

MINUTES OF THE MEETING AUGUST 12, 2013

PRESIDENT PRO TEM DOUGHERTY: Good evening ladies and gentlemen. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

TEN COUNCIL MEMBERS PRESENT. (MEMBERS COLE, MACK AND SCHULMAN ABSENT)

CLERK TIMBERLAKE: Ten yeas, Mr. President.

EXCUSING MEMBERS

MEMBER GRIFFIN: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: I move that we excuse Members Cole and Mack and President Schulman from tonight's meeting.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to excuse Members from tonight's meeting. Roll call...any remarks please? Roll call.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Motion carries. Members Cole and Mack and President Schulman are excused from tonight's meeting. Invocation tonight will be given by Ward 1 Council Member Greg Hawk. Please remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on August 12, 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 Pro Tem Dougherty.

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM DOUGHERTY: Agenda Corrections.

MEMBER GRIFFIN: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes, Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we, Rule 22A be suspended and add, to add 2nd Reading

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Ordinances 11 through and including 16. Resolution #37 and Communication #331 will be withdrawn.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to Suspend Rule 22A to add 2nd Reading Ordinances 11 through 16. Are there any remarks? Also in the motion was the withdrawn. Roll call.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Very good. The Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM DOUGHERTY: Now no Public Hearings tonight. _____

OLD BUSINESS

PRESIDENT PRO TEM DOUGHERTY: No Old Business unless you do have something? I wasn't sure if there was anything.

PUBLIC SPEAKS

PRESIDENT PRO TEM DOUGHERTY: OK, now under Public Speaks. We have nine, nine signed up for tonight. Harold Smith. Yes come to the microphone please sir. Good evening and welcome to City Council. I need your name and address before you begin please.

HAROLD SMITH: *(Inaudible comment)*

PRESIDENT PRO TEM DOUGHERTY: Well, thank you. *(LAUGHTER)*

HAROLD SMITH: I'd like to encourage you to do it one more time. Anyhow, we've got a serious subject to talk about tonight. The name's Harold Smith. I live in Massillon but I have 4 properties inside Canton city limits. The properties are, 3 of them are along Roslyn Avenue SW and my principle discussion point tonight starts out with the boundary fence between Linwood Acres an SMHA development in Canton, southwest and the adjacent private property owners on the eastern side with addresses along Roslyn Avenue SW with zip code 44710. That fence is considerably deficient in my estimation. The present boundary fence has been, the old present boundary fence has been cut and repaired private property owners, cut again, then bent apart wide enough in one specific area to allow children and adults to walk from SMHA property along 3313 A and B housing. In addition some older teenagers and young adults have physically climbed the fence at various other places and dropped down onto private property owners land to include into an above ground swimming pool and causing damages. At least one recent time, older children climbed the fence and used the private swimming pool while owners were not home. This homeowner built his own wooden boundary fence in addition to the SMHA fence and in the last year, in an attempt to secure his property. These types of trespassing should not be permitted and must be controlled. The present owner boundary fence must be repaired where damaged and/or replaced where required. I have two copies of a petition here that I will give to the Council. I have two more similar petitions being passed around in the neighborhood. I will forward a copy of that when received. We the undersigned are concerned citizens who request Canton City Council and Linwood Acres SMHA to establish a working relationship and to begin immediately working together to solve

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this problem for the mutual benefit of all the adjacent property owners concerned. I've contacted SMHA main office by telephone twice in the last two months and have not received any response to date. I have personally contacted the SMHA Linwood Acres manager at her office, three times in the last two weeks including once today. I have talked with the maintenance man once. I saw both of them, the problems along the fence line. Each said they were not aware of any problems that previously existed along the boundary fence. Each has said that they will need to contact their higher office to determine who has the fence and who has responsibility to maintain and make repairs. I have invited the SMHA manager along with her attorney and her supervisor. Is anyone from SMHA here? Apparently not. (*Inaudible comment*) OK, and the chickens. There are a few property owners and rental occupants who are, who may or may not be present here tonight who support the petition. There are other supporters who were not able to be present because of work schedules and other priorities. A few property owners who will verbally support this. There are a few property owners who verbally support this petition but will not publically support it because of fear of identifying themselves to surrounding community and being subject to retaliation, revenge or retribution by the people causing the problem. I request another minute please.

PRESIDENT PRO TEM DOUGHERTY: No sir. The rules are 3 minutes so, I'm sorry. Thank you.

HAROLD SMITH: I understand that however, on...

PRESIDENT PRO TEM DOUGHERTY: Sir, could you give the petition to the Council Member to your left there please. Thank you.

HAROLD SMITH: I would prefer you please to....

PRESIDENT PRO TEM DOUGHERTY: Sir, please. Please sir.

HAROLD SMITH: I would refer to paragraph H for reference. And I thank you for your consideration.

PRESIDENT PRO TEM DOUGHERTY: And that's because someone would have to give you that opportunity sir.

MEMBER FISHER: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Fisher.

MEMBER FISHER: I would just like to say I wanted to, when Mr. Smith was finished speaking I did want to say that I did get your message sir. I apologize that I did, deleted the voice mail off of there after I wrote the number down. I need to get your number back because I wanted to give you a call this weekend and I did not have your number. So that is my mistake. I am sorry.

PRESIDENT PRO TEM DOUGHERTY: And Mr. Smith, you can stay until after the meeting and talk to your Council Member or the Council Member of that area, not your Councilman. Pete DiGiacomo please.

PETE DIGIACOMO: Good evening. My name is Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. I wanted to speak tonight. This past week we had our house vandalized, two separate occasions. I contacted the Dispatch Center for assistance with police and had problems there, also filed a complaint with

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Dean McKimm. I spoke with him about the way the Dispatch Center handled the calls. I ended up going up to the Police Department and Sargent Swank addressed my problem, my concerns. We had to meet with a couple of the parents pertaining to the vandalism. If it would not have been for Sargent Swank, the problem would probably not be resolved and I wanted to just bring his name to Council. He did an outstanding job and like I say, I come here sometimes and complain but when someone should get theatta boys, that's what I'm here for tonight. Sargent Swank went I feel, above what normally would have been done to resolve the situation and hopefully at this point in time has put an end to it. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you sir. *(APPLAUSE)* Patricia Kirk please. Good evening.

PATRICIA KIRK: Good evening. My name is Patricia Kirk. 131 5th Street NE and I'll be speaking tonight as Downtown Central President and Canton Tree Commission Chairperson. Walnut and 6th Street NE is a traffic hazard. It's a busy three lane street leading to a highway. After months of construction huge cement islands were built making turning difficult and blocking one lane each at the corners and the traffic light was removed. Wheelchairs use the street as smooth surface since newer sidewalks were rebuilt, not the broken ones. There's a preschool there too at that corner. Pedestrians trot across hoping a car doesn't hit them. Beep, beep, screech, thump, you hear this frequently. The cement islands make it impossible to swerve out of the way. This happened three times in one week recently. It involved a van with children and a totaled car. Police were called asking for reports, get this...only 5 for the year. But they are aware of the danger cause they use it. This is not police fault because a lot of those accidents are hit and skip. The horror is that this low number is used to justify a project that's endangering lives. 12th Street has new telephone poles in the middle of the sidewalk beside good ones making walking almost impossible. A boss once said, "Never ask permission, only forgiveness". I hope this isn't Canton's motto. Now, for the good news. Canton Tree Commission meets August 20th at 6 to 8 in the Garden Center. The public is welcomed. We'll have two speakers. If you come, you'll receive the tree owner's manual like this. This is a donation from Downtown Central Neighborhood Association because we're interested in safety and beautification. The Tree Member Board will be getting their own handbook. Thank you very much.

PRESIDENT PRO TEM DOUGHERTY: Thank you. *(APPLAUSE)* Bret Moore please. Good evening.

BRET MOORE: Good evening Council President and God Bless all of you. Recently I was reverting back to maybe my younger days when I used to stay out all night on the parade route and I tried to do it again this year and was sitting in front of Schreiber School where there seemed to be a problem with concentration of, of groups of young children, young not children but teens, adolescents. They were constantly thwarted and spread out by the State Highway Patrol. Come to a point where around 1:30 or 1:45 am where they had organized a way to sweep across Cleveland Avenue and they come across in that whole block and they come through knocking people's things down, hitting tents, stuff like that. I heard guys, some of them saying, "No come on man. Let's not do this. Come on don't". And other ones saying you know, "F it. Come on we're gonna go get 'em". And they migrated toward the north side of Schreiber School and three gunshots went off. I got my son laying on the ground and I'm laying on top of him and I'm laying there thinking this is a parade that's going to happen and I can, and I'm on top of my son blocking him from bullets. And I noticed that never in the press or anything did I hear anything about that. I happened to stop down at the Marathon station a couple days later and I asked them did they hear about the shooting. They said well we had a contingent of officers that was stationed here and they left and they come back and they said it was just fireworks and I am an avid gun owner and user and there's no way in the world that they were fireworks. And I'm not saying

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anything bad about any police officer out there because I, I love the fact that we have them and they're there to protect us but if, if that's being just "swept under the rug" for the sake of the good name of the Hall of Fame, I think it's wrong that, we need to, our people need to know about that. Did anybody out here know that there was a shooting at Schreiber School on Hall of Fame night. That is ridiculous. Thank you for your time.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*) Morgan Benson please. Good evening.

MORGAN BENSON: Hello. I'm Morgan Benson. I live at 126 Fawcett Court NW. I recently just graduated from McKinley and next week I'll be leaving to go to Ohio University and I'm a member of career club at MDS. We handed out forms or we will be handing out forms to tell you what we've done this summer and we just wanted to come and show you all that. A typical day is, we come in at 7:30 every morning and we have a morning meeting and then around 8:15 we leave and we go to our different work sights. We do different things like cut grass. A small group of us go and do that. It's the first time I ever touched a lawnmower in my life. We watch about 100 kids and they leave around 3:00 and we get off at 3:00 and we leave at 12:00 for, well 12:15 for lunch break and we come back around 1 and we did other things like pick up trash around the streets. We picked up all the tree branches at Nimisilla Park when the storm hit and I think the summer work program is important because we, well personally I needed money for college cause, yea, I'm kinda broke. And I think everybody else needed money too. I gained responsibility and independence and Mr. Terrence gives us a good way to gain that. It's just something to do so that all of us are busy during the summer and it's gives us a good work ethic so, and we'd like to say thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*) Kelsey McElroy. Welcome. Had you ever run a lawnmower before?

KELSEY MCELROY: Yea. Hi, my name is Kelsey McElroy. I'll be a junior at McKinley High School. I live in the Canton city. Career Club is a program aimed to prepare high school students from Canton South, Choices, GlenOak, McKinley and Timken High School for occupational success through a comprehensive program offering career exploration, work readiness, etiquette, communication skills, conflict resolution, drug/sex prevention, education and community service. We weren't given these jobs, we were, we had to earn them. We started off with 150 students. We had to go through a series of workshops, drug tests, community service, a post test over the workshops we did and we had to have a GPA of 2.75 or higher. As I conclude on behalf of all of us at MDS, I would, Mayor Healy, Fonda Williams and Lisa Miller from Community of Development Services, Councilman Hawk, Councilman West and Councilman Smith, we thank you for personally or no, for publically endorsing us and we thank you all for your votes to, which gave us the funds for our program.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*) Terrance Jones. (*LARGE CHEER BY GROUP*) Are you responsible for this? (*LAUGHTER*)

TERRANCE JONES: Yea, I wish they were that energetic when they worked. Terrance Jones, 424 Fulton Road NW and just real briefly, Mayor Healy I do want to commend you for, you know approving the dollars through Economic and Community Development, signing off cause I know federal funds can be kinda tricky. Fonda and Lisa Miller as well. I know the paper work is very technical but to everybody, to all the City Council Members and when the young lady said that we want to reiterate to Councilman Hawk, you were the first to sign in and say I'm endorsing your program. Chris Smith, always a phone call away and Councilman

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West. To all the other Council Members, the young lady couldn't have said it any better. They earned these positions. They were getting up every morning. Had to be to work at 7:30 am. We have a no late policy because where can you work at in 8 weeks and be late and so we wanted to teach them that because what happens when you're late to work? You go home. So we lock the door at 7:30 on the nose. But we just want to publically to say thank you. Thank you for working with the Parks Department. The Street Department as well in providing the kids opportunities to work but you know, these dollars were so important to so many kids, whether it be to help with their basic needs. Whether it be to help with things at home. Whether it be to help with school or get prepared for school. Out of the 80 kids, this is only a small portion of them. The demographics were about 67% Black. We had about 15% White and the rest was Hispanic but most of them have either went back to either college or they had some other commitments whether it be sports that they are participating in. These kids can be doing so many other things, so many other things. So for them to want to work, and indeed we do, we force them to work. It is hard to get kids to work because we all have them and we know how tough that can be so, on behalf of MDS, we hope that there's future funding around because again this keeps kids off the streets and that they're not horse playing but most importantly, it's teaching them what reality is and that is you have to work for what you want. So on behalf of MDS, better known as Multi-Development Services, we sincerely thank you so much.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*) Very nice program. Thanks to the Council Members who stepped up to that and Mayor. And Terrance thanks for doing a great job. I'd like to have Brenda Kimbrough come up please. Good evening.

BRENDA KIMBROUGH: I'm Brenda Kimbrough and I live at 902 Lippert Road NE, Canton, Ohio. Proud to be in Canton. Glad to be a citizen. Welcome. I just wanted to say something. Number 1, I just want to say hats off to you wonderful people (*APPLAUSE*) because there are some young people doing good things and we need to support them. I say support them because I know in my neighborhood, we have other problems with people who don't have jobs. People who gather and cluster and shoot and fight, who cause trouble all day long cause they don't have anything to do. So we need to get some more money involved for that sort of programming so our young people are trained how to work, not just told to work, but how to do it. How to apply the ability to get there on time to get the job done. And not just do something but do it good. Anything worth doing is worth doing well, OK. (*APPLAUSE*) So let's do it right the first time so we don't have to do it again. The second thing I wanted to bring up was, I love the Hall of Fame thing. It was awesome. It was really great. Enjoyed all the things. Only thing I'm going to talk about, like Pat said, was the fact that we had that light down there on 6th Street. I can say that there was a serious long 20 minute wait to cross the street. People parking their cars in the block on Cherry cannot get across Walnut Avenue cause everybody was making Canton a drive thru. We are not a drive thru city, are we? Don't we want people to stop and buy things? Do we want people just to shoot through here or do we want them to stop now and then? They might see something they want to get, so we put up a light there, they might stop and see a shop and shop there. But if it isn't, it's kinda take yourself into your own hands crossing right there. That is a terrible intersection. I ought to know. I been hit twice in that intersection, once on 13th Street where there is not a light and once on 6th Street where there is a light. We need to really kinda look at that. That's a dangerous spot to be in. So, I'm just thinking if you're going to do that and you're not going to put a light up, then maybe for future events, you might want to get a crossing guard or somebody to help the poor people that come here to spend money, in our city, for this event, not to take their lives in their own hands to cross the street to get their cars to get home. Now the same thing I had to say was, oh yes, the summer work programs. Oh yes, the future is in our kids and this thing is, I want to make sure that our city is not a drive by city but is a place where everybody is important and not just the elderly and the seniors but everybody is somebody in Canton and we can all do that

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if we work together. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*) Henry Preston. Good evening.

HENRY PRESTON: Henry Preston. I live at 326 31st Street NW, Canton, Ohio. Several weeks ago a lively and engaging conversation about crime in Canton took place right here after the scheduled meeting had adjourned between Mayor, the Mayor and Bruce Nordman, leader of Group 175. While it was a personal conversation, I played close attention with it, it was Mr. Olsen, he put it on the internet so it was public. So I conducted my own research. What I found out was that Mr. Nordman contends that the crime is rampant, the Mayor contends that crime is down in the city. Well guess what, I found out that they're both right. So comparing Canton to other cities large and small continues, in my opinion, continues to be unsafe. What I'm going to pass around, this first document, it shows how dangerous Canton is compared to other cities, small cities around Canton. The next group of documents I'm going to pass out, I took at random, several large cities and we'll start with Cleveland. Cleveland is 1.1% more dangerous to live in than Canton, Ohio. Canton, Ohio, Nashville, Tennessee is 23% less dangerous to live in than Canton, Ohio. Youngstown, Ohio is 10% less dangerous than Canton, Ohio. Dallas, Texas is 25% less dangerous than Canton, Ohio. New York City is 69% less dangerous than Canton, Ohio. New Orleans is 36% less than, less dangerous than Canton, Ohio. Chicago, Illinois is less, 29% less dangerous than Canton, Ohio. Tampa, Florida is 10% less than Canton, Ohio. Los Angeles (*inaudible*)...Cincinnati is 3.4% more dangerous than Canton, Ohio but the Mayor said, claims that Canton's crime is down. Well he's absolutely right. Since 2004 it is down. But the problem is since 2004 the crime rate in Canton has gone up and down and I look at the crime rate in Canton's about, it's likely, I call it, consider it clouds of crime. They come and go. It's like storm clouds. They come, they go from neighborhood to neighborhood. In conclusion the crime index back in 2011 is 2 on a rate from 0 to 100. I don't consider 2 as a safe city. Thank you very much. (*APPLAUSE*)

PRESIDENT PRO TEM DOUGHERTY: Thank you.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM DOUGHERTY: Now under Informal Resolutions. Resolution 43 please.

#37. *CNCL AT LG MBRS BABCOCK & COLE & WARD CNCL MBRS HAWK, WEST, GRIFFIN, DOUGHERTY, MARIOL & MORRIS: REQ COUNTY AUDITOR TO CERTIFY TO CITY OF CANTON THE TOTAL CURRENT TAX VALUATION OF THE CITY & INCLUDE THE CALCULATION OF THE AVERAGE ANNUAL TAX RATE, EXPRESSED IN DOLLARS & CENTS FOR EACH ONE HUNDRED DOLLARS OF VALUATION AS WELL AS IN MILLS FOR EACH ONE DOLLAR OF TAX VALUATION & THE DOLLAR AMT OF REVENUE THAT WOULD BE GENERATED BY 3 MILLS. - WITHDRAWN*

#43. PERSONNEL COMMITTEE: REQ RE-APPT OF ERMA SMITH TO INCOME TAX REVIEW BD FROM 3/1/13 - 2/28/17. - ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Informal Resolution 43.

MEMBER BABCOCK: Seconded.

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PRESIDENT PRO TEM DOUGHERTY: Been moved and seconded to adopt Resolution 43. Are there any remarks? By voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #43 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Resolution 43 has been adopted. Resolution 44 please.

#44. COUNCIL MEMBER MORRIS, WARD 9: EXPRESSING INTENT TO REALLOCATE IDENTIFIED GENERAL FUND NET SAVINGS OWING TO THE SUCCESSFUL PASSAGE OF THE NOV 2013 PARK LEVY TO & FOR THE USE OF THE POLICE & FIRE SAFETY FORCES OF THE CITY TO THE FULLEST EXTENT IT MAY FISCALLY & LEGALLY DO. - ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Informal Resolution #44.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Resolution 44. Any remarks? By voice vote, all those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #44 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Resolution 44's been adopted.

COMMUNICATIONS

PRESIDENT PRO TEM DOUGHERTY: Now on 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 AUGUST 12, 2013.

318. AUDITOR MALLONN: REQ ADDT'L AMENDED 7/31/13 CERTIFICATE. - RECEIVED & FILED

319. AUDITOR MALLONN: MNTHLY RPT BY FUND FOR 7/1/13 - 7/31/13. - RECEIVED & FILED

320. AUDITOR MALLONN: YRLY RPT BY FUND FOR 1/1/13 - 7/31/13. - RECEIVED & FILED

321. COURT ADMINISTRATOR KOCHERA: AUTHORIZE SERV DIR TO PUBLISH & REC BIDS FOR CANTON MUNI COURT AUDIO/VISUAL REHAB PROJ. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

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322. COURT ADMINISTRATOR KOCHERA: REQ \$8,574.00 APPROP TRANSFER FROM PERSONNEL SVCS #2767-701001 COMMUNITY SANCTIONS GRANT FUND TO OTHER #2767-701001 COMMUNITY SANCTIONS GRANT FUND FOR THE CONTINUED PROPER OPERATION OF THE COURT. - FINANCE COMMITTEE
323. DEVELOPMENT DIRECTOR WILLIAMS: REQ TO AMEND O#115/2013 BY ACCEPTING & APPROVING PROPOSED EXHIBIT A TO CORRECT SOME PROPERTY OWNERSHIPS SHOWN ON ORIGINAL EXHIBIT A OF O#115/2013 (VACATION OF PORTION OF DRYDEN AVE SW & GROVE PL SW & DEDICATION OF PORTION OF W TUSC - CVS PHARMACY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
324. LAW DIRECTOR MARTUCCIO: REQ TO WITHDRAW INFORMAL RE#37. - RECEIVED & FILED
325. LAW DIRECTOR MARTUCCIO: REQ THAT STARK COUNTY BD OF ELECTIONS WITHDRAW RE#21/2013 AS IT WAS AMENDED BY PASSAGE OF RE#132/2013. - RECEIVED & FILED
326. LAW DIRECTOR MARTUCCIO: REQ TO AMEND EXISTING I-77 CEDA BETWEEN THE CITY & CANTON TWP TO PERMIT 2 BUSINESSES TO TRADE LAND. - ANNEXATION COMMITTEE
327. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D1 D3 D3A LIQ PERMIT FOR 3773 CLEVELAND INC DBA EURO GYRO @ 3717 CLEVELAND AVE NW. - RECEIVED & FILED
328. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D5 LIQ PERMIT FOR GRAPES IN A GLASS LLC @ 575 MARKET AV N 1ST FLR ONLY. - RECEIVED & FILED
329. MAYOR HEALY: ADVISING OF APPT OF JOYCE SUMLIN TO MAYOR'S COMMUNITY RELATIONS COMMISSION FROM 8/1/13 - 7/31/15. - RECEIVED & FILED
330. SAFETY DIRECTOR PRICE: REQ C#310 FROM 7/29/13 AGENDA BE WITHDRAWN. - RECEIVED & FILED
331. SAFETY DIRECTOR PRICE: REQ AN EXCEPTION TO O#94/2013 FOR A 3% PAY INCREASE FOR ANGELA CAVANAUGH, CBO. - WITHDRAWN
332. SERVICE DIRECTOR BARTOS: REQ TO ENTER INTO A 1-YR SUPPORT W/ DLT SOLUTIONS INC IN AMT OF \$40,270.00 FOR ONGOING SUPPORT & MAINTENANCE OF CITY'S ORACLE SOFTWARE LICENSES. - FINANCE COMMITTEE
333. SERVICE DIRECTOR BARTOS: AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY SERV DIR IN AMT NOT TO EXCEED \$60,393.85 TO CENTRAL ALLIED ENTERPRISES FOR REPAIR OF PAVEMENT & REINSTALLING BRICK & CONCRETE WORK AFTER BROKEN WATER MAIN @

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MCKINLEY AVE & W TUSC ST. - FINANCE COMMITTEE

334. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONTRACT FOR USE OF FUEL CARDS FOR FUELING ALL CITY VEHICLES. - FINANCE COMMITTEE
335. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE A CONSTRUCTION CONTRACT FOR HARRISBURG RD RESURFACING PROJ GP 1139; AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO COOP AGMT FOR CONSTRUCTION & FINANCING OF PROJ; AUTHORIZE CITY TO REC GRANT FUNDS FOR THIS PROJ FROM OPWC; AUTHORIZE CITY TO REC GRANT FUNDS FOR THIS PROJ FROM COUNTY; AUTHORIZE AUDITOR TO ESTABLISH & CREATE 4571 FUND (HARRISBURG RD RESURFACING PROJ GP 1139) FOR PURPOSE OF TRACKING PROJ REVENUES & EXPENDITURES; MAKE \$150,000.00 SUPP APPRO FROM UNAPPROP BAL OF 4571 TO 4571-202098 (HARRISBURG RD RESURFACING PROJ GP 1139 FUND & ORGANIZATION); MAKE \$101,359.59 SUPP APPROP FROM UNAPPROP BAL OF THE 2113 (MUNICIPAL RD FUND) TO: 2113-202001 (MUNICIPAL ROAD FUND - ENGINEERING ADMIN); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVE BY PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
336. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR &/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & EXECUTE CONSTRUCTION CONTRACT FOR 55TH ST NE STORM SEWER PROJ GP 1125; AUTHORIZE CITY TO REC GRANT/LOAN FUNDS FOR PROJ FROM OPWC; AUTHORIZE CITY TO REC GRANT FUNDS FOR PROJ FROM COUNTY; AUTHORIZE AUDITOR TO ESTABLISH & CREATE 4565 FUND (55TH ST NE STORM SEWER PROJ GP 1125 FOR PURPOSE OF TRACKING PROJ REVENUES & EXPENDITURE; MAKE \$895,000.00 SUPP APPRO FROM UNAPPROP BAL OF 4565 (55TH ST NE STORM SEWER PROJ GP 1125 FUND); 4565-202087 (55TH ST NE STORM SEWER PROJ PG 1125 FUND & ORGANIZATION); MAKE \$160,000.00 OF SUPP APPROP FROM UNAPPROP FROM UNAPPROP BAL OF 4501 (CAPITAL PROJECTS FUND) TO 4501-202087 (CAPITAL PROJECTS FUND - 55TH ST NE STORM SEWER PROJ GP 1125); MAKE \$30,000.00 APPROP TRANSFER FROM 4501-504010 (CAPITAL PROJECTS FUND - INFORMATION TECH) TO 4501-202087 (CAPITAL PROJECTS FUND - 55TH ST NE STORM SEWER PROJ GP 1125); MAKE \$110,000.00 APPROP TRANSFER FROM 4501-202210 (CAPITAL PROJ FUND - STREET MAINTENANCE) TO 4501-202087 (CAPITAL PROJ FUND - 55TH ST NE STORM SEWER PROJ GP 1125); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
337. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO PURCHASE AGMT FOR PARCEL #304459 W/NORMAN & BARBARA LORD IN AMT OF \$21,000.00 & TAKE OWNERSHIP OF SAID PARCEL; AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO COOP AGMTS W/GERVASI VINEYARDS &/OR OTHER PROJ STAKEHOLDERS FOR DEVMNT & MAINTENANCE OF 55TH ST TRAILHEAD; AUTHORIZE ENGINEERING & PARKS DEPT TO GENERAL CONTRACT AS NEEDED FOR DEVMNT OF

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TRAILHEAD THRU USE OF CITY FORCES &/OR LOCAL CONTRACTORS & SUPPLIERS; MAKE \$5,547.35 SUPP APPROP FROM UNAPPROP BAL OF 2181 (GERVASI 1700 LLC TIF FUND) TO 2181-202001 (GERVASI 1700 LLC TIF FUND - ENG ADMIN ORGANIZATION); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPT AUTHORITY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

338. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 7/31/13. - RECEIVED & FILED
339. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS FOR JULY 2013 IN AMBULANCE LOCK BOX. - RECEIVED & FILED
340. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 7/31/13. - RECEIVED & FILED
341. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR JULY 2013. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM DOUGHERTY: Now under First, under Ordinances for the First Reading. Madame Clerk, Ordinance #1.

NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #10 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE RENAMING A PORTION OF SEICH COURT SW IN THE CITY OF CANTON, RALPH BYRD COURT SW
Referred to Public Safety and Thoroughfares Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$385.27 TO AIRGAS USA, LLC; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH MORNING PRIDE MANUFACTURING, INC. IN AN AMOUNT NOT TO EXCEED \$35,000.00 FOR THE PURCHASE OF TURNOUT GEAR PURSUANT TO O.R.C. 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A REIMBURSEMENT GRANT FROM THE OHIO DEPARTMENT OF

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PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$2,500.00; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (UNAPPROP BAL 2812 FIRE DEPT EMS GRANT FUND TO 2812 103001 FIRE DEPT EMS GRANT - OTHER)

Referred to Finance Committee

- #5. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$200,000.00 FROM UNAPPROP BAL 2760 FEDERAL FORFEITURE FUND TO 2760 102001 FEDERAL FORFEITURE - OTHER)

Referred to Finance Committee

- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO AN AGREEMENT WITH THE FIRST TEE OF CANTON FOR THE LEASE OF CITY-OWNED PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

- #7. (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (REORGANIZE PURCHASING DEPT)

Referred to Personnel Committee

- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT FOR THE TRINITY PLACE AND CAPRICE AVENUE NW SANITARY MANHOLE REHABILITATION PROJECT, GP 1174; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$130,000.00 UNAPPROP BAL 5410 SANITARY SEWER FUND TO 5410 206313 SANITARY SEWER - TRINITY PL & CAPRICE AVE NW SANITARY MANHOLE REHAB GP 1174 - OTHER)

Referred to Public Property Capital Improvement Committee

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- #9. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, ENTER INTO AGMT FOR AND RECEIVE OHIO PUBLIC WORKS COMMISSION FUNDS FOR THE 2014 PROGRAM YEAR FOR VARIOUS CITY PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #10. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 120/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (12TH ST CORRIDOR PROJ)

Referred to Public Property Capital Improvement Committee

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PRESIDENT PRO TEM DOUGHERTY: Ordinances for Second Reading. Madame Clerk.

NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #11 THROUGH #16 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #11. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$10,762.02 FROM 2313 301001 - OTHER TO 2313 301001 - PERSONNEL)
- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE HEALTH COMMISSIONER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT IN THE AMOUNT OF \$20,000.00 WITH THE NATIONAL ORGANIZATION OF URBAN MATERNAL AND CHILD HEALTH LEADERS FOR THE PURPOSES OF PROVIDING TRAINING, FACILITATION, AND TECHNICAL ASSISTANCE FOR THE STARK COUNTY EQUITY INSTITUTE FOR INFANT MORTALITY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$81.32 UNAPPROP BAL 2785 2010 BYRNE MEMORIAL GRANT FUND TO 2785 BYRNE MEMORIAL GRANT - OTHER)
- #14. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH THE WHEELING AND LAKE ERIE RAILWAY AND/OR THE OHIO RAIL DEVELOPMENT CORPORATION TO UPGRADE CERTAIN RAILROAD CROSSINGS IN CANTON; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO RECEIVE GRANTS AND UTILIZE FUNDING MADE AVAILABLE FOR THE PROJECT THROUGH AGREEMENTS WITH WHEELING AND LAKE ERIE RAILWAY AND/OR THE ORDC; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT AND TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A MATERIALS PURCHASE CONTRACT OR TO PURCHASE SAID MATERIALS VIA THE STATE COOPERATIVE PURCHASING AGREEMENT; AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THE 4570 RAILROAD CROSSING/TRAFFIC SIGNAL UPGRADE PROJECT, GP 1149 FUND; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,736.84 UNAPPROP BAL 4501 CAPITAL FUND TO 4501 202032 HARMONT AVE SANITARY SEWER EXTENSION PROJ - OTHER)

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#16. (2ND RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$6,000.00 TO HAYMAKER TREE AND LAW; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM DOUGHERTY: Now under Ordinances for their Third and Final Reading, 17.

NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #17 THROUGH #24 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 138/2013** AN ORDINANCE AMENDING SECTION 749.02, PERMIT REQUIRED, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President I make a motion we adopt Ordinance 17.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 17. Any remarks? Roll call.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS, 1 ABSTAIN
(MEMBER HAWK ABSTAINED)

CLERK TIMBERLAKE: Nine yeas, one abstain Mr. President.

#17 ADOPTED AS ORDINANCE NO. 138/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 17 has adopted. Ordinance 18.

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 139/2013** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (TOMMIE L. BREWER - PARCEL #02-22450, LOT #310 ON 911 3RD ST NE)

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President I make a motion we adopt Ordinance 18.

MEMBER BABCOCK: Seconded.

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PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 18. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 139/2013

PRESIDENT PRO TEM DOUGHERTY: OK, Ordinance 18 has been adopted. Ordinance 19.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 140/2013** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (JOYCE ANN POST - PARCEL #02-33013, PART OF LOT #962 ON 710 5TH ST SW)

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President I make a motion we adopt Ordinance 19.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 19. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 140/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 19 has been adopted. Ordinance 20.

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 141/2013** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION & CORRECTIONS ACT GRANT IN AN AMOUNT NOT TO EXCEED \$170,601.00; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President I make a motion we adopt Ordinance 20.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 20. Any remarks?
Roll call.

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NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 141/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 20 is adopted. Ordinance 21.

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 142/2013** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$12.86 FROM UNAPPROP BAL 2774 BYRNE MEMORIAL JUSTICE GRANT 09 FUND TO 2774 102009 POLICE - STIMULUS - OTHER)

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President I make a motion we adopt Ordinance 21.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 21. Any remarks? Roll call.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 142/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 21 has been adopted. Ordinance 22.

#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 143/2013** AN ORDINANCE ADOPTING THE CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2014; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I make a motion we adopt Ordinance 22.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 22. Any remarks? Roll call.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 143/2013

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PRESIDENT PRO TEM DOUGHERTY: Ordinance 22 has been adopted. Ordinance 23.

#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 144/2013** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$2,400.00 TO SOUTH CITY HEATING AND COOLING; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I make a motion we adopt Ordinance 23.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 23. Any comments, remarks? Roll call.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 144/2013

PRESIDENT SCHULMAN: Ordinance 23 is adopted. Ordinance 24.

#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 145/2013** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$31,268.05 FROM UNAPPROP BAL 4502 MOTOR VEHICLE FUND TO 4502 MOTOR VEHICLE PURCHASE - OTHER)

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I make a motion we adopt Ordinance #24.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 24. Any remarks? Roll call.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 145/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 24 has been adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM DOUGHERTY: Announcement of Committee Meetings.

MEMBER BABCOCK: Mr. President.

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PRESIDENT PRO TEM DOUGHERTY: Yep, Member Babcock..

MEMBER BABCOCK: Finance will meet on August 26th at 6:30.

PRESIDENT PRO TEM DOUGHERTY: I forgot to mention Member Babcock, if you would please, we're going to go at 6:15. I have a little presentation here so...

MEMBER BABCOCK: OK, Finance will meet on the 26th at 6:15.

PRESIDENT PRO TEM DOUGHERTY: Thank you.

MEMBER GRIFFIN: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Personnel will meet at 6:15 on August 26th.

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.

MEMBER CIRELLI: Public Safety and Thoroughfares will meet at the same time. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Public Property Capital Improvement will also meet. We'll have a presentation given by the First Tee at the beginning of that.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM DOUGHERTY: Miscellaneous Business.

SAFETY DIRECTOR PRICE: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes sir.

SAFETY DIRECTOR PRICE: I wanted to follow up on a concern raised regarding the Hall of Fame and Schreiber but I start by commending our law enforcement personnel for what probably was one of the most significant, well planned and cooperative law enforcement operations that the city's effected. We had 75 full time police personnel out that evening. For the first time we had a truly integrated and centralized command that involved the Canton Police Department, our Auxiliary, the Stark County Sheriff's Department, the State Highway Patrol and the Canton Fire Department. In addition to the 75 full time Canton police officers, we had on the streets that night, we received a remarkable amount of support from the State Highway Patrol and the Sheriff and if you were on the parade route you saw that in action. There was an overwhelming show of force on that parade route and as soon as there was any sign of any problem, they were there and they were there in force and for good reason, because while I have only been in Canton the last 5 years, I've of course heard that a fond memories of fun nights, Mardi Gras like nights on the parade route. The problem we have is that after 11:00, midnight or so, that fun atmosphere becomes a kind of frightening atmosphere and in terms of the personnel and our handling of that situation, I do want to thank Chief Lawver, Sargent Risner all evening manned the Command Center and did the work of probably three dispatchers. I wanted to commend the Sargent because in watching him or listening to him on the radio I've just, I've never heard anybody as calm and cool

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under pressure and somebody as concerned about his people and who's managed anything quite as well. The other, the other individual is a Captain I wanted to recognize and that's Jack Angelo. Out on the streets in an operational environment like that performed admirably as well as are of our police officers. I think they achieved a great balance. It would be easy to overreact in a situation where like when I was on the parade route in my personal vehicle, my car was surrounded by about 50 to 60 juveniles and you were unable to traverse Cleveland Avenue north or south and that right there, you know at the Walgreens. So there were times that it became pretty alarming but they handled it very well, did not overreact and kept everything calm. There was at about 1:00 am a call that I do remember. I was in the car at the time, about a shooting at Schreiber. We don't have, it came across the radio at that time as well that it was potentially fireworks. I actually heard that call. All I know is that our officers when they investigated they weren't able to find anybody. There was some mention on the radio traffic of fireworks. I don't know necessarily that it was fireworks. We will check the ShotSpotter records to see if there's anything additional we can find out cause it would indicate the caliber of the gun. We certainly did receive a number of calls regarding gunshots. I'll look further into it but we were not able to confirm there was a shooting but I do want to let you know, that based on the radio traffic I heard in real time on that evening that I certainly don't think that anybody was trying to hide anything. I think if anything, if it was gun, actual gunfire, it was a mistake or mis-communication that it ended up being called fireworks or just simply we didn't find the folks but I will look into it. The other thing I wanted to mention about that evening was that there were a number of unmarked vehicles on the parade route and in the downtown area and those vehicles actually contained firefighters and I was very, very proud and felt very good about the level of cooperation between our own Police Department and our Fire Department that we had firefighters in unmarked detectives cars participating in law enforcement action I think demonstrates, you know the degree to which those two departments are committed to keeping the city safe and if you know firefighters and cops, they don't always get along. Their cultures are somewhat different but I think that both sides probably got to see some of the other side of work and with a centralized command and with the leadership of Fire and Police Departments in the same room at Number 4, I was thrilled to see it and overall I just think it was a tremendous operation. I think you cannot go without thanking also naturally Sheriff Maier and the State Highway Patrol. They've always been there. For the first time we had a coordinated centralized command structure and it really made a difference because all those protocols, Ohio State Patrol, their chase protocols, different than ours and they worked with our protocols and we worked together and I was real proud of the operation. So, I just wanted to say that and commend our folks. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. *(APPLAUSE)*

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member West.

MEMBER WEST: I'd like to also just give a shout out to all the city services for the whole week of the Hall of Fame events. They did a phenomenal job and going to all the events and hearing from all the professional football families and I mean, they just love Canton, Ohio. I mean often times being here in City Council and you hear a lot of the negative things about Canton but when you hear other people come in from out of the community and they just love Canton, Ohio, and I just have to say it was an excellent job done by the Hall of Fame, by all the people involved. I mean every event was spectacular. We put on a good show and I got to say that, you know, nobody does it better than Canton, Ohio. Now let me also say, I have, I see Austin, AIMS my new Neighborhood Association, I wanted to have them stand and they're now Austin Innovative Movers and Shakers, a new Neighborhood group that's come to Canton, Ohio. Give them a hand. Thank you guys and I'm sure you'll be hearing from them soon cause they are definitely holding down the neighborhood and trying to bring some peace to 17th through 15th, the Rowland through Market, right? So that's a pretty tough area and I

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think they're going to do a good job. But also, just to let you guys know, we have 4 Neighborhood Associations today in Council. Brenda, we have 4 Neighborhood Groups and they're here regularly. So just to let you know, our Ward is here in the house and representing. I also wanted to mention on the 19th, this 19th we're going to be discussing Charter government here in this Chamber at 6:30. Please come out and support that. Another event Chris Smith and I are bringing together a Neighborhood Town Hall meeting which will be held August 24th at 2013, on Saturday at 12:00 PM at the Southeast Community Center and there's a lot of discussion that will be there, door prizes and all and so please attend that as well. Thank you.

MEMBER MORRIS: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes sir. Mr. Morris.

MEMBER MORRIS: Thank you Mr. President. Since we're on the subject of safety, June 12, 2011, I stood right there at that podium and I preached to most of you who were sitting up here about our EMS service in the city of Canton. Twenty-eight months later, 28 months, our staffing levels, our Fire Stations are still depleted and we still have stations closed. OK, my personal experiences started with my cousin being knifed in Ward 5 to my mother needing an ambulance in Ward 6 so obviously this problem affects each and every one of us Council Members. Now it took 8 minutes for an EMS unit to get to my mother's house on Harmont Avenue. She lives 50 yards, 50 yards from a Fire Station. Now I understand we don't have money. We can't afford to hire more firefighters. We just don't have the money. But, let's look at the facts. Fact is we got a surplus of approximately \$600,000.00 in our Fire Department right now. Fact, we let the new cadet list in our Fire Department expire on May 2nd and we did not hire any new firefighters, OK. Fact, Canton, Ohio has 70,000 residents with 3 EMS units while North Canton has 3 EMS units for 17,000. Jackson Township, 5 EMS units for 40,000 people. Plain Township, 4 EMS units for 43,000 people. Now we've already lost 10 firefighters this year through retirement, an African American young lady took a job in Akron to make more money. We're down 10. We didn't hire 10. So, my question is A, how did we let this list expire and why? And 2, how are we going to fix the problem because our constituents don't want to hear excuses why these stations are closed if we're sitting on the capital, the money to do it. And the administration moved 200 and some thousand dollars to cover the 10 cadets and we never got them. So all of our constituents are at risk. This has to be fixed. I mean 28 months ago I stood right there and complained about the same thing. Now I sit here two years later and I'm still complaining about the same thing but now I know that we could have fixed it. It could have been better. Anybody from the administration care to respond?

PRESIDENT PRO TEM DOUGHERTY: Mayor Healy.

MAYOR HEALY: Mr. President, thank you. You want to talk about facts Mr. Councilman. You've been here for 19 months as you sit here and say that you complained two years ago, 2 ½ years ago. Council controls this budget. We make recommendations, Council approves it. Let me speak. We have a responsibility to make sure that we live within our means. We came to you with many ways to bring revenue to our city that would have helped increase police and fire. For the past year, you and many of your constituents have been bringing up the issue of more police, more police, more police. For the first time this year that I've heard you speak at this Council meeting about fire and EMS. OK, so you know, I wanted to make sure that we understand that. We have to prioritize our resources that we have and as of right now the overwhelming majority of citizens that are concerned about increasing spending in certain areas have made their statements about policing. We've add police officers this year. We didn't have enough money to add both police and fire. We have our budget in place. We're prepared to make next years budget, and we have to not only worry about spending this year, we have to worry about spending next year and the following. And that means that we have to make sure that we prepare both proper spending for this year and enough money next year into next years needs without having

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major cuts and lay-offs. If we hire today, we were in a position that we would have potentially had to lay off for January. Our budget is in place for next year. At this point we believe that we've got the resources needed based on the current set up and the expectations that we're going to hire a dozen policeman or a dozen fireman after the first of the year. That's all being prepared right now. Sam Sliman is scheduling the police and fire tests for I believe October, late October or early November. He's supposed to have that confirmed this week so we'll have announced dates and those things will go through the cycle and we'll plan on hiring after the first of the year. But, again we cannot spend money we don't have and it's easy to say we have the money there but, we have to make sure that the money we have makes it to the end of the year and there is no cash reserve. We don't have a rainy day fund. If we run out of money, we can't pay the bills and so our job is to make sure that we do that and we ask for the help of Council as we put the budget together to work this out and prioritize and we prioritize our budget at the beginning of the year based off of what are availability was and what our needs were and you know, that's were we our at and we're living through that. You expect the administration to live within those budget. We expect every department to live within those budgets and we're going to do that.

MEMBER MORRIS: Mr. President, may I respond to that please.

PRESIDENT PRO TEM DOUGHERTY: Anybody else have any Miscellaneous Business?

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.

MEMBER CIRELLI: Just a question to the Mayor on the police and fire that you say that you are going to hire the first of next year. Is that to replace ones that are leaving or are there going to be some new positions on top of what we will have right now?

MAYOR HEALY: Thank you, Mr. President. Our expectation is that we would increase the amount of police by 12 and increase the amount of fire by 12 so, we'll take into account those that leave and then make the difference up. But it's going to be based off the money and revenue that's available. There are still a few uncertainties out there that we're waiting for them to come through like what our revenues going to be between now and the end of the year, some of the changes that are going to impact us from the state budget that just went into effect and we have to calculate all that stuff as we evaluate it. Our projections as we stand right now is that we have the ability to hire at least 12 police and firemen. It could be more. If a number of them leave, we'll have to be able to backfill and those types of things as well but those tests are being designed right now that, our anticipation is a minimum of 12 each.

MEMBER HAWK: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Hawk.

MEMBER HAWK: How many policemen do we currently have on the force and how many firemen do we currently have on the force?

SAFETY DIRECTOR PRICE: Police at, Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes sir.

SAFETY DIRECTOR PRICE: Thank you. Police I believe is at 153. Fire I know is at 141.

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PRESIDENT PRO TEM DOUGHERTY: Member Fisher. I'm sorry Member Morris. Oh, now we're going to have another debate. *(LAUGHTER)*

MEMBER MORRIS: No not really. OK, I'd like to respond to the Mayor's comments but first off, we're going to live within our means. OK, and this Council approved the budget. Yes sir we did and we also gave you enough money to hire 10 new cadets. You tested, you interviewed, you had a list, you had the money and somebody dropped the ball and the question is, it helped add to the problem, how do we fix the problem? At the first of the year you're going to hire 12. What about the 10 that we didn't hire this year? Are we hiring 22 at the beginning of the year? Twelve new ones because we're going to add the money and the 10 we missed the boat on.

MAYOR HEALY: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Mayor.

MAYOR HEALY: Thank you. Depends on what Council sets as the budget when we start the year.

PRESIDENT PRO TEM DOUGHERTY: Any other Miscellaneous Business?

MEMBER WEST: Yes, Mr. President. One thing I did forget to add. To respond to the individuals that came down about Walnut and 6th, this has been turned in to the Engineer's Department and they're going through transition. Of course you know, they're doing a lot of road work down there Brenda and they are aware of 6th and Walnut. The YMCA, YWCA excuse me also had called in about those issues on 6th and Walnut so the Engineer's Department is looking into that. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Any other Miscellaneous Business?

SERVICE DIRECTOR BARTOS: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes.

SERVICE DIRECTOR BARTOS: Just a quick alert for the citizens. Today we learned that an individual or individuals is using a phoney email address contactus@cantonohio.gov. They essentially are using are domain and sending out a mass email to, all over the country. I had a call from California, we had another call, they didn't tell me where exactly they were from basically saying they have had a relative die, they've left them money, send us all your personal information and we'll send you what they've left to you. I think Matt Rink contacted him shortly after learning about the scam and he made sure to get up on the Repository website. We also have a warning on the Canton, our city website as well so Canton, excuse me, so contactus@cantonohio.gov is the phoney email address. I spoke to Pat Barton, our IT Director. There's no concern about our server or our email system being compromised. This is referred to as "email spoofing" where you can send an email from just about any email address and it would make it seem like it's coming from another domain in the cantonohio.gov domain. So it's like they're wearing a mask, sending it from another email so just an update so get the word out to everybody and thank you.

PRESIDENT PRO TEM DOUGHERTY: Any other Miscellaneous Business?

MEMBER MARIOL: Mr. President.

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PRESIDENT PRO TEM DOUGHERTY: Yes sir. Member Mariol.

MEMBER MARIOL: With the, kinda referring to what Councilman was talking about. If the money was in the fire budget for the new cadets, why weren't they hired?

MAYOR HEALY: If Members of Council have questions on the budget and spending, they can make an appointment with the Mayor. Come up and I can go over it line by line with you. To call me out in the Council meeting without preparation or knowledge. If this was coming, to have the details in front of us, is really inappropriate. Public comes in because they have concerns and they bring it to our attention at these meetings. Council Members, this is your job. You can come up and call us and talk to us. We're here at your disposal and would be more than happy to go over every line of this budget, details, hiring, anything you want to know. That's what we're here for. To do it at a public meeting with no knowledge, that's not appropriate and you can get more done working with the administration than calling us out at meetings.

PRESIDENT PRO TEM DOUGHERTY: Sir that's, please, please.

MAYOR HEALY: *(Inaudible comment)*

PRESIDENT PRO TEM DOUGHERTY: Please, please. That's disrespectful. Any other Miscellaneous Business?

MEMBER GRIFFIN: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: I move we adjourn.

PRESIDENT PRO TEM DOUGHERTY: Roll call.

MEMBER BABCOCK: Seconded.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas.

ADJOURNMENT TIME: 8:29 PM

ATTEST: AUGUST 16, 2013
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: AUGUST 16, 2013
DAVID R. DOUGHERTY
PRESIDENT PRO TEM