

**MINUTES OF THE MEETING SEPTEMBER 23, 2013**

PRESIDENT SCHULMAN: Just a couple minutes. Sorry for the delay. Welcome everyone. Okay we're ready to go and with a quorum present, the Chair does call this meeting of Canton City Council to order. Good evening everyone. Roll call vote please Madame Clerk.

*ROLL CALL TAKEN BY CLERK TIMBERLAKE:*

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight's invocation will be given by Council Member Kevin Fisher. If you'll all stand and remain standing for our Pledge of Allegiance.

*The regular meeting of Canton City Council was held on September 23, 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 Council Member Kevin Fisher. The Pledge of Allegiance led by President Schulman.*

PRESIDENT SCHULMAN: Thank you very much Member Fisher.

**AGENDA CORRECTIONS & CHANGES**

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

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinances 10 through 16.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2<sup>nd</sup> Reading Ordinances 10 through 16 to this evening's Agenda. Are there 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: The Motion carries. 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 no Public Hearings this evening.

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**OLD BUSINESS**

PRESIDENT SCHULMAN: Under Old Business, I will turn this portion of the proceedings over to the Mayor's

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Chief of Staff, Fonda Williams.

CHIEF OF STAFF WILLIAMS: Thank you Mr. President. If I can indulge Council, I'm going to go back to Old Business from August 12, 2013 and bring everyone current if that's okay, really Old Business. Mr. Harold Smith presented before Council about a fence problem at Linwood Acres and I know for a fact that Member Fisher did meet with Mr. Smith to resolve that issue. Also, Mr. Bret Moore addressed Council about a alleged shooting at Shreiber the night before the Hall of Fame Parade. I know that Director Perry followed up with Chief Lawver and again Chief Lawver was not aware of that supposed shooting. Taking us forward to August 26<sup>th</sup>, Pat Kirk had addressed Council in regards to changes for the Tree Ordinance and I know she's working with Law Director Martuccio. Mr. Bruce Brewer addressed Council about the Vassar Park Neighborhood Association being invited to future meetings with the management of Ridgewood Castle and I know for a fact that Mr. Brewer and the Vassar Park Neighborhood did meet with the Mayor and I believe that's all in motion. Mr. John Contrucci met with Member Hawk regarding a rental property beside his home, that has been taken care of. Mrs. Phyllis Bond had issues with a problem house on her street. She has meet with Director Perry in that regard. Moving forward to September 9<sup>th</sup>, Mr. Porter had issues with the Development Department in regards to Summit United Neighborhood Association. I personally met with Mr. Porter. I believe we have that situation rectified. Also, Mr. Fisher addressed Council in regards to non-profit agencies working in the SID district and I know for a fact Mr. Martuccio worked with him as well. Thank you very much.

PRESIDENT SCHULMAN: Thank you. Thank you Mr. Williams and pretty much, that takes care of the City's business. Motion to adjourn Leader. *(Laughter)* Thank you.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We're now under Informal Resolutions. We have none this evening.

**COMMUNICATIONS**

PRESIDENT SCHULMAN: Turning 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 SEPTEMBER 23, 2013.***

367. APPLICANT, ROBERT TABOR: REQ FOR ZONE CHANGE @ 1809 22<sup>ND</sup> ST NE FROM R-2 (TWO-FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS). - PLANNING COMMISSION
368. AUDITOR MALLONN: REQ AUDITOR TO ENTER INTO A 3 YR PROF SERV AGMT WITH JULIAN & GRUBE, INC IN THE AMT OF \$24,900.00 ANNUALLY FOR 2013, 2014 & 2015 TO PROVIDE ASSISTANCE IN GOVERNMENTAL FINANCIAL REPORTING. - FINANCE COMMITTEE
369. FINANCE DIRECTOR DIRUZZA: AMEND O#209/2012 (\$180,000.00 FROM UNAPPROP BAL 6041 MOTOR VEHICLES DEPT, DMV TO 6041 208010 SERVICE AND REPAIR - OTHER). - FINANCE COMMITTEE

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370. MAYOR HEALY: ADVISING OF APPT OF FONDA WILLIAMS TO CCIC CORP. - RECEIVED & FILED
371. PLANNING COMMISSION: RECOMMEND APPROVAL OF HOF ANNEXATION, 5.776 ACRES AT SOUTHWEST QTR. SECTION 32, PLAIN TOWNSHIP INTO WARD 7; ZONED AS CS (COMMUNITY SERVICE). - ANNEXATION COMMITTEE
372. PLANNING COMMISSION: RECOMMEND APPROVAL OF REPLAT OF OUTLOT 1150, 2600 BLOCK OF MARET ST NE FOR CRESCENDO COMMERCIAL REALTY, LLC. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
373. SAFETY DIRECTOR PERRY: REQ TO AMEND O#145/2013, SEC 1 TO MAKE A \$31,268.05 SUPP APPROP FROM UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASE FUND TO 4502-102000 POLICE OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
374. SAFETY DIRECTOR PERRY: REQ SAF DIR TO ACCEPT GRANT FUNDS IN AMT OF \$31,988.28 FOR THE TRAFFIC ENFORCEMENT PROG FOR FISCAL YR 2014. - FINANCE COMMITTEE
375. SERVICE DIRECTOR BARTOS: AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$8,067.84 TO KIMBLE CLAY & LIMESTONE FOR WASTE DISPOSAL. - FINANCE COMMITTEE
376. SERVICE DIRECTOR BARTOS: AMEND EXHIBIT A OF O#120/2013 FOR 12<sup>TH</sup> ST N CORRIDOR PROJ, GP 1098, PID 85299 FOR ADDITIONAL PROP APPRAISALS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
377. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO AMEND THE ENERGY EFFICIENCY & CONSERVATION BLOCK GRANT (EECBG) AGMT W/FEDERAL GOVT TO EXTEND GRANT PERIOD & ACCOUNT FOR AEP FUNDS; AUTHORIZE MAYOR AND/OR SERV DIR TO TAKE RECEIPT OF AEP ENERGY EFFICIENCY GRIDSMART GRANT FUNDS; A \$19,480.73 SUPP APPROP FROM UNAPPROP BAL 2236 EECBG FUND TO 2236 202030 CANTON SUSTAINABILITY PROJ, GP 1134 OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
378. MAYOR HEALY: AUTHORIZE MAYOR TO ENTER INTO A JOINT ECONOMIC DEV DISTRICT (JEDD) AGMT IN SPECIFIC AREAS IN PARTNERSHIP WITH JACKSON TOWNSHIP, CITY OF NORTH CANTON AND PLAIN TOWNSHIP. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

PRESIDENT SCHULMAN: Turning now to Ordinances for the First Reading and Formal Resolutions for the First Reading. Let the Journal show that all Ordinances are being given as required by State Law. Madame Clerk would you please read in the fi...please read the First Ordinances by title.

CLERK TIMBERLAKE: We're not doing Public Speaks?

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PRESIDENT SCHULMAN: Oh I missed Public Speaks.

CLERK TIMBERLAKE: It's cancelled. (*Laughter*)

PRESIDENT SCHULMAN: You know when I'm off two weeks....

MEMBER DOUGHERTY: That was a nice try Mr. President, appreciate it.

PRESIDENT SCHULMAN: Thank you very much. I almost got away with that.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We're now under Public Speaks. And we do appreciate all the speakers coming down. I do apologize for the oversight. I was so excited. Our first speaker is James Parker. Mr. Parker if you'll step forward and give us your name and your residential address and as always sir, welcome to Canton City Council.

JAMES PARKER: Thank you kindly Council President Schulman. My name is James Parker. I do reside at 630 Penny Street SE in the City of North Canton. In the August Canton Repository, the 27<sup>th</sup> I believe, the Ohio Right to Life Organization recognized Canton in a letter to the editor...letters to the editor column for the \$20,000.00 to study racial disparity correlations in infant mortality rate in minorities, specifically African American women through the Stark County Equity Institute for infant mortality with special thanks to Ella Scott and the Community Wellness Center, Coming Together Stark County and the National Organization for Maternal and Child Health. As noted in the letter the internal...the infant mortality rate is 7 per....is 7 per 1,000 live births in Caucasian females and 13 per 1,000 in black females. The author goes on to give the percentage of induced abortions in black women compared to Caucasian females. The statistics show that black woman on average have multiple abortions compared to much fewer by Caucasian woman, something like 4 or 5 to 1. Black females also suffer twice the breast cancer rate then Caucasian females. Is there a connection to infant mortality rate and abortions? Will this study consider these cohorts and variables? Will it consider the Hispanic paradox, a mystery why recent immigrant from Mexico have a lower, not higher pre term delivery rate than US women. In most of Mexico abortion is illegal. There's another control group in Northern Ireland that has low pre term birth rates and infant mortality rate and abortion is illegal there. The number one contributor to infant mortality, cerebral palsy, still births, low birth weight neo nats, maternal deaths and pre term birth weights...rates, consistently shown in peer reviewed medical journals that I'm happy to reference is induced abortion. They show a consistent study show a pattern in which have run parallel to and is (*inaudible*) of abortion. Especially a (*inaudible*) abortion occurring when the woman has not previously given birth after a full term pregnancy, the first time birth. These are particularly consequential to morbidity, mortality and pathologies. So, I will be forwarding these referenced peer reviewed medical journal articles by Calhoun MD, et al appearing in the Journal of American Physicians and Surgeons, Volume 18, number 2, titled "Maternal and neonatal help and abortion 40 year trends in Great Britain and Ireland" to all concerned parties connected to the local study funded through City Council as well as other pertinent or how do you lawyers say, relevant articles supporting my conn...contentions of these adverse ecological findings. By the way, many Countries with high induced abortion rates like China and Russia, the criteria for a live birth isn't even counted within the first 30 to 45 days among other confounders, which and....among other confounders, Chili, which outlawed abortion in 1989, the maternal mortality rate and IMR is lower there than in the United States or any Latin American Country. If this upcoming study simply looks at racial disparity without

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considering these paradoxes and simply promotes class conflicts while politically white washing the platforms of the democratic parties machine and my default position is to report these findings as biased, contemptuous with a heavy stroke of conflict of interest. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much Mr. Parker. Our next speaker is Vicki Boatright. Ms. Boatright good evening. As always welcome to Canton City Council. If you'll give us your name and your residential address please.

VICKI BOATRIGHT: Thank you. My name is Vicki Boatright, I live at 2103 17<sup>th</sup> Street, Canton, Ohio. By all accounts the chemical spill and fire last week that occurred in Ward 9 and escaped into other Wards as well was managed extremely well by the City's first responders. A rapidly changing situation required an extensive response from Firefighters, Police and City Workers and a large evacuation was implemented with great professionalism. A serious disaster was averted and I applaud all those who participated in keeping our community safe. And my understanding is that most of the Members here were there and I applaud all of you as well. I especially applaud Frank Morris, who I consider to Canton's own Cory Booker, always there to save the day. He was especially responsive to his.....

PRESIDENT SCHULMAN: It's a good thing Frank.

VICKI BOATRIGHT: Yeah, it's a good thing. (*Laughter*) He was especially responsive to his constituents through the event and I understand he rescued at least one cat, allegedly two. Yay Frank. I'm sure we learned from the experience and I hoped the lessons learned will help us in enhancing future disaster plan. I discovered that my own home was close to the fire early into the event, I was about seven blocks away. Although not in the initial evacuation zone at the time, I began preparations for evacuating myself and my pets to a safe place immediately. My home was later included in the extended evacuation area. Luckily I had a friend who willingly accepted me and my cats into her home. Other people were not so lucky. I am aware of one person who was turned away from the shelter, the community shelter that was set up because her Chihuahua Monte was with her. She was not allowed to take her animal into the shelter. I was also aware of other people who remained in their homes in the danger area that were not going to leave their pets behind. I hope this is one of the lessons learned that we can learn from and will address in future disaster planning in Canton. If air is toxic to people, it's also toxic to pets and whether you like pets or whether you agree with the choices that petowners make, we have to deal with the reality that some people will not evacuate if their animals don't have a safe place to go. People with pets will risk their own safety if their pets are not safe and I have to say I'm one of those people. So, we have to find a way to accommodate pets in a disaster. We have not done so, so far. My understanding is or I have heard that there maybe a plan for pet evacuation if it's an extended kind of event that's going to last longer than a few hours within a day, 24 hours. That's not been confirmed to me but I have heard that. But short term disasters, there is no plan and considering last week's experience I think that is insufficient. We need to do better. As you review last weeks response, I hope that you will take that into consideration. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much. Thank you.

MAYOR HEALY: Mr. President, Mr. President.

PRESIDENT SCHULMAN: Yes, Mayor...Mayor Healy. Mayor Healy would like to address what you just

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said.

MAYOR HEALY: Thank....thank you for your compliments. I too think our safety forces did a fantastic job, not just safety but services and all the Elected Officials, everybody was...was playing a role and it was kind of a slow progressing emergency. Starting out small and got a little bigger and a little bigger. I can tell you though, many of us were down at the shelter at the Civic Center. There were numerous cats and dogs. There was a cat with kittens in the facility. I don't know of anybody that was turned away that came in with a pet. Those...those that came in brought them in with them. So, I don't know why some would have been turned away while others were brought in. But I think all of us here know that, that...that was the case. But you are right, we did have a conversation that evening about having some sort of evacuation opportunity where we could house the pets separately and we didn't have that in our plans. So, that is something we are looking at and trying to include in future. Thank you for bringing it up.

PRESIDENT SCHULMAN: Thank you very much. Our next speaker is Becky Murphy. Ms. Murphy, good evening. Welcome to Canton City Council. If you'll give us your name and your residential address please.

BECKY MURPHY: Hello, my name is Becky Murphy. I live at 1470 St. Elmo Avenue NE. I also want to compliment the response to last weeks disaster. I think the City did a tremendous job getting people aware and evacuated and in...just very good response to the whole situation to the whole situation. It was amazing and I really want to compliment the City for that. However, it is my understanding that, that building was vacant for two years and I would love to know, I don't know whose responsibility it is besides the business owner but I would like to know why there is hazmat material sitting in buildings for two years waiting for an accident to happen. And I would also like to know how many more buildings are in the City of Canton under a similar situation that are just an accident waiting to happen. I should not have had to evacuate my home Monday night, in fact I did not even make it home Monday night. I came home from work, straight to church and met my husband and my kids and cat there and I had to be at work late the next morning because I hadn't even had a shower yet and I hadn't even been home yet and it would be different if it was a business that had been in operation and they just happened to have an accident but that's not the case. This building hadn't been used for two years and there was unsafe amounts of sulfur dioxide pouring into the air. So, I think that's it's unacceptable and I think the City should make it a priority to inspect vacant buildings to ensure all hazmat has been disposed of properly and if the City does not make that a priority, I will make sure that other residents feel the same way I do in helping to convince the City that it needs to be a priority. Thank you.

PRESIDENT SCHULMAN: Thank you very much. Our next speaker is John Laughlin. Mr. Laughlin good evening. I hope I pronounced your name correctly.

JOHN LAUGHLIN: (*Inaudible*)

PRESIDENT SCHULMAN: Well, you'll give it to us in a moment.

JOHN LAUGHLIN: I'll give you extra credit for not putting a (*inaudible*) on it.

PRESIDENT SCHULMAN: What's your...if you'll give us your name and your residential address please.

JOHN LAUGHLIN: Yes, I'm John Laughlin. I live at 1743 Market Avenue North. Tonight I just wanted to come, I had a few questions, concerns there about the demolition of Washington Elementary there. Member

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West had said that, that was going to come down there and it was through State demolition funds. Now, I don't know, are these funds that are the funds that we're matching dollar for dollar to tear City houses down? Because if they are, I have a real concern that we're going to tear down Washington School at the cost of \$400,000.00 approximately and we're going to do this for Canton City Schools who built all these new schools and didn't have a plan to take care of their old buildings. You know, we're looking at 40 to 50 more houses that can be torn down and let the schools worry about tearing their own building down. Now, I don't know if that's where the funds are coming or there are other demolition funds you're talking about but I just wanted to make sure everybody was aware of this there before we just plow ahead and do this. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much sir. Our last speaker is Vera Rippert. Ms. Rippert good evening. Welcome to Canton City Council. If you'll give us your name and your residential address please.

VERA RIPPERT: My name is Vera Rippert, I live at 1511 South Park Ave NW, Canton, Ohio. I'm here without notes, spur of the moment because the person that was supposed to speak didn't show up. I bought a property last August at 22<sup>nd</sup> and Cleveland Avenue NW. Had I've known at the time, I probably would have known at the time, I probably would have not purchased this property and it would have sat vacant for who knows how long, going into further disrepair. Across 22<sup>nd</sup> Street is the Friendship Center. I was not aware that there are people that go there three times a week to pick up their stipend, what's left over after their bills are paid and they wonder around looking for a place to cash their check or things to mooch off of the neighbors or whatever. They come into our place of business and cause some great disturbances. If you remember in the paper like a week and a half ago the store that was...the two store fronts that were smashed up, that's my building. It's...Not Too Taby is the one shop next door is California Rays Tanning Salon. This gentleman became angry with his case workers or whoever, I don't know the story there at the Friendship Center. He came over with a...got a five foot length of rebar, proceeded to smash the heck out of the front of the building through the heavy glass and we are currently housing like 14 cats and kittens that have been unceremoniously dumped on our premises, taped up in boxes and thrown out of windows and so on. And so when this is all going on all we...they could think of is like okay, we've got to get these animals out of here, what if he gets in and starts, you know, hurting animals or hurting people. The lady in the shop next door suffers from post traumatic stress disorder. He was screaming at her "I'm going to kill you, I'm going to kill you." She has been, to say a nervous wreck is like the understatement. She's been using wine as medication and so she was supposed to be here tonight but she...she doesn't sleep well, there are times when, you know, she's afraid to even drive home. This place, I don't know, they...I heard they used to be downtown Canton and were unceremoniously moved out of the...t...of town to make downtown cleaner. The trash and everything was left by these folks to go in there, get coffee, they stuff it in the sanitary sewer grates and I've counted, you know, like 16 of them stuffed in there that if it rains, I mean the whole area is going to flood. The..the worse thing, I mean, the one day....there's one lady, Mary Naugle will come in, will buy like a dollar items cause she wants to like cash her check of \$10.00. Most of the time she grumbles and talks under her breathe and so on but this one time my daughter came and found Mary between the sidewalk, the parking lot and the street just laid out there.

PRESIDENT SCHULMAN: Okay, I will let you conclude but...

VERA RIPPERT: Okay, well we called the Friendship Center. They said "that's not our concern." The police came, well then the Friendship Center sent a caseworker over and they said, you know, "that...that...you shouldn't have done that." But, I mean it's a really scary situation. This is like a major nuisance problem.

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PRESIDENT SCHULMAN: Well if you'll stick around, if you don't mind for the rest of the meeting and you can address your concerns to the Mayor and his Administration. The Directors are here. I'm sure we want to take care of that. We want to help you and we appreciate you coming down. Thank you very much.

VERA RIPPERT: Thank you.

PRESIDENT SCHULMAN: Okay, I want to thank all our speakers this evening.

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: Now I think I can turn to Ordinance and Formal Resolutions for the First Reading. Let the Journal show that all Ordinances are being given their reading as required by State Law. Madame Clerk please read the First Reading Ordinances by title.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #9 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING SECTION 1107.04, MEMBERSHIP, OF THE PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON  
Referred to Judiciary Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE STARK COUNTY REGIONAL PLANNING COMMISSION IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR THE ADMINISTRATION OF THE CITY'S EMERGENCY SOLUTIONS GRANT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AND FILE WITH THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AMENDMENTS TO THE 2013 ANNUAL ACTION PLAN, NSP 1 SUBSTANTIAL AMENDMENT AND NSP 3 SUBSTANTIAL AMENDMENT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AND ENTER INTO CONTRACTS FOR THE REMOVAL OF ASBESTOS FROM AND DEMOLITION OF TWO COMMERCIAL STRUCTURES LOCATED AT 2408 13<sup>TH</sup> STREET NE AND 1446 WEST TUSCARAWAS STREET; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee



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- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO: ACCEPT TWO (2) HOUSES FROM DDK PROPERTY GROUP LLC AND ELEVEN (11) HOUSES FROM FREED HOUSING CORPORATION; ENTER INTO CONTRACT (S) FOR THE REHABILITATION AND OTHER HOUSING EXPENSES OF EACH PROPERTY IN A TOTAL AMOUNT NOT TO EXCEED \$500,000.00; SELL SAID PROPERTIES ONCE THEY ARE COMPLETED; AND AUTHORIZE AN EXPANSION OF THE HOUSING REHAB PROGRAM TO UTILIZE UP TO \$500,000.00 IN CDBG FUNDS TO ENTER INTO CONTRACT FOR THE ACQUISITION, REHAB AND RESALE OF HOMEOWNER OCCUPIED UNITS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community and Economic Development Committee
- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$80,000.00 FROM UNAPPROP BAL 2323 PREP FUND TO 2323 PREP GRANT - OTHER & 2323 PREP GRANT - PERSONNEL)  
Referred to Finance Committee

***(COUNCIL RECESSED AT 7:57 P.M. FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #7; RECONVENED AT 7:59 P.M.)***

- #7. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 166/2013** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT WITH TASER INTERNATIONAL IN A TOTAL AMOUNT NOT TO EXCEED \$65,490.00 TO PURCHASE SIXTY (60) TASER X2 MODELS AND TO ENTER INTO A FIVE (5) YEAR REPLACEMENT AGREEMENT WITH TASER INTERNATIONAL; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee

PRESIDENT SCHULMAN: And at this time the Chair would declare an in house recess for the Finance Committee to meet in regard to Ordinance 7 on your Agenda. You're now in recess, Chairman.

MEMBER DOUGHERTY: That'll be Public Property Capital Improvements. That was an error there.

PRESIDENT SCHULMAN: Oh, I'm sorry. Leader.

PRESIDENT SCHULMAN: Council will reconvene after its recess. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to place Ordinance 7 back on the agenda.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to place Ordinance 7 back on the agenda. Are there any remarks? Hearing none Madame Clerk roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The Motion carries. Ordinance 7 is a legal part of your Agenda. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 7.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 7. 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 Madame Clerk. You've heard the three readings, Leader.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 7. 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.

**#7 ADOPTED AS ORDINANCE NO. 166/2013**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #7 is adopted. Ordinance 8.

#8. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE AN AERIAL EASEMENT AGREEMENT WITH ABL REAL ESTATE, LLC FOR PROPERTY LOCATED AT 309 COURT AVENUE NW; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Environmental & Public Utilities Committee

#9. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$97,600.00 FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207003 WATER BILLING - OTHER AND 5201 207012 PUMPING MAINTENANCE - OTHER; \$6,600.00 FROM

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UNAPPROP BAL 5410 SEWER FUND TO 5410 207003 SEWER BILLING - OTHER; \$6,600.00 FROM UNAPPROP BAL 5601 SANITATION FUND TO 5601 207003 SANITATION BILLING - OTHER AND \$1,220.00 UNAPPROP BAL 5227 WATER METER/MTU REPLACEMENT FUND TO 5227 207030 WATER METER/MTU REPLACEMENT - OTHER)

Referred to Public Property Capital Improvement Committee

PRESIDENT SCHULMAN: That concludes Ordinances for the First Reading.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We're on Ordinances and Formal Resolutions for the Second Reading. Madame Clerk, would you please begin with Ordinance 10.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #10 THROUGH #16 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #10. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING CHAPTER 1353, FORECLOSED PROPERTIES AND BUILDINGS OF THE CODIFIED ORDINANCES OF CANTON
- #11. (2<sup>ND</sup> RDG) 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 (PARCEL #02-08850 - ON 4<sup>TH</sup> ST SE - JESSE JONES)
- #12. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE AGREEMENT WITH CASE FARMS PROCESSING, INC. AND CASE FARMS, LLC PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$80,000.00- 2328 301001 PHEP GRANT - HEALTH)
- #14. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 177/2006; AND DECLARING THE SAME TO BE AN EMERGENCY (IMPOUND - CHANGE DRAWER \$50.00)
- #15. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE 167/2013** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BRICKER & ECKLER, LLP IN AN AMOUNT NOT TO EXCEED \$29,800.00 RELATED TO THE WATER

**MINUTES OF THE MEETING SEPTEMBER 23, 2013****RECLAMATION FACILITY UPGRADE; AND DECLARING THE SAME TO BE AN EMERGENCY**

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 15.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 15. 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 Madame Clerk. The Motion carries. Leader you've heard the three readings.

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 under this Ordinance?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Hawk.

MEMBER HAWK: Thank you sir. I will be voting no on this because repeatedly Council has asked the question if unless it's a specialized program or process that we start looking for local people where we spend our money. I think it's time we take a stand. (*Inaudible*) by saying no to this. I understand there are other ones that can only be handled by outside Counsel from outside our County and I understand, you know, that's part of...sometimes it happens but this one could have been done within at least the City of Canton and possibly the County. So, I will vote no on it.

PRESIDENT SCHULMAN: Thank you Member Hawk. Any other remarks? Hearing none Madame Clerk roll....

SERVICE DIRECTOR BARTOS: Mr. President.

PRESIDENT SCHULMAN: Yes, I'm sorry Mr. Bartos.

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SERVICE DIRECTOR BARTOS: I just wanted to say I...I...I referenced it in...in Committee but in our final negotiations sess...session, tongue tied...In our final negotiation session with the County, it was specifically requested that we seek Counsel from Brickler and Eckler. I...I agree...by...by the County. In...in our...in our final....

*UNKNOWN SPEAKER: (Inaudible)*

SERVICE DIRECTOR BARTOS: Correct..correct. Okay and it was kind of the ice...the..the final...final thing to get us...get us past the...the negotiation stage. I totally agree with the...the statements made by Member Hawk and...and by Member Mack in Committee. I'm dedicated to using local attorneys. I...I myself as a...as a client would prefer to have local attorney that I could walk down the street and visit as opposed to having to call on the phone or having them come up from Columbus to meet me. But this was a situation where it was specifically requested that we use this law firm. It was a final, you know, final straw that got us over the, you know, over the hump there with...with the County and the negotiations. And so that's why we...we chose the..the firm that we did and also they're...they're known for their construction law expertise.

PRESIDENT SCHULMAN: And...and I would just add I know Director Bartos is a lawyer and a lot of this predates you coming into the Administration. But I think Member Mack and Member Hawk and the rest of us make a good point. We...we should and must get local people working in our community and if we have an opportunity to...to give contracts they should first and foremost be local and then if necessary if there is expertise required, we'll go outside the community. But I know you know that and we appreciate it. Thank you. Any other remarks? Hearing none....

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Question to the Service Director. Mr. Bartos is the County joining in with us on this facility? What is their part of it sir?

SERVICE DIRECTOR BARTOS: The County is paying approximately 47 percent of the...of the upgrade to the facility, yes.

MEMBER CIRELLI: Thank you sir and thank you Mr. President.

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

NO REMARKS

ROLL CALL 10 YEAS, 2 NAYS  
(MEMBERS HAWK AND MACK VOTED NAY)

CLERK TIMBERLAKE: Ten yeas, two nays Mr. President.

**#15 ADOPTED AS ORDINANCE NO. 167/2013**

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PRESIDENT SCHULMAN: The Motion carries. Ordinance 15 is adopted. Ordinance 16 please.

#16. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE 168/2013** AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 16.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 16. Any remarks under this Ordinance...or any remarks under this Motion? 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 Madame Clerk. The Motion carries. Leader you've heard the three readings.

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. 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.

**#16 ADOPTED AS ORDINANCE NO. 168/2013**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 16 is adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for their Third, Final Reading and Vote. Would you please begin with Ordinance 17.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #17 THROUGH #23 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.***

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- #17. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 169/2013** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE AND RECEIVE BIDS FOR THE CANTON MUNICIPAL COURT AUDIO/VISUAL REHABILITATION PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

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. 169/2013**

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

- #18. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 170/2013** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$8,574.00 FROM 2767 701001 COMM SANCTIONS GRANT - PERSONNEL SERV TO 2767 701001 COMM SANCTIONS GRANT - OTHER)

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 18. Any remarks under this Ordinance? Hearing again nothing, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#18 ADOPTED AS ORDINANCE NO. 170/2013**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 18 is adopted. Ordinance 19 please.

- #19. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 171/2013** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO AMEND THE EXISTING CITY OF CANTON/CANTON TOWNSHIP 1-77 COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY \_

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PRESIDENT SCHULMAN: Leader.

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, 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. 171/2013**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 19 is adopted. Ordinance 20 please.

#20. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 172/2013** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A ONE-YEAR SUPPORT CONTRACT WITH DLT SOLUTIONS IN AN AMOUNT NOT TO EXCEED \$40,270.00 FOR ONGOING SUPPORT AND MAINTENANCE OF THE CITY'S ORACLE SOFTWARE LICENSES PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 20.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 20. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#20 ADOPTED AS ORDINANCE NO. 172/2013**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 20 is adopted. Ordinance 21 please.

#21. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 173/2013** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$60,393.85 TO CENTRAL ALLIED ENTERPRISES; AMENDING APPROPRIATION ORDINANCE NO. 209/2012, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (FROM UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 - OTHER)

PRESIDENT SCHULMAN: Leader Dougherty.



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MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 21.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 21. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#21 ADOPTED AS ORDINANCE NO. 173/2013**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 21 is adopted. Ordinance 22 please.

#22. (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 174/2013** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONTRACT FOR THE USE OF FUEL CARDS FOR FUELING ALL CITY VEHICLES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 22.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 22. Any remarks? Leader.

MEMBER DOUGHERTY: Mr. President, I move we amend Ordinance 22 per the Amendment in front of all Members.

MEMBER GRIFFIN: Seconded.

Amendment

*Pursuant to Rule 36, I move to amend Agenda Item No. 22 by amending the language "execute a contract" contained in the caption and Section 1 to read "execute a one year contract."*

PRESIDENT SCHULMAN: It's been moved and seconded that you Amend the Ordinance 22 by virtue of the copy of the Amendment before each one of you. Are there any remarks under the Amendment? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries. Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 22 as amended.

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MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 22 as Amended. Any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: And I don't know who to address this to. How many vehicles do we have in our fleet that...and how are they divided up that will be using the fue...I mean like, you got to know how many cards your going for. Someone have that idea?

FINANCE DIRECTOR DIRUZZA: Mr. President.

PRESIDENT SCHULMAN: Yes, Finance Director.

FINANCE DIRECTOR DIRUZZA: We have approximately 600 vehicles. I think its slightly over, maybe about 604. There's only 2 in the Administration. I would say the Police have 143, Fire 45, the Street Department has 93, Water Department has 88 and the rest of the departments have, you know the rest of that number.

*(THE AUDIO STOPS FOR 50 SECONDS)*

MEMBER MACK: ...thorough job based on actual numbers and *(inaudible)* those numbers over a 5 year period and with the passage of this Ordinance, mos...most of you know this from reviewing materials but for the benefit of the public, based on projected numbers this could realize the City a savings of about \$365,000.00. So, I think this is...this is great and...and as with any projected projection actual numbers are better than projected numbers and we're going to look at this 6 months in to see how it's performing. But thank you for these materials. Certainly saved the City a lot of money which we all care about and, you know, thank you for getting this off the ground.

PRESIDENT SCHULMAN: Thank you Member Mack and I think we all also owe a debt of gratitude to Pat Barton who is our IT representative and Director who did a really fine job. And there he is in the back. Thank you very much Pat. Alright, any other remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#22 ADOPTED AS AMENDED AS ORDINANCE NO. 174/2013**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 22 as amended is adopted. Ordinance 23 please.

#23. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 175/2013** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PURCHASE AGREEMENT IN AN AMOUNT NOT TO EXCEED \$21,000.00 WITH NORMAN AND BARBARA LORD FOR THE PURCHASE OF PARCEL #304459 AND TO ENTER INTO COOPERATIVE AGREEMENTS WITH GERVASI

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VINEYARDS AND/OR OTHER PROJECT STAKEHOLDERS FOR THE DEVELOPMENT AND MAINTENANCE OF A TRAILHEAD; AUTHORIZING THE ENGINEERING AND PARKS DEPARTMENTS TO GENERAL CONTRACT AS NEEDED TO DEVELOP THE TRAILHEAD THROUGH THE USE OF CITY FORCES AND/OR LOCAL CONTRACTORS AND SUPPLIERS; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 23.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 23. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#23 ADOPTED AS ORDINANCE NO. 175/2013**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 23 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: We're now under Announcement of Committee Meetings.

MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Who was that?

CLERK TIMBERLAKE: Cole.

PRESIDENT SCHULMAN: Oh, I'm sorry, Member Cole.

MEMBER COLE: No, that's alright. September 30<sup>th</sup>, 6:30 PM Finance will meet.

PRESIDENT SCHULMAN: Alright Chairman.

MEMBER BABCOCK: Mr. President.

PRESIDENT SCHULMAN: Member Babcock.

MEMBER BABCOCK: Environmental & Public Utilities, same time.

PRESIDENT SCHULMAN: Thank you.

MEMBER SMITH: Mr. President.

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PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: CD will also meet at the same time.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: Judiciary will meet at the same time, same place.

PRESIDENT SCHULMAN: Thank you. Any others?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader.

MEMBER DOUGHERTY: Public Property Capital Improvement will meet that night at that time.

PRESIDENT SCHULMAN: Thank you.

**MISCELLANEOUS BUSINESS**

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

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Member West.

CLERK TIMBERLAKE: Frank, it's Frank.

MEMBER MORRIS: Pssst, pssst.

PRESIDENT SCHULMAN: Member Morris.

MEMBER MORRIS: Thank you Mr. President.

PRESIDENT SCHULMAN: Sorry Member Morris.

MEMBER MORRIS: I think I need a little flasher here, you know, I just hit the button and the light goes off. I'd like to make quite a few comments regarding the chemical spill that occurred in Ward 9. I owe a debt of gratitude to quite a few people and please bare with me because it's a substantial list. Actually I'll just kind of skip right through it. First off, our...our safety forces went above and beyond on this. The Police Department completely shut down the area around the fire. The Fire Department, it was actually a real pleasure to hang out with those guys and watch them do what they do and it's really amazing. The Administration really stepped up to the plate on this but I really have to take my hat off to two fellow Council Members. Leader Dougherty and Member Smith, it was like a home run with you guys jumping in there, getting involved. They helped set everything up at the Civic Center and if I'm not mistaken Member Smith spent the night there. *(Laughter)* So,

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myself and Mem...Leader Dougherty, we opted to go home and get some sleep but Member Smith, she was a real trooper. And everything really went well. The only issue I think that I've gotten some negative feedback on is how we communicated the evacuation and I know that we did multiple things, reverse 911, WHBC, so forth and so on. But there was a point where we were actually getting out there knocking on doors. I don't know if there's some way we can kick off the tornado sirens to force people to turn on the radios or to go to their televisions. But I...I do think that we need to figure out a better way to communicate that we do have an evacuation in progress. All in all we didn't get a bunch of complaints and a lot of people were made to leave their homes and it was just, you know, compliments to everybody. You guys did a great job and made me look like a rock star in Ward 9, especially the two Council Members that were feeding people and getting them blankets and tucking them in. So, thank you very much and God bless you. It was a terrible situation but you made it a lot better. Thanks.

PRESIDENT SCHULMAN: Thank you Member Morris. Member West.

MEMBER WEST: Mr. President, I want to say a few announcements. First off, the Ohio Legislative Black Caucus, the State legislators will be here on, in this Council on this Thursday the 26<sup>th</sup> at 4 PM. And they'll be...they're hosting a golf tournament the day before and then they'll be here that day doing a town hall meeting to talk about their issues to discuss their agenda for the Legislative Black Caucus. So, we're hosting it, Stark County Black Caucus, we're going to use this facility here. It's open to the public. Please come out and support that. If you have questions for the State Legislators, I know some of you do, this is an opportunity to talk to them. So, that will be this Thursday the 26<sup>th</sup> at 4 PM. I also wanted to bring up a debt of gratitude to 3 particular...I know there's a lot of people that donated food to that event but I...I specifically want to talk about Napoli's Pizza, Walgreen's and Sport's Therapy. They jumped on board early on in terms of the chemical spill and gave food and water right when people got there and they just donated with no problem whatsoever. So, I wanted to thank them. Also I wanted to thank...we had an event this past Saturday, Peace Day at McKinley School and over 2,000 people showed up to present peace. It was International Peace Day, it was amazing and you know, WHBC, you know I couldn't do it without them, you know they did a great job in promoting it but not only that, they entertained the dialogue about being at peace and bringing peace to the City and bringing unity to the City and they want to continue that dialogue. So, you know, I thank them because we don't talk a lot about that especially with all the violence going on. You know, we brought it to the table, brought to discussions and a lot of people really enjoyed that piece of it. So, I think that Canton City Schools is going to continue that annually. And I also heard that we had a great event down here and I know Member Dougherty will probably talk about it, Feed the Needy. So, Council I'm really proud of everybody for the efforts over the last couple of weeks. We really was out there serving our public the way we should. Thank you.

PRESIDENT SCHULMAN: Thank you Member West.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: It was just a couple of names that my fellow Mr. West forgot. Bethel Apostolic Church, Elder Carlos Morris, a few of his members came down and helped and they also brought a lot of items that was needed and DeMario's Pizza. And I'd also like to thank Viola Fisher, she hung in there with us most of the night also and helped out. So, I'd just like to commend the Administration also, Chief of Staff and our Safety Director and to you too Service Director, they were on hand and the Mayor. So, we appreciate everything and don't forget our two Clerk of Council, they came down with pizza and helped out and so forth. So, thank you so very much.

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PRESIDENT SCHULMAN: Member Fisher, did you have something you wanted to say?

MEMBER FISHER: No not really. I would like to...I would just like to echo what everybody else said. You already beat me to it. But I will point out that when Member Morris said he had some complaints about communication, my heart jumped and I thought well it might have been because I took over his facebook page that night to get the word out. I'm like that...usually when I'm posting things online, there are some complaints that come immediately afterwards. So, but no I just wanted to echo everybody else said, the Administration, safety forces, Leader Dougherty, Member Smith, Member Morris, I mean just across the board everybody did a great job. Thank you.

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

MEMBER CIRELLI: Thank you Mr. President. I spoke with Pat Barton, our IT Specialist like the day or so after because of the fact that we have the reverse 911 calls but unfortunately, I think only 40% or 60% of our general public still have hard lines because a lot of people are cutting them out and going to the cell phones and we spoke about how are we going to...we feel responsible that those people should be informed also. So, we spoke about is it possible to put something in the water bills or something that says that they could opt in or opt out. But then the thought came to my mind cause I know a lot of people that have the cell phones, they turn them off at night time. So, therefore that's not going to be something that we could possibly do but we have to address that and it seems like more and more people are going to the cells and giving up that hard line which we have to make aware that we know this and plan incase we have another emergency, should that occur. Then I know at one time the Fire Department used to, and that's whenever we had probably full force and I don't know if there's anybody here that can address it but they would go inspect these buildings, fairly on a regular routine basis and maybe...Mr. Williams is shaking his head so maybe he could follow up on that because the young lady asked about that question and I think that should be something, they may still be doing. We don't know. So, I don't want to throw sticks and stones because they...I think concerning what we had there, I thought everybody functioned great and we did the best we could with what we had going and it was....fortunately nobody got hurt and that's a Godsend. And...but...and we're all aware the winds could have shifted so it could have went anywhere and that was, you know, a frightening thing and we were all keeping up on it. Then the lady that came about the Friendship Center and that place has been near and dear to my heart because I'm one of the founding members. And I want to fill ya in on a little history and Fonda....Mr. Williams has worked with me trying to find somewhere for this to go. But I also have some real concerns because I make it a point to go there quite often because it's not too far from my home and I have a feeling they've lost their mission. Now, when it first was formed it was use at our 919 Walnut Avenue NE, we..the City rented the building and that was because we had closed some of the mental facilities and the people were housing them like foster children, fostering them in there. They would give them breakfast and send them out and tell them not to come back until supper time. So the merchants, downtown merchants, you know, contacted the Administration then and the Administration came to the board and we had Rabbi Spitzer, Warren McLanahan, was a Minister here at the time, Elmar Elazar, God rest his soul and Sue Gasser, the former Mayor Purses' wife. I was on the board, we were all on the board and we had that building there and it...it worked fine. Now when I became the County Commissioner we were (*inaudible*) of monies, so I had to drop off the board. And then I think when I was in the State house it was relocated because somehow they made a deal to give the building at Walnut to Nationwide and then it is now where it's at and Fonda and I both...Mr. Williams and I both know this is not a good fit. And I also cut out that article because...and I'm...want to address their board because it is supposed to be a social recreational center for the institutionalized mentally ill, lonely, depressed and handicapped people. And it seems to have turned into nothing but payee program. And that was a very unfortunate incident, we've never ever had anything like that before when we had it where it was located. I think it's something...these people aren't going to go away. Anybody...you know we are our brother and sister's keepers and it is somewhere that we need to have them to

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go so they can have that social recreational and...and if that's not happening and it was very unfortunate that, that gentleman had that issue and I feel really bad to hear the issue about that lady's because yes that is their responsibility to watch these people because it's a very fragile line and it's a growing population. So, you know, if Mr. Williams can contact me and we can get something going here I'd be glad to do anything I can and I know the rest of board feels that way because it's in Mr. Mariol's Ward and he's had some concerns about the issue as well as the last former Councilman. So, we can work on that, we need to help them. Thank you sir.

PRESIDENT SCHULMAN: Thank you Member Cirelli.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER WEST: I did...when Rebecca wrote up about the building...the building in Canton, I know this was the 2<sup>nd</sup> chemical issue that I can recall. There was one on the northeast side where there were some containers, you may remember that. That was a really bad time for Canton as well. But I had a concern about a building on 12<sup>th</sup> Street and I remember just this summer talking to Angela and we could not go in and inspect the inside as long as the building was secure from what she had told me. And so, but I mean if that's true, I mean I...I share Rebecca's sentiments that we need to get in....

PRESIDENT SCHULMAN: I doubt....

MEMBER WEST:...to...

PRESIDENT SCHULMAN: Member West, I doubt if that was true.

MEMBER WEST: Well I'm just telling you what was said to me this summer.

PRESIDENT SCHULMAN: Okay.

MEMBER WEST: And my belief is we do need to inspect these buildings, these commercial buildings that were industrial.

PRESIDENT SCHULMAN: Member Mariol.

MEMBER MARIOL: Mr. President, yes thank you. And after the meeting I spoke to Chief of Staff Williams and we want to talk to you about the Friendship Center but we've had multiple conversations with the Director of the Friendship Center and we're now working towards scheduling times for the Director, some of the people from the board to go through some different sites that we've identified that might be a good fit for them. So, that is moving forward and Chief of Staff Williams has a lot more information on that. So, we'll get that to you after the meeting. Thank you.

PRESIDENT SCHULMAN: Thank you Member Mariol. Any other remarks? Leader did you want to comment about this weekend?

MEMBER DOUGHERTY: A couple of things. The Benny Angelo case, everyone has read that someone has been arrested and that's great. I personally talked to Vic George, the detective on this and he was not going to let this one go until he got...got to the end. And Benny was a real good friend of mine so this is really a good

**MINUTES OF THE MEETING SEPTEMBER 23, 2013**

thing. Yesterday, or Saturday I want to thank everybody that helped for the Feed the Needy. It was our 21<sup>st</sup> year so we've been doing this awhile. It's growing every year a little bit. This year we had the Police Department SWAT vehicle came so the kids and the parents could kind of go around that. We had the Bookmobile there and so we're doing some different things with that. It rained most of the time but we have the roof over our heads from the parking deck so it still works out and people still show up. So, we did have a pretty packed house again which is unfortunate in some ways that we have to do these things but it's a great thing for City Council to host. But there's...so, I appreciate all of you in what you did for this, whether you helped financially or showed up or both. We really appreciate it. Giant Eagle has really stepped up in this event and they're really a big part of this now and it's Giant Eagle out on 30<sup>th</sup> Street. So, Joe from there has been really great. They were here from beginning to end to the point of unloading tables and chairs at the Civic Center. So, so everything was done, you know, that was great. Appreciate the Administration and their efforts and the Auditor's Office, RA the cook, got to have him there and his...and his men Gary and John always willing to help out. So, really appreciate that. We'll be sending a thing to the Repository to print in the Applause section as we do every year. The Horner family came back, the Barton family was here, appreciate that. Mike Miller the past Service Director stopped by and his wife that works upstairs in Fonda's old office, she was there through it all. So, of course we had the other cooks, uncle Ronnie, Squeak and so we really appreciate them coming by. That's...that's the Clerk's friends so we let them come. But they do a great job and they love it, we have a good time. We even got a little bit of work out of Fonda and Member Babcock. (*Laughter*) So, as...as I said we get a little bigger each year so we appreciate that. It's because it was raining and their tee time was cancelled I think, I don't know that's the rumor out there. (*Laughter*) But no I really appreciate it. Member Babcock came through with a lot of food for us and rustled up some money and stuff like that and we appreciate everything you guys do. It's a great event. We got calls this morning about people thanking us and things like that. So, it's a good thing and I appreciate everyone's help. I move we adjourn.

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Meeting is adjourned. (*Gavel falls*) Drive carefully, thank you for coming everyone.

ADJOURNMENT TIME: 8:33 PM

ATTEST: SEPTEMBER 26, 2013  
CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

APPROVED: SEPTEMBER 26, 2013  
ALLEN SCHULMAN  
PRESIDENT