

**MINUTES OF THE MEETING FEBRUARY 3, 2014**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen, welcome to Canton City Council. With a quorum being present, the Chair calls the meeting of Canton City Council to order. Roll call vote please Madame Clerk.

*ROLL CALL TAKEN BY CLERK TIMBERLAKE:*

12 COUNCIL MEMBERS PRESENT: (FRANK MORRIS, CHRIS SMITH, JAMES BABCOCK, RICHARD HART, BILL SMUCKLER, GREG HAWK, THOMAS WEST, JIM GRIFFIN, KEVIN FISHER, DAVID DOUGHERTY, JOHN MARIOL & EDMOND MACK)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight's Invocation will be given by my friend and the Assistant Majority Leader and Council Member Ward 4 Chris Smith. Would you all stand and remain standing for our Pledge of Allegiance.

*The regular meeting of Canton City Council was held on February 3, 2014 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 4 Council Member. The Pledge of Allegiance led by President Schulman.*

PRESIDENT SCHULMAN: Thank you Assistant Majority Leader.

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: We are now under Agenda Corrections and Changes, Leader....Leader, we are now under Agenda Corrections and Changes.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add to the 2<sup>nd</sup> Readings, Ordinances #12 through and include #20.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you Suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinances 12 through 20. 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: Thank you Madame Clerk, Rule 22A is suspended and the Ordinances are a legal part of your Agenda.

**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: We turn now to Public Hearings, we have none this evening.

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**OLD BUSINESS**

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PRESIDENT SCHULMAN: Turning to Old Business, I know that the Mayor's Chief of Staff, Mr. Williams does have one piece of Old Business. Chief of Staff Williams.

CHIEF OF STAFF WILLIAMS: Mr. President, thank you. At the last meeting Mr. Henry Preston inquired about the use of decoy cars and the fact that they were covered with a lot of snow. Director Perry did follow up with Chief Lawver who indicated that they do try to remove the decoy cars every 24 hours. However, in the inclement weather it's difficult to do that. But they did promise to pay closer attention to getting that done in the future. That concludes Old Business.

PRESIDENT SCHULMAN: Thank you very much Mr. Williams.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: Turning now to Public Speaks. We have, I believe 5 speakers this evening. Our first is Pastor C. David Morgan. Pastor Morgan, always a pleasure to have you here sir. If you'll step forward and give us your name and your residential address for the record.

DAVID MORGAN: My name is David Morgan, I live at 922 27<sup>th</sup> St NE in Canton. Thank you Mr. President. Recognition is kind of a funny word. It can mean lots of things and lots of different things. As you all know I am retired but nevertheless ordained Presbyterian Minister. Some of you recognize that, some of you don't. Most of you don't know that I have about 15 other titles and I don't ask that you recognize those. But nevertheless I still have them. It kind of reminds me of that old saying that we Presbyterians do not recognize the supreme Ayatollah in Tyrant...Iran and Buddhists all over the world do not recognize the Pope in Rome. And Baptist Deacons do not recognize each other in the liquor stores. *(Laughter)* It all depends on perspective doesn't it. But whether or not I or we recognize changes not one iota, the reality, the existence or the facts. Lack of recognition merely hampers communication hinders working relationships impinges adversely on progress and as the one that I recognize as my ultimate authority as said on numerous occasions, let them that have ears hear. Thank you.

PRESIDENT SCHULMAN: Thank you Pastor Morgan. Our next speaker is Pete DiGiacomo. Mr. DiGiacomo, always a pleasure to have you here. If you'll give us your name and your residential address and welcome.

PETE DIGIACOMO: Thank you. It's a privilege to speak here. My last name is DiGiacomo, not Giacomo.

PRESIDENT SCHULMAN: I'm sorry, I thought I said that.

PETE DIGIACOMO: That's...that's okay...

PRESIDENT SCHULMAN: I'm a little out of breath from not being here a couple weeks.

PETE DIGIACOMO: I understand, okay. Hey my time is running. Pete DiGiacomo I live at 600 Dent Place SW, Canton. What I want to speak on tonight, I spoke on last year. I believe it was around November or something, it was the purchase of vehicles. Tonight I sat back here and listened about the...the quorum about purchasing vehicles, same thing as last year. Possibly for the City Service Director, before you end...it ends up into a big misunderstanding, back and forth, back and forth, if you could bids from local dealers for service, any type of vehicle. Other than something that we could not get in this area. Do that and then you could also

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look up on the computer or however you do it, the price of what it would come from the coop, that way you can present that to the Council Body, there would be no doubt in which way they would want to, you know, proceed with the purchase of vehicles. But the way it is now, I seen it tonight and everybody knows what I'm talking about. You know, why should we buy it out of Columbus so let's buy it local which I, you know, full heartedly agree with. I'm not saying do it, I'm just suggesting it to make an easy...nice easy flow of the transition from purchasing a vehicle which should be fairly easy. You know, you have the money. Look for the best price locally if that's available. But that's all I have to say. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. DiGiacomo, very much. Our next speaker is Leroy Lynch. Mr. Lynch and Mr. Hawk, welcome as always to Canton City Council. If you'll come forward and give us your name and your residential address.

LEROY LYNCH: My name is Leroy Lynch, I live at 3911 Highview. Good evening everybody, all..President. I came here because last year he made an application to take a test, not for the City but for the City school system and he took a test on the Civil Service but they didn't have an interpreter available. So, maybe there is a little bit of misunderstanding in communication. I can't call without authority from the City becau....or the Civil Service but I just got done talking with the Civil Service. So, maybe we can sort of work that out. But I want to have a meeting with the Civil Service and Law Director and sit down and see if we can't sit down and see if we can't solve this for the future for the deaf people or for handicapped people, blind people or people that are...physically impaired so we can not have anymore problems with the handicapped. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Lynch as always. Thank you. Our next speaker if Lois DiGiacomo. Good evening, welcome, if you'll step forward and give us your name and your residential address please.

LOIS DIGIACOMO: I'm Lois DiGiacomo Jacobson. My address is 1969 Kingscote Circle NE in North Canton, Ohio. I'm a founding member of Coming Together Stark County. We began in 1998, we're the only...the only organization in Stark County that has a mission of inclusion, diversity and dignity for all people. I'm a Playwright Director and my position with this organization, Coming Together Stark County is that being that being a Playwright Director. I'm here to ask all of you tonight for your help in research for my next two plays. I've written two plays already, one on African American History and one on the history of famous women in the world. My next two plays are on the topics of the Hispanic population and the Native American population in Stark County and their presence. So, I need information from all of you if there are Hispanics or Native Americans in your districts, I would like to know what their issues are, how they benefit, how we benefit, how we serve them and what do they need. This will help greatly in writing these plays. I want the plays to raise awareness of how we can be a better community and inclusive community with these members. Again, information can be given to me through comingtogether.org or my own email that is [lois.rainbow1@gmail.com](mailto:lois.rainbow1@gmail.com). Thank you very much.

PRESIDENT SCHULMAN: Thank you very much ma'am we appreciate it. Our last speaker this evening is Jack Hawk. Mr. Hawk, welcome again. If you'll step forward sir and give us your name and your residential address for our record. Thank you.

JACK HAWK: My name is Jack Hawk, 217 16<sup>th</sup> Street NW, Canton, Ohio. Thank you Mr. President, Council Members. That was interesting lead in by Mrs. DiGiacomo, I hope that maybe she would also include handicapped people in this community as well as part of that diversity as we do have a part in Coming

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Together Stark County. I'm here to let you know that I sent an email to Law Director Martuccio and to...to President Schulman that we need to sort of resolve this whole thing about the deaf community and any handicapped community but specifically those who are LEP have learning English or English proficiency because apparently according to the Civil Rights Act by Executive Order by President Clinton in 2000, he wrote an Executive Order saying that there should be some sort of service waiver to those people that have low English proficiency and I would hope that we could look into that more deeply with Council because I understand that...my understanding is there is no handicapped people that work with it. I don't care if it's deaf, blind, physical impairments or what, there aren't any. And those are tax payers and I believe there's 2,000 hearing impaired people in the City. So, I would hope that you would sort of look into that because I'll tell you, the deaf people will never be able to pass that Civil Service exam. I gave you an example, one of it was if there should ever be a problem with your coworkers and something happens, who would you call? And in that, the right answer was you would call 911. Well, you know what, I don't know how a deaf person would call 911 physically by phone. Now, there are other ways to do that but the answer was not correct that he gave. He said, "I would get a hold of my supervisor." So, those are some of the things in what we call culture that I hope we could sort of work out and have a better sympathetic understanding of those people who are disenfranchised in this community right now. Thank you very much for your time.

PRESIDENT SCHULMAN: Thank you Mr. Hawk. Thank you as always for everything you do. We appreciate it. And if you have any other examples, I think it would be very helpful for the Law Director and myself. But thank you for bringing that to our attention. That concludes our public speaks. Thanks to all the speakers.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We are now under Informal Resolutions. Madame Clerk would you please read Informal Resolution 11.

#11. PERSONNEL COMMITTEE: REQ APPVL OF APPT OF CATHY WYATT TO ARCHITECTURAL REVIEW BOARD FROM 1/1/14 - 12/31/16. - ADOPTED

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #11.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 11. Any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #11 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries, Resolution 11 is adopted. Resolution 12 please Madame Clerk.

#12. PERSONNEL COMMITTEE: REQ APPVL OF APPT OF STEVE COON TO ARCHITECTURAL REVIEW BOARD FROM 1/1/14 - 12/31/17. - ADOPTED

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PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #12.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution #12. Any remarks under this Resolution? Again, hearing none, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #12 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries, Resolution #12 is adopted.

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**COMMUNICATIONS**

PRESIDENT SCHULMAN: Turning now to Communications. Let the journal show that all Communications are received and 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 FEBRUARY 3, 2014.***

46. AUDITOR MALLONN: CERTIFICATE OF TOTAL AMT FROM ALL SOURCES FOR 2014. - RECEIVED & FILED
47. COURT ADMIN KOCHERA: REQ \$8,000.00 APPROP TRANSFER FROM 2767-701001 COMM SANCTIONS GRANT FUND - PERSONNEL SERV TO 2767-701001 COMM SANCTIONS GRANT FUND - OTHER FOR CONTINUED OPERATION OF COURTS. - FINANCE COMMITTEE
48. HEALTH COMMISSIONER ADAMS: REQ \$165.00 MORAL OB BE PAID TO EA GROUP FOR SERVICES IN RELATION TO THE AIR POLLUTION DEPT. - FINANCE COMMITTEE
49. HEALTH COMMISSIONER ADAMS: REQ TO AMEND O#264/2013 WITH FIVE GRANT APPROPS (AIR POLLUTION, WIC, HIV, IAP, DENTAL SEALANT). - FINANCE COMMITTEE
50. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO PROF SERV CONTRACT WITH ACCUMED BILLING INC FOR EMS BILLING SERV FOR FIRE DEPT AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
51. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO VARIOUS CONTRACTS FOR MOWING DESERTED/VACANT LOTS THROUGHOUT THE CITY AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

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52. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR ADVERTISE, REC BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO NEGOTIATE & SECURE SANITARY SEWER EASEMENTS/PROP OWNERSHIP ON BEHALF OF CITY AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (MAIN CT, 3<sup>RD</sup> ST SE TO 2<sup>ND</sup> ST SE). - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
53. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH LEONARD INSURANCE SERV AGENCY, INC IN AMT NOT TO EXCEED \$58,000.00 FOR 1 YR BUILDER'S RISK INSURANCE POLICY FOR WATER RECLAMATION FACILITY PHOSPHORUS/TOTAL NITROGEN REMOVAL & MISC IMPROVEMENT PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS AND REQ \$58,000.00 SUPP APPROP FROM UNAPPROP BAL 5410 SEWER OPERATING FUND TO 5410 206005 OPERATION & MAINTENANCE - OTHER. - FINANCE COMMITTEE
54. SERVICE DIRECTOR BARTOS: REQ COUNCIL RATIFY NEW COLLECTIVE BARGAINING AGMT BETWEEN AFSCME LOCAL 3449 AND CITY OF CANTON, EFFECTIVE 1/1/14 - 12/31/16. - FINANCE & PERSONNEL COMMITTEES
55. SERVICE DIRECTOR BARTOS: REQ COUNCIL RATIFY NEW COLLECTIVE BARGAINING AGMT BETWEEN AFSCME LOCAL 2937 AND CITY OF CANTON, EFFECTIVE 1/1/14 - 12/31/16. - FINANCE & PERSONNEL COMMITTEES

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for their First Reading and there are....Oh, would you please begin with Ordinance 11, right?

CLERK TIMBERLAKE: Ordinance 1.

PRESIDENT SCHULMAN: Oh, I'm sorry, Ordinance 1.

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$5,000.00 TO COHHIO; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OR PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT(S) FOR THE LEASING OF FOUR (4) UNMARKED POLICE VEHICLES IN AN AMOUNT NOT TO EXCEED \$106,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DISCHARGE OF THE DEMOLITION LIEN, ASSESSMENTS, PENALTIES AND INTEREST ON THE PROPERTY LOCATED AT 1461 - 9<sup>TH</sup> STREET N.E., REAR; AND DECLARING THE SAME TO

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BE AN EMERGENCY

Referred to Finance Committee

- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR THE REMOVAL OF NOXIOUS WEEDS AND DEBRIS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Environmental & Public Utilities Committee
- #5. (1<sup>ST</sup> RDG) A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF CANTON TO APPROPRIATE PROPERTY WITHIN ITS CORPORATE LIMITS PURSUANT TO OHIO REVISED CODE CHAPTER 719 FOR THE PURPOSE OF ACQUIRING WARRANTY DEEDS, STANDARD HIGHWAY EASEMENTS, UTILITY EASEMENTS AND/OR TEMPORARY EASEMENTS FOR THE MAHONING ROAD NE CORRIDOR PROJECT, PHASE 1; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Environmental & Public Utilities Committee
- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING SECTION 105.11, STATE COOPERATIVE PURCHASING WITH ADMINISTRATIVE SERVICES, AND REPEALING SECTION 105.13, STATE COOPERATIVE PURCHASING WITH ODOT, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON  
Referred to Judiciary Committee
- #7. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$338,699.42 FROM UNAPPROP BAL OF 2113 MUNI ROAD FUND TO 2113 202001 MUNI ROAD - ENGINEERING ADMIN - OTHER)  
Referred to Public Property Capital Improvement Committee
- #8. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING EXHIBIT A OF ORDINANCE NO. 250/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (12<sup>TH</sup> ST CORRIDOR PROJ, GP 1098)  
Referred to Public Property Capital Improvement Committee
- #9. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING CHAPTER 181, INCOME TAX, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON  
Referred to Judiciary Committee

***(COUNCIL RECESSED AT 8:03 P.M. FOR THE FINANCE AND PERSONNEL COMMITTEES TO DISCUSS ORDINANCES #10 AND #11; RECONVENED AT 8:10 P.M.)***

- #10. (1<sup>ST</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 3/2014** AN ORDINANCE APPROVING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND LOCAL 3449 AND OHIO COUNCIL 8;

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AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance & Personnel Committees

- #11. (1<sup>ST</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 4/2014** AN ORDINANCE APPROVING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND LOCAL 2937 AND OHIO COUNCIL 8; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance & Personnel Committees

PRESIDENT SCHULMAN: And at this time I would declare a recess for the Finance and Personnel Committees to meet in regard to Ordinances 10 and 11 on your Agenda this evening. You're now in recess, Chairman.

PRESIDENT SCHULMAN: Council then will reconvene after its recess, Leader.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A and place Ordinances 10 and 11 back on this evening's agenda.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to place Ordinances 10 and 11 back on this evening's agenda. Any remarks? Hearing none Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The Motion carries. Ordinances 10 and 11 are a legal part of your Agenda. Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance 10.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance #10. Any remarks? Hearing none, Madame Clerk, again roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader, you've heard the three readings.



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

MEMBER SMITH: Seconded.

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

MEMBER MORRIS: Mr. President, I move we amend Ordinance 10 per the copy of all Council Members have in front of them.

MEMBER SMITH: Seconded.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 10 by the addition of an additional page to the original proposed exhibit.*

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance 10 by virtue of the copy before each Member of Council. Are there any remarks? Would you like to summarize the amendment Mr. Law Director?

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Members of Council, this adds one more section that was an oversight to come into compliance with the recent affordable healthcare act and some language. Each amendment is the same but we need one for the AFSCME 3449 issue and vote and we need a similar piece of language for the 2937 amendment. Again, they are simply additions. One...one section, one only, it affects none of the others that were tentatively agreed to. Thank you.

PRESIDENT SCHULMAN: Thank you Law Director. Any...any other remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #10 as amended.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #10 as amended. Any remarks under this Ordinance? Again, hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#10 ADOPTED AS AMENDED AS ORDINANCE NO. 3/2014**

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PRESIDENT SCHULMAN: Thank you Madame Clerk, the motion carries. Ordinance 10 has been adopted, Leader.

MEMBER MORRIS: Mr. President. I move we suspend the Statutory Rules on Ordinance #11.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance #11. 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 MORRIS: Mr. President, I move we adopt Ordinance #11.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 11. Are there any remarks under this Ordinance, Leader.

MEMBER MORRIS: Mr. President, I move we amend Ordinance #11 per the copy in front of all Council Members.

MEMBER SMITH: Seconded.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 10 by the addition of an additional page to the original proposed exhibit.*

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance #11 by virtue of the copy before each Member of Council. I believe Law Director Martuccio has adequately summarized that so I will not ask for a further summarization. All those in....any other remarks though? All those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #11 as amended.

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MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #11 as amended. Any remarks under this Ordinance as amended? Again, hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#11 ADOPTED AS AMENDED AS ORDINANCE NO. 4/2014**

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

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: Now we turn to Ordinances for their Second Reading. Will you please begin with Ordinance #12.

#12. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$44,846.24 TO THE TREASURER OF THE STATE OF OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

#13. (2ND RDG) **ADOPTED AS ORDINANCE NO. 5/2014** AN ORDINANCE AUTHORIZING THE CANTON CITY BOARD OF HEALTH AND/OR HEALTH COMMISSIONER TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT(S) FOR THE PURCHASE OF ONE VEHICLE FOR THE HEALTH DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #13.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 13. 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 Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #13.

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MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule for Ordinance 13. Any remarks? Hearing none again, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#13 ADOPTED AS ORDINANCE NO. 5/2014**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 13 is adopted. Ordinance 14 please.

- #14. (2ND RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$1,200.00 TO COTTRILL WRECKING COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH LEBANON FORD FOR THE PURCHASE OF ONE 4-WHEEL DRIVE TRUCK WITH A SNOW PLOW PACKAGE IN AN AMOUNT NOT TO EXCEED \$27,595.50 AND WITH BOB ROSS BUICK FOR THE PURCHASE OF THREE STANDARD SIZE TRUCKS (GMC SIERRA 1500) IN AN TOTAL AMOUNT NOT TO EXCEED \$59,977.50 PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16. (2ND RDG) **ADOPTED AS ORDINANCE NO. 6/2014** AN ORDINANCE AMENDING EXHIBIT A OF ORDINANCE NO. 218/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (MAHONING RD CORRIDOR PROJ)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rule for Ordinance #16.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule for Ordinance 16. Any remarks? Hearing none again, 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. You've heard the three readings Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance 16.

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MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 16. Are there any remarks under this Ordinance? Again, hearing none Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#16 ADOPTED ORDINANCE NO. 6/2014**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 16 is adopted. Ordinance 17 please.

#17. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR THE PURCHASE OF VARIOUS VEHICLES FOR THE SANITATION DEPARTMENT; AUTHORIZING THE DIRECTOR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

#18. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 120/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (12<sup>TH</sup> ST N CORRIDOR PROJ)

#19. (2ND RDG) AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO APPROPRIATE REAL PROPERTY IN CONJUNCTION WITH THE 12<sup>TH</sup> STREET N. CORRIDOR PROJECT, GP 1098; AND DECLARING THE SAME TO BE AN EMERGENCY

#20 (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 7/2014** AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OR PUBLIC SERVICE AND/OR DIRECTOR OF PUBLIC SAFETY TO COMPLETE THE CONTRACTING PROCESS FOR VARIOUS CONTRACTS PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY JANUARY 1, 2014; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rule for Ordinance #20.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule for Ordinance 20. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries. You've heard the three readings Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #20. Any remarks? Again, hearing none Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 1 NAY, 1 ABSTAIN

CLERK TIMBERLAKE: Ten yeas, one nay, one abstain Mr. President.

**#20 ADOPTED AS ORDINANCE NO. 7/2014**

PRESIDENT SCHULMAN: The motion carries. Ordinance 20 is adopted.

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

PRESIDENT SCHULMAN: Turning now to Ordinances and Formal Resolutions for the Third, Final Reading and vote. We have two matters to reconsider. Madame Clerk would you begin with Ordinance 21.

#21. (3<sup>RD</sup> RDG) **RECONSIDERED AND ADOPTED AS ORDINANCE 1/2014** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH PENN CARE MEDICAL IN AN AMOUNT NOT TO EXCEED \$476,602.00 FOR THE PURCHASE OF TWO MEDIUM DUTY MEDIC UNITS FOR THE FIRE DEPARTMENT PURSUANT TO O.R.C. SECTION 125.04; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$476,602.00 FROM UNAPPROP BAL 4502 MOTOR VEHICLE PURCH FUND TO 4502 103001 FIRE ADMIN - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we Reconsider Ordinance 1/2014 adopted on January 27, 2014.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Reconsider Ordinance 1/2014 adopted on 1/27/14. 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: Thank you Madame Clerk. The motion to reconsider is adopted. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance 1/2014 as amended.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 1/2014 as amended. Are

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there any remarks under this Ordinance as amended? 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. Ordinance 1/2014 has been adopted. We now turn to Ordinance 2/2014.

#22. (3<sup>RD</sup> RDG) **RECONSIDERED AND ADOPTED AS ORDINANCE 2/2014** AN ORDINANCE AUTHORIZING THE DIRECTORS OF PUBLIC SERVICE AND SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR SUPPLY ITEMS, MATERIALS AND PROFESSIONAL SERVICES FOR THE CITY OF CANTON'S OPERATIONS DURING THE 2014 CALENDAR YEAR; AUTHORIZING ALTERNATELY THE PURCHASE OF SAID ITEMS PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT; OHIO REVISED CODE SECTION 735.05, NONPROFIT AGENCIES AND/OR ODOT PURCHASING AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER MORRIS: Mr. President, I move we Reconsider Ordinance 2/2014 adopted on January 27, 2014.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: I'm going to...it was pointed out by our astute Clerk of Council that he previous vote was referenced Ordinance 1/2014 as amended. Ordinance 1/2014 was not amended. It's merely 1/2014 was not amended. So, I'm going to...I'm going to entertain a motion to turn back to 1/2014 Leader Morris and ask you to...for a motion to re-vote on that Ordinance.

MEMBER MORRIS: Mr. President, I make a motion we do a mulligan on 1/2014.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you return and re-vote on...and do a mulligan on Ordinance 1/2014. Any comments, remarks? All those in favor signify by saying aye. Those opposed no. The ayes have it. So Member Morris a motion on 1/2014 please.

MEMBER MORRIS: Mr. President, I move we reconsider Ordinance 1/2014....

PRESIDENT SCHULMAN: We've already....Member Morris, I think we've already done the Reconsideration. This is just to vote on the Ordinance itself. Taking the "as amended" off. So, now it would just be a motion and a second to adopt Ordinance 1/2014.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance 1/2014.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: Thank you. It's been moved and seconded to adopt Ordinance 1/2014. Any remarks? Hearing none, again Madame Clerk roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#21 RECONSIDERED AND ADOPTED AS ORDINANCE NO. 1/2014**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 1/2014 is adopted. Leader, Ordinance...Reconsideration on Ordinance 2/2014.

MEMBER MORRIS: Mr. President, I move we Reconsider Ordinance 2/2014.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Reconsider Ordinance 2/2014 adopted on 1/27/14. 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. So, Leader, we would move and second to adopt Ordinance 2/2014.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance 2/2014.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 2/2014. Any remarks? Again, hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#22 RECONSIDERED AND ADOPTED AS ORDINANCE NO. 2/2014**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 2/2014 has is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: Announcements of Committee please.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Member Mariol.

MEMBER MARIOL: Public Property Capital Improvement will meet next Monday at 6:15.

PRESIDENT SCHULMAN: Thank you.

MEMBER BABCOCK: Mr. President.



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PRESIDENT SCHULMAN: Member Babcock.

MEMBER BABCOCK: Environmental and Public Utilities will meet at the same time.

PRESIDENT SCHULMAN: Thank you sir. That's it?

CLERK TIMBERLAKE: No.

MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Mack?

MEMBER MACK: Judiciary will meet at the same time and same place.

PRESIDENT SCHULMAN: Thank you very much. Anything else?

CLERK TIMBERLAKE: Finance.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you good sir. Finance Committee will meet Monday, February 9<sup>th</sup> at 6:15 PM.

CLERK TIMBERLAKE: The 10<sup>th</sup>.

MEMBER HAWK: The 10<sup>th</sup>.....Monday, February 10<sup>th</sup> at 6:15.

PRESIDENT SCHULMAN: Thank you very much Member Hawk. Any other announcements?

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: Turning now to Miscellaneous Business. Do we have any?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: The Clerk of Council got a call last week from a female stating that she wanted to pass along some information about the owner of Canton Towing, Joe Coram. She came to Canton to buy a car and was robbed of the cash, her cellphone and they took the keys to her car. Police were very helpful and she conveyed the information to Chief Lawver. She said the owner of this towing company, Joe, went above and beyond. He came and paid for their hotel stay overnight, paid for their food, picked them up the next morning and took them to their car. She said he made sure she was safe, had food and was taken care of. When I called and...when Cindy called back to Joe at the towing place he said "I thought about what if it was my mom, sister or daughter." So, it was the right thing to do. So, I just wanted everybody to know that. His towing place is in my Ward and I will be personally stopping by and thanking him. So, I just wanted everybody to know.

PRESIDENT SCHULMAN: Thank you Member Dougherty.

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MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER SMITH: I'd just like to inform Council and the City that in my Ward there were three families that were burned completely out and their homes were torn down today. I would like for us to keep them in prayer. I am going to be checking with them to see if there is anything that they need. So possibly next week I will let you know what was going on. Thank you.

PRESIDENT SCHULMAN: Thank you very much. Member Hart.

MEMBER HART: Just a few quick comments. I have had some complaints from folks that have attended some functions lately at the Civic Center and they have been complaining to me about the sticky floors, you know, especially after the GlobeTrotters went through and it really being in pretty bad shape. So, I don't know....who is responsible? Is that the...for cleaning the Civic Center?

PRESIDENT SCHULMAN: Director Bartos.

SERVICE DIRECTOR BARTOS: Member Hart we have a management contract with SMG and they oversee the day to day operations of the Civic Center but I'll take the complaint and pass it along to Blake Shilling who is the General Manager there for us.

MEMBER HART: Okay. Also, you know, I'd like to thank the Police Department, we had a young lady at our Church that works at Babyland at 23<sup>rd</sup> and Cleveland and she was held up at gunpoint working there, they hit the alarm and you know, I think literally within a minute the Police Department was there and made an arrest. And I also want to thank a lot of the City employees that have brought in coats and boots, you know, for the Salvation Army. I also would like to thank Member Babcock, he brought in some very stylish coats...*(Laughter)* and you know, he told me Member Dougherty had a lot of stylish coats too but he doesn't wear them very much. But, so, if anybody does have any, you know, boots and coats, anything at all out there please feel free and...and if you do want to get rid of any of those stylish coats Member Dougherty, Member Babcock will give them to me like he did those. But again but thanks to everybody.

PRESIDENT SCHULMAN: Thank you Member Hart. Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: I will yield to Member Smith.

PRESIDENT SCHULMAN: Assistant Majority Leader Smith.

MEMBER SMITH: Thank you. I just wanted to thank everyone for participating in the fundraiser for Sarg and he thanked each and everyone and for those that came down, we appreciate you coming also. And thanks to Member Smuckler for your kind donation also and all the donations that were there.

PRESIDENT SCHULMAN: Thank you Member Smith. Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. A few brief remarks. First of all I think it's wonderful that so many of you on Council are giving of your own time and money and goods to help so many people, it's inspirational. To Mr. Hawk and Mr. Lynch, thank you Mr. Hawk for your email today. We will follow up on it. It refers to a...a federal law and an Executive Order that amplified on it. I will ask that I or

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perhaps our Assistant Law Director who works with the Civil Service Commission who meet with you and Mr. Sliman. They also have a very capable new secretary who is also an Attorney, Mary Ellen Meistel who at one time worked in the Law Department. We will try to make sure that we are living within the not only the law but spirit of the law with regard to accommodation for disabilities. And thank you Mr. Lynch, if it was a miscommunication we will help rectify it. Thank you.

PRESIDENT SCHULMAN: Thank you Law Director.

LAW DIRECTOR MARTUCCIO: I have been asked to highlight my opinion, I have an oral opinion but I think I will wait to do that, I understand Member West wanted to say something before that.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Yes Mr. President. What I would like to do at this point in time, I would like to withdraw my candidacy for the Vice President of Canton City Council and I would like for all of us to get behind Member Morris to move forward and get this behind us. This has always been about 7 for me, the process, the integrity of the process. For years you've, even when I came on Council it was said you have to have 7 votes. Seven votes is not only the majority of this Council but it's also 7 Members that represents the full City. Anything less than that is in my book not right. And I believe that going forward and I talked to Member Morris before Council and made...told him of my decision on this process and that's where I stand. So, thank you.

*(APPLAUSE)*

PRESIDENT SCHULMAN: Member Mack.

MEMBER MACK: Mr. President, first I'd like to you know, extend my...my thank you to...to Member West while we certainly have a...a...disagreements on interpretation of rules, I think that one thing that Mr. West and myself share is our concern for the well being of the City. And to do the people's business and to bring the City's...the resident's concern as our top priority. And so to....to really, I think, bring this issue to an end, to avoid Courthouses, not just from any of the Membership but from the outside, I think I'd actually make a motion and the motion is to ratify and to confirm the election of Frank Morris as the Vice President of Canton City Council. If I can get a second then maybe Director Martuccio can explain what the legal affect of such a motion passing would be.

MEMBER WEST: Seconded.

PRESIDENT SCHULMAN: Thank you. It's been moved and seconded then to ratify and confirm Member Morris as Vice President of Canton City Council. Law Director Martuccio, would you care to comment on that motion?

LAW DIRECTOR MARTUCCIO: Yes, thank you Mr. President. Thank you Member West and Member Mack and thank all of you. After we had our Executive Session last week and I laid out a preview of the answers I had for Mr. West's questions, apparently many of you took that...those preliminary findings to heart, have called me with a number of questions and I am happy to say that I concur completely in this motion that Member Mack and Member West have made. Let me explain what you're voting on and why. Again, I appreciate your patience in leading up to this. This motion to ratify means that each of you will be asked to vote to go backward and to retroactively authorize the appointment of Member Morris to the position of Vice President and the Majority Leader of Canton City Council. Tonight for example, when these Ordinances came in front of you to

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approve the AFSCME contracts with the two large unions, they were retroactive to January 1<sup>st</sup> of this year, which is nearly just over a month ago. By retroactively applying them, you are ratifying the right for all of those folks to get paid at the...at the higher rate and to get their benefits for the last 32 days or whatever. By this vote that you are about to take, it's like an insurance policy that Member Morris indeed, assuming we got at least 7 votes, Member Morris will serve as your official Majority Leader and Vice President and all the actions taken since then I think are about as close to sue proof as they can be. This as Member Mack and Member West have pointed out avoids litigation that can be very timely, time consuming, costly and lead to all sorts of other issues. It also by the way helps to reinforce both the opinions that President Schulman and I shared even though I offered a medical or a legal opinion, just as you can go against your doctor (*Laughter*), I'm going to need a leg...a medical opinion before this is over (*Laughter*). You can always go against medical advice, they call that AMA when your doctor wants you to take something and you don't want to take it, you can go AMA. You also as a separate branch of Government have the right to go ALA, against legal advice. And by this ratification, assuming that...with that brave withdraw that you have made Member West, assuming that you unanimously or close to unanimously ratify Mr. Morris in that position, everything that flows from that, all of the business we've done is good and not questionable and fairly sue proof from any and all sources. So, again you are voting actually to make the City's business job number one again and I applaud you all for that. My opinion would not have changed from what we discussed last week, I do think this is a separate branch of Government. Member Schulman as Presiding Officer had the right to his opinion. I also would have stuck with mine and tonight you're really serving both purposes. You're ratifying the appointment and you're giving us more than the requisite number. So, everything will be legal and solid and back to the business of the people as you said. Thank you.

PRESIDENT SCHULMAN: Thank you Law Director. 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.

PRESIDENT SCHULMAN: Thank you Madame Clerk.

*(APPLAUSE)*

PRESIDENT SCHULMAN: Thank you Madame Clerk, the motion carries and there is a ratification and confirmation of Member Morris as Vice President of Canton City Council? Are there any other remarks? I have just one brief remark, I know you have been here awhile. About three weeks ago, and I direct this to Mr. Watts in the audience, about three weeks ago I said something and I think we all agree that when we sit here as Council Members or as President or as Mayor or Directors, we sit here and we're privileged and honored to represent the people of the City of Canton at all times. I misspoke and I wanted to publically apologize, I was trying to make a point that was not very well thought out and there maybe people, probably a great many of them who think a lot of my thoughts are not thought out but that particularly was not well thought out. I singled out Mr. Watts, I was wrong and I apologize for doing that. Moreover, I put words into his mouth and I was wrong and I apologize for doing that. I went beyond what I wanted to say and for that Mr. Watts I asked for your expectance of my apology. I meant no disrespect at all because I have a great deal of respect for you. However, lastly I will say, that I take some exception with what Mr. Watts said last week and that is I don't think this is a question of diversity any longer in our community or in our society. It's now a question of equality and the inequality that exists on behalf of the...from the very rich to the rest of us. And so that, I think

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Is a dramatic change maybe even from 6 or 7 years ago. So with that, I hope you'll except my apology. Are there any other remarks? Hearing none, Member Morris.

MEMBER MORRIS: Motion to adjourn.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: Thank you Leader. Seconded. 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, drive home carefully everybody and be careful, there is a big snow storm coming. Meeting is adjourned. *(Gavel falls)*

ADJOURNMENT TIME: 8:40 PM

ATTEST: FEBRUARY 10, 2014  
CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

APPROVED: FEBRUARY 10, 2014  
ALLEN SCHULMAN  
PRESIDENT