

MINUTES OF THE MEETING MARCH 17, 2014

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. I want to wish all our Irish friends and all the friends of the Irish, which I think includes everyone, Happy St. Patrick's Day. Member Griffin, particularly to you and Member Babcock did you have something you wish to say.

MEMBER BABCOCK: No. To you it's Harrigan today. H-A-R-R-I-G-A-N and that's for the record.
(LAUGHTER)

PRESIDENT SCHULMAN: Member Harrigan, thank you. And welcome to the people in our audience. I know we have some people from schools. Where are you from?

(STUDENT RESPOND FROM AUDIENCE - JACKSON)

PRESIDENT SCHULMAN: Jackson, Jackson. Everybody from Jackson. Welcome to Canton City Council. Hope you enjoy the meeting.

CLERK TIMBERLAKE: Oh, you got some kids over there.

(ALSO RESPOND FROM AUDIENCE - JACKSON)

PRESIDENT SCHULMAN: Alright. Did you have nothing better to do tonight than come to here? Welcome. We really appreciate you being here. 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:

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 friend Council Member Thomas West. Will you all please stand and remain standing for our Pledge of Allegiance.

MEMBER WEST: Yea, Mr. President before we, before we say prayer I'd like to say if we could have a moment of silence. One of Canton's sons Bill "Butterball" Wyatt passed away on March 8th. His funeral's going to be Wednesday at God Given Church of God and Christ so if we could have a moment of silence. Bill "Butterball" Wyatt was, used to be a radio host or DJ at WHBC. One of the famous DJ's back in the day. They called him the "Bigger the Butter, the Better the Ball." And you guys remember him but he, if we can have a moment of silence.

(MOMENT OF SILENCE OBSERVED)

MEMBER WEST: OK and I also would like to yield the prayer to my Pastor. The new Warren P. Chavers, II.

MINUTES OF THE MEETING MARCH 17, 2014

If he could come down though, Gabriel Chavers excuse me. Gabriel Chavers is our Pastor at Deliverance Christian Church. Awesome Pastor on 13th Street. They just moved down in the city of Canton so if you get a chance to go down and worship with them, please do so.

The regular meeting of Canton City Council was held on March 17, 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 Pastor Gabriel Chavers. The Pledge of Allegiance led by President Schulman.

PRESIDENT SCHULMAN: Thank you Pastor Chavers. Congratulations. Wish you the very best. Big shoes to follow.

PASTOR CHAVERS: Yes.

PRESIDENT SCHULMAN: Thank you Member West.

AGENDA CORRECTIONS & CHANGES

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

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Readings on Ordinances #7 through and include #14.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A and add the 2nd Reading Ordinances 7 through 14 to 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. Rule 22A is suspended and Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We now turn to Public Hearings. There are none scheduled this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: The Chief of Staff, my good friend Fonda Williams, tells me there is no Old Business.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: So moving on to Public Speaks. We have two speakers this evening. Our first is Patricia Clerk, Kirk. Jeez, I'm sorry I mispronounced your name. Miss Kirk good evening. As always, welcome. If you'll step forward and give us your name and your residential address and it's always a pleasure to see you.

MINUTES OF THE MEETING MARCH 17, 2014

PATRICIA KIRK: Hello.

PRESIDENT SCHULMAN: And I hope you're going to say something about spring tomorrow.

PATRICIA KIRK: Spring tomorrow.

PRESIDENT SCHULMAN: Something, anything about nice weather.

PATRICIA KIRK: Oh yes, it's spring tomorrow.

PRESIDENT SCHULMAN: Thank you.

PATRICIA KIRK: And hopefully it's as nice of a day as it was today. My name's Patricia Kirk. I live at 131 5th Street NE and I'm speaking tonight as the Chairperson of the Tree Commission and I do want to remind people that Ohio's Arbor Day is always...every state has their own Arbor Day. It's always the last Friday in the month of April and it will be held April the 26th because that's a Saturday in case people work from 10 to 1:00. And I also hear that there will be a marathon that night, or that day, and that should not interfere. That should not interfere so as far I know, Arbor Day will be April 6th, 10 to 1:00 at the Garden Center in the Stadium Park. And I do want to ask the Mayor, did you receive my email which was a letter of recommendation for a man for the Tree Commission because we've had a vacancy for two months and we do need someone who cares for trees and has really good contacts.

MAYOR HEALY: *(Inaudible)*

PATRICIA KIRK: And have you made a decision?

MAYOR HEALY: I received it.

PATRICIA KIRK: You've received it.

MAYOR HEALY: I haven't made a decision yet.

PATRICIA KIRK: OK, alright. I'll speak to you later. Thank you very much.

PRESIDENT SCHULMAN: Thank you, Member Kirk. Our next speaker is Dan Fonte. Dan, good evening. As always, welcome to Canton City Council. If you'll give us your name and your residential address please.

DAN FONTE: Thank you Mr. Chairman. My name is Dan Fonte and I reside at 4415 Dawnridge Circle NW in Canton. I'm here to talk about the water and sewer rates. First of all I want publicly apologize to the Mayor. Him and I got into a pretty heated discussion at a public venue and I was pretty much out of line and I'm going to apologize to you for what I did cause I heard it all the way home at what a idiot I made of myself. So, I said I would apologize. So, you get a formal apology from me. And through that discussion, he says well why don't you just come down and we'll have a meeting. You can talk to the people about it and voice your concerns, which I did. We did today and I probably went through the same thing you guys all got as Council People. We met for about an hour and a half and I would like to thank Service Director Bartos, who's not there, Tracy Mills, who's back there and Doug Harris. And I went through their presentation and question

MINUTES OF THE MEETING MARCH 17, 2014

and answers and some of you that know me know that I advocate for seniors and retirees. I'm a, I voluntarily run the Mayfield Senior Center in Canton and my concerns as I looked at some of this was, and still concerns with seniors and how they are getting into this situation. The biggest asset a senior has is their home and it's getting harder and harder for them to live in their home. As I looked at my water bills and sewer bills and I just compared them month, the same month last year to the same month this year, my water is up 3% and my sewer's up 9 ½% which as I didn't remember but, I guess in 2010 the administration approved those. Which is fine. And as I look at my property taxes, my property taxes went up 14%. Now I've been retired for 10 years and January it was 10 years and I have a flat income. Well, fortunately I'm able to sustain these things but what everybody's got to understand about seniors, they aren't all as fortunate as I am. We got some a lot older than I am that are living on strictly social security and we know in this country today, there's no retirement security no more. You're on your own. So, I'm gonna ask, what I looked at from that presentation, they got a hell of a job they're trying to do with the amount of money their doing. There's a lot to be done in infrastructure in this whole country, not just in Canton, not just in Stark County, not in the state. And I don't know if everybody's going to take a look at it because one of these days, the whole system's going to blow up. The roads are terrible. The sewer lines I'm sure are all terrible. The water lines are terrible. You can see what happened in New York with gas lines that are old, Chicago. It's all going to happen here and you are all going to have to finally make a decision and I got confidence in all of you that you will make the right decision but, I felt comfortable with the presentation that I received today from those individuals that I think it's going to have to be done. Everybody's going to have to bite the bullet. Now, somewhere down the line, somebody's going to have to pass some legislation and it's probably going to have to be statewide because when I brought some things up, they told me that the EPA looks at this stuff and you have to pass the thing equally so maybe you gotta get the legislators in here and talk to them and say, you guys gotta bite the bullet with us and we all need some help. We all know that they took money away from all the local municipalities, schools, to balance the budget. But, they balanced the budget off our backs. So, we're going to have to bite the bullet if their not going to help so, I think you're going to all make the right decision. I don't think, I know you are. I'm comfortable with what I heard today. Is some people going to be unhappy with it. Yes and I'm going to hear about it at the center but I will try to tell them I think it's something we all got to do because we got to just do it. Thank you.

PRESIDENT SCHULMAN: Thank you very much Mr. Fonte. *(APPLAUSE)* Thank you. That concludes the Public Speaks.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We now turn to Informal Resolutions and we are on Informal Resolution 18, Madame Clerk.

#18. ENVIRONMENTAL & PUB. UTILITIES CMTE: RECOMMEND LAW DIRECTOR PREPARE LEGISLATION WAIVING THE 3.0 PERCENT INCREASE IN THE CITY OF CANTON SEWER RATE SCHEDULE. - DEFEATED

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #18.

MEMBER SMITH: Second.

MINUTES OF THE MEETING MARCH 17, 2014

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 18. Are there any remarks under this Resolution?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Dougherty.

MEMBER DOUGHERTY: Yea, I don't know who brought this down, looks like the Committee did and apparently legislation waiving the 3% increase so I won't be supporting this cause I think it's important that we, you know we got it down to 3% after it was 9% for how many years and I think they do an excellent job of taking care of what we do with what money we have and we have lines older than Babcock under the ground. So, I'm serious though. This is a, a very important decision that we're making here tonight.

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

MEMBER HART: Mr. President.

PRESIDENT SCHULMAN: Member Hart.

MEMBER HART: Yes as the former Ward 7 Councilman, we've had sewer lines backing up. It's amazing to watch raw sewage literally shooting out and hitting the ceiling of a basement and you know, nobody likes to raise rates but you know when we talk about older folks and the greatest investment they have is their home, try to sell their house and fair price when they have to disclose that when we get heavy rains, you have a sewer backup into it. You know, it's not going to make if very attractive to sell and you know, just like with anything else you get old, you have the heart attack, you need the stint put in and you don't want to do it but you have to do it. And you know, for the next generations we've got to lay the found, the ground work so the infrastructures there for the next generation in Canton and you know, like with schools we all have to pay for it. Thank you.

PRESIDENT SCHULMAN: Thank you Member Hart.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler. I'm sorry did you want to say something.

MEMBER SMUCKLER: Yea, Mr. President. I said this before and I'm going to continue to say this. In 2008 there wasn't a zero carry over like we've been told down here, there was a \$3,700,000.00 carry over. Not my figures, Auditor's office figures. Now there's over a \$17,000,000.00 carry over in the sewer account. I was Chairman of the Committee when the gentleman from the EPA came in, who I asked to leave cause of unfunded mandates, 9 ½, 9 ½, 9 ½ and 9 ½. We could raise the rates 100% and do every sewer project that you folks want to do but when I hear 3% indefinitely, or more, I got a problem with that. We have a situation where we have a lot of seniors in this community that aren't as fortunate as me. See I pulled my bills out from 2008 and you can talk about your 39 cent increase a week...I'm sorry a month, 39 cents a month. But I pulled my bills out from 2008 when I had a family of 5 with 3 daughters in the house and my bills have gone from approximately \$100.00 to \$157 to \$160.00 and I don't have those 3 daughters there anymore. You're right

MINUTES OF THE MEETING MARCH 17, 2014

Dan, fortunately some of us can afford to absorb some of this but there's some people that can't afford those types of increases. I feel tonight I'm representing those people that can't afford those types of increases especially when I hear indefinitely and especially when we're telling everybody we're going to give raises throughout that whole department and some of them based on merit, some of them based on cost of living. I want somebody to be accountable for this and that's why I asked for it to be brought down and I was told that this was the specific way for it to be brought down.

PRESIDENT SCHULMAN: Thank you Member Smuckler. Member West.

MEMBER WEST: Yes, Mr. Member, Mr. President. Service Director is this an indefinite 3%.

PRESIDENT SCHULMAN: Service Director Bartos.

SERVICE DIRECTOR BARTOS: Mr. President, Member West. What we're requesting is the 3% increase for 1 year. When we came down in 2010, the discussion was, we could do 9 1/2's for 4 years and then probably 3's. Threes were the estimate. It might go up, it might go down for the year following. Right now we're asking for a 3. The option two was 7.5's indefinitely, at least until 2017. 7.5 from 2010 to 2017. Option 1 was chosen which was 9 1/2, 9 1/2, 9 1/2, 9 1/2 and then probably 3's but right now what we're requesting is a 3 for this year. The reason being we're going to come back every year, re-evaluate and come down ago and ask for somewhere in the vicinity of a 3.

MEMBER WEST: And, Mr. President.

PRESIDENT SCHULMAN: Yes Member West.

MEMBER WEST: And let me just say this as a social worker and you know I'm one person also on limited income right now and I know a lot of people out here are hurting but I also know that our city is hurting and we have to invest in our infrastructure if we're going to move our city forward. I'm supporting this reluctantly and I'm supporting it because several years ago I supported the project from the very beginning using 9 1/2, 9 1/2, 9 1/2, 9 1/2 and I do not want to see 7 1/2 embarked on our constituents. So, I'm going to support this again reluctantly but if we can, in every phase, I know that if we can make some cuts down the line somewhere and give people some breaks you know, I've always been an advocate for putting the tax on the people that are causing the problem not on all of the citizens and I'll continue to do that but today I'm supporting this for the future of the city of Canton.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: I remember back when we did this and that's what I like about it. We were going to go back to a 3%. That's what this administration did. They didn't have to. They could have come down with more but this was option #1 that Council wanted so, I'm glad that it was clarified that this is just for 1 year and not indefinitely so, we got to understand that.

SERVICE DIRECTOR BARTOS: Mr. President.

MINUTES OF THE MEETING MARCH 17, 2014

PRESIDENT SCHULMAN: Yes, Mr. Bartos.

SERVICE DIRECTOR BARTOS: Also we did some internal discussions just so everyone's aware. If we do nothing this year we will have to come down with 3 1/2's, 3.48's until 2018 to catch up to where we want to be. Were we to do nothing until 2017, to get us into 2018 where we would be where we could do the 3's until 2018, we would have to do a 20% increase in 2017. So, it's a gradual increase right now that we're asking for. I appreciate those folks who are on fixed incomes. Mr. Fonte and I actually had a discussion, this, there's something I think we as a city can do better to actively advertise that we do have a Homestead exemption for folks who qualify at the county level for the Homestead exemption. They can get a 10% discount on their sewer bills and all they have to do is contact Utility Billing at the Cirelli Building on 30th Street to take advantage of that. But that's something that Mr. Fonte wasn't aware of and I'm sure a lot of people aren't aware of it either so we'll make sure to better advertise that in the future. But that is one, one thing we can do for those people on fixed incomes.

MEMBER DOUGHERTY: Mr. President.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler. I'm sorry Member Dougherty.

MEMBER SMUCKLER: I heard back there a week ago that it was 3% indefinitely and that was coming out of the people who knew's mouth. Now either it is or it isn't. Now this piece of legislation's only calling for the first 3% because unless I found it under Read and File, it would have automatically just taken place. What should have happened was based on the CPI it should have been 1.5% and that's what we agreed to when we did 9 1/2, 9 1/2, 9 1/2, 9 1/2. We said we'd go with the CPI.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Thank you Member Smuckler. Member Dougherty.

MEMBER DOUGHERTY: Thank you. If we don't do, just as the Service Director said, if we don't do a little bit at a time every year, whatever that is and we wait and 3 or 4 years down, I'll be gone but, we're throwing this in the lap of future Councilmen. You know we need to take care of this now and look to the future and make the right decision. Do it a year at a time. Evaluate it each time. We can't sit here and do nothing.

MEMBER WEST: Mr., Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Let me first say that I don't think what Bill did by bringing this down is inappropriate at all. I think it's very good and it's good for discussion but I would like to hear the rebuttal of whether it was 3% or 1.5.

PRESIDENT SCHULMAN: Member Bartos. Director.

SERVICE DIRECTOR BARTOS: Mr. President. I wasn't here but I know Tracy Mills was so, I going to ask him to come on down to the podium. I believe that the discussion, I believe my Superintendent, I believe my

MINUTES OF THE MEETING MARCH 17, 2014

Facility Engineer who's done the project for the past 6 years who's done the rate study for the past 6 years, when they say to me that we told them it would be in the vicinity of 3%'s indefinitely after four 9 1/2's but Mr. Mills is here to confirm that.

PRESIDENT SCHULMAN: Superintendent Mills. You want to just identify yourself for the record for us.

SUPERINTENDENT MILLS: Tracy J. Mills. City of Canton Water Reclamation Facility Superintendent. March 1, 2010 we stood before the Council with the recommendation from the rate study that said that we recommended option 1 which was four consecutive 9 1/2% rate increases and an estimated CPI of 3% thereafter.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Estimated 3% and Mr., Member Smuckler is saying that currently the CPI is 1.5. Is that correct?

SUPERINTENDENT TRACY MILLS: He is correct. The figures that were used for that study to show what we needed out to 2017, 2018 included 3% raises after the initial four consecutive 9 1/2's. But the dollar numbers that we were looking at, were to take care of the fund were based upon 3%'s.

MEMBER WEST: OK, so if we decided to do anything but 3%, we would be short in taking care of this project. This \$90,000,000.00 project.

SUPERINTENDENT MILLS: That is correct. So, I'm sorry. The \$80,000,000.00 project for the plant, the debt for the five years of the study, the 9 1/2%'s took care of. The additional 3% takes into account the number of sewer related projects, the sanitary sewer system that the Engineering Department and our Collection Systems Department have identified as needing to be done.

MEMBER WEST: So the 1.5 would be inadequate to cover the additional sewer projects going forward. Is that correct?

SUPERINTENDENT MILLS: According to the study, that is correct.

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader Morris.

MEMBER MORRIS: Mr. Mills when you say the 1.5 would not be adequate to fund the sewer projects going forward, I would like to go back to what Director Bartos has stated that if we do not approve a 3% this year, he would have to go to a 3 1/2% increase all the way to 2018 which actually would only be a 2% increase because you're only increasing by 1/2%, so we're only a 1/2% off if we said no today and we came back next year and went with a 3.5% increase there out. We're only down a 1/2%.

SUPERINTENDENT MILLS: The additional projections that Mr. Harris ran, if we do nothing this year and

MINUTES OF THE MEETING MARCH 17, 2014

delay it until next year, projects will go forth. We'll start to diminish the reserves that we have that Mr. Smuckler has identified. Next years actual rate increase would be 3.8, a small correction to Bill's number, 3.8 through 2017. If we do nothing until 2017 it's a 20% rate increase. If we do nothing between now and 2020, we are in default of the Sewer Fund.

MEMBER MORRIS: OK. I agree with Member Dougherty and I agree with Mr. Fonte. We have to do something but the phrase, and I just want to be on the record, the phrase that bothers me the most is this "indefinite". Going forever and it was said in Committee when I asked the question, how long is this increase. It's 3%. How long. Indefinite. Meaning forever. I would be a wealthy man if I could get a 3% a year pay increase every year forever.

PRESIDENT SCHULMAN: Director Bartos.

SERVICE DIRECTOR BARTOS: Mr. President and whoever said that I apologize. It probably was me since of the three of us, I'm the least, the least seasoned but, we will be coming down indefinitely requesting 3% but this, yea but this, this increase this year would only be for 3%. If you allow this to go into effect it wouldn't be approving a 3% indefinitely. We'd have to come down every year to justify it. It might be less, it might be more but by not acting on this piece of legislation or by bringing down legislation and voting no on it, you would not be approving a 3% indefinite increase. It would be just for this year.

PRESIDENT SCHULMAN: Mayor Healy did you want to say something.

MAYOR HEALY: Yea, thanks. Just for some clarity. The request for the increase or not a request, the actual increase that was submitted by the Safety Director, Service Director, thank you. You get in my ear and I can't think. This was based off the rate study based off of what we know today. Everything else is just speculation and projections of what we anticipate may or may not happen. I can assure you that five years ago when we came down here with 9 1/2%'s, that things changed from that day until today in reference to cost and activities. One example of that and many Members of this Council lobbied for it and that's the extension of Faircrest, for us to run water and sewer lines out Faircrest Avenue for the church and that whole area. Many of you have lobbied for that, right? Well what we did was, we got the state legislator, Kirk Schuring proposed a change that allowed us to use our Enterprise Funds for extensions which you normally can't do but because it's in a CEDA with the township and in Stark County and in that CEDA we can use Water Funds. It didn't give us the money. It just said we're allowed to use those funds. So that extension is going to cost us nearly \$1,000,000.00 that was not part of any projections 5 years ago when we told you what the expected rate increases were going to be. But this particular rate increase of 3% generates a little less than \$300,000.00 which means this increase alone will take us more than 3 years just to pay for that one project that wasn't part of the projections and so when we talk about what the increase may be next year or the following and so on, it is purely speculative based off the information that we know today. All's we know is today, it's a 3% request. Next year we'll come back down with an updated rate study and we'll tell you where we need to be. That's what we're talking about. It's not forever in perpetuity. It will be address and reviewed in on a yearly basis. We will come down on a yearly basis for Council to decide as the process is today. Thank you.

PRESIDENT SCHULMAN: Member Hart.

MEMBER HART: I want to make sure I'm right on this, we do have millions in the Enterprise Fund and if we don't raise it and we get these breaks, we're not going have the money to repair them. If the bond

MINUTES OF THE MEETING MARCH 17, 2014

companies come in and rate us, come and see yes we have money to fund the incidental for repairs, we're going to get a bond rating. If the money's not there and they see we have to give them the tact, our bond rating's going to go down which is going to cost us more money, you know and the same to me, it's just like a leak in your house. When you save money for the roof that's nice and sealed but when that roof goes bad and the plumbing breaks, you'd better have the money there to repair it so you're not out borrowing and it costs you more. I just wanted to make sure my assumption was right.

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

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Members of Council I wanted to get back to the vote that's before you on an Informal Resolution, why it's in front of you and what happens either way. If you approve it as it is or if you just vote it down. The reason it's in front of you is, for quite some time now our Codified Ordinances have directed and styled the way that sewer rate increases come in front of you. As you know, state law gives the Director of Public Service the right to set water rates. Sewer rates can come through you or can be delegated to the Service Director. So for a number of years our Codified Ordinances have had a formula in place and that formula mandates the Superintendent of the Water Reclamation Facility before February 1st of each year to give to the Service Director a statement of the cost of living adjustment and whether or not that's sufficient in his estimation to keep up with the repairs that need done. On or before March 1st the Director of Public Service gives to City Council the proposed the sewer rate schedule for the ensuing year including the Consumer Price Index, this is all in 947.06, including that cost and then he's to give you the resulting adjusting rates, a table or schedule and when it's to go into effect. Here's where you come in. Under the next paragraph (f) which was changed 5 years ago through Service Director's Bernabei and then Mr. Price under this administration and that's when all these discussions took place about these 7 1/2's that you've been living with for the last few years. Council now has a duty. If Council finds that the proposed sewer rate schedule for the next year including the cost of living is insufficient, is not enough then you can take the affirmative act of raising it. If you think it's too much, you can take the affirmative act of reducing it. If you think the recommendation is good and you're OK with it, then if you take no action at all the recommendation of the Service Director goes into effect 45 days after he brought it to you. So, and this was all redesigned again in 19, in 2008 as Codified Ordinance. So, here's what I needed. Based on that we know that you speak collectively, your collective voice is through an Informal Resolution. If Council said to me as the Law Director waive the 3 then the Ordinance that would have come down under this directions that we have to live under, under this Ordinance, the Ordinance that would come down next week will read zero. If you agree that the 3% is the way to go based on the recommendation of the Service Director and the Director of, Superintendent of Water Reclamation, don't pass this Ordinance. Defeat it and if you remain silent on it, I'm sorry this Informal Resolution, defeat this Informal Resolution. Let it fail. Then if nothing else comes to me to prepare as legislation, 3% for 1 year will go into effect as recommended by the Director of Public Service and your Superintendent. Otherwise, it can be amended on the fly and if another number comes up, that will be by what I go by to prepare the Ordinance. Again let me repeat, you only need an Ordinance to come back to you next week. You only need a Formal Ordinance to come back to you next week if you want something other than 3% per year. If you want 0, I need this Resolution. If you want more or less than 3, I need a Resolution but if you are OK with 3, defeat this Ordinance, send nothing more to me and it goes into effect 45 days after it was first brought to you by the Service Director under the Codified Ordinances, as amended 5 years ago. Thank you.

MEMBER HAWK: Mr. President.

MINUTES OF THE MEETING MARCH 17, 2014

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you good sir. I know that a good bit of the increases and I think with this 3% it will come to about a 40, almost a 48% total increase over the past 5 years so if you're paying a \$100.00 for sewage treatment at one point in time, when this one goes into effect we'll be paying \$148.00 for sewage treatment. Now, the question was brought up by Member Mariol and then again reiterated by myself during Committee meetings last week. Since the bulk of this, a lot of this is coming into effect to, as an unfunded mandate from the federal government to upgrade our sewer treatment and waste water disposal system and the affluent is the result of that, I guess we ask the question since North Canton and, the city of North Canton and Stark County pays us to process this, are we increasing the bulk rate to both the city of North Canton and to the Stark County users.

PRESIDENT SCHULMAN: Superintendent.

SUPERINTENDENT TRACY MILLS: North Canton and Stark County do not pay a bulk rate. That was the problem with me answering the question last week at the Committee meeting. We have intergovernmental agreements with North Canton and Stark County whereby they share in all the expenses on a daily basis of the treatment plant and also on all capital projects. The capital projects are projects typically entered into for a 20 year loan and there's a fixed percentage that's entered into based upon each entities equal share of tributary single family equivalents to the plants. For this particular project that happens to be 47% for Stark County, 2.15% for North Canton. The historical numbers prior to that for 40.8% for Stark County and 7% for North Canton. North Canton found that they were double paying the city of Canton and Stark County. When we took a look at the SFE's that were tributary to us from each of those entities, we reapportioned the numbers and that's the way the number shook out. From a daily operational standpoint, the numbers are recalculated July 1st of each year based upon the SFE's of each entity at that point in time. Currently Stark County is at 46.82 I believe and North Canton is at 1.85. These entities are taking on 47, 49.15% of \$80,000,000.00 worth of debt. In my professional opinion there's no way that those two entities can take on that amount of debt without raising their rates. At this point neither entity has been as proactive as the city of Canton whereby we enacted 4 consecutive 9 ½% rate increases, they have done nothing to date.

PRESIDENT SCHULMAN: Thank you Superintendent. Any other remarks Director? Director did you want to say anything else?

MEMBER SMUCKLER: I just want to say one other thing.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: This isn't just 3%. This is 8% on water this year. This is 3% on the sewer. This is 11% this year. Last year it was water. Last year it was 9 ½% sewer. I don't know where some of these people are getting this money to pay for this but I do know one thing, somewhere the spiral stops. Somewhere people, some way, some how people move on. They move on where things are cheaper, less expensive. But I do know that you can't keep, especially seniors who got no increase in social security and tell them, pay 11% more this year. I don't know how you keep doing this.

PRESIDENT SCHULMAN: Thank you Member Smuckler.

MINUTES OF THE MEETING MARCH 17, 2014

SERVICE DIRECTOR BARTOS: Mr. President.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR BARTOS: Just as a point of clarification. Mr. Mills when you looked at sewer rates throughout the state of Ohio, I think there were 421 sewer systems that reported their rates....

SUPERINTENDENT MILLS: I believe it was 441, or it was over 400.

SERVICE DIRECTOR BARTOS: So over 400. Of those 400 that reported, how many sewer systems had lower rates than we do.

SUPERINTENDENT MILLS: In the most recent study conducted by Ohio EPA in 2012, there were 21 communities in the state with lower rates than the city of Canton.

SERVICE DIRECTOR BARTOS: So that's 21 out of 420 give or take a few.

SUPERINTENDENT MILLS: Absolutely.

SERVICE DIRECTOR BARTOS: OK, thank you.

PRESIDENT SCHULMAN: Thank you Director Bartos. Any other remarks? OK, everybody knows what the Resolution is on the floor. It's been moved and seconded, all those in favor signify by saying aye. Those opposed.

NO REMARKS

AYES AND NAYS CALLED

PRESIDENT SCHULMAN: In my opinion, the no's have it. The Resolution has not been adopted. Moving now...

MEMBER SMUCKLER: Mr. President could I have a voice vote. I mean a roll call vote.

PRESIDENT SCHULMAN: It's been moved for a roll call vote. Is there a second.

MEMBER MARIOL: Seconded.

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

NO REMARKS

ROLL CALL 5 YEAS, 7 NAYS

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

CLERK TIMBERLAKE: Five yeas, seven nays Mr. President.

PRESIDENT SCHULMAN: You said the nays have it?

CLERK TIMBERLAKE: Yes. Five yeas, seven nays.

MINUTES OF THE MEETING MARCH 17, 2014

PRESIDENT SCHULMAN: The motion has been defeated.

COMMUNICATIONS

PRESIDENT SCHULMAN: Now we move on to Communications. Let the journal show that all Communications are received as, 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 MARCH 17, 2014.

115. COMPLIANCE DIR WILLIAMS: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH CCIC TO ACCEPT DONATION OF EDWARD "PEEL" COLEMAN COMMUNITY CENTER. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
116. DEV DIR MILLER: AMEND APPROP O#264/2013 (\$48,830.47 FR UNAPPROP BAL 2219 - EMER SHELTER GRANT TO 2219 506001). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
117. DEV DIR MILLER: AUTH MAYOR AND/OR SERV DIR TO MAKE APPLICATION FOR & ACCEPT FUNDS FROM OHIO HOUSING FINANCE AGENCY FOR NEIGHBORHOOD INITIATIVE PROG IN AMT OF \$4,235,000.00; AUTH ASBESTOS TESTING, ABATEMENT, & DEMOLITION OF RESIDENTIAL STRUCTURES ACQUIRED & AUTH MAYOR AND/OR SERV DIR TO AUTH COOP AGREEMENTS WITH THE STARK COUNTY LAND REUTILIZATION CORP, STARK CTY REGIONAL PLANNING COMMISSION, & OTHER LOCAL JURISDICTIONS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
118. HEALTH COMMISSIONER ADAMS: AMEND O#264/2013 (\$5,000.00 FROM: UNAPPROP BAL OF 2353 SWIMMING POOL TO: 2353 SWIMMING POOL - OTHER). - FINANCE COMMITTEE
119. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D5 PERMIT FOR HISTORIC ONESTO LLC DBA ONESTO @ 200 CLEVELAND AVE. NW. - RECEIVED & FILED
120. MAYOR HEALY: INFORM COUNCIL THE CITY WILL NOT BE ENTERING INTO A PLA FOR THE 12TH ST. N. CORRIDOR PROJECT GP 1098. - RECEIVED & FILED
121. MAYOR HEALY: INFORM COUNCIL THE CITY WILL NOT BE ENTERING INTO A PLA FOR THE MAHONING RD CORRIDOR PROJ GP 1103. - RECEIVED & FILED
122. MAYOR HEALY: INFORM COUNCIL THE CITY THE CITY WILL NOT BE ENTERING INTO A PLA FOR THE WATER VALVE EVALUATION IMPROVEMENT & INFORMATION PROGRAM. - RECEIVED & FILED
123. PLANNING COMMISSION: RECOMMEND APPROVAL OF TASOS ELECTRIC ANNEXATION, 2.3921 ACRES LOC AT 2721 HARRISBURG RD. NE PLAIN TOWNSHIP INTO WARD 9; ZONED AS I-1 LIGHT INDUSTRY. - ANNEXATION COMMITTEE

MINUTES OF THE MEETING MARCH 17, 2014

124. SERV DIR BARTOS: AMEND O#30/2014 (AT&T MAHONING RD. PROJECT). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
125. SERV DIR BARTOS: APPROVE REVISED EXHIBIT TO RESOLUTION 250/2013 TO INCLUDE ADDT'L PROPERTY APPRAISALS (12TH ST.). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
126. TREASURER PEREZ: MNTHLY COMPARATIVE REPORT OF CASH RECEIPTS FILED AS OF FEBRUARY 28, 2014. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR AND/OR MAYOR TO ENTER INTO CONTRACT WITH THE NEW WORLD SYSTEMS FOR THE PURPOSE OF ACQUISITION, TRAINING, CONFIGURATION, INSTALLATION AND IMPLEMENTATION OF COMPUTER SOFTWARE APPLICATIONS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement Committee
- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (9 SUPP APPROP AND 17 APPROP REDUCTIONS - 2014 BUDGET)
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$1,156.00 TO C.R.S. CONTRACTING CO.; AND DECLARING THE SAME TO BE AN EMERGENCY (DEMO OF PROP AT 2125, 2129 & 2133 5TH ST NE)
Referred to Finance Committee
- #4. (1ST RDG) AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 177/2006; AND DECLARING THE SAME TO BE AN EMERGENCY (CAPTAIN - ADMIN, TITLE TRANSFERS \$500.00)
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$510.35 TO HOME DEPOT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT (S) FOR

MINUTES OF THE MEETING MARCH 17, 2014

THE PURCHASE OF VARIOUS VEHICLES AND/OR EQUIPMENT FOR THE WATER DEPARTMENT; AUTHORIZING THE DIRECTOR TO ALTERNATIVELY PURCHASE SAID VEHICLES AND/OR EQUIPMENT PURSUANT TO STATE COOPERATIVE PURCHASING AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now turn to Ordinances and Formal Resolutions for their Second Readings. Madame Clerk will you please begin with Ordinance 7.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #7 THROUGH #14 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #7. (2ND RDG) AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO CONTRACT WITH BELOW NAMED CITIES & VILLAGES TO PROVIDE LEGAL REPRESENTATION CONCERNING THE PROSECUTION OF CRIMINAL CASES & RELATED MATTERS BY CITY PROSECUTORS'S OFFICE; AND DECLARING THE SAME TO BE AN EMERGENCY (EAST CANTON, EAST SPARTA, HARTVILLE, LOUISVILLE, MAGNOLIA, NORTH CANTON, & WAYNESBURG)
- #8. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO PROFESSIONAL SERVICES CONTRACT WITH M-E COMPANIES; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$62,811.00 FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207026 HARTVILLE WATER MAIN EXTENSION - OTHER)
- #9. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; EMERGENCY (\$10,419.05 UNAPPROP BAL 5205 PHASE I WATER IMPROVEMENT FUND TO 5205 207022 PHASE I WATER IMPROVEMENT. - OTHER)
- #10. (2ND RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO BRIDGE INSPECTION PROGRAM SERVICES OF CANTON'S BRIDGES; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF ANNUAL STIPENDS IN THE WATER RECLAMATION FACILITY; AUTHORIZING THE AUDITOR TO PAY STIPENDS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2ND RDG) AN ORDINANCE AUTHORIZING MERIT-BASED PAY INCREASES FOR THE SUPERINTENDENT OF THE COLLECTIONS SYSTEMS DEPARTMENT, ASSISTANT CITY ENGINEER AND FAIR HOUSING MANAGER; AND

MINUTES OF THE MEETING MARCH 17, 2014

DECLARING THE SAME TO BE AN EMERGENCY (JAMES DIMARZIO, NICHOLAS LOUKAS, & KYLE STONE)

- #13. (2ND RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$86,544.60 TO CENTRAL ALLIED ENTERPRISES, INC; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE 37TH ST NW WATERLINE REPLACEMENT AND ROADWAY REHABILITATION PROJECT; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION ENGINEERING SERVICES; RECEIVE GRANT FUNDS IN THE AMOUNT OF \$750,000.00 AND ZERO PERCENT LOAN FUNDS IN AMT OF \$750,000.00 FROM OPWC; AUTHORIZING THE AUDITOR TO ESTABLISH THREE FUNDS FOR PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We now turn to Ordinances and Formal Resolutions for their Third Reading, Final Reading and Vote. Would you please begin with Ordinance 15.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #15 THROUGH #19 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

- #15. (3RD RDG) **RECONSIDERED & AMENDED AS ORDINANCE NO. 41/2014** AUTHORIZE SERV DIR TO PURCHASE NEW PM2.5 AIR MONITORING EQUIP FOR AIR POLLUTION CONTROL DEPT; EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President I move that we reconsider Ordinance #41/2014 adopted on March 10th.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It has been moved and seconded that you reconsider Ordinance 41/2014 adopted on March 10, 2014. Are there any remarks?

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Could we have the Service Director clarify why we're reconsidering this please.

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR BARTOS: Mr. President I'm going to pass this one on to Jim Adams. He's the Health

MINUTES OF THE MEETING MARCH 17, 2014

Commissioner because this is originally his Ordinance.

PRESIDENT SCHULMAN: Commissioner Adams welcome. If you'll give us for your record though, your name and title please.

HEALTH COMMISSIONER ADAMS: My name is James Adams and I'm the Health Commissioner for the Canton City Health Department.

PRESIDENT SCHULMAN: Welcome as always.

HEALTH COMMISSIONER ADAMS: Thank you. Mr. Leader the reason why we need to reconsider this Ordinance is that we discovered an error after the Ordinance was passed. The equipment is actually being purchased by the Health Department through me. We also wanted to get on record the actual cost for the purchase of the equipment. This was brought to our attention by the, our capable staff in the Purchasing Department and wanted to make sure that we were all legal and up and up and everything.

PRESIDENT SCHULMAN: Any other questions for the Commissioner? Thank you very much sir. Appreciate it. Alright, it's been moved and seconded to reconsider Ordinance 41/2014. No other remarks? Hearing none, Madame Clerk roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Cluck, Madame Clerk. The motion carries to reconsider. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #41/2014 as amended.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It has been moved and second that you adopt Ordinance #41/2014 as amended. Any remarks under this motion? Hearing none again, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#15 RECONSIDERED & AMENDED AS ORDINANCE NO. 41/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 41/2014 as amended has been adopted.

#16. (3RD RDG) ***POSTPONED UNTIL 3/24/14 AMENDING ORDINANCE NO. 120/2013;
EMERGENCY (12TH ST RIGHT-OF-WAY ACQUISITIONS)***

PRESIDENT SCHULMAN: Leader Morris.

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

MINUTES OF THE MEETING MARCH 17, 2014

MEMBER SMITH: Seconded.

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

MEMBER MORRIS: Mr. President, I move we postpone Ordinance #16 until March 24, 2014.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you postpone Ordinance #16 until March 24, 2014. Any remarks? Hearing none...

MEMBER WEST: Mr. President, is there something with Dan? (LAUGHTER)

CLERK TIMBERLAKE: He was making sure we just postponed it to March 24th. I got ya Thomas.

PRESIDENT SCHULMAN: But in answer to your question Member West, I don't think we have the time to go into that tonight. (LAUGHTER) Any other remarks? Hearing none by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries and Ordinance 16 is postponed til 3/24/2014. Ordinance 17 please Madame Clerk.

#17. (3RD RDG) ***POSTPONED UNTIL 3/24/14 AN ORDINANCE AUTHORIZING A WAGE INCREASE FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL; AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN AND SALARIES FOR MANAGEMENT AND NON-BARGAINING UNIT EMPLOYEES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY***

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: Moved and seconded that you adopt Ordinance 17. Any remarks under this Ordinance?

MEMBER MORRIS: Mr. President I move we amend Ordinance #17 per the copy that's in front of all Council Members.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded, thank you Leader, that you amend Ordinance 17 by virtue of the copy before each Member of Council. Law Director do you want to give some explanation as to

MINUTES OF THE MEETING MARCH 17, 2014

this amendment please.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. I had a question for Council as well. As I understand it there are actually two amendments that have come down to this Ordinance. Unfortunately they're not distinguished by naming them #1 or #2 or A or B. Is this the, is this the one that, Mr. Majority Leader, which one are you referring to.

CLERK TIMBERLAKE: The exhibit has to be, this one does have to be because there's incorrection, there's a correction that needs to be done to the exhibit. I'm not sure about the other exhibit. The first one has, the second one that we received has to be passed.

LAW DIRECTOR MARTUCCIO: This is the one Members of Council, to assist us in figuring this out, this is the one that reads Pursuant to Rule 36, I move to amend Exhibit A to Agenda Item #17, by substituting page 4 or 7 attached to this amendment for the one attached to the Ordinance currently pending before Council. Is this, OK...If I can explain.

PRESIDENT SCHULMAN: Please.

LAW DIRECTOR MARTUCCIO: In your Exhibit you have a number of attachments. Those attachments are numbered in different ways. There's one of two and then there's 1 through 7, anyway, this is the sheet that is labeled at the center in the bottom page 4 of 7. The reason for the amendment is two fold and we're about to hand out the most recent version to you to attach. The first thing that was, I think I'll yield to the Service Director on this if it's OK or Safety to explain.

PRESIDENT SCHULMAN: Director Bartos.

SERVICE DIRECTOR BARTOS: I'll take this one Mr. President. It was a heck of a day. We discovered at about 11:00 today when we were looking over this that there were actually 2 positions under Fair Housing. If you draw your attention to page 4 of 7, the old copy has Fair Housing Manager, Fair Housing Investigator and then Education/Intake Specialist. It was brought to our attention by the astute staff in the Law Department that, I believe it was Ordinance 246/2013, Fonda if I'm right on that one, that actually dealt with grant money that's going to be used to fund those two positions, the Fair Housing Investigator and the Education/Intake Specialist and it made reference to those positions, however the Ordinance did not specifically create the 2 positions or add them to the Personnel Ordinance. So, we caught this one at the last second. These technically should not be in here. We're going to have to come down either the Safety Director or the Chief of Staff will be bringing down and, a new Ordinance to amend that original Ordinance. I think it was everybody's intent to create these positions. We had the money coming in for 3 years as you guys might remember or as Members of Council might remember but technically after re-reading the Ordinance, they weren't created. They weren't added to the Personnel Ordinance so we had to strike those. Also, thanks to Member Hawk who caught a couple typos. I don't know how those got in there. For those of you who know me, I don't take typos very well. I'll be beating myself with a cat-o-nine tails tonight in penance over them but, you'll see my handwritten notes because we just caught these ones or Member Hawk just caught them. On, also on page 4 of 7, under Department of Human Resources and I ran these by our former Director of Personnel, Director Perry. You'll see that the salary minimum for the Director of Personnel had to be scratched out. There is no salary minimum. It's a position that just has a maximum. The salary minimum for the Health Benefits Administrator had to be changed from what it was, it was actually the same as the salary maximum but technically the salary minimum should be, no actually this is wrong. Oh shoot. Hold on one second.

MINUTES OF THE MEETING MARCH 17, 2014**#18 ADOPTED AS ORDINANCE NO. 47/2014**

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

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 48/2014** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE NAVARRE ROAD SANITARY AND BRIDGE PROJECT, GP 1159 AND TO ENTER INTO AN AGREEMENT WITH DOMINION EAST OHIO GAS FOR THE REQUIRED GAS LINE RELOCATION WORK; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$135,000.00 FROM UNAPPROP BAL 4501 CAPITAL FUND TO 4501-206012 (NAVARRE RD BRIDGE & SANITARY SEWER REHAB PROJ, GP 1159) - OTHER AND \$120,000.00 FROM 5410 202010 SANITARY SEWER FUND - OTHER TO 5410 206012 NAVARRE RD BRIDGE & SANITARY SEWER REHAB PROJ, GP 1159 - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President I move we adopt Ordinance #19.

MEMBER SMITH: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#19 ADOPTED AS ORDINANCE NO. 48/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 19 is adopted. That concludes Ordinances for their Third and Final Reading and Vote.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We now move to Announcement of Committees.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk. Chairman Hawk.

MEMBER HAWK: (*While choking*) Excuse me sir. The Finance Committee will meet Monday, March 24th at 6:30 PM.

PRESIDENT SCHULMAN: 6 what?

MEMBER HAWK: 6:30.

MINUTES OF THE MEETING MARCH 17, 2014

PRESIDENT SCHULMAN: OK, 6:30.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Chairman Mariol.

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

PRESIDENT SCHULMAN: Thank you.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Chairman Smith.

MEMBER SMITH: On, at that particular time, I would like to allow some time for CD to come down and there are some things that they need to share with Council. So, I would like to allow some time for a presentation in there for them so can we move that to possibly 6:00?

PRESIDENT SCHULMAN: Sure. Any objection from any of the Chairs? Alright, we'll meet then at 6:00 on the 24th. Leader anything else? Any other announcements?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: OK, turning to Miscellaneous Business. Do we have any?

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Hart.

MEMBER HART: Yea again I just want to thank city crews for getting out and doing the patching cause I've seen a lot of great improvements but there's a, just a couple of huge holes where they've happened to miss. One's at 1406 19th Street NE and also when you go through Stadium Park by the Garden Center, there's some actually rather huge chuckholes there and I saw one of the smart cars in front of me disappear into it. It was so big. (LAUGHTER) So, if that could be looked at, quite Bill, but if that could be looked at, I'm sure some people with you know, front end problems would appreciate it.

PRESIDENT SCHULMAN: Thank you Member Hart.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Well Member Fisher was next.

MEMBER SMUCKLER: I just have a, to point something out. Did he say smart car or smart Councilman?

CLERK TIMBERLAKE: Neither.

PRESIDENT SCHULMAN: I think it was neither.

MEMBER SMUCKLER: Oh.

MINUTES OF THE MEETING MARCH 17, 2014

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: Thank you Mr. President. To the Service Director and Mayor. I just, I wanted to, to ask that thanks be passed along to our Sewer Collection Systems along with the Engineer's Office and others. We had a resident over on Garfield Avenue SW a few weeks ago that had just an amazing string of back luck with a system over there and I've been called to Jimmy DiMarzio and before we knew it we had probably five or six different crews going out from different departments and trying to figure out what was going on with it and it ended up actually being an issue with a private contractor working out there. But, all the departments and Jimmy and also Rick from the Engineer's really went above and beyond and helped get this guy an answer, you know, real problems with the sewer system over there and I wanted to recognize them and ask you to please pass that along.

MEMBER WEST: Mr.

PRESIDENT SCHULMAN: Thank you Member Fisher. Member West.

MEMBER WEST: Mr. President. Just for the Service or Safety Director. In reference to the potholes, do you want to give us a quick update on when the crews will be out to fulfill those potholes. I know they were trying to wait until warm weather.

PRESIDENT SCHULMAN: Director Bartos.

SERVICE DIRECTOR BARTOS: Member West we're working pretty steadily on getting those fixed. The issue is when we can get the hot mix but, I know that Mr. Rorar, Superintendent Rorar went up to Cleveland to take a look at one option that we're exploring with "pothole killer", which some of you are familiar with. So, I didn't have a chance to sit down with him today to discuss that but I will be sitting down with him tomorrow so, we're going to be out in force over the next couple of weeks.

PRESIDENT SCHULMAN: Any other Miscellaneous Business? I want to say something to our students from Jackson tonight. You witnessed a, actually a very interesting robust debate about sewer rates and I know I was trying to put it, if I was your age, which I really was at one time, what I would be thinking and I would think it's a pretty boring meeting so, it's sort of like if somebody raised your cell phone rates 10% every year and you actually had to pay for your cell phone, how you would feel. So, but, you did hear something interesting tonight all the students that were here. It seems boring and not very exciting but it actually is. It's really democracy at it's best because it's most...it's the closest thing to the people which is why I enjoy it so much and I think I can share that with the Members of Council. And what you, what we also heard over and over again which I've been saying over and over again and we all say, these fights with money you know, it just don't stem and Mr. Fonte hit it right on the head tonight. I don't know if Dan's still here, there he is. You know, these fights that we're having about money emanate from Columbus once again. Every since time we have a fight about putting money in infrastructure or putting money from General Fund into this area or this area and the fights always emanate from Columbus. We only had one legislator who came down to talk to us when I asked the Clerk of Council to ask all our legislators to come down and explain why they had this \$2,500,000,000.00 surplus in Columbus and they don't share it at all with our urban areas. One came down, said he would do, and that was Kirk Schuring, said he would do something and it never came back, never explained what happened. I don't know if he ever introduced a bill. I don't think the bill ever got a reading and it certainly never got a vote. No other local legislator except Representative Slesnick came down to talk to us. Not one. Not Oelslager who has an extraordinarily powerful post or Hagan or who am I missing cause I'd really like to identify them correctly. Pardon.

MINUTES OF THE MEETING MARCH 17, 2014

CLERK TIMBERLAKE: Bob Gibbs didn't show.

PRESIDENT SCHULMAN: LaRose, you know of them came. And you know why they don't come, cause they're embarrassed to be here. Because they know that we're right when we say send our money back locally for a change. Anyway, that's what we hear over and over again but, well again thank you Jackson Township students. I hope you had a good time tonight. Leader.

MEMBER MORRIS: Mr. President I'd like to thank Member Hart for reporting the pothole in front of my house. Anytime he likes to drive up through my front yard to avoid it again, he has my blessing. Motion to adjourn.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: Motion and seconded to adjourn.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. *(Gavel falls)* Meeting is adjourned.

ADJOURNMENT TIME: 8:35 PM

ATTEST: MARCH 21, 2014
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: MARCH 21, 2014
ALLEN SCHULMAN
PRESIDENT