 months from now you're voting...I'm coming to you again to ask you to sign my petition so I can run again for the next couple years. This allows efficiency for your constituents and that's it. In 2 years, people can vote us out. In 4 years people can vote us out, I mean that's what it comes out to and we're allowing the citizens of Canton to make that decision and to vote for our 4 year terms. Thank you.

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PRESIDENT SCHULMAN: Thank you Member West. Any other remarks? Okay, there are no other remarks. So the question you're now voting on, it's been so long, I forgot where we were. Ordinance 15 as amended and roll call vote please Madame Clerk. Yes, 15.

NO REMARKS

ROLL CALL 9 YEAS, 3 NAYS
(MEMBERS CIRELLI, FISHER & MORRIS VOTED NAY)

CLERK TIMBERLAKE: Nine yeas, three nays Mr. President.

#15 ADOPTED AS AMENDED AS ORDINANCE NO. 106/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk, Ordinance 15 as adopted...as amended has been adopted. These 2 week sessions are really difficult. Alright, let's turn to Ordinance 16 please.

#16. (3RD RDG) ***POSTPONED UNTIL 7/1/13 AN ORDINANCE APPROVING AND ACCEPTING THE LOT SPLIT/REPLAT OF LOT NO. 35852; AND DECLARING THE SAME TO BE AN EMERGENCY (415 47TH ST NW PARCEL# 301329, THOMAS & LIESL FORBES AND GERALD & MARCIA CRAMER)***

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 16.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 16. Leader, any remarks?

MEMBER DOUGHERTY: Yeah, I move to postpone Ordinance 16 to July 1, 2013.

MEMBER GRIFFIN: Seconded

PRESIDENT SCHULMAN: It's been moved and seconded to postpone Ordinance 16 until July 1, 2013. Any remarks?

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Mariol.

MEMBER MARIOL: Just curious, why the postponement?

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: According to our notes, after hearing from the Engineering Department, some additional time was need from the Engineers to redesign this Ordinance. We're talking about in the

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Ordinance, accepting a lot split and a replat and it may be that we only need one and not the other. We need time for...Engineering asked for time for clarification. Thank you.

PRESIDENT SCHULMAN: Any other remarks? Hearing none then by voice vote, all those in favor of postponing Ordinance 16 until July 1st, signify by saying aye. Those opposed no. The ayes have it, the motion carries and Ordinance 16 is postponed. Ordinance 17 please Madame Clerk.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 107/2013** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$5,000.00 FROM UNAPPROP BALANCE 6017 HEALTH AND LIFE INSURANCE FUND TO 6017 501101 HUMAN RESOURCES ADMIN - OTHER)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 17.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 17. Any remarks under this Ordinance? Hearing none again, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 107/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 17 is adopted. Ordinance 18 please.

#18. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 108/2013** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND/OR THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OR LEASE OF VARIOUS VEHICLES AND/OR EQUIPMENT FOR THE DEPARTMENTS OF PUBLIC SAFETY AND SERVICE; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND/OR THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO VARIOUS CONTRACTS FOR THE PURCHASE OF VARIOUS VEHICLES AND/OR EQUIPMENT IN ACCORDANCE WITH O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 18.

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MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 18. Are there any remarks? Leader.

MEMBER DOUGHERTY: Mr. President, I move we amend Ordinance 18 per the Amendment in front of all Members.

MEMBER GRIFFIN: Seconded.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 18 as follows:

Amend Section 1, paragraph b. under the section marked Street Department to increase the not to exceed amount for the street sweeper from \$125,000.00 TO \$195,901.90.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance 18 by virtue of the copy before each Member of Council. Any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I will vote for this but I would like to ask the Service Director if he could pass on word to the Street Department or any other department that has vehicles if they kind of would bring themselves up to date as we heard in Caucus, it was a number of years that they were basing what they thought they would and what it was going to cost and all the sudden it goes up \$75,000.00, that's a big chunk to you know, us to come up with the money. So, I just think, you know, everybody buys a car and we know they go up every year. So, I...just to apprise them, you know, keep the cost of a living fact in there.

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Yes.

SERVICE DIRECTOR PRICE: Yeah, actually on this one and I...I mean, I have talked to them because I wasn't real thrilled that I had to up it either but the initial amount was 125 but keep in mind, we're actually paying a lot...I mean, the total amount is more. We didn't have enough money to actually cover it to tell ya how tight it is, we didn't actually have enough money to cover the increased cost so we're actually leasing this piece of equipment over 3 years.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

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MEMBER CIRELLI: We didn't...to Mr. Price, we didn't have enough money for the 125 and then we realized it was 195....

SERVICE DIRECTOR PRICE: No, no, we had enough money for the 125 but not the 195.

MEMBER CIRELLI: Oh, not the 195. So, with that in mind then you're going to purchase it over a 3 year contract, is that correct?

SERVICE DIRECTOR PRICE: Yes, through the State Cooperative Purchase Program which the underlying legislation authorized us to..to do. So, we authorize purchase or buying, you know, we'll purchase if we can or lease if it's...we're also leasing (*inaudible*).

MEMBER CIRELLI: Okay, thank you.

PRESIDENT SCHULMAN: Thank you. Thank you Member Cirelli. Thank you Director Price. Any other remarks? I believe that what you're voting on it's been moved and seconded to amend the Ordinance per the copy. All those in favor signify by saying aye. Those opposed, no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 18 as amended.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 18 as amended. Any remarks under this Ordinance as amended? Hearing none again, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#18 ADOPTED AS AMENDED AS ORDINANCE NO. 108/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 18 as amendment...as amended has been adopted. Ordinance 19 please.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 109/2013** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A 1 YR CONTRACT WITH THE STARK METROPOLITAN HOUSING AUTHORITY (SMHA) FOR VEHICLE MAINTENANCE AND FUEL SERVICE; AND DECLARING THE SAME TO BE AN EMERGENCY

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PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 19.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 19. Any remarks under this Ordinance? Hearing none again, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 109/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk and Ordinance 19 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We turn now to Committee Meetings.

MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Finance Chairman Cole.

MEMBER COLE: Finance will meet July 1st at 6:15 PM.

PRESIDENT SCHULMAN: 6:15, thank you.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you good sir. Annexation Committee will meet Monday, July 1st at 6:30 PM. Thank you.

PRESIDENT SCHULMAN: Thank you. 6...

MEMBER COLE: Wait, no he's right, excuse me, 6:30.

PRESIDENT SCHULMAN: 6:30? Okay. Any other announcements?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, Public Property Capital Improvement will also meet July 1st at 6:30.

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PRESIDENT SCHULMAN: Thank you. Any other announcements.

CLERK TIMBERLAKE: Personnel.

MEMBER GRIFFIN: Meet same time, same place.

PRESIDENT SCHULMAN: Thank you Member Griffith.

MISCELLANEOUS BUSINESS

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

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: This past week we had a nasty storm and of course a tree came down across Market Avenue and some other trees came down. My question is to the Chief of Staff, when that happens do our crews go out, I'm sure AEP was there because of wires and what have you and do we end up billing the owners of the property that...if...if it was their tree that came down or do we eat the cost of that?

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Mr. President, thank you. Councilwoman Cirelli, if it...if it's a private tree on private property that's fallen into our right of way and we remove it or we have to hire somebody to remove it, we charge them. If it's in our right of way and it falls in our right of way, in other words, if it's on the roadside but it's in our...on our property, falls on our road, whether...and some of them we do, it depends on the level of complexity or expertise required to remove the tree.

MEMBER CIRELLI: Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Are you done Member Cirelli? I'm sorry, go ahead.

MEMBER HAWK: I apologize.

MEMBER CIRELLI: I just have a question to the Mayor. I understand that 3 weeks ago, maybe it's to the Chief of Staff, I don't know, we hired a City Arborist and is now on our payroll, is that correct?

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: I don't know, I had intended to and we were looking at whether we were going to need to contract to do that or not but I believe that yes we ultimately decided to hire him under the authority of the Engineer.

MEMBER CIRELLI: And Mr. President.

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PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Was there a job description and was there bids for that or just, you can contract out, is that what it is and is there a policy that we're going to have that we should know about?

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Well the policy essentially is the Tree Ordinance passed by the Council. So the Tree Commission is meeting tomorrow. So, that will their first meeting. We...I talked with 2 Arborists, I had decided because the position contractually or...or if it's an employee would be under my appointing authority and we had decided on Dick Drake for, you know, certainly the remainder of this year. And right now, I mean, his primary role would be helping to get the Tree Commission up and running, coordinating the City Department's activities with that but also then training our people to...we have to comply with the Tree Ordinance and this is the, you know, one of a handful of qualified people that we have in the area to do this. And it's also somebody that we'd had, you know, a lengthy contractual relationship with as far as the City goes and he's done a good job for us.

MEMBER CIRELLI: And Mr. President, Mr. Price.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: The reason I asked that question because I got a phone today and said you are going to come, we have a new Arbormist...Arborist, excuse me, and you are going to come to the Tree Commission meeting which was tomorrow night and I didn't know any of that. So, I appreciate, you know, filling us in on what's happened and the rest of Council too. And it is open to the general public, is that correct sir?

SERVICE DIRECTOR PRICE: Oh, absolutely, the meetings are a matter of public record, they are noticed publically and they are public. This one will occur I think at the Engineer's Office in their conference room.

MEMBER CIRELLI: Thank you.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Member Hawk.

MEMBER HAWK: Thank you sir. Two questions, first is the easiest of the two. I read in Sunday's paper an article about the new Canton Marathon coming back. Just wondering, I know that there's some dollars still owed to us and will we be collecting those dollars and will be....will we be able to collect the dollars that will be owed to us on the next one?

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: I'll answer that. In terms of numbers and attendance, last year's marathon was a success. As you know, it took us a long time to get paid. We did get paid. As you probably also know, that...that marathon has been subject to some controversy amongst two private parties. So, I've put you in unfortunate position of having to make the policy decision as to whether we will, as a City, support this...this effort. Last year we...we handled the event as we typically would handle larger scale events in the City where we basically agreed that the parties would reimburse us on our safety and service side expense for this event.

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And because of the time it took for payment and after discussing the matter with folks internally and the folks in the Law Department, I mean I...I came to the conclusion that we should present it to you as a contract. In terms of the contract we're presenting, we would require at least 50% of the estimated bill. Because we don't know what the final cost would be until we get the overtime numbers. But we've...we've done an estimate, we would ask by contract that the marathon organizers pay 50% of that up front and so that will essentially be our presentation to you. And it's going to be ultimately up to us, I mean this Body and all of us to decide whether we support this particular marathon. We have been approached by, you know, we're starting to get approached by others but that's because the event was a success.

MEMBER HAWK: Thank you sir. Well done as always. Always appreciate it. Second concern, emails today, gunshots, gun fires, guns going off, a robbery...armed robberies at 9th and Monument NW at I think about 3:30, 4AM this morning and another one where we continually have gunshots in our Wards. I think we'd be taking a step toward putting Officers back on the street, we need to push toward this 175 Officers to get them out there because it's going to get worse folks before it gets better until we put cops on the street. So, I think we should really consider making a...a priority staffing our Police Department as well as our Fire Department and other safety forces.

PRESIDENT SCHULMAN: Thank you Member Hawk.

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR PRICE: Wanted to clarify just a couple things on the Animal Control issue, because I do know I was quoted in the paper and I didn't read it to be honest, but I...I didn't read that particular article, I was out of town. I do read the Canton Repository just so you know. *(Laughter)* So, you folks there know, I love the Repository. *(Laughter)* I do, I read it, okay I just didn't read it that Sunday, I should shut up on the Repository, shouldn't I. Okay but anyway, as to...as to our animal control situation. I do want to make a correction here because I was under the mistaken belief that we had actually fully executed the contract this last round and that, that contract had been terminated. Okay, well that is not the case. The...the contract was never executed in full, signed by one party but not then signed and therefore executed by the City. So, it was pointed out to me by somebody that, that contract...I mean, all I got to...if I put my signature on it, that contract could go into effect. Okay, the problem with that is the Resolution asking me to do it also asks that we not enforce that contract as to felines. Okay, and I'm not going to sign that contract. I really believe that we need to, at a minimum, get together, review the results of this committee that I've not ha...I mean, I read it, you know, I've not really had an opportunity as the, you know, civilian executive over that function to...to...to look at it, to consider it. But what I certainly don't want to do is to simply execute a contract that naturally, and as we're all aware, became a significant issue for the community and certainly for this Council. And I'd really...before, I don't want to go and just sign what..what clearly pretty much imploded the last time it was in operation. But at...at the same time, there's some money in the budget, you know, to perform that function and...and let's find a way to perform it as humane a way as possible and...and figure out where we want to go. But unless you present me another piece of legislation, because I've got a Resolution now asking me to execute a contract that I...I'm not comfortable changing the terms of myself. I mean, Law Director, do you understand my point? You passed a Resolution asking me to do animal control but without the cat portion of it.

MEMBER WEST: Correct.

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SERVICE DIRECTOR PRICE: But I've got a contract that...that...that...that includes ever...just the way it was, the status quo, if I sign that contract you're asking me to sign.

MEMBER WEST: Mr...Mr. Chair.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: My recollection of the contract that was passed by this Council excluded cats, which would be consistent to the Resolution that was supported last week with the Informal Resolution. Check that for the record.

MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Yes Member Mack.

MEMBER MACK: I think the Service Director's suggestion is a good one. I didn't understand that Resolution to request him to execute a preexisting contract. I understood that Resolution to begin the process, analyze the situation and ultimately retain an Animal Control Officer. So, I think that to start the process anew is certainly was...what I was anticipating when we passed the Resolution. I think legally, fairly is probably the best way to go.

PRESIDENT SCHULMAN: Thank you

MEMBER WEST: Mr. Chairman.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: If we could have the Law Department look at the contract that this Council passed back in March and then, that's something that can be executed currently. I don't have a problem meeting and talking about a future program or policy for the City of Canton. I'm calling for action for my residents and for this community. I think last week you heard people come up here and ask about what are we going to do with these animals. The last time we had meetings, we still haven't had a policy here that was presented to this Council or to the Law Department. I know Member and...Member Morris did send me something this week in reference to a policy. But my belief is, I don't have a problem with whoever wants to meet and talk about a future policy but I think my constituents is asking for action and we...this Council passed this in March and I believe that we should support that. So, whatever you need me to do, I'll be glad to do it to get this done but I'm...I'm hopeful that you would look at the contract and I think it's consistent with what the Resolution we did last week.

PRESIDENT SCHULMAN: Thank you Member West. Member Cirelli.

MEMBER CIRELLI: Mr. President, and I'm sure...they are conversing right now and I wanted to get Chief of Staff Price to hear what I said because I did send you a suggestion. I...I think just the word animal control, I think it should be changed to wild animal control, that in itself as a wild Animal Control Officer and you know, whenever I think about this, because we're looking at trying to save money but do the right thing, is it possibly that this should be a seasonal position where the animals are, you know, coming out? In the wintertime, they generally hibernate and they don't come out and I would be glad to help, you know, on a committee too.

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Whoever else would want to serve and help you maybe write a policy if you could acknowledge, did you get my emails I hope on that? And I think what we really want is the animals that are the wild animals to be caught in a humane way and then returned to their natural habitat if at all possible unless it...there's an indication that we have a rabid animal or something like that, which naturally if that's the case, the Police even will come out and shoot because...and whoever would be the Animal Control Officer, not the animal but the wild life control officer would probably most likely carry a weapon incase it is a rabid animal or something like that. But I think that's what we really are talking about is, unfortunately opossums and skunks and raccoons and critters that come in, foxes even, we had them up in Ridgewood in the last...it went around, all around Ridgewood that there was a fox in the City. So, I think that's what we really want to do, you know, not just animals. When you say animals then people really get all upset about it. They're thinking their own personal animal.

PRESIDENT SCHULMAN: Member Morris.

MEMBER MORRIS: Thank you Mr. President. I do believe that there needs to be some conversation regarding this. The main thing is, I don't think this is really the forum that we should be having this conversation. A lot of these animals pose health threats to family pets, to residents, that is for our Health Department to determine and in the meetings that we had, that is one of the things that came out clear as a bell, okay, from our own Health Director, Jim Adams, Canton does not have a clear cut animal control policy. So, I think that before we hire an Animal Control Officer we need to back up, talk to our Health Department and do it right, not piece mail it together. Thank you.

MEMBER WEST: Mr....

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yes, just real quick, the monies that we have and I think it's roughly \$15,000.00 that's already in that account to address the rest of the year, which would be through December 31st. Then we would have to start all over again. So, I would suggest us to get something in place where we have a problem and then later, I mean, and then while we're doing that, you guys get together, the same committee or whoever wants to get in that committee to develop that policy for the City of Canton, get together and then do something for January so that we're ready to go because I know how this works, you guys will wait and wait and wait and then this thing will come back January 1st. All summer long people will have to deal with this issue on their own and that's what we've resorted to. Right now when someone calls we tell them hey, look in the phonebook and call a trapper and that's what's happening currently. And that's not just for the wild and vicious animals, that's also for those cats and all the other animals and the chickens and all the other stuff. So, I'm saying this, and I say that because it's Frank's Ward that has the chickens and the rooster. *(Laughter)*

PRESIDENT SCHULMAN: Member Mack.

MEMBER MACK: Yeah, maybe as a suggestion because I think Director Price indicated, you know, this is new information, I didn't know there was a preexisting contract, I'm looking at the Resolution now, it certainly doesn't say there's a preexisting contract. Maybe to resolve this issue, have another Ordinance, next meeting now that we have a particular contract in mind, have a vote on that contract, if that ones great by Council's vote, fantastic, if not then we proceed accordingly. So, that way certainly all the facts are out there so we can vote intelligently.

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PRESIDENT SCHULMAN: Okay, Member West.

MEMBER WEST: Excuse me but we...this Council has already voted on a contract and it's already passed. So, it's already in legislative form to be executed.

PRESIDENT SCHULMAN: Okay.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you. Quickly on this one. The possibility exists and with...through some research that we may be able to do it on a...on a per unit basis if we have a true skunk, groundhog or something like that. We may be able to expend these dollars through our current..through the gentleman who did such an outstanding job of catching wild animals for us, maybe we could do it on a per unit basis similar to just hiring a trapper. That might be an option we have. So we can explore that, that would be a good thing. Another thing I'd like, on a sep...separate point. I'd like to clear up to Mr. Parker. I'm not difficult to get a hold of, my phone is very specific and it tells you in a very lengthy phone message that if you're calling between the hours that Council is in office. I don't prefer that it goes through there but it gives you the option of getting a hold of me right away and Council is very good at taking these calls and the girls are very good at forwarding that information along during the course of the day. And it helps us get a lot of issues resolved. However, if you leave a message on my phone, I return the call. So, Mr. Parker you're aware of that but I'm really am a little disappointed in that...when you made that statement about the way I prefer it. I prefer to serve my constituents in the best manner possible. It gives them the option of leaving me a message or calling Council and they will patch that through to me immediately and they will get it resolved. Thank you.

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

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Being a former County Commissioner, we had...and I didn't know this until I became a County Commissioner, we actually had people in the County in the rural areas that raise chickens and somebody mentioned chickens and there's also some in Chris Smith's Ward I know of but anyhow, a wild animal would go into these farmer's home....farmer's, you know, farms and they would kill the chickens and those people would appeal to the Commissioners and we actually as Commissioners paid them X amount of dollars and each one brought it to the Commissioners and we paid them to replace the chickens that were killed. And at times, we would call out a animal control...Wild Animal Control Officer to places that...where it got repeatedly over, over and over again. So, that just might be some help and....

PRESIDENT SCHULMAN: Well I

MEMBER DOUGHERTY: Mr. President....

MEMBER CIRELLI:it's generally a seasonal thing.

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PRESIDENT SCHULMAN:I think to conclude this...go ahead Member...Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, okay here's how I see it, we have a system in place. Mr. Price put together what you think should happen as Member Mack states. Send down a Communication, send down a an Ordinance, it will be signed to Committee, they'll research it and we'll go from there. This is no different than anything else. So, I understand what you're saying, I wouldn't sign that either but come to terms with what makes sense. In the meantime to help Mr. West out, you know, you're saying we have money in service instead of constituents having to pay the rest of the year, if they call we sho....why can't we pay so that they don't have to pay the \$50.00, we pay the \$50.00 and if it's in budget then it's there. Now, that way we can just...here's the...here's the...just like when they had bee problems, there was a list of numbers, we would call these bee keepers and they would go out and handle the problem. This is no different.

PRESIDENT SCHULMAN: Okay, any other remarks? Any other remarks on anything? Leader.

MEMBER DOUGHERTY: Mr. President I move we adjourn.

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Thank you, twelve yeas Mr. President.

PRESIDENT SCHULMAN: Meeting is adjourned. (*Gavel falls*) Thank you everybody, have a safe trip home.

ADJOURNMENT TIME: 8:46 PM

ATTEST: JUNE 21, 2013
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: JUNE 21, 2013
ALLEN SCHULMAN
PRESIDENT