

MINUTES OF THE MEETING APRIL 28, 2014

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. I told the Clerk she scared me, she pounded the gavel, I didn't realize what was going on.

CLERK TIMBERLAKE: We got business to do. Come on.

(Inaudible)

PRESIDENT SCHULMAN: Good thing, It's like a stress test for me. A couple of announcements before we begin. On the bright side, well depending, I guess. It is our Safety Director's birthday today. *(Applause)* Safety Director Perry is 21 years old. She is going to buy everybody a drink after work. That includes everyone in the audience, and on a sad note, I want to extend out deepest condolences to Member Hart's family, and particularly his wife. His wife's mother-in-law died today, I believe. Thursday, I'm sorry. And her was Anna Siegenthaler. So our thoughts and prayers are with you and obviously, your wife's family; And additional, and sadly, Paul Klingaman, a former Ward 7 Council member passed away, so I know we hold his family in out thoughts and prayers. Our best goes out to the family. With that, with a quorum 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, THOMAS WEST, KEVIN FISHER, DAVID DOUGHERTY, JOHN MARIOL, & EDMOND MACK)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER GRIFFIN ABSENT)

CLERK TIMBERLAKE: Eleven present Mr. President.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader.

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

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you excuse Member Griffin from this evening's meeting. Any remarks? I'd like the record to reflect that Member Griffin and his wife are in Rome for the Sainthood of the two Popes, so that's got to be very very exciting for him and obviously that's why he's not here tonight. Any other 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. The motion carries and Member Griffin is excused from this evening's meeting. Tonight's invocation will be given by friend and Ward 4 Member Chris Smith. Will you all stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on April 28, 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

MINUTES OF THE MEETING APRIL 28, 2014

invocation was given by Ward 4 Council Member, Chris Smith. The Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you very much Member Smith. We're now under Agenda Corrections and Changes. Leader.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Readings Ordinances #6 through and include #9.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 6 through 9 to this evening's agenda. 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. The motion carries and Rule 22A is suspended and the Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: Turning now to Public Hearings. We actually do have a public hearing this evening. One of my favorite things to do. It is scheduled for 7:30 and it's an Ordinance to authorize Canton to annex the territory known as the Tasos Electric Annexation Area containing approximately 2.3921 acres assigning said territory to Ward 9 of the city; zoning said territory as I-1 Light Industrial and declaring the same to be an emergency. Is there anyone in the audience wishing to speak for or against this annexation, would you please come forward: I have to repeat, if there is anyone in the audience wishing to speak for or against this annexation, would you please come forward. Seeing no one rising and coming forward, the public hearing is over in regard to this matter. The matter now rests in the hands of council. The Ordinance will follow later this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: We turn now to Old Business.

CHIEF OF STAFF WILLIAMS: Mr. President, at last week's meeting, Mr. Tim Porter had addressed council in regards to some issues over at the Building Code Department. Mr. Porter, we were aware of those issues and those have been corrected and we appreciate you bringing that to our attention. Thank you.

PRESIDENT SCHULMAN: Thank you Chief of Staff Williams.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks. We have 5 speakers this evening. Our first speaker is Jason Scaglione. Mr. Scaglione, good evening. Welcome, as always, to Canton City Council. If you'll give us though, your name and your residential address please.

MINUTES OF THE MEETING APRIL 28, 2014

JASON SCAGLIONE: Good evening. Jason Scaglione, 3027 Glen Place, Canton, Ohio. I want to speak a little bit about the plan. Got a series of questions I'd like to have answers maybe before we think about passing the plan. The Hercules building we begun to tore that down and they stopped. Can anyone tell me why and when we're going to complete this? How many items from the last plan have been completed? I think it's only maybe 1 if we did complete 1. Since we haven't completed that study, how much money did we not, did we waste on that study? How many vacant houses are there on a demo list? Are all of them completely funded and when will they be torn down? Is there a surplus of funds that is the reason we are looking at spending \$350,000.00 on a plan? Or will we soon be hearing how we do not have enough money for police and fire and the things we need and we're going to need to raise taxes again, or look at other avenues to make things line up? Recently this council passed allowing the city to charge a fee to day care and in-home day cares for required yearly fire inspections when taxes are already being paid for these services. I'm not even sure how it's even legal to charge twice for the same service. By charging a targeted group that has no choice but to pay the fee. Why would please want to do business when things like this are done? Do we have compete funding for all the road repairs currently needed as well as for the need of salt for upcoming winter? Can any council member tell me that they've talked with their Ward members and have a majority that supports spending the money on this and can show this on paper and not just say yes? Can the council members in front of us tell us what the people of their ward say is needed most in their ward? And are those items being accomplished and are they funded? Mother Gooseland is now starting to look like a park again after being unusable for many years. A lot of this was done by donated funds. Did funds have to be donated for this? We had \$350,000.00 to spend on another study, we should have maybe kicked in some funds for that too. Will we continue to see fire stations close and EMS services by private contractors? I saw that this week, and just to answer that one, but, I'd like answers to all these items before this is voted on. And I'd also like to see documented answers, not just talk like the residents maybe completing a survey in writing showing support of this. As elected officials, you work for people of the city and if you just say yes, and pass spending this money, especially if the majority of the public here tonight are not for this, then it's just another example where you are not doing your job. Thank you.

PRESIDENT SCHULMAN: Thank you sir, very much. Our next speaker is Tim Porter. Mr. Porter, again, as always, welcome to Canton City Council. If you'll give us though, your name and your residential address ... *(Inaudible)*yes, your residential address for the record.

TIM PORTER: My name is Tim Porter. I live at 1107 -10th St., N.W. First I'm going to speak as the Vice President of Summit United Neighbors. We are a little concerned with a group known as the Faith Based Initiative. They have been issued demos, 40 in total, in the city and only 6 have come down since last year. And we're wondering who's following up with this? They've been approved, they've gone through the whole system, they're waiting to be torn down, and this company has only torn down 6 since October of last year, based on the list we just got 2 weeks ago. So..they're just sitting there. I don't even know where this company, it's in the Southwest end, but looks like the business address is a residential address, so I don't know that they're...It's a non-profit organization but contracts other people to tear them down. Makes no sense but I'd like to find out for our neighborhood association why these are still sitting when they've been approved, said, done, got all their inspections, ready to be tore down and they sit there. Again, that's the Faith Based Initiative, is what they're called. And then personally, I don't believe in this plan. We need a plan, there's not doubt. Spending our money with no plan, we got to have one. But I think we're a long distance away from talking with each other to spend \$350,000.00. We..you know, you guys are 12 people but it's not just you 12 that are going to be dealing with this plan. Why don't you get everybody involved even if it's one person from each department and send them down here to see if they can agree on one subject. I'll bet you they can't. And so, to spend \$350,000.00 when you guys can't even talk to each, that's a waste of our taxpayer money, period. Thank you.

PRESIDENT SCHULMAN: Thank you, Mr. Porter, very much. Our next speaker is Leon Cote. Mr. Cote, as

MINUTES OF THE MEETING APRIL 28, 2014

always, welcome to Canton City Council. If you'll give us your name and your residential address, please.

LEON COTE: Good evening. My name is Leon M. Cote. I live at 1225 - 41st St. N.W. Canton, Ohio. I'm here to talk about a program that was initiated or a survey, a study that was done in 2010 of 15 neighborhoods. I was fortunate enough to listen to a proposal by David Belke, who spoke to the leadership group at the Stark County Foundation. And then I also heard him give the same presentation at a caucus to the City Councilors and he also mentioned that he had given one to the Mayor and his staff. Mr. Belke works for CZB, which is the company you're talking about the possibility of funding \$350,000.00 for. The one thing I came away with after listening to Mr. Belke, was his concern over the students were fearful of going to school, walking to and from school by the boarded-up and abandoned house in their ward. And I thought that resonated with myself and it should be a priority. Mr. Hawk, Mr. West, Mr. Griffin, Ms. Smith, and Mr. Dougherty, as well as President Schulman and Mayor Healy, were all received those same, the same information that I did. Thursday I had somebody who has lived in Canton all their life, drive me around to all of the neighborhoods, to all of the schools, and I was shocked that here for a year we have been tearing down houses and boarded up houses still across the street from a school or a few doors down from a school that these children are still walking by to and from school. And personally, I'm embarrassed. I'm speaking for the children that cannot speak for themselves. I hope each one of you councilors and the Mayor drive through the neighborhoods tomorrow and make a list, and make those priorities to come down. And with that in mind, I can't see if you can't do a simple thing like protecting our children, by implementing one minor thing in the plan that was proposed, how are you going to implement a \$350,000.00 plan? Where are you going to get the money and who's going to take the initiative to do it? And for that reason, I don't see any reason why I should be in favor of this plan when you can't even tear down buildings to protect our children. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much, Mr. Cote. Our next speaker is Peter DiGiacomo. Mr. DiGiacomo, as always, welcome. If you'll give us your name and your residential address.

PETE DIGIACOMO: My name is Pete DiGiacomo. I live at 600 Dent Pl. SW, Canton, Ohio. Last week I was talking about trees that were cut down, left big trunks and big pieces of trees. Tonight, shopping carts. I don't know...we're all from different ends of town. Within a block and a half of my house, I have 4 abandoned shopping carts. Scrapers use them, it's an easy way to haul whatever it is they want to haul around and then when they get done, they just leave them sitting around. To me, that is as bad as going by somebody's house, you see one or two vehicles sitting up on blocks, they're junk cars. People drive around and they see a bunch of shopping carts in a neighborhood. It doesn't leave a real good impression. I spoke with a couple of the council clerks here tonight, like, tried to get an idea of as to how to maybe solve the problem. I'm going to try to call a couple of the places where the shopping carts say they're from. Hopefully they're come and reclaim them, if not, then I'll try to find out from the city if they can come and reclaim them. The other thing, what I just found out tonight, I attended the State of the City that had up at the Civic Center, and Mayor Healy, you were saying, you had all the new cadets up there, swearing them in and everything like that. I was tickled. I was really good. Now tonight I'm hearing people saying that well, yeah, but they won't be on the street for anywhere from 3 to possible up to 6 months. The impression I got from the State of City address up there was that those officers and the fire, and the EMS, would be going out on the street, maybe not immediately, but like within the next week, maybe 2 weeks, something like that, but now I'm hearing that no, that's not what it was. The way it was presented, and it could be my misconception of it, that they were to be ride alongs, they were going to be riding with the other officers, in other words, we were going to bet more officers on the street within a week or 2 weeks and now I'm hearing that no, that could be more like 3 months to 6 months, if possibly, longer. We need them on the streets. If they've got to go through training and stuff, that's fine, but we need them on the streets and what I got from the information, listening, was that I was under the assumption again that yes, they are coming out in the next week or 2 weeks.

MINUTES OF THE MEETING APRIL 28, 2014

That's all. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. DiGiacomo. Our last speaker is Rhoderick Simpson. Mr. Simpson, good evening. As always, welcome to Canton City Council. If you'll give us your name and your residential address.

RHODERICK SIMPSON: Good evening, my name is Rhoderick Simpson. I live at 716 - 30th St. N.W., Canton, Ohio. I'm here today in support of the plan. I listened to everybody talk and listened to the concerns about safety this and that. Sooner or later, you have to invest in something. Sooner or later you have to take part in something. And I think...I just want to urge council to go ahead and vote for this plan. We need a comprehensive plan. And just to piggyback off of some of the things we've listened to, I sit on a Regional Planning Commission and I've listened to everybody else talk, like Kent State University, along with the City of Kent. They got \$100,000.00. They stuck with a plan, they went with something. You can't keep on saying no to something. You got to come up with something, and I ask that you all are leaders, we're all stakeholders in this, I'm pushing and hoping that you will push a plan. We have to do something, we have to move this city forward. We cannot continue to say no to everything. Yes, we do have a safety problem, yes we do have other issues, but we all can work to make this city a whole lot better, and we all have to move in a much more positive way instead of in a negative way. That's the only way we're gonna bring about jobs here in this community. So I'm just asking that y'all consider on voting on this comprehensive plan. I thank the Chief of Staff, Mr. Fonda Williams, for presenting that. I think if you go around in different communities and talking to people, everybody isn't gone say no to it. I think you also have to get the universities involved in this because they play a stake in this as well, cause one of the key things is, we have to revitalize downtown. If we revitalize downtown, it spreads out all over the place but we cannot continue to say no to this plan that, taxpayers that, if we keep on saying no, we won't have nothing, we can't bring no jobs. We can't do that, so thank you. Appreciate it.

PRESIDENT SCHULMAN: Thank you very much sir. And that concludes our Public Speaks.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: And now we turn to Informal Resolutions. Madame Clerk will you please read Informal Resolution 23 by title.

#23. COUNCIL MEMBER WEST, WARD 2: CONGRATULATING 4 SWIMMERS/DIVERS FOR BEING INDUCTED INTO THE GREATER CANTON AQUATIC ASSOC. - ADOPTED

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 23. Any remarks? Member West.

MEMBER WEST: Mr. President, Mayor, to all of the council who support this. You know it's interesting because for years I've been a city councilman and I've never heard of the Greater Canton Aquatic Association, but this is a class act organization. They put on an event like no other at the McKinley Grand downtown. R.J.

MINUTES OF THE MEETING APRIL 28, 2014

Van Alman, who is the President up there, also got inducted, who is a graduate of McKinley. These guys are awesome and I urge everybody, if you have not been at the Amateur Sports Hall of Fame, go over there. It's on 14th and Market. It's a sight to see. There's a lot of ...there's 35 Amateur Hall of Fame Sports (inaudible), go down and see them and really recognize if you get a shot, okay, but I ask you for your support in this thing.

PRESIDENT SCHULMAN: Thank you very much, Member West. Any other remarks? Hearing none, by voice vote, all those in favor of Informal Resolution 23, signify by saying aye. Those opposed no.

RESOLUTION #23 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Thanks Member West for bringing that to our attention.

COMMUNICATIONS

PRESIDENT SCHULMAN: We are now under 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 APRIL 28, 2014.

181. APPLICANT, WILLIAM SHERER II: REQ VACATION OF A PORTION OF WELLS AVE NW BETWEEN LOT 42522 AND 8TH ST NW FOR IRONWORKERS LOCAL 550. - PLANNING COMMISSION
182. APPLICANT, ADAM LEVITT: REQ VACATION OF A PORTION OF AMERMAN PLACE NE BETWEEN WALNUT AVE NE AND PIEDMONT AVE NE FOR FAMILY DOLLAR STORE. - PLANNING COMMISSION
183. AUDITOR MALLONN: REQ FOR ADDITIONAL AMENDED CERT DATED 4/11/14. - RECEIVED & FILED
184. CANTON SANITATION DEPARTMENT: ANNUAL REPORT FOR 2013. - RECEIVED & FILED
185. CANTON WATER WORKS: ANNUAL REPORT FOR 2013. - RECEIVED & FILED
186. COMM DEV & PLANNING DIR MILLER: AUTHORIZE AUDITOR TO PAY MORAL OB IN ABOUT OF \$31,000.00 TO RELATED PARTIES FOR WORK PERFORMED AS PART OF GOODWILL PROJ. - FINANCE COMMITTEE
187. COMM DEV & PLANNING DIR MILLER: AUTHORIZE ISSUANCE OF UP TO \$1,000,000.00 IN MANUSCRIPT DEPT FOR PURPOSE OF FUNDING NECESSARY TO PARTICIPATE IN THE OHIO HOUSING FINANCE AGENCY'S NEIGHBORHOOD INITIATIVE PROG (NIP) DEMOLITION PROG; CREATE FUND 1152 NEIGHBORHOOD INITIATIVE PROG ACQUISITION DEMO FUND AND APPROP \$1,000,000.00 FROM UNAPPROP BAL 1152 NIP ACQ DEMO DEBT FUND TO 1152 506001 NIP ACQ DEMO DEBT FUND - OTHER. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

MINUTES OF THE MEETING APRIL 28, 2014

188. COURT ADMIN KOCHERA: REQ \$50,000.00 SUPP APPROP FROM UNENCUMBERED BAL 2766-701001 MUNI PROBATION SERV FUND TO OTHER 2766-701001 MUNI PROBATION SERV FUN. - FINANCE COMMITTEE
189. LAW DIRECTOR MARTUCCIO: AUTHORIZE SERV DIR TO ENTER INTO AGMT WITH SALVAGE CONTRACTOR TO RE-EXCAVATE, SORT, CLEAN AND PALLETIZE SALVAGEABLE BRICKS FOR CITY'S USE IN REPAIRING OR MAINTAINING BRICK STREETS; SURPLUS BRICKS COULD BE SOLD OR BID AT PUBLIC AUCTIONS. - FINANCE COMMITTEE
190. SAFETY DIRECTOR PERRY: REQ TO WITHDRAW COMM #166 FROM APRIL 14, 2014 AGENDA. - RECEIVED & FILED
191. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO TAKE POSSESSION OF ARMORED MINE RESISTANT AMBUSH PROTECTED VEHICLE (MRAP) FOR CANTON POLICE DEPT & CANTON REGIONAL SWAT COOP TEAM IN AMT NOT TO EXCEED \$6,000.00 FOR SHIPPING COSTS ONLY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
192. SERVICE DIRECTOR BARTOS: REQ LEGISLATION TO RATIFY THE DECISION TO FORGO ESTABLISHED PROCEDURE FOR ADJUSTING CITY'S SANITATION RATES; AMEND SECTION 975.08 OF CANTON CODIFIED ORDINANCES IN ACCORDANCE WITH PROPOSED SANITATION RATES SCHEDULE AND REPEAL ALL ORDINANCES OR PARTS OF ORDINANCES IN CONFLICT WITH THIS ORDINANCE. - JUDICIARY COMMITTEE
193. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 3/31/14. -
_____ RECEIVED & FILED
- 194.____TREASURER PEREZ: CNCL-AT-LRG SMUCKLER & MAJ LDR MORRIS: AMEND CHAP 181 OF CODIFIED ORDINANCES TO REPEAL THE PROVISIONS REDUCING INCOME TAX CREDITS ENACTED IN ORDINANCE #108/2012. - JUDICIARY COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: Turning to Ordinances and Formal Resolutions for their First Reading. Madame Clerk will you please begin with Ordinance #1.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #5 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,400,000.00 FOR THE PURPOSE OF REFUNDING BOND ANTICIPATION NOTES PREVIOUSLY ISSUED FOR THE PURPOSE OF PROVIDING FUNDS TO PAY A COURT-APPROVED SETTLEMENT OF A CLAIM AGAINST THE CITY (PIROLOZZI)
Referred to Finance Committee

MINUTES OF THE MEETING APRIL 28, 2014

- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO RENAME THE 2320 HEPATITIS GRANT FUND TO 2320 NURSING CLINIC ACTIVITY FUND; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH MOTOROLA, INC. IN AN AMOUNT NOT TO EXCEED \$89,819.50 FOR THE PURCHASE OF TWENTY-FIVE PORTABLE RADIOS AND RELATED EQUIPMENT FOR THE FIRE DEPARTMENT; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$89,819.50 FROM UNAPPROP BAL MOTOR VEHICLE PURCHASE FUND TO 4502 103001 FIRE ADMIN - OTHER)
Referred to Public Property Capital Improvement Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$64,526.00 TO CENTRAL ALLIED ENTERPRISES, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY (PAVING 2ND, 3RD & 15TH STREETS SW)
Referred to Public Property Capital Improvement Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE AN AERIAL EASEMENT/LICENSE AGREEMENT WITH NORTH MARK DOWNTOWN, LLC FOR PROPERTY LOCATED ABOVE COURT AVENUE NW.; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. Turning now to Ordinances and Formal Resolutions for their Second Reading. Would you please begin with Ordinance 6.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #6 THROUGH #9 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (O#9 ADOPTED ON 2ND READING)

- #6. (2ND RDG) A RESOLUTION ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECENT RECOMMENDATIONS REGARDING ENTERPRISE ZONE AND COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #7. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 105, CONTRACTS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
- #8. (2ND RDG) A FINAL RESOLUTION ADOPTING PLANS, AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO COOPERATE WITH AND REQUEST THE DIRECTOR OF TRANSPORTATION TO PROCEED WITH THE

MINUTES OF THE MEETING APRIL 28, 2014

UPGRADE/REPLACEMENT OF ELEVEN TRAFFIC SIGNALS ON THE SIGNAL SYSTEM IDENTIFIED AS THE "NAVARRE ROAD SIGNAL SYSTEM"; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$20,000.00 FROM UNAPPROP BAL 2113 MUNICIPAL ROAD FUND TO 2113 202001 ENGINEERING ADMINISTRATION - OTHER)

#9. (2ND RDG) **ADOPTED AS ORDINANCE NO. 89/2014** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH THE PUCO AND AKRON METRO REGIONAL TRANSIT AUTHORITY TO RECEIVE A \$95,000.00 GRANT FROM THE PUCO; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THE 4573 SIB LOAN, 12TH STREET N. CORRIDOR PROJECT GP 1098 FUND ; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rule for Ordinance #9.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule for Ordinance #9. Any remarks? If not, roll call please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Motion carries. Leader, you've heard the 3 readings.

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

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #9. Any remarks? 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: Thank you Madame Clerk. Ordinance #9 has been adopted.

#9 ADOPTED AS ORDINANCE NO. 89/2014

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. Turning now to Ordinances and Formal Resolutions for Third, Final Reading and Vote. Would you please begin Madame Clerk with Ordinance #10.

MINUTES OF THE MEETING APRIL 28, 2014

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #10 THROUGH #13 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 90/2014** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH CZBLLC IN AN AMOUNT NOT TO EXCEED \$350,000.00 TO DEVELOP A COMPREHENSIVE PLAN FOR THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty. Boy, I am having a lot of trouble tonight. Excuse me, Member Dougherty. *(laughter)*

MEMBER DOUGHERTY: I'm still missed *(laughter)*

PRESIDENT SCHULMAN: You're still missed in my mind, I can tell you that. You always pop up every now and then. *(laughter)* Leader Morris.

MEMBER MORRIS: And...while you take a walk down memory lane, Mr. President I move we adopt Ordinance #10.

MEMBER SMITH: Seconded.

(Inaudible)

PRESIDENT SCHULMAN: *(laughter)* It's been moved and seconded that you adopt Ordinance #10. Which is actually a very serious Ordinance. Any remarks?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Over the years I have supported plans but over the years I think there has been some issues that have not been followed through on. I think there needs to be a certain level of basic city services before we contribute to this. I'm not worried if we come up with this a year from now. I thought that there was some excellent points made about things that I've..rumored to hear that are in the bond ordinance or maybe this plan should say we should or shouldn't do them. But, I haven't seen the whole plan on the bond ordinance, but here we're going to send \$350,000.00 and then allegedly spend \$10 - \$20,000.00 on a bond ordinance. I don't know where all of this money is coming from, but I know that there isn't 175 policemen on the streets. We don't have ambulance service every day and I said this to the service director when he said July or August, whatever allegedly it was, about fixing 12th St. I almost wanted to go into the funeral business because I thought everybody was going to die in council. We need to have a certain level of basic city services. It's not that I'm opposed to plans. I just don't think that this is the time and the place right now.

PRESIDENT SCHULMAN: Thank you. Member Hart.

MEMBER HART: Again, when I look at things that have been done in downtown Canton, we've done so much in

MINUTES OF THE MEETING APRIL 28, 2014

the way of infrastructure. Things are improving down...have improved downtown and I guess when I look at a plan, is it just common sense that we just continue, first starting with infrastructure improvements, you know, going out North, South, East, and West. To me, I look at some of these plans as, yeah, we want to improve the neighborhoods, but unless, if one likens it to the body, you know we have a hardening of the arteries and we want to get that plastic surgery done so we look good on the outside, but it's what's under the ground that we can't see that needs to be replaced. You know, I've had residents express the same thing as Member Smuckler said, they're worried that we don't have the proper amount of safety forces even though you know numbers have been higher and it is improving. One of my biggest worries is that we...the city always seems to be the cash cow. You know there's other players in here that should be kicking into this and if they don't have to kick into it financially, I don't see them taking seriously anything that the report may say because they really have no stake in it. And you know, again, you now some of these things...when I look at Marilyn Thomas Jones and the neighborhood, you know some of things are just common sense fixes which I think they could already address and I don't know that \$350,000.00 is gong to be well spent on this study when we probably got groups that could already find those answers.

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

CHIEF OF STAFF WILLIAMS: Mr. President.

PRESIDENT SCHULMAN: Yes, Chief of Staff Williams

CHIEF OF STAFF WILLIAMS: Again, I respect all members of council and your comments, but just a point of clarity. There is no bond ordinance. There's been discussions about various projects that need funding and how we can fund those projects, possibly using bond monies and capital dollars out of capital budget, but there is no bond ordinance. I just want to make that clear. There's no bond ordinance. Thank you.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: I'm going to weigh in on this. You know, at the end of the day, I think...I look at this council as being a proactive council. A lot of cities right now would wish they were in they were in our place. Yeah, we have pothole issues, yeah we have some safety concern issues, we have some housing issues and a plan will help us address a lot of this stuff. You know, I look back at when I came into council 10 years ago and that's when they did the study, right before I came in, it was 2000. At that time they talked about doing corridors. Upgrading the corridors. They talked about tearing houses down. They talked about redistricting, making certain that we had a development down on this part of town. They talked about the Summit Project. I remember putting a million dollars in that project and everybody going behind it saying, "Let's do this, it's going to be great for our neighborhoods, its going to be great for our community. I remember them talking about creating neighborhood associations. Today we have a lot of neighborhood associations. I probably have about 8 in my ward. So, there's some things came out of those plans. Someone walked about the Belke study on..in the neighborhoods and I agree with the statement about the schools and tearing down houses around the schools. Around Gibbs I know we've torn down 6 over the last few years and built 2 houses because of that very thing. And we also put up, when the camera things fell, I had to put up some safety cameras because we had some major issues in the Gibbs area because of a plan. Plans are important. It's a roadmap for our future. And this is something I think, you know, we can all, each year, try to scramble and get money, but collectively this council, I think has put the city in a pretty good position, and I think going forward, I think we're just going to put us in a more better position by getting everybody's input.

MINUTES OF THE MEETING APRIL 28, 2014

That means neighborhood associations, that means church leaders, that means everybody throughout our city of Canton. And if we rely on everybody's input, we'll...I'm certain that we are going to put this city in a better place to be in the future. Thank you.

PRESIDENT SCHULMAN: Thank you Member West. Member Mack

MEMBER MACK: You know, we've talked a lot, or heard a lot about the things that Canton does not have tonight. We don't have enough police officers. I think everyone on this council agrees, or are close to an agreement on that point. We don't have streets that are where they need to be at this point in time, but one other critical component to our city that we don't have is a strategy. We don't have a concrete, strategic strategy on where and how to attract businesses to the city. We don't have a concrete and complete strategy on what neighborhoods need to be focused on to preserve our tax base. And when we talk about how we don't have these plans, Canton is light years behind the other municipalities that we are competing with. Jackson, strategic plan; North Canton, strategic plan; Plain Township, strategic plan. Why are these communities attractive to other commercial investments? Probably a part of it is because they have a plan and a direction to where they're going. And so to me, we have 2 choices, we could vote no and keep doing what we're doing and hope things change. Or we can vote yes, and you vote to put Canton on a path to move forward. To me it's a no brainer.

PRESIDENT SCHULMAN: Thank you Member Mack. Any other...yes.... Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President, members of council. While I don't have a vote, I'd like to make a couple of observations. There have been plans in town that have been successful. You've talked about some of them and the parts of them that have been, tonight, some designed for the city expressly, some indirectly. Out in the audience is Robb Hankins. Robb is the director of Arts at Stark. He's a sparkplug who came here some years ago and brought together, much like this plan will attempt to do, a number of the stakeholders and players. He brought together donors, foundations, businesses, government not so much (*laughter*), but he's working on that. But he brought together a number of stakeholders and evolved a plan. And they've been very successful in growing the arts and encouraging businesses to come and establish themselves in our downtown, helping to pay the taxes that some of you have just spoken about. He's encouraged people to stay, some to come and my understanding of the comprehensive plan is it is designed to keep people here and not leave and to draw people with jobs who will pay taxes, who will have, increase the amount of money that's available for things like police and fire and so on. Stark Parks, Bob Fonte and the Stark Parks people have planned and met with their stakeholders and persuaded them to buy into it and to donate to it by way of property taxes. Canton Park System, with their levy, met with their stakeholders. So I think the blueprints there. This is different, I'm not saying they're the same, but I think this plan can integrate the Arts and the Park and the Universities that some of you mentioned earlier. And all the neighborhoods, we have a number of neighborhood leaders out here who represent various neighborhoods with probably different points of view and folks who may develop neighborhoods as part of their living. Those are just observations. Thank you.

PRESIDENT SCHULMAN: Thank you. Any other remarks? You know I don't generally comment on legislation, or at least I try not to. But I would remind you that, and I've said this many times, in the 1956, this council with administration, decided to spend \$6,000,000.00. \$6,000,000.00 in 1956, this city council, this administration, to develop a water supply for what was going to be for what was going to be thought, by them, to be one of the major industrial cities in Ohio, if not the Midwest. That was the idea. We had all the big corporations hear at one time. I didn't grow up here but I know a lot of you did, and a lot of you remember that. We had major corporations here and that's why council in 1956 said, "You know what, we're going to spend \$6,000,000.00 of taxpayer money and we're going to buy Sugar Creek Water Supply because this city is going to need it in the next 50, 60, 70 years". Well, what have we seen? In my opinion we've seen a drift and there's nothing worse than a

MINUTES OF THE MEETING APRIL 28, 2014

drifting policy or a drifting person or a drifting city. And that's what we've had. By and large this city has drifted away from any..any sense of vision. And as a result, what are we left with? We are left with, lets face it, decaying neighborhoods, as Mr. Cote said tonight, school children who go by abandoned homes on their way to school. What child who is raised in that environment is going to say when they turn 18 and go to college, "Oh, you know what, I'm going to live in Canton, Ohio". Nobody. Or very few. They're not going to stay in Canton, Ohio, they're going to leave. And they're going to leave because there's nothing welcoming about where we are and particularly where we're going because I echo those people who have said we don't really know where we are going and Member West said it best tonight. I can't repeat what you said, but that made perfect sense to me. I want to challenge my good friends who are fellow citizens, finally, about this concept that we cannot work together. I totally reject that. I've been on this council now about 7 years and I've seen some people come, some people go, some of you come back. I've seen the administration work, I've seen different service directors, safety directors, chiefs of staff. By and large, we all work together. We all work together to advance the best interest of our town because we all live here. That's what it seems to me sometimes we forget we live in this community and we have made dramatic progress in what we have accomplished, what you have accomplished. This idea that we cannot get things done is just a fallacy and it's wrong and I think all of us reject that. And lastly, I would say I am so impressed with the debate. Member Smuckler, you've had great things to say, as you have Member Hart on the other side of the issue. Yes, are there critical needs that we don't have? Yes there are and I'm not going to bang that drum on the State again, but they've got the \$2,500,000,000.00 surplus so we fight about money over and over. But the fact of the matter is, these cannot be mutually exclusive. We can provide safety for our residents and we can advance the city through a vision, through a plan that we will incorporate and I am convinced we will incorporate these plans, whatever they are. And the man who came to us, you know, I don't know about you, he's direct. He said some things we didn't like to hear. He said, "you don't have a great city, folks. You're not Atlanta, you know, you're not outside Washington, D.C. where people are fighting to get there, and fighting for homes". No our people are leaving. So, we have some real major problems on the road ahead, but can we do it, of course we can. Whether it's this particular makeup of council and the administration or someone else, so I encourage all of you to hold to your guns obviously and your conscience because I know this is going to be a close vote. But I think it's the right vote and I would encourage you to vote yes. Any other remarks?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER SMUCKLER: I can't simplify this enough. When people move into neighborhoods, they want to know how the school system is, they want to know how the basic city services are and I don't know what to say to we get to the point, what this is. I mean, I've been out talking to people throughout this community and on one hand I've had people say to me, "You've had other plans, what have you done with them"? On the other side of it is, if this isn't an Ordinance yet, there is talk about doing some things. I think that we need to get to the point of sorting this all out before we pass this. And I'd like to make a motion for Rule 37 to refer this back to committee until we get this motion done.

MEMBER HAWK: Second

PRESIDENT SCHULMAN: We have a motion to refer this Ordinance #10 back to committee. We have a second.

(Inaudible)

CLERK TIMBERLAKE: To adopt.

MINUTES OF THE MEETING APRIL 28, 2014

CHIEF OF STAFF WILLIAMS: Mr. President.

PRESIDENT SCHULMAN: Chief of Staff.

CHIEF OF STAFF WILLIAMS: There is a motion on the floor and a second.

(Inaudible)

PRESIDENT SCHULMAN: The Law Director and I are addressing the motion and the second. Member Smuckler, that's a fair motion. I'm...the Chair is going to rule that Rule 37 would make no other sense but to be made after a motion or perhaps after a motion is made on an Ordinance. So I'm going to rule it in...that it is a proper motion on the floor and it's a majority vote. Let me read the rule. *"Any member of council may move to refer any ordinance back to the committee or to another committee of council of council if the said motion receives a majority vote of the council members present"*. We've gone through that language *(laughter)* quite a bit. Now this rule, I'm going to remind you, is a majority vote of the council members present. We have eleven. Six is the majority. So, with a motion and a second under Rule 37 to refer back to committee, Madame Clerk roll call vote please.

CLERK TIMBERLAKE: Let me prepare roll call.

MEMBER WEST: Mr. President, so let me be very clear, we're voting on the motion....

PRESIDENT SCHULMAN: Let me make it clear. I thought I did. But let me make it clear. I appreciate that. We are now on a motion Rule 37, to refer back to committee. *"Any member of council may move to refer any ordinance back to the committee or to another committee of council of council if the said motion receives a majority vote of the council members present"*. So that is the motion that you are going to vote on. And it..a majority vote would send it back to committee. A majority of council members present is 6. So are there any remarks under this motion?

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Fisher.

MEMBER FISHER: Let me just say, we've had 2, this has been, we've known this has been coming down for quite some time and we've had not 1 committee hearing, but again tonight in caucus. I think we shouldn't kick the can down the road. Vote your conscience to move it out. So, I would encourage please vote no on the motion, if you're going to vote no on the plan, then that's your business. But I think we should vote on this.

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

ROLL CALL 4 YEAS, 7 NAYS
(MEMBERS SMITH, HAWK, WEST, FISHER, DOUGHERTY, MARIOL, MACK VOTED NAY)

CLERK TIMBERLAKE: Four yeas, 7 nays, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion is rejected.

MEMBER SMUCKLER: Mr. President.

MINUTES OF THE MEETING APRIL 28, 2014

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Point of Order. I refer you to Rule 34. *Matters Involving Expenditure of Funds. Ordinances or Formal Resolutions appropriating and/or expending monies shall receive the approval of the committee on finance for passage.* This went to CD. There isn't a dollar of CD money involved in here. This should have gone through Finance Committee. So then I feel it's not appropriate to vote on this tonight.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Member Smuckler, can you repeat that rule?

MEMBER SMUCKLER: It is Rule #34.

PRESIDENT SCHULMAN: Yes, Rule 34 is as follows: *Matters Involving Expenditure of Funds. Ordinances or Formal Resolutions appropriating and/or expending monies shall receive the approval of the committee on finance for passage, and in case they are presented without such approval, shall be referred, without debate, to the committee on finance for consideration unless this rule shall be temporarily suspended by the concurrence of three-fourths of council's members.*

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I make a motion that we suspend the Rule 34.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you. Hold that motion Mr. President on the floor if you will. Before we do that, I'm looking at the Ordinance that is in front of council as we speak. The one that is subject to this new motion, and it is an ordinance to enter into contract and it is an ordinance that would let the Mayor or the Service Director enter into contract with CZBLLC in an amount not to exceed \$350,000.00 to develop the plan. It does not contain any appropriations in it or expenditures. My understanding is some of those were part of other ordinances or other plans. There is...I'm not certain of the exact timing of the ordinances that are financing this, but I know the plan was to have some come out of the general fund this year, some out of park levy money and some out of general fund next year. So, technically speaking, this ordinance does not contain an appropriation or an expenditure. It simply authorizes one of the two named officials to enter into this contract, as I see it.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: As the chair of the Finance Committee, I've got a concern now that it's been pointed out. And you've heard me voice this concern during committee meetings about where the expenditures would come from. \$50,000.00 would come from parks, the other \$300,000.00 would come general fund. Mr. Williams indicated we would try to spend \$100,000.00 out of CD money next year. But as it stands, unless we are going to have a separate ordinance come down, to approve the funding on this, and vote on the debate of the funding matters, in essence what I think we're doing here, and I'm going to ask the questions of the law department, are we in fact

MINUTES OF THE MEETING APRIL 28, 2014

allocating this money and spending it tonight or are we going to have a separate ordinance come down and fund it?

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

LAW DIRECTOR MARTUCCIO: Mr. President, Member Hawk. It's a good question. As you know. This council often passes ordinances that authorize the Mayor, or Director, or other elected city officials to enter into contracts with other entities. Oftentimes the money for it comes later after it's been approved. If it is not approved, there's obviously no need to spend the monies. Again, I'm going to ask others to refresh my memory. I believe there's been money put in fund for this. Again, anticipating your question, which again is why should we vote for this if we're not going to pay for it, but we often enter into contracts, again, and make sure the mechanisms for funding it appear only and if that they've been passed. But again, I'll yield to the folks who have done some of the budgetary planning on this.

CHIEF OF STAFF WILLIAMS: Mr. President.

PRESIDENT SCHULMAN: Chief of Staff Williams.

CHIEF OF STAFF WILLIAMS: I guess, here's an additional question for the law department. Are we suggesting that every contract goes through Finance Committee?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Well, Law Director Martuccio. One second Member Smuckler.

LAW DIRECTOR MARTUCCIO: That's not been our custom and practice. It probably should be custom and practice but it's not been our customer and practice. There are ordinances that again have been funded elsewhere or separately through subsequent allocations or transfers. I get the points here. This is a lot of money and maybe it should have gone to finance, but I think raising it at this point is either a late revelation or a procedural strategy. Again, I, in reading this ordinance as it's drafted, it's simply authorizing the entrance into a contract; however, it raises the issue. If this ordinance is close tonight, if it fails the point is moot. There is a motion on the floor to adopt it. If it fails the point is moot, if it passes the issue is still there. If there has been no express appropriation in another ordinance authorizing whatever amount of money specifically issued for this study, it hasn't happened yet, then that will have to come through the Finance Committee.

PRESIDENT SCHULMAN: Okay, well, here's what the chair is going to do. Member West, you had a...

MEMBER WEST: I would like to withdraw that.

PRESIDENT SCHULMAN: Alright, thank you. What the chair will do at this point, I'm going to call an in-house recess. I'm going to refer this ordinance to the Finance Committee to meet to discuss it because I think we've all had an opportunity, at least what I've seen, when I say all, members of Council have had an opportunity to discuss this.

MEMBER SMUCKLER: Mr. Chairman, Point of Order.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: That's not what Rule 34 says. The Rule says that based on the referral of three quarters of a majority. Now I'm telling you that you've got to have a vote first on my motion before you can just refer it off to Finance.

MINUTES OF THE MEETING APRIL 28, 2014

PRESIDENT SCHULMAN: No, No..you're...Member Smuckler I must respectfully disagree. That's not what the Rule says. The Rule says that "*it shall be referred to Finance Committee unless the Rule is temporarily suspended by concurrence of three-fourths of council's members.*"

MEMBER SMUCKLER: My point, you have to suspend the Rule.

PRESIDENT SCHULMAN: No, I don't think we do have to suspend the rule.

MEMBER SMUCKLER: Mr. Law Director, does this Rule need suspended?

(laughter)

PRESIDENT SCHULMAN: Law Director Martuccio, for an advisory opinion.

MEMBER SMUCKLER: And you thought the West Majority Leader was bad.

(Inaudible)

LAW DIRECTOR MARTUCCIO: Mr. President and Members of Council, I hope this is being done in good faith. I would like....

MEMBER SMUCKLER: This is being done in good faith...

LAW DIRECTOR MARTUCCIO:...I would like to think this isn't last minute strategy.

MEMBER SMUCKLER: No, it's because we're spending \$350,000.00 that this council will never see....

LAW DIRECTOR MARTUCCIO:I understand....but why wasn't this questions raised in advance of this evening so we could have done the research, looks at precedents and looked at Robert's Rules of Order. That's my question.

MEMBER SMUCKLER: Because this just came to light. Now I know that I should have everything down pat, but I was looking at council rules, I asked the Clerk for it at 6:00 tonight when this debate started.

PRESIDENT SCHULMAN: Wait...Law Director, I'm gonna rule since I'm the chair. Member Smuckler, again, I disagree with your interpretation of Rule 34. I'm going to, again, order that we declare...that I declare...an in-house recess for the Finance Committee to meet in regard to Ordinance 10 on this evening's agenda. You are now in recess. Chairman.

MEMBER HAWK: I need a copy of the Ordinance to read it if it's going to be referred to Finance Committee.

CLERK: Yes.

MEMBER HAWK: Thank you so much. This is truly an unusual position we're all being put into here. And while I agree with this Ordinance and will be supportive of it, *(inaudible)*...Finance Committee on Ordinance # 10 on tonight's agenda. I'd like to, at this meeting now for conference one minute with the Law Department. I think that we may be better served, I am in full support of this Ordinance, I want it to go through, and I want to see it happen but I need it also to be done properly and correctly. I think that's the most important thing. So, would we be

MINUTES OF THE MEETING APRIL 28, 2014

at...would be problematic to hold this for one week? I think clarity is much better than dispute. And I think...where I don't think a week would make a difference in whether this ordinance passes or not, I think that we should air on the side of caution and be certain that we have everything properly done. And do it according to the rules and end the debate and the controversy on it. Again, I think that might be the proper way to go about it. So, with that being said, with some people in my Finance Committee, I'd like to hold this or send this back to committee and hold this for one week and bring it back out next week when we have a full clarity on this issue.

MEMBER MACK: Chairman Hawk.

MEMBER HAWK: Please

MEMBER MACK: You know, whether or not this is going to be any cleaner next week, as a result of just what transpired, I would suggest the answer is probably going to be no. But I think that in terms of procedure, maybe Council Member Dougherty is about to add to that point, if the chair made a ruling on the issue as to whether it was referred to the Finance Committee with the President of Council that determines where ordinances are referred, to make it improper, to make that ruling improper, I think it would again have to be an appeal of the decision of the chair, in which case it would be a roll call vote. Certainly there's not been an appeal made but I think procedurally, if we want to take issue with procedure, I think that would be the mechanism to do it.

MEMBER HAWK: I just want to be sure it's done right. And that's all we care about, to do it according to the rules and regulations. We need to look like we can lead and we know to do it properly. I concur that it is Finance and it should have been possibly a review of this since there isn't any other funding in here than general fund, and the \$50,000.00 from the park commission, but the bulk being \$300,000.00, and I asked these questions during committee meetings, with the \$300,000.00 being spent from the general fund at this point, (*inaudible*) with \$200,000.00 being expended this year and \$100,000.00 being expended toward next year's budget, I guess either we pass it in a budget when it was passed and that line was in there or there needs to be an issue again. As I've expressed my opinion, I'm going to support this issue, I just want it to be done properly.

MEMBER DOUGHERTY: Member Hawk...

MEMBER HAWK: Thank you...

MEMBER DOUGHERTY: Member Hawk...So who's on Finance and has everyone agreed to that on your committee?

MEMBER HAWK: That's what I'm asking here and now, sir.

MEMBER SMITH: Mr. President...Mr. Chairman, I'm sorry. I am in agreement. I think that we should go on and vote tonight. I am not in favor of holding it for a week and I think that we should go on and vote on it. I am not in agreement with holding it for a week.

MEMBER HAWK: Ok, we're going to have to hold a committee...we're in process of running a committee meeting right now, actually, on it, and so it would require this committee to sign it back out for a vote.

MEMBER SMUCKLER: Mr. Chairman.....

MEMBER HAWK: Then it'll... the passage of the 3 readings and all the other things we need to go through.....Mr. Smuckler, please.

MINUTES OF THE MEETING APRIL 28, 2014

MEMBER SMUCKLER: I understand the money's budgeted for this 2 years. I don't know how you can budget money for the following year and hope you've got it.

MEMBER HAWK: Member Smuckler, I asked that question of the Administration when we were funding this and that's was the explanation that I received then. I am just simply repeating the explanation I received. If there any questions of concern...Mr. Williams....

CHIEF OF STAFF WILLIAMS: Mr. Chairman, as mentioned in committee meeting, we budgeted \$200,000.00 for this year, we plan to budget the remaining balance in the 2015 budget, which again, will be subject to council's approval.

MEMBER HAWK: I guess that leave me to another further question of funding of...tonight we're voting on spending \$350,000.00. What I'm reading here, and I'm asking questions here folks, this is not a statement of fact, this is for information. If we're going to spend that \$350,000.00, it sounds like we're committing to it this evening. And again, that's why I thing the week of clarity might bring us a little better further ahead rather than sitting here creating this, I would ask that we hold it to committee for one week and bring it back with some clarity. But that's up to committee to decide if they want to sign it out, it goes out.

CHIEF OF STAFF WILLIAMS: Mr. Chairman, respectfully, I would just tell you that many contracts that council votes on goes over a 2 year period. So this is not anything new for a contract to go into a following year.

MEMBER HAWK: Thank you sir. More questions or concerns?

CHIEF OF STAFF WILLIAMS, Mr. Chairman, just to add to that, the caveat to the funding occurred when the question was asked if CDBG dollars be looked at to support this and the answer was yes, we would look at it, but that a question posed by council.

MEMBER HAWK: It was posed by myself and I understand that completely, but I hoping...hoping to hear. I'm looking at my committee, they're indicating...

MEMBER MORRIS: Mr. Chairman.

MEMBER HAWK: Please, Mr. Morris.

MEMBER MORRIS: Okay, with all due respect, you have 3 of your members, 4, including yourself on Finance to support this ordinance. Honestly, let's quit dragging our feet and just roll with it...I mean...

MEMBER HAWK: We just want this done properly...

MEMBER MORRIS: You've got the support of your committee, I mean, just move forward.

MEMBER HAWK: Again, I just want to make sure it's done properly, is my only concern. The Finance Committee has been called to order. We will now review the Ordinance. An ordinance authorizing the Mayor and/or the Director of Public Service to enter into an agreement with the PUCO and Akron Metro Regional Transit, no, that's not what we're debating. Someone handed me this one instead. (*Laughter*) Handed me the wrong..... I've got one signed here....I've got 2,just handed me the wrong one. I apologize. I started reading it said, wow, this isn't right, hold on.... alright. You gave me this one.....Hold on, we're going to get the right Ordinance. See you can train me to read anything you put in front of me....Now, we have the Ordinance in front of us. This is an ordinance authorizing the Mayor and/or Director of Public Service to enter into professional service agreement with

MINUTES OF THE MEETING APRIL 28, 2014

CZBLLC., the amount not to exceed \$350,000.00 to develop a comprehensive plan for the city of Canton and declaring the same to be an emergency. Questions, concerns, folks. None. We'll call the meeting to get started at 8:20, we'll end at 8:35 and we will send this to committee for a vote. Thank you. Mr. President, you have the floor back sir.

PRESIDENT SCHULMAN: Thank you Member Hawk.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Just...Can you hold that thought Member Smuckler. So Member Hawk, I'm sorry, so the committee has voted to....

MEMBER HAWK: We're going to get signatures on it right now, sir.

PRESIDENT SCHULMAN: Okay, so don't I have to wait for that, I believe.

MEMBER HAWK: Yes, technically, you're correct.

PRESIDENT SCHULMAN: Member Smuckler, you'll hold your thought for now.

(Inaudible)

MEMBER DOUGHERTY: Clerk of Council.

CLERK TIMBERLAKE: Yes sir.

MEMBER DOUGHERTY: Yeah, Mr. Fisher wants to order some chicken wings. *(Laughter)*

CLERK TIMBERLAKE: Would you want Garlic or Teriyak with those?

MEMBER FISHER: I just want to throw them.

MEMBER WEST: We might be late.

MEMBER FISHER: Just like the old days.

MEMBER HAWK: If you want some food, I'll fire the old grill for you and bring it over.

MEMBER HAWK: Mr. President, we have our four signatures, it's now back in your hands sir. Thank you.

PRESIDENT SCHULMAN: Very good. Alright, council will reconvene after the recess. Leader. I think we need a motion to.....alright, we don't need that. Thank you. Member Smuckler.

MEMBER SMUCKLER: Mr. President, Law Director would you give me an example, if this isn't the example of when this comes into play and when it does come into play, Rule 34, because I am totally at a loss of when this would come into play if this isn't the example.

LAW DIRECTOR MARTUCCIO: Mr. President, Member Smuckler. It's a very good question and I'm sorry if I appeared peeved. I just wanted to avoid what happened several months ago. Rule 34. *Matters Involving*

MINUTES OF THE MEETING APRIL 28, 2014

Expenditure of Funds, is the one you cited sir?

MEMBER SMUCKLER: Correct.

LAW DIRECTOR MARTUCCIO: I'd like to read it again out loud and think it through and see if I can come up with an example, and if I can't, I'll say I can't. *Ordinances or Formal Resolutions appropriating and/or expending monies shall receive the approval of the Committee on Finance for Passage, and if we correctly have followed that procedure, and I think we have, it has received the approval of the Committee on Finance for passage, and in case they are presented without such approval, shall be referred, without debate, to the Committee on Finance for Consideration.* So, you're point having been well made earlier, it seems to have been referred, without debate, or almost without debate, to the Committee on Finance for consideration, unless the rule was temporarily suspended by concurrence of three-fourths of Council's Members. And Council has 12 members, so it would have taken 8 to concur, but we didn't have to get to that point. So, I think it's been remedied by the referral during a regularly scheduled meeting of Council, by the Presiding Officer, to the Finance Committee, which did convene, did consider it, and had the requisite amount of signatures to exit it from said Committee in front of this Council. So, I think your point was made, again I think it was a well made point but I think it's been corrected. Your first question was can I think of an ordinance. Repeat that question again for me please.

MEMBER SMUCKLER: If this isn't the perfect example of what this rule was meant for, and with all due respect to most members down here, since I had a part in most of these rules, I know what the thought process was. I don't understand why this didn't...this wasn't enforced, yeah, that's a good word, enforced and had a vote before that. Now if you can give me an example of another situation where the vote should take place, please give me the example. But so far I've heard of no other examples, and I believe that should have taken place, that vote.

PRESIDENT SCHULMAN: Member Smuckler, I appreciate your questioning the law director on thinking up situations that Rule 34 might apply, but really, we're beyond that. You had a, in my opinion, you had a valid point of order which I recognized, and your point order, I believe was based on Rule 34, which I recognized, and that is why the chair recessed and called a meeting of the Finance Committee to meet to discuss Ordinance 10. So, while I appreciate the exchange you have with the Law Director, I think it's probably more appropriate after the meeting. We're not doing thought experiments here. I've made the ruling, we've sent it to Finance. Finance has signed it out in our judgment, and more importantly, in my judgment, all of the proper rules and regulations have been followed. Frankly I think you raised a very good and valid point, and you used the rules as they are intended to be used, so there is no criticism from the chair on your utilizing the rules to address your concerns but I think you would have to say that the rules have been followed and your objection was met.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler. Is this a point of order because I can't debate anymore.

MEMBER SMUCKLER: Point of Order.

PRESIDENT SCHULMAN: What is your point of order.

MEMBER SMUCKLER: If..and I disagree but the question....the question is.....

PRESIDENT SCHULMAN: That's not a point of order.

MEMBER SMUCKLER: The point of order is..appealing the decision of the chair, is that still viable?

MINUTES OF THE MEETING APRIL 28, 2014

PRESIDENT SCHULMAN: If you want to appeal the decision of the chair, you can utilize that rule. But I don't hear you making a motion.

MEMBER SMUCKLER. I move that.. I appeal the decision of the chair.

PRESIDENT SCHULMAN: Okay. And the appeal of the decision of the chair is from what.....

MEMBER SMUCKLER: That on Rule...

PRESIDENT SCHULMAN: What, wait, I'm sorry, what, just so the record is clear, what ruling of the chair are you appealing from?

MEMBER SMUCKLER: I'm appealing that you did not hold the vote according to Rule 34, that it took three quarters of council to waive the Rule to send this to Finance Committee.

PRESIDENT SCHULMAN. Alright, okay. Is there a second? Is there a second. I don't hear on the appeal of the chair, so your motion must fail. Anything else, Member Smuckler? Anything else from anyone else on either a point of order or anything dealing with any other rule. Alright.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Hawk.

MEMBER HAWK: We have a...just to make sure it's all done properly is all I care about here.

PRESIDENT SCHULMAN: Okay.

MEMBER HAWK: Will we have to now, because it's been referred to Finance and we've had the first reading on it, we now have to waive the 3 readings to do that, or is it okay to vote on this as the 3rd reading? I may not be making the question clear. Because it's just been referred back to the Finance Committee, Finance Committee held a meeting on it, we agreed to sign it out, it's almost like it's the 1st reading of the Finance Committee. To be proper and fair and do everything according to the rules, do we need to have a vote to, as we always do, to excuse the three readings?

PRESIDENT SCHULMAN : Okay, Leader do I have a motion to suspend Rule 22A in regard to Ordinance #10?

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that we suspend Rule 22A in regard to Ordinance 10 on your agenda this evening. We've had a motion and a second. Any discussion? Madame Clerk roll call vote please.

ROLL CALL 10 YEAS, 1 NAY
(MEMBER SMUCKLER VOTED NAY)

CLERK TIMBERLAKE: Ten yeas, 1 nay, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Motion carries. 22A is suspended. *(Inaudible)*

MINUTES OF THE MEETING APRIL 28, 2014

MEMBER MORRIS: Mr. President, I move that we suspend Statutory Rule for Ordinance #10.

MEMBER SMITH: Second

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 10. Any remarks under this motion? Hearing none. Madame Clerk, again, roll call vote please.

NO REMARK

ROLL CALL 10 YEAS, 1 NAY
(MEMBER SMUCKLER VOTED NAY)

CLERK TIMBERLAKE: Ten yeas, 1 nay, Mr. President.

PRESIDENT SCHULMAN: Motion carries. You've heard the 3 readings. Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded you that adopt Ordinance 10. Any further discussion on Ordinance #10? Hearing none. Madame Clerk begin roll call vote please.

NO REMARKS

ROLL CALL 7 YEAS, 4 NAYS
(MEMBERS MORRIS, BABCOCK, HART, SMUCKLER VOTED NAY)

CLERK TIMBERLAKE: Seven yeas, Four nays Mr. President.

#10 ADOPTED AS ORDINANCE NO. 90/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 10 is adopted but not as an emergency. Ordinance 11 please.

#11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 91/2014** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$43,383.50 FROM UNAPPROP BAL 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 101001 POLICE ADMINISTRATION - OTHER)

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 11. Any remarks? Again hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#11 ADOPTED AS ORDINANCE NO. 91/2014

MINUTES OF THE MEETING APRIL 28, 2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 11 is adopted. Ordinance 12 please.

#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 92/2014** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY. (\$10,513,168.28 FROM UNAPPROP BAL 5227 WATER METER/MTU REPLACEMENT FUND TO 5227 207030 WATER METER/MTU REPLACEMENT - OTHER)

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 12. Any remarks under this Ordinance? Again hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 1 NAYS

CLERK TIMBERLAKE: Ten yeas, 1 nay Mr. President.

#12 ADOPTED AS ORDINANCE NO. 92/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 12 is adopted. Ordinance #13 please.

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 93/2014** AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE TASOS ELECTRIC ANNEXATION AREA CONTAINING APPROXIMATELY 2.3921 ACRES; ASSIGNING SAID TERRITORY TO WARD 9 OF THE CITY; ZONING SAID TERRITORY AS I-1 (LIGHT INDUSTRY); AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 13. 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.

#13 ADOPTED AS ORDINANCE NO. 93/2014

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Now turning to Announcement of Committee Meetings.

MINUTES OF THE MEETING APRIL 28, 2014

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you good sir. The Finance Committee will meet Monday, May 5th at 6:45 p.m.

PRESIDENT SCHULMAN: Thank you.

MEMBER BABCOCK: Mr. President.

PRESIDENT SCHULMAN: Chairman Babcock.

MEMBER BABCOCK: Environmental and Public Utilities Committee. Same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Chairman Mariol.

MEMBER MARIOL: Public Property Capital Improvement. Same time, same place.

PRESIDENT SCHULMAN: Thank you. Any other announcements.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: OK, we turn to Miscellaneous Business. Is there any?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you. I voted in favor of tonight's Ordinance #10 for the \$350,000.00 because I believe we do need some kind plan to follow. I concur with Mr. Smuckler's objections to it under some very good and solid grounds. What I'm asking is that we follow this program, that we look at it as a road map and we begin and we commit to making it work because I certainly don't want to be embarrassed in two years about the vote I made tonight. Thank you.

PRESIDENT SCHULMAN: Thank you Member Hawk I want to make one statement and I want to commend our Safety Director and the administration. I've been told that on May 5th and May 8th, those 2 buildings off of Cleveland Avenue and 22nd are coming down. (*Applause*). Thank you very much.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Mr. West

MEMBER WEST: I'd also like to let everybody know that on this Saturday, May 3rd, we are hosting the Earth Day at Nimisilla Park. It's also Arbor Day. We'll be planting some flowers, planting trees and cleaning up the park. In addition to that, downtown Canton, they're also having clean sweep. Where they're cleaning up downtown and

MINUTES OF THE MEETING APRIL 28, 2014

they're looking for volunteers. So everyone come out to the park and downtown and lets clean up our city. Thank you.

PRESIDENT SCHULMAN: Thank you Member West. Member Mariol, did you have something you wanted to say.

MEMBER MARIOL: *(Inaudible)*

PRESIDENT SCHULMAN: Thank you. Member Hart

MEMBER HART: Yes, I just wanted to thank everybody for their *(inaudible)*. ...of Theresa and her family. I met my wife some 25 years ago at a high school dance at Lehman High School and I met her mother when I walked her home from that dance; and during the 38 years we've shared I've been very blessed to have great in-laws. *(Inaudible)* ...and she's going to be missed by all the family members. For all of us that have lost others this *(inaudible)* a mother who literally gave all of her life to hold her family together. She was a great lady and I will really miss her and being an Italian, I'm telling you, she could make homemade pasta *(inaudible)* to die for. Yes, she was great lady. I also want to acknowledge Mike Miller, in the back of the room. Mike has gone by quite a few different names. Service Director, the silver fox, and according to him, Lisa Miller's better half. I just want to thank him for all of his past service to Canton residents. He was a great service director. Good to see you again.

MEMBER SMITH: Mr. President

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: Yes, I'd like to ask all council members, don't forget about Friday, May 2nd, the dedication of Mother Gooseland. For those of you that did not know that is in the 4th Ward. So I would like for each and every one of you all to be there.

PRESIDENT SCHULMAN: Mr. Law Director.

LAW DIRECTOR MARTUCCIO: Mr. President, I wanted to say a couple of things. 1. I try to pride myself on being zen-like. I wasn't and I apologize for that. My job is not to offer personal interjections, but to answer legal questions that are put to me, even if they are procedural legal questions. So I need to do that as best I can. Member Smuckler does raise a good question. Looking through today's agenda there's probably another ordinance or two that may have been subject to that test and I'm sure if we went back several agendas we'd find plenty more, so maybe it's time to consider in some cases, doing referrals again, just to make sure we don't have that issue come up again. And we probably want to revisit the rules that I know Mr. Mack worked so hard on to try to revamp. It may be time to revisit those as well. I also wanted to make a little plug for this coming week. Sixty years ago, President Eisenhower saw the tanks, Kremlin Square, and the missiles and didn't like it, and didn't like the Soviet Union's image to the world. He said that "We can do better. We're a nation of laws and principles under laws". So he declared May 1st to be Law Day and we've observed it for the last several decades. Here in Stark County it's actually law week. And there are many, many events that are built around law week. If any of you are interested in any, I know that we have several attorneys here in the horseshoe, there are lots of good events going for children and ask a lawyer on phone-athons and dinners with federal judges. There are all sorts of events going on that I'd be happy to talk to anyone about. Thank you.

PRESIDENT SCHULMAN: Thank you Law Director. Leader Morris.

MEMBER MORRIS: Motion to adjourn.

MINUTES OF THE MEETING APRIL 28, 2014

MEMBER SMITH: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas.

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

ADJOURNMENT TIME: 8:53 PM

ATTEST: MAY 2, 2014
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: MAY 2, 2014
ALLEN SCHULMAN
PRESIDENT