

**MINUTES OF THE MEETING FEBRUARY 10, 2014**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen, welcome to Canton City Council. We appreciate our neighbors in the audience coming out tonight. It's not cold enough. The weather has been just spectacular here in Northeastern Ohio. Before we begin, I know that Member Babcock is going to mention it too in his prayer tonight. But, we are a community obviously, and we are also in City Council a separate community. We have people that regularly come to our meetings and we appreciate it. They're smart, they're intelligent, they're witty, they're educated, they have great views. And we lost one of our best in the last day. John Swartz died and I'd like to just take a moment to meditate on his life. He was extraordinarily accomplished, but a very modest man. Never portrayed himself in any other light other than being a modest man who cared about our city. He had two Doctorates. He was a Catholic Priest. All the things that I had no idea until his passing today. So, if we can take a moment for silent prayer for John. May he rest in peace. *Moment of silence for John Swartz.* Thank you very much. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please Madame Clerk.

***ROLL CALL TAKEN BY CLERK TIMBERLAKE:***

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER WEST ABSENT)

CLERK TIMBERLAKE: Eleven present, Mr. President.

**EXCUSING MEMBERS**

PRESIDENT SCHULMAN: Thank you Member Babcock. Leader Morris, I'll entertain a motion to excuse Member West from this evening's meeting.

MEMBER MORRIS: Mr. President I move we excuse Member West from tonight's meeting.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member West from this evening's meeting. Any remarks? Hearing none, Madame Clerk again roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries. And Member West is excused from this evening's meeting.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight's invocation like I said will be given by my good friend, Council Member at Large James Babcock. If you'll all stand and please remain standing for our Pledge of Allegiance.

*The regular meeting of Canton City Council was held on February 10, 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*

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*invocation was given by James Babcock Council Member-At-Large. The Pledge of Allegiance led by President Schulman.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: Return now to Agenda Corrections and Changes, Leader.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add to 2<sup>nd</sup> Readings on Ordinances 10 through 18 and Ordinance number 19 will be withdrawn.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: Excuse me. It's been moved and seconded to Suspend Rule 22A and to add 2<sup>nd</sup> Reading Ordinances 10 through 18. 19 being withdrawn to this evening's agenda. Are there any remarks? Hearing none, Madame Clerk, again roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries Rule 22A is suspended and the Ordinances are a legal part of your Agenda.

**PUBLIC HEARINGS**

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

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**OLD BUSINESS**

PRESIDENT SCHULMAN: I know that turning now to Old Business, the Mayor's Chief of Staff, Mr. Williams does have a couple things.

CHIEF OF STAFF WILLIAMS: Yes Mr. President, thank you. At the February 3<sup>rd</sup> meeting, Mr. Pete Digiacoimo addressed Council in regards to purchasing City vehicles local I believe that was addressed during Committee meetings. Hopefully to your satisfaction. Also Mr. Leroy Lynch accompanied with Mr. Jack Hawk approached Council about some Civil Service issues and concerns. I did speak with Civil Service Commissioner, Mr. Sam Sliman and he is coordinating a meeting with the Civil Service Commissioner with Mr. Hawk, Mr. Lynch, and the Law Department and hopefully we can come to some resolve with that situation. That concludes Old Business.

PRESIDENT SCHULMAN: Thank you Mr. Williams, we appreciate it.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We now are going to Public Speaks. We have three speakers this evening. Our first is Henry Preston. As always Mr. Preston, Good Evening. Welcome to Canton City Council. If you'll give us your name and your residential address please.

HENRY PRESTON: Good evening, my name is Henry Preston I live at 326 31<sup>st</sup> Street NW Canton. Tonight I am here to speak about how well the Street Department did to this last yesterday starting soon after the snow

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stopped. And it was a pleasant surprise to see. 30<sup>th</sup> Street and Market 10 o'clock this morning it was very passable and the roads were dry in the sun. It was a big, it was a far cry from what I saw the previous weekend where the road crews didn't get out til Monday morning and it was kind of a mess. So, congratulations I appreciate that the Street Department ughm but also wanted to speak about the snow removal downtown in Canton. We've got piles of snow starting to grow again. Some of them are just about ready to cover the parking meters. I wonder what people are supposed to do are they going to be excused from putting money in the parking meter? I don't know. But to me a way to solve that if there's money I think should be money there. This is what some cities do, is they actually remove the snow from the street of the sidewalk and they put it in a park or someplace and I thought what better way to utilize our parks where we can pile up snow where kids can play. If you go over Harmont and 62, you can see the piles 12 feet high and the kids love it. They're playing king of the mountain in the snow mountain so I thought maybe that's something consider the parks working with the Street Department we can dump clean snow there so the kids can play with. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Preston very much. Our next speaker is Pete DiGiacomo. Mr. DiGiacomo Good Evening. As always welcome. If you'll give your name and residential address.

PETE DIGIACOMO: Good Evening. Pete DiGiacomo. 600 Dent Pl. SW Canton and yes for Service Director Bartos what I had mentioned last week and a awhile back I wanted to compliment you, your department for the presentation that you gave tonight. To me it was very thorough, very good. My only thing would say I think you said a price of around \$2500 to go high. I'd go a little bit lower, that's just me. Thank you very much.

PRESIDENT SCHULMAN: Thank you Mr. DiGiacomo. Appreciate it. Our next speaker, thank you. Our next speaker is James Parker. Always, welcome Mr. Parker. If you'll give us your name and your residential address please.

JAMES PARKER: A sincere delight. Thank you Council President Schulman. James Parker 630 Penny St. SE N. Canton. I've just been informed to alert the media that our Canton Police do carry tourniquets. This however conflict, I was just informed by our wonderful Safety Director Andrea Perry and I'm pleased to announce that because a huge capability gap does exist in most cities. I will spare you the speech I have prepared. This week watch watching the Washington Journal on CSPAN, Dr. Richard Carmona the Surgeon General spoke on this at their convening this week in Washington. Former Surgeon General 2002 to 6 in addition Detective Bill Adams President of the cease CPPA as well as several officers I've spoken with seem to be in favor that our first aid kits need first aid. They still probably need updating to more capability regarding hemostatic agents and probably more some more tourniquets so I'll double check on that because FEMA has been named the mass casualty incident preparedness as a priority to address. So those are affordable and light weight and hopefully will save some lives. It's Black History month. I'd like to remind you a year or two ago I requested the Jury Room be named the Alan Page Jury Room. I will be successfully hopefully petitioning Court Administrator Kochera and the Municipal Court Judges. Any phone call or support in that matter on your regards would be helpful. I bring up a lot of important things over the years, I get diddly squat out of any of these Council Members here. I would really appreciate some support at some time until I have to drag some big shot in here with some clout to get something done. In closing, if it would please Council President Schulman would you please inform Councilman-At-Large Jimmy Babcock that although he may think he's one of the Canton Kennedy's, that there no parking any time laws have not been aggregated for the Babby One mobile and that the handicap spaces there require space and permits too and from what I have seen at the golf courses I believe he can hoof it like the rest of us. In closing, Fawcett Stadium. Our Hall of Fame Parade used

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to have a Grande Marshall. Used to be nationally televised. Where is the funding for this? Why are we, used to be Macy's Day Parade, Rose Bowl Parade, Football Hall of Fame Parade Canton, Ohio nationally televised. We have been at the hind tip for too long about this because this has not been nationally televised for years. Roger Goodell is busy making 32 million dollars a year that come in here tax exempt. They don't pay your hotel fees, any fees, any exemptions they can get, they claim 'em. It's time you step up and tell this new director that funding is going to be needed for Fawcett Stadium. The NFL that's a tax exempt organization under a 5 whatever it's called C6 give me that stuff. If they want the Hall of Fame logo on Fawcett Stadium, we we know that equip that equals the NFL logo and they it's time that over fifty years that what they do for Canton, I've had to wing this I'm sorry I had a different speech prepared. But I just am flabbergasted that Goodell can make 32 million a year that the NFL charities have given uh 2.9 million in charity last year, 2.1 to the Hall of Fame at the Fiftieth Anniversary. Thank you very much.

PRESIDENT SCHULMAN: Thank you Mr. Parker very much. Okay it's time for Spring.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We're now turned to Informal Resolutions. Madame Clerk would you please read Informal Resolution 13 and this is extraordinarily important to the City and our water supply so I'd like Law Director Martuccio to comment upon it after you're done.

#13. CNCL-AS-A-WHOLE: SUPPORTING DESIGNATION OF COMBINED SAND & GRAVEL/SANDSTONE BEDROCK AQUIFER KNOWN AS TUSCARAWAS RIVER BURIED VALLEY COMBINED SOLE SOURCE AQUIFER. - ADOPTED

PRESIDENT SCHULMAN: Thank you. Law Director.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Members of Council, this is an Informal Resolution that won't cost you anything in terms of money out of the general fund or other funds. But, it is critical and here's why. What it is asking you to do along with other local municipalities and villages and older sub-divisions in Stark and Tuscarawas counties is to ultimately send a copy of this Informal Resolution to the Environmental Protection Agency in its Chicago Office. It's asking you to say that you want to have all of the waters that merge in this Aquifer, including our water that comes from Sugarcreek designated as a Sole Source Aquifer. And because of that the Sole Source Aquifer Program administered by the US EPA can give more protection to our Aquifer from potential pollution. This has been written at the suggestion of the Water Committee Chairman, Mr. President Allen Schulman who's been actively engaging meetings with Tyler Converse, some of you and a number of other folks will be bringing you more and more resolutions and ordinances as the year progresses to protect our Aquifer but tonight is the first step. Assuming this passes it will go to the US EPA Region 5 in Chicago essentially saying this, "Please find the resolution from the City of Canton. To support the designation of the Tuscarawas River Bury Valley combined Sole Source Aquifer. The City of Canton feels that it is important to protect our ground water resources. We realize how vital this Aquifer is to the health and economy of the region." Thank you.

PRESIDENT SCHULMAN: Thank you Law Director. And of course all we have to see how important water is, is go to Charleston, West Virginia and that'll tell you everything you need to know. Leader.

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

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MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 13. Any remarks under this Resolution? Yes, Member Hart.

MEMBER HART: A quick comment does this give the US EPA jurisdiction over the Ohio EPA in terms of perfecting our water solutions?

PRESIDENT SCHULMAN: Law Director.

LAW DIRECTOR MARTUCCIO: Mr. President. Member Hart I'm not sure. I know they work concurrently. I'm not sure how they divide up who has the last say so to speak on particular enforcement matter in a local area. There's a lot of of contracting that goes on. I can try to find that out for you.

MEMBER HART: What's the usable (*inaudible*)...we're out of luck. You can see what's happened in West Virginia. Listening to the news today they say the water's okay to drink but nobody wants to say well yeah you can drink it unless you're pregnant, unless you're planning to be pregnant...

UNKNOWN SPEAKER: If you're young...

MEMBER HART: I'm just in utter amazement (*inaudible*)...landfill that what you call oxidation or fiber you know, once those layers have reached it's only going to be a matter of time. And, the only thing we can do as a community that's so important (*inaudible*).

PRESIDENT SCHULMAN: Thank you Member Hart. Any other remarks? Hearing none by voice vote all those in favor signify by saying aye. Those oppose no the ayes have it. Informal Resolution 13 is adopted. Informal Resolution 14 please Madame Clerk.

NO REMARKS

RESOLUTION #13 PASSED UNANIMOUSLY BY VOICE VOTE

#14. PERSONNEL COMMITTEE: APPOINTING MELISSA BOWMAN AS ADMIN ASST V TO CANTON CITY COUNCIL OFFICE. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #14.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 14. Any remarks? Miss Smith or Memb Leader.

MEMBER MORRIS: Mr. President, I move we go into Executive Session to discuss Informal Resolution #14.

MEMBER SMITH: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded that you go with the Informal Reso, that you go informal, that you go into Executive Session. Madame Clerk roll call vote please. Yes, Law Director.

LAW DIRECTOR MARTUCCIO: I think the motion stands because it incorporates the title which is of the appointment of Melissa Bowman as the Administrative Assistant so as to discuss the appointment of a public employee. Would you please name the persons that you would in it if there's anyone in addition to Council would you please name those persons you would like to be in the Session if any. Thank you.

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Yes, Mr. President; I would like all Council Members, President of Council, Clerk of Council, and Law Director please. And Pattie.

CLERK TIMBERLAKE: *(Inaudible)*

PRESIDENT SCHULMAN: Okay, so we have a motion to go into Executive Session with regard Informal Resolution 14. Any other remarks? Hearing none, Madame Clerk roll call vote on the Executive Session motion.

NO REMARKS

ROLL CALL 10 YEAS, 1 NAY

PRESIDENT SCHULMAN: Motion carries, we'll go into Executive Session.

PRESIDENT SCHULMAN: Council we'll reconvene after Executive Session. We need a motion to take us out of Executive Session. Leader.

MEMBER MORRIS: Mr. President, I motion we come out of Executive Session.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you come out of Executive Session. Any remarks? Madame Clerk roll call please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Motion carries, we're now back to formal Canton City Council Meeting and we turn now to Informal Resolution 14. Madame Clerk do you want to read that one more time please.

#14. PERSONNEL COMMITTEE: APPOINTING MELISSA BOWMAN AS ADMIN ASST V TO CANTON CITY COUNCIL OFFICE. - ADOPTED

PRESIDENT SCHULMAN: Leader Morris. Is there a motion on the floor?

MEMBER MORRIS: Yeah.

MEMBER SMITH: Seconded.

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NO REMARKS

RESOLUTION #14 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: There is a motion on the floor it's been seconded. All those in favor signify by saying aye. Those oppose no. The ayes have it, the motion carries and congratulations Ms. Bowman. We wish you the very best. (*applause*)

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**COMMUNICATIONS**

PRESIDENT SCHULMAN: Turning now 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 FEBRUARY 10, 2014.***

56. AUDITOR MALLONN: MNTHLY RPT BY FUND 1/1/14 - 1/31/14. - RECEIVED & FILED
57. AUDITOR MALLONN: YRLY RPT BY FUND 1/1/14 - 1/31/14. - RECEIVED & FILED
58. CNL PRES SCHULMAN: RECOMMEND APPT OF CNCL-AT-LRG MBR BABCOCK TO THE CANTON CONSTRUCTION BOARD. - RECEIVED & FILED
59. HEALTH COMMISSIONER ADAMS: REQ PURCHASE OF NEW PM2.5 AIR MONITORING EQUIP FOR AIR POLLUTION CONTROL DEPT. - FINANCE COMMITTEE
60. HEALTH COMMISSIONER ADAMS: REQ WITHDRAW OF O#19 FROM 2/10/14 AGENDA (\$44,846.24 MORAL OB - HEALTH DEPT). - RECEIVED & FILED
61. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO ONE-YR PROF SERV CONTRACT WITH ING EMPLOYEE BENEFITS FOR STOP LOSS INSURANCE FOR CITY'S HEALTH BENEFITS PLANS, EFFECTIVE 2/1/14 & AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
62. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH OHIO POWER CO, ALSO KNOW AS AEP FOR COMPENSATION FOR RELOCATION OF EXISTING OVERHEAD LINES INTO NEW UNDERGROUND FACILITIES IN AMT OF \$600,000.00; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH TIME WARNER CABLE FOR COMPENSATION FOR RELOCATION OF EXISTING OVERHEAD LINES INTO NEW UNDERGROUND FACILITIES IN AMT OF \$36,523.00; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH AT&T FOR COMPENSATION OF RELOCATION OF EXISTING OVERHEAD LINES INTO NEW UNDERGROUND FACILITIES IN AMT OF \$115,127.00; MAKE \$751,650.00 SUPP APPROP FROM 4566 MAHONING RD CORR PROJ, GP 1103 FUND APPROP BAL TO 4566-202079 MAHONING RD CORR PROJ, GP 1103 FUND & ORGANIZATION & AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

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63. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH OHIO POWER CO, ALSO KNOWN AS AEP FOR COMPENSATION FOR RELOCATION OF EXISTING OVERHEAD LINES INTO NEW UNDERGROUND FACILITIES IN AMT OF \$62,876.72; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH TIME WARNER CABLE FOR COMPENSATION FOR RELOCATION OF EXISTING OVERHEAD LINES INTO NEW UNDERGROUND FACILITIES IN AMT OF \$40,000.00; MAKE \$102,876.72 SUPP APPROP FROM UNAPPROP BAL OF 4563 (12<sup>TH</sup> ST N CORR PROJ, GP 1098 FUND) TO 4563-202077 (12<sup>TH</sup> ST N CORR PROJ, GP 1098 FUND & ORGANIZATION) & AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
64. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A TWO-YR PROF SERV CONTRACT WITH RUSS KIKO ASSOCIATES, INC FOR AUCTION SERV FOR SALE OF CITY PROP NO LONGER NEEDED FOR MUNICIPAL PURPOSES & IMPOUNDED VEHICLES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
65. SERVICE DIRECTOR BARTOS: REQ TO ADVERTISE, REC BIDS & ENTER INTO CONTRACT IN AMT NOT TO EXCEED \$350,000.00 FOR EVALUATION OF APPROX 1,720 WATER DISTRIBUTION VALVES; MAKE \$350,000.00 APROP FROM UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 75812 WATER DISTRIBUTION FUND; & AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
66. SERVICE DIRECTOR BARTOS: REQ AMEND CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL BY ADDING THE CLASSIFICATION UTILITY OPERATOR 3, NUMBER OF EMPS 10, UNION GROUP 11 TO THE WATER DEPT; AMEND CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL BY ADDING THE CLASSIFICATION OF LABORER 2, NUMBER EMPS 3, UNION GROUP 11 WATER DEPT & AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPTS OF VOUCHERS. - PERSONNEL COMMITTEE
67. SERVICE DIRECTOR BARTOS: APPRVL OF REVISED EXHIBIT A TO O#120/2013 TO INCLUDE ADDTL PROP APPRAISALS . - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
68. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH WHEELING & LAKE ERIE RAILWAY CO TO SECURE RIGHT-OF-WAY FOR PROJ & FACILITATE IMPROVEMENTS TO EXISTING CROSSINGS; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH AKRON METRO REGIONAL TRANSIT AUTHORITY TO SECURE RIGHT-OF-WAY FOR PROJ & FACILITATE IMPROVEMENTS TO EXISTING CROSSINGS; MAKE \$450,000.00 SUPP APPROP FROM UNAPPROP BAL 4563 (12<sup>TH</sup> ST N CORR PROJ, GP 1098 FUND) TO 4563-202077 (12<sup>TH</sup> ST N CORR PROJ, GP 1098 FUND & ORGANIZATION) & AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE



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69. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR, SERV DIR AND/OR LAW DIR, OR THEIR DESIGNEE, ON BEHALF OF CITY OF CANTON TO APPROP PROP WITHIN ITS CORP LIMITS, PURSUANT TO ORC, CHAP 719 FOR PURPOSE OF ACQUIRING WARRANTY DEEDS, STANDARD HIGHWAY EASEMENTS, UTILITY EASEMENTS AND/OR TEMP EASEMENTS NECESSARY FOR CONSTRUCTION OF MAHONING RD NE CORR PROJ & AUTHORIZE MAYOR, SERV DIR AND/OR LAW DIR, OR THEIR DESIGNEE TO MAKE MINISTERIAL CHANGES TO CORRECT PROP OWNER NAMES, PARCEL NUMBERS & OTHER NUMERICAL DESCRIPTIVE OR TYPO ERRORS. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
70. SERVICE DIRECTOR BARTOS: 2013 ANNUAL REPORT OF OPERATIONS FOR WATER RECLAMATION FACILITY. - RECEIVED & FILED
71. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 1/31/14. - RECEIVED & FILED
72. TREASURER PEREZ: AMEND CHAP 155 OF CODIFIED ORDINANCES OF CANTON TO ALLOW INVESTMENTS TO MATURE IN UP TO FIVE YRS & TO MIRROR DEFINITIONS & PROVISIONS OF THE UNIFORM DEPOSITORY ACT. - JUDICIARY & FINANCE COMMITTEES
73. TREASURER PEREZ: REQ TO ENTER CONTRACT W/UACC FOR CITY'S INVESTMENTS. - FINANCE COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for the First Reading. Madame Clerk would you please begin with Ordinance number 1.

***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 ORDINANCE NO. 169/2013 AS RE-AUTHORIZED BY ORDINANCE NO. 7/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (MUNI COURT AUDIO/VISUAL REHAB PROJ)  
Referred to Public Property Capital Improvement Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$8,000 FROM 2767 701001 COMM SANCTIONS GRANT FUND - PERSONNEL SERV TO 2767 701001 COM SANCTIONS GRANT - OTHER)  
Referred to Finance Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$165.00 TO EA GROUP; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

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- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (5 GRANTS FOR HEALTH DEPT)  
Referred to Finance Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO VARIOUS CONTRACTS FOR THE MOWING OF DESERTED/VACANT LOTS THROUGHOUT THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND /OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE MAIN CT. S.E. SANITARY SEWER REPLACEMENT PROJECT, G.P. 1202 AND TO NEGOTIATE AND SECURE THE SANITARY SEWER EASEMENTS/PROPERTY OWNERSHIP ON BEHALF OF THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Environmental and Public Utilities Committee
- #7. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH LEONARD INSURANCE SERVICES AGENCY INC. IN AN AMOUNT NOT TO EXCEED \$58,000.00 FOR A ONE (1) YEAR BUILDER'S RISK INSURANCE POLICY FOR THE WATER RECLAMATION FACILITY PHOSPHORUS/TOTAL NITROGEN REMOVAL AND MISCELLANEOUS IMPROVEMENTS PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

***(COUNCIL RECESSED AT 8:10 P.M. FOR THE FINANCE AND PERSONNEL COMMITTEES TO DISCUSS ORDINANCES #8 AND #9; RECONVENED AT 8:17 P.M.)***

- #8. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 8/2014** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT FOR STOP-LOSS INSURANCE FOR CITY EMPLOYEES AND THEIR DEPENDENTS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #9. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 9/2014** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ACCUMED BILLING, INC. FOR EMS BILLING SERVICES FOR THE FIRE DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

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PRESIDENT SCHULMAN: And at this time the chair will declare an in house recess for the Finance Committee to meet in regards to Ordinances 8 and 9 on your agenda this evening. You're now in recess. Chairman Hawk.

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

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A and place Ordinances 8 and 9 back on this evening's agenda.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: Thank you. It's been moved and seconded to Suspend Rule 22A to place Ordinances 8 and 9 back on this evening's agenda. Any remarks? Hearing none Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Motion carries. Ordinances 8 and 9 are a legal part of your Agenda. Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #8.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 8. Any remarks? Hearing none, Madame Clerk, again roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #8.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #8. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Ordinance #9 is not adopted yet is it? You've heard the three readings Leader?

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

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #9. Any remarks?  
Hearing none, again Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**PRESIDENT SCHULMAN: Turning now to Ordinances and Formal Resolutions for their Second Reading.  
Madame Clerk will you please begin with Ordinance #10.***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #10 THROUGH #18 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (ORDINANCE #15, #17, #18 - ADOPTED)***

- #10. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$5,000.00 TO COHHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11. (2<sup>ND</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
- #12. (2<sup>ND</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 BE AN EMERGENCY
- #13. (2<sup>ND</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

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- #14. (2<sup>ND</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
- #15. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 10/2014** AMEND APPROP O#264/2013; EMERGENCY (\$338,699.42 FROM UNAPPROP BAL OF 2113 MUNI ROAD FUND TO 2113 202001 MUNI ROAD - ENGINEERING ADMIN - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend Statutory Rules on Ordinance #15.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 15. Any remarks? Hearing none. Again Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Motion carries. You've heard the three readings. Leader.

MEMBER MORRIS: Mr. President. I move we adopt Ordinance #15.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 15. Any remarks under this Ordinance? Hearing none again Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 15 is adopted. Ordinance 16 please.

- #16. (2<sup>ND</sup> RDG) AMEND CHAP 181, INCOME TAX, OF CODIFIED ORDINANCES OF CITY OF CANTON
- #17. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 11/2014** RESOLUTION DECLARING THE NECESSITY & INTENT OF CITY OF CANTON TO APPROP PROP WITHIN ITS CORP LIMITS PURSUANT TO OHIO REVISED CODE CHAP 719 FOR PURPOSE OF ACQUIRING WARRANTY DEEDS, STANDARD HIGHWAY EASEMENTS,

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UTILITY EASEMENTS AND/OR TEMP EASEMENTS FOR MAHONING ROAD  
NE CORRIDOR PROJ, PHASE 1; AND DECLARING THE SAME TO BE AN  
EMERGENCY.

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend Statutory Rules on Ordinance #17.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 17. Any remarks? Hearing none. Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Motion carries. You've heard the three readings. Leader.

MEMBER MORRIS: Mr. President. I move we adopt Ordinance #17.

MEMBER SMITH: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Ordinance 17 is adopted. Ordinance 18 please.

#18. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 12/2014** AMEND EXHIBIT A OF O#250/2013;  
AND DECLARING THE SAME TO BE AN EMERGENCY (12<sup>TH</sup> ST. CORRIDOR  
PROJ, GP 1098)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we suspend Statutory Rules on Ordi for Ordinance #18.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 18. Any remarks? Hearing none. Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Ordinate uh you've heard the three readings. Leader.

MEMBER MORRIS: Mr. President. I move we adopt Ordinance #18.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 18. Any remarks under this Ordinance? Again, hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Ordinance 17 is adopted we now oh Ordinance 18 I'm sorry is adopted.

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

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for the Third, Final Reading and vote. Would you please begin Madame Clerk with Ordinance 20.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #20 THROUGH #24 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS. (ORDINANCE #19 WITHDRAWN)***#19. (3<sup>rd</sup> RDG) ***WITHDRAWN 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***#20. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 13/2014 AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$1,200.00 TO COTTRILL WRECKING COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY**

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President I move we adopt Ordinance #20.

MEMBER SMITH: 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 11 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Eleven yeas Mr. President.

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

PRESIDENT SCHULMAN: Ordinance 20 is adopted. Ordinance 21 please.

#21. (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 14/2014** 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 A TOTAL AMOUNT NOT TO EXCEED \$59,977.50 PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance 21.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 21. Any remarks?  
Leader.

MEMBER MORRIS: Mr. President I move that we amend Ordinance 21 per copy that all Council Members have in front of them.

MEMBER SMITH: Seconded.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 21 by the substitution of the attached revised amended ordinance for the originally proposed ordinance*

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 21 by virtue of the copy before each Member of Council.

MEMBER MORRIS: Can we have the amendments summarized please?

PRESIDENT SCHULMAN: Law Director.

LAW DIRECTOR MARTUCCIO: Mr. President, Mr. Majority Leader, Members of Council. The amendment before you is a substitution of a revised Amended Ordinance. This is the one that Director Bartos explained earlier where some words were struck to meet with the approval and the concerns you raised last week. Words like naming Lebanon Ford, naming the particular other, other types of places. So there are a handful of phrases that have been amended Mr. Bartos, anything else to add to that?

SERVICE DIRECTOR BARTOS: Yes Mr. Law Director, Mr. President. Basically this will just strike any references to particular make or model or a particular dealer and allow us to either bid these out or purchase through the process that we discussed earlier. I believe we have already received one bid or one quote from



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within the county on the one item, the four-wheel drive truck with the snow plow. Actually a counter a county dealer told us they would be able to actually beat the state contract price as we discussed. We can actually purchase from them without going through competitive bid. The other three items will be bid out. We are waiting on one more dealer in the county to tell us whether or not they can get us those items for less than the state contract price. But if they can't then we'll have to bid them out.

PRESIDENT SCHULMAN: Thank you Director Bartos. Any other comments? On the motion to amend? Excellent job by the way. I just want to say that. All those in favor of the motion, signify by saying aye. Those oppose no, the ayes have it. The motion carries. Leader.

MEMBER MORRIS: Mr. President I move we adopt the Ordinance #21 as amended.

MEMBER SMITH: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#21 ADOPTED AS AMENDED AS ORDINANCE NO. 14/2014**

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. 15/2014** 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

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #22.

MEMBER SMITH: Seconded.

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

MEMBER MORRIS: Mr. President, I move we amend Ordinance #22 per the copy in front of all Council Members.

MEMBER SMITH: Seconded.

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*Pursuant to Rule 36, I move to amend Agenda Item No. 22 by deleting the words "fifteen (15)" and "E-350 Ford" in subsection (a) of Section 1.*

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 22 by virtue of the copy before each Member of Council. Any remarks? Director Bartos.

SERVICE DIRECTOR BARTOS: Yes Mr. President. Members this is a much simpler amendment. The Ford E350 Van which was specifically cited in the original Ordinance has been taken off the state contract price and actually it's being discontinued here. So the amendment in front of you simply strikes the reference to E350 Ford and 15 just to so just as far as passengers. So it just makes it one new passenger van. Makes it very generic so that we'll be able to seek local quotes and and eventually bid this out.

PRESIDENT SCHULMAN: Thank you Director Bartos. Any other remarks? All those in favor.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes, I'm sorry Member Hawk.

MEMBER HAWK: Thank you Sir very much I appreciate it. I'd like to congratulate Mr. Bartos and thank him for the hard work he's done on this. This has been a, a pet project of several Councilman for a long time getting this purchasing done within inside the City and I'm very glad to see that we are moving forward on it. Thank you Mr. Bartos, I appreciate it greatly.

SERVICE DIRECTOR BARTOS: Mr. President this, Member Hawk. This definitely wasn't all me. It was a team effort and Randy and our Director of Purchasing Randy Dublikar and our Assistant Director John Highman played as much if not a more important role in this so I, I thank them as well for, for their work.

PRESIDENT SCHULMAN: Thank you Director. Any other remarks? By voice vote, all those in favor of the motion signify by saying aye. Those oppose no. The ayes have it. The motion carries. Leader.

MEMBER MORRIS: Mr. President. I move we adopt Ordinance #22.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded. 22 is amended. Leader. 22 is amended.

CLERK TIMBERLAKE: Yes  
(inaudible)

PRESIDENT SCHULMAN: That's alright. So it's been moved and seconded to adopt Ordinance 22 as amended. Any remarks under this Ordinance as amended? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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

#23. (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 16/2014** AN ORDINANCE AMENDING ORDINANCE NO. 120/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (12<sup>TH</sup> ST N CORRIDOR PROJ)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #23.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 23. Any remarks? Leader.

MEMBER MORRIS: Mr. President I move we amend Ordinance 23 per copy that's in front of all Council Members.

MEMBER SMITH: Seconded.

AMENDMENT

*Pursuant to Rule 36, I move to amend Agenda Item No. 23 by the substitution of the attached revised exhibit for the original proposed exhibit.*

PRESIDENT SCHULMAN: Second, I'm sorry. Sorry. It's been moved and seconded that you amend Ordinance 23 by virtue of the copy before each Member of Council. Director or Law Director.

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: One of the Directors.

LAW DIRECTOR MARTUCCIO: Members of Council, this particular Ordinance up for it's Final Reading is for the 12<sup>th</sup> Street Corridor project. As Mr. Moeglin has been telling you with his weekly appearances, it's crucial to update the people that have agreed to purchases prices and those cases that can move to a different place in their exhibits and be freshened. This is a substituted, revised exhibit that freshens up the original proposed exhibit. There's a little enthusiasm in there.

PRESIDENT SCHULMAN: Thank you Law Director. Any other remarks? By voice vote all those in favor of the amendment first signify by saying aye. Those opposed no. The ayes have it. The motion carries. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #23 as amended.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 23 as amended. Any remarks? Hearing none, Madame Clerk roll call vote please.

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NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS, 1 ABSTAIN

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

**#23 ADOPTED AS AMENDED AS ORDINANCE NO. 16/2014**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 23 is amended as adopted. Ordinance 24 please.

#24. (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 17/2014** 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

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance 24.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 24. Any remarks? Leader.

MEMBER MORRIS: Mr. President I move we amend Ordinance #24 per copy that's in front of all Council Members.

MEMBER SMITH: Seconded.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 24 by the substitution of the attached revised exhibit for the original proposed exhibit.*

PRESIDENT SCHULMAN: It's been moved and seconded that your adopt Ordinance 24 by virtue of the amendment before each of you. Law Director.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Members of Council this final amendment this evening is important. They all are of course, but this one revises the exhibit of names that are going to go to the court system as we file appropriations to take some land for this project on 12<sup>th</sup> Street. This is the most up-to-date revised exhibit and I want to applaud Dan Moeglin and his staff of engineers for keeping it fresh and current and updated. Thank you.

PRESIDENT SCHULMAN: Thank you Law Director. Any other remarks? By voice vote, all those in favor signify by saying aye. Those opposed no. The ayes have it. The motion carries. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #24 as amended.

MEMBER SMITH: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded to adopt 24 as amended. Ordinance 24 is amended. Any remarks? Hearing none. Again, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS, 1 ABSTAIN

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

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**#24 ADOPTED AS AMENDED AS ORDINANCE NO. 17/2014**

PRESIDENT SCHULMAN: Ordinance 24 is amended as adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: We now turn to announcement of committee meetings.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you good Sir. The Finance Committee will meet Monday February 24<sup>th</sup> at 6:15pm.

PRESIDENT SCHULMAN: Thank you.

MEMBER BABCOCK: Mr. President.

PRESIDENT SCHULMAN: Member Babcock.

MEMBER BABCOCK: It's Mr. Kennedy to you. *(Laughter)*

PRESIDENT SCHULMAN: Chairman Kennedy.

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

PRESIDENT SCHULMAN: Thank you very much. It's good to have you here tonight.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Member, you don't want me to continue Member Mariol on my Kennedy impersonation? Member Mariol.

MEMBER MARIOL: Public Property Capital Improvement will meet at the same time, same place.

PRESIDENT SCHULMAN: Thank you Chairman. Any other announcements?

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: Turning now to miscellaneous business. Do we have any? Hearing none. Leader.

MEMBER MORRIS: Mr. President, motion to adjourn.

MEMBER SMITH: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: (*Gavel falls*) Meeting is adjourned. Thank you Ladies and Gentleman, be careful on your way home. Stay warm. We'll see you in two weeks.

ADJOURNMENT TIME: 8:36PM

ATTEST: February 19, 2014

APPROVED: February 19, 2014

CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

ALLEN SCHULMAN  
PRESIDENT