

MINUTES OF THE MEETING MAY 19, 2014

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. I believe before we begin tonight's meeting that there are some people who signed up for Public Speaks, we have 7, I think 8 actually, 7 speakers that have signed up. Some of you may not have not this before. First let me welcome you to Canton City Council. We appreciate your comments. That's why we have this part of the meeting set aside for you. Secondly though, you'll notice on this screen behind me when you do standup there will be a 3 minute clock and we would ask you to restrict yourselves to that 3 minutes. As I tell all public speakers, everyone will be here after the meeting. The Mayor, his administration, Members of Council and myself and others, the Directors, so if you have any specific questions or more comments, we certainly want to hear you. So with that said again, welcome. We appreciate you coming down and with a quorum present the Chair does call 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, JAMES GRIFFIN, KEVIN FISHER, DAVID DOUGHERTY & JOHN MARIOL)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER MACK ABSENT)

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader.

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

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you excuse Member Mack from this evening's meeting. Any remarks? I will just comment for the Members of the public and the record that Member Mack had a neighborhood meeting tonight that he simply could not miss and he apologizes for not being here. Any other comments? 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 Mack is excused from this evening's meeting. Tonight we'll have our non-denominational Jewish/Christian invocation given by my good friend Council Member at Large Bill Smuckler. Will you all stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on May 19, 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 Council at Large Member, Bill Smuckler. The Pledge of Allegiance led by President Schulman.

MINUTES OF THE MEETING MAY 19, 2014**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: Thank you Member Smuckler. We're now under Agenda Corrections and Changes, Leader.

MEMBER MORRIS: Mr. President, I move that Rule 22A be suspended to add 2nd Readings of Ordinances #7 through 12 and Communication #123 from 5/12's meeting be referred to Public Property and Capital Improvement.

PRESIDENT SCHULMAN: I think Leader it is Communication 213

MEMBER MORRIS: *(Inaudible)*

PRESIDENT SCHULMAN: I know, do we have a....

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: Thank you. OK, it's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 7 through and including 12 and Communication 213 from the May 12th meeting as a referral from PPCI and being Retained in Committee. Are there any remarks? If not, roll call vote please Madame Clerk.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We turn to Public Hearings. We have none tonight.

OLD BUSINESS

PRESIDENT SCHULMAN: We're now under Old Business and I will turn this over to the Mayor's Chief of Staff, Fonda Williams. Mr. Williams.

CHIEF OF STAFF WILLIAMS: Thank you Mr. President. At the May 12th meeting a couple of issues were brought to our attention. One was from Commissioner Adams making a formal request for Health Department renovations to the Sears Building. Also there was a question raised by Mr. Bruce Nordman in regards to required minimum staffing levels for police and fire. I do not see Mr. Nordman in the audience but, to our research we have not found any national or state standards but we will continue to look for like size communities to see if there are any standards out there but, so far in our research we just have not found any. Thank concludes Old Business.

PRESIDENT SCHULMAN: Thank you very much Chief. We appreciate it.

PUBLIC SPEAKS

MINUTES OF THE MEETING MAY 19, 2014

PRESIDENT SCHULMAN: Turning now to Public Speaks. As I did indicate we have 7 speakers signed up this evening. Our first is Steve Silver. Mr. Silver, good evening and welcome as always to Canton City Council. If you'll give us your name and your residential address please sir.

STEVE SILVER: Thank you. I'm Steve Silver. 2007 Kirk Court NW, Canton, Ohio. As Canton City Councilman Thomas West again made a proposal that City Council hire an Animal Control Officer, I'd like to say a few words. 2012, 2013 City Council was pondering the animal control issue. Council's aware that the last Animal Control Officer for the city resigned in May 2012. The majority of my life living in the city of Canton to my knowledge, there's not been an Animal Control Officer. The last Animal Control Officer was supposed to be handling wild and vicious animals. The majority of animals trapped were cats and kittens. The majority of those cats and kittens, hundreds to be exact were exterminated. As a public, as a result a public outcry was extreme and brought the attention of national organizations as well as local. On March 19, 2012 City Council adopted Resolution #227 which requested City Council to create a temporary committee of volunteers to explore the benefits the trap, neuter, return program as well as research the liability costs, effective changes to the current policy. This committee met and eventually under the direction of Council Members Frank Morris and Mary Cirelli not only researched TNR but came up with an animal control policy for the city of Canton. This policy was something that the city of Canton did not have before. On the committee were both Council persons mentioned as well as Jim Adams from the Health Department and several community members, myself included. The basis of this policy was the humane and, humane treatment of animals and compassionate treatment of methods of intervention that would be respectful to both human and animal welfare. The policy directly stated that TNR would be used to feral the stray cats that would be accidentally trapped. This policy was given by Councilman Frank Morris to the Law Department and administration. Councilman Frank Morris told the committee this policy was never instituted because there was not an Animal Control Officer and it could be looked at if the city ever decided to hire one again. I hereby request that as a citizen of this city that Council would again look into this policy, that this committee formulated and adopt the policy that would treat all animals as humanely as possible without the possibility of extermination except as outlined in the policy. We all realize that every animal within the city has a right to live and has a purpose in the ecosystem of our planet. The policy that this committee formulated dealt with all sorts of animals and handling them as humanely as possible. I sincerely hope that before Council hires an Animal Control Officer, that an actual policy will be adopted and their duties and great care will be taken in the hiring process to hire the best person for this delicate duty. I would also ask Council to research effective grants to manage feral and stray cat population in the city through TNR such as Dayton just receiving \$160,000.00 grant. I believe the well being of all life, human and animal should be taken into consideration before an Animal Control Officer is hired again. Again I strongly believe all life is precious to have. We do not have the right to arbitrarily end their lives because they occupy the same space in this planet that we do. We can, we do and we have co-existed with them since the beginning of time. Thank you.

PRESIDENT SCHULMAN: Thank you very much Mr. Silver, appreciate it. Our next speaker is Bill Dieffenbaugher. Mr. Dieffenbaugher welcome to Canton City Council as always. If you'll give us though your name and your residential address for our record please.

BILL DIEFFENBAUGHER: Bill Dieffenbaugher, 1611 Haag Avenue, Massillon, Ohio, but I do work for the city of Canton and I'm proud of it. I work for the Street Department and I'm here to give you a brief update. Hopefully some of you Councilman have seen us out in your Wards now patching. Yea, we saw you the other day Chris. I just want to give you a brief update. Since the 28th of April we've put down 509 more tons of asphalt and that's a shovel at a time. Overall for the year we've put down 2,000 tons a shovel at a time and

MINUTES OF THE MEETING MAY 19, 2014

1,500 hours of overtime since the first of the year we've worked. When I was here the last time I told you we had, we were down to 28 employees in the Street Department. Well as I speak to you today, we're down to 26. Two more bid out so we need some bodies. Somehow, someway. I don't know how you're going to do it but we need some bodies. I told you our average age was 50. That just jumped by the one guy that left the Street Department. He was 27 years old so, our average age now is about 53. That's basically all I want to do. I mean I've seen some streets, I heard you talking earlier about the chip and seal. That will work on some streets. I guess, I guess the only place I've ever seen it is on country roads and it seems to hold up pretty well at least for a couple years, three maybe. The crack/seal program, I don't know ever happened to that one. I got hired here in 2006 and we had that program. It just kinda went by the wayside and a prime example, I believe it's in Thomas West's Ward on O'Jay Parkway. If you look at that street there was a crack right down the middle of that street that we had to go and patch that from Mahoning Road all the end way to the end of 4th where it curves around. If that had been sealed, that road, they could have saved that road. But, that program went by the wayside. Mike plans on bringing it back and God Bless him. I hope he does. That's basically all I wanted to tell you. The other thing I want to do is, I have a thank you for Jimmy Babcock, David Dougherty, my girl, Cindy Timberlake and Mike Rorar. The fellas in the Street Department wanted me to tell you how much they appreciate your showing of gratitude for what we're doing by buying us lunch Thursday before last. So thank you. *(APPLAUSE)*

PRESIDENT SCHULMAN: I know I said this last week Bill but, thank you for your service and the Superintendent of the Street Department. You've got a tough job and I'm sure our public appreciates all that you do and understands how difficult it is. Our next speaker is Greg Sanford. Mr. Sanford good evening. Welcome to Canton City Council. If you'll give us your name and your residential address please.

GREG SANFORD: Evening. My name's Greg Sanford. I live at 1537 Henry Avenue. I want to address a problem we have in our neighborhood. I live at 1537. I have a neighbor that lives next to me at 1539. We are in between 2 slumlord properties that the landlords do not take care of their properties. A classic example, 1541 Henry Avenue is still being rented out to renters. It's been on the condemn list, the city condemn list for I don't know how many years. It's full of bedbugs and they keep renting out to these people and they keep running out and having their, all their property infested with bedbugs. Well here's the big, here's the real kicker that you'll love. They throw their stuff out on the streets for the trash people and well it just starts to hit our homes. We feel like General Custer felt at the Battle of Little Bighorn being surrounded by the Sioux Indians. This is ridiculous folks. And also now let's talk about 1533. Now this used to be a place where we had squatters that lived there. Well they just decided to keep a pitbulls in the house and never let them out to relieve themselves. Well, if you knock over the, open up that window, the stench is so bad it would knock a buzzard off a wagon full of dung. It was that bad. Besides the cockroaches which are coming to, trying to try to get into our house, we just don't feel like having to pay for a whole bunch of exterminators to come to do our houses cause a bunch of slumlords are not doing their job to take care of their properties. Now I don't mean to be hard or be nasty but I think it's time that these landlords get off their lazy, glutious maximuses and do their jobs. It's a crying shame that we're being forced out. You know almost having to put all this money into our homes to take care of a problem that they don't bother to take care of themselves. And I've checked into the treatment for you know, bedbugs. Right now they say, oh you can spray for it. *(Made buzzer sound)* Wrong answer. Let's get the other Jeopardy question. It's a heating process that will cost over \$10,000.00. I said, well that scumbag slumlord better have the money to pay for it if I have to to it. Thank you very much for your time and I appreciate you listening.

MINUTES OF THE MEETING MAY 19, 2014

PRESIDENT SCHULMAN: Mr. Sanford before you step down, do you have names for these slum, landlords? Do you have a name?

GREG SANFORD: No.

CLERK TIMBERLAKE: We can find it.

GREG SANFORD: All I know is the properties that they own Allen. Like I say 1541 and 1533 Henry Avenue are the properties.

PRESIDENT SCHULMAN: Alright, we'll find out. Thank you very much.

GREG SANFORD: Thank you very much. (*APPLAUSE*)

PRESIDENT SCHULMAN: Our next speaker is Peter DiGiacomo. Mr. DiGiacomo good evening. As always welcome. If you'll give us though your name and your residential address please.

PETE DIGIACOMO: Good evening. My name is Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. The one thing I wanted to talk about we had a arson fire on 6th and Marion. I believe it was about 8 to 10 days ago. The church was burned down. Well it used to be a church. It was a vacant, condemned type of building. They had an excavator there which we thought was going to clear the lot. The excavator is gone but you still have all the remains of the building just sitting there piled up. The other thing that I wanted to talk about, I've been listening, the city is coming up a little bit short on some cash for this project, that project, things like that. It seems about a year and a half ago, two years ago, I brought up a suggestion. There's a goldmine out there, Route 77 north and South bound. All you've got to do is put some cruisers out there. Radar. Money, mo money, mo money. If you're going to say hey, it's a speed trap, yea well, it's the Hall of Fame city. Slow down when you bring yourself in here. Today I came down south on 77 southbound from the Akron Canton airport to Mercy Hospital where I sat with a flat tire for an hour, but that's another story. I counted 4 Sheriff's cars, 3 State Highway Patrol cars. And they were doing nothing but handing out tickets. We can do the same thing. I didn't see any Canton Police involved in that operation. I mean if you need money, you know, that's an easy \$2,000.00 or more a day, whether it goes to the city, whether it goes to the courts, it's still coming into the coffer here in the city. That's all. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. DiGiacomo we appreciate it. Our next speaker is Patrick Barton. Mr. Barton I don't even need to almost introduce you. Welcome back. Give us your name though and your residential address please.

PATRICK BARTON: Yes, thank you. I'm Patrick Barton. I live at 503 21st Street NW, Canton, Ohio 44709. Thank you Members of Council and members of the administration. What I'm here to speak about, obviously we've heard a lot about it but it was the tax credit. Obviously I can't offer my 2 cents other than being a concerned citizen that lives here in the city. A few things I wanted to point out, you know I get where you're at, this Council as being one of you guys a few years back. This topic was brought up and I get the perception that you're actually taxing or penalizing a group that works outside the city but lives here. But I also feel, even when it was brought up back then that, hey I talked to my wife and we both worked in Akron and at that time it was 10+ years, we felt that we should pay something back to the city that we live in. That was just our

MINUTES OF THE MEETING MAY 19, 2014

position and like tax levies, libraries, school levies, we realized that if we want this community to be we think it can be and what we aspire for it to be then we all have to do our part and kick in some money to pay for those services. Now, the other thing that we heard about tonight is that so, if you give 100% credit because they're working somewhere in Akron, how does that cover? How do they pay into our services here in the city? I still feel that they should pay a small amount and I think it's a very small amount. I think it's a small group that's actually impacted by that and you can say, oh well you can say that cause you worked in the city now but my wife still works on the west side of Akron and we would be impacted but yet, we would still support it because we feel that's the right thing to do. One of the other things that I wanted to talk about too is you know, we were getting our taxes done and our accountant was in Cuyahoga Falls and he noticed that the tax rate had changed for us and we started talking about that and I said is this common for municipalities to do this. And he said, I don't know of many municipalities that don't do this. So, it's not something uncommon that we're asking here. With that being said you know, I wanted to say a few other things and one was that you could say that you'll force people to move out of the city. I don't necessarily agree with that. I think a lot of people that have these jobs that were talking about, they take positions in Akron and Cleveland because the wage is higher there. They choose to live here just as we do because the cost of living is lower here. I think that .3% is very small compared to what they would end up paying if they decided to move up there to be closer to their job. So you know, I just wanted to say that. You know in closing, I'll go ahead and wrap it up. In the past we used to say, vote your conscience. That was the big saying. I still hear it here today. I used to look at my Ward and when things that would come up that were contentious about this I would think to myself 2 things. Is it good for my Ward and is it good for the city? And so I stand before you tonight and I ask, if getting rid of this funding source is good for your Ward and good for the city then hey, vote your conscience but, without knowing the exact number, let's get that tax system in. Let's leave this in place for a few years. Let's get that exact number and then let's see what we're going to give away. I would never write you a check for \$500.00 without knowing what's in my checking account. That's all I have to say. Thank you.

PRESIDENT SCHULMAN: Thank you very much Mr. Barton. *(APPLAUSE)* Our last speaker is Carol Metz. Ms. Metz.

CAROL METZ: *(Inaudible)*

PRESIDENT SCHULMAN: That's OK. If you need some help, let us know. Good evening. Welcome. If you'll give us your name and your residential address please.

CAROL METZ: OK, my name is Carolyn Metz. I live at 2119 Maple Avenue NE, Canton, Ohio 44714. I have a lot of issues.

PRESIDENT SCHULMAN: Well you have 3 minutes.

CAROL METZ: I know. Number 1 I would like to thank the city of Canton for finally, the SWAT team hit 2106 Maple Avenue Saturday morning and it's a drug house. We all know it. The drugs were gone. Somehow the one son of this lady that owns the house, he knows when the SWAT team's gonna come. Twice last summer they showed up and no one was home. Mom works. She's the only one in the house that works. Three men live there and no one works but mom. Anyhow, the SWAT team came. They had their armored car. I mean they were uniformed, camouflage thing, men all over the place which I thought, great. But they didn't get the dealer. Maybe next time. Some, he's got inside information somewhere. Then I've got a problem with Mr. Trickett who owns the Convoy property that burned, had a chemical fire last year. We still

MINUTES OF THE MEETING MAY 19, 2014

get whenever it rains or is humid out, we can still smell those fumes. There's about 7 of us in the neighborhood that communicate with each other. We all have sinus problems, only when it's damp or humid and it comes from that building and I was wondering if City Hall can do something to make Mr. Tricket clean that property up, pay his back taxes, which last year he owed over, almost \$30,000.00 in back taxes and I heard he went and paid \$1.75 on his taxes and they can't do anything to him. Is that true?

PRESIDENT SCHULMAN: We'll get that answer for you.

CAROL METZ: But that has the whole neighborhood upset. There is someone in the neighborhood that's interested in that property. Maybe he can work out a deal. He could sell that property, get rid of it and we can get him out of our neighborhood. He lives in Hartville in a nice big fancy house and he said he won't do business in our neighborhood because it's too trashy. We're trying to clean it up. He made more trash. Speaking about trash, I have, I forget the name of the company. I lost, misplaced his card. I have Dave Keefer with me. He volunteered to come with me, he's here somewhere. Anyhow, Mr. Keefer owns a company where heavy semis drive through our neighborhood. They're not supposed to drive through our neighborhoods. I, I have Shirley Harris with me. This is a big rock from her front yard. The semis have moved this from 22nd to Gross. They should be on 22nd or Gross. Semis are supposed to go down 62 to Harrisburg Road to 19th Street to Dover to 20th Street into this man's company, that he's the manager of. They're not doing that. Their GPS's are telling them to get off 62 at Market, oh, I'm sorry....

PRESIDENT SCHULMAN: That's OK. Just wrap it up for us. We appreciate it.

CAROL METZ: They're getting off on Market, coming down 19th. They're going through Gross Avenue. They're tearing up 20th, this are pictures where they're tearing up our property and we want it to stop.

PRESIDENT SCHULMAN: OK. That's all the time that you have though. Thank you very much ma'am. We appreciate it. (APPLAUSE) We're now under Communications. I want to thank all...oh, I'm sorry apparently we have one more. I apologize. That was my oversight sir, I'm sorry. You snuck in on the last page. Robert Tabor. Mr. Tabor welcome. Good evening. If you'll give us your name and your residential address please.

ROBERT TABOR: OK, my name is Robert J. Tabor. I live at 2208 Dover Avenue. I live next door to this mess that she's talking about. I was sent a form stating that, that building was in November, that, that building was going to be torn down within 10 days. I've got children in there playing. I got the scrappers in there. We've got homeless people living in there. We've got animals, lots of animals now staying there. Somebody needs to come out and take a look at this and see what they're going to do about getting this torn down cause somebody, some child is going to be very hurt. I mean, I can't watch everybody's kids and nobody else can obviously watch their own kids but that's not the reason I'm here today. Also the complaint about the semis. They're tearing up our yards something fierce and they're racing up and down the road. They're actually unstrapping their loads on our street and these steel could fall off of this truck at any time. Before they go into the place they unstrap it and they're coming out unstrapped. This line will be 70 and 80 semis long on a Monday and it blocks off our whole street. We can't even get to our properties and I've talked to the supervisor. He came out there and he was very nice. He said it wouldn't happen again but it's still happening every day. But the main reason that I'm here today is I was, I'm involved in a case here in Canton with a Judge Kubilus and I don't think it's my punishment but I was, it was over a zoning issue about my property next to this property about Mr. Moore had denied the approval of the zoning. He said he asked me, I had to come here as part of my punishment and ask Mr. Moore why then after him asking over and over for me to do

MINUTES OF THE MEETING MAY 19, 2014

this, then he had me denying this and that's what Mr. Kubilus demanded me to come here and do but I also agree with what she says. We have a lot of problems over there. I've had my windows busted. These people are parking in this lot next to this building and going in there. I've called the cops myself over 5 times. They've busted out the window of our car. They took a knife to our tires and to the, I have signs posted on my property "you are under surveillance" for cutting them down. These kids are just running in that property and there are people living in there and if somebody could come out and take a look at that they'll see that this needs to be torn down. Somebody's going to get hurt very badly. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Tabor very much. Thank a lot. (*APPLAUSE*) OK, I think that does conclude Public Speaks. I apologize Mr. Tabor and thank you all for coming down and giving us your view of Canton life which is sometimes very difficult.

COMMUNICATIONS

PRESIDENT SCHULMAN: Turning now to Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED MAY 19, 2014.

221. AUDITOR MALLONN: REQ FOR ADDITIONAL AMENDED CERTIFICATE DATED 5/12/14. - RECEIVED & FILED
222. DEPARTMENT OF COMMERCE: NOTICE OF HEARING REGARDING CLASS C-1-2 PERMIT FOR K O G S DRIVE THRU, INC @ 3101 6TH ST SW HEARING ON 5/28/14 @ 10:00 @ 221 3RD ST SE. - RECEIVED & FILED
223. DEPARTMENT OF COMMERCE: NOTICE OF HEARING REGARDING C-1 PERMIT FOR MORELLO'S PIZZA, LLC. @ 2226 CLEVELAND AVE NW HEARING ON 5/28/14 @ 9:00 @ 221 3RD ST SE. - RECEIVED & FILED
224. LIQUOR CONTROL DIV (OHIO): REQ TRAN OF D5 D6 PERMIT FROM GLENDALE PLAZA INC TO AL DON INVESTMENTS LLC DBA WILLOW BISTRO @ 1210-12 30TH ST NW. - RECEIVED & FILED
225. LIQUOR CONTROL DIV (OHIO): REQ TRAN OF C1 C2 D6 PERMIT FROM HARMONT QUICK STOP LLC TO HARMONT QUICK STOP LLC DBA HARMONT QUICK STOP @ 3325 HARMONT AVE NE. - RECEIVED & FILED
226. PLANNING COMMISSION: REQ ZONE CHG OF SE CORNER OF PIEDMONT AVE NE AND AMERMAN PL NE, LOT NO. 17604, AKA PARCEL NO. 221449, WARD 2 FROM R-4 RESIDENTIAL TO PB-3 PLANNED GENERAL BUSINESS (FAMILY DOLLAR). - JUDICIARY COMMITTEE
227. PLANNING COMMISSION: REQ ZONE CHG OF 1133 WALNUT AVE NE, AKA LOT NO. 17616,

MINUTES OF THE MEETING MAY 19, 2014

AKA PARCEL NO. 200214, WARD 2 FROM R-4 RESIDENTIAL TO PB-3 PLANNED GENERAL BUSINESS (FAMILY DOLLAR). - JUDICIARY COMMITTEE

228. PLANNING COMMISSION: REQ ZONE CHG OF SW CORNER OF WALNUT AVE NE AND AMERMAN PL NE, LOT NO. 17617, AKA PARCEL NO. 200215, WARD 2 FROM R-4 RESIDENTIAL TO PB-3 PLANNED GENERAL BUSINESS (FAMILY DOLLAR). - JUDICIARY COMMITTEE
229. PLANNING COMMISSION: REQ VACATION OF A PORTION OF HUDSON PL SW FROM VAN BUREN CT SW RIGHT OF WAY TO 190' WEST, WARD 5 (RALPH BYRD, JR.). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
230. PLANNING COMMISSION: REQ VACATION OF AMERMAN PL NE FROM THE EAST LINE OF PIEDMONT AVE NE TO THE WEST LINE OF WALNUT AVE NE AND REPLAT OF LOTS 4162 - 4166, 17604, 17617, 17616 AND THE VACATED PORTION OF AMERMAN PL NE, WARD 2 (ADAM LEVITT OF HUTTON GROWTH ONE, LLC.). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
231. PLANNING COMMISSION: REQ VACATION OF WELLS AVE NW FROM LOT NO. 42522 NORTH TO 8TH ST NW, WARD 2 (IRONWORKERS LOCAL 550). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
232. PLANNING COMMISSION: REQ REPLAT OF PART OF LOT 38840 & LOTS 38841 - 38843 AND PART OF OUTLOT 862 AND DEDICATION OF PART OF LOTS 38840 - 38843, COMMONLY KNOWN AS ST. GEORGE BYZANTINE CATHOLIC CATHEDRAL, WARD 8. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
233. PLANNING COMMISSION: REQ REPLAT OF OUTLOT 1070; LOCATED AT AND AROUND FAIRCREST ST SW AND GREENTREE AVE SW, WARD 4. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
234. SAFETY DIRECTOR PERRY: AUTH SAF DIR TO ADVERTISE, RCV BIDS, AWARD & ENTER INTO CONTRACT FOR APPX. 2,000 10 YR LITHIUM SMOKE DETECTORS IN AN AMT. NOT TO EXC. \$80,010.00; ALTERNATIVELY AUTHORIZE SAF DIR TO ENTER INTO CONTRACT FOR PURCH OF SMOKE DETECTORS WITH ORC SECTION 125.04 OR ORC 5513.01; AUTHORIZE SUPP APPROP OF \$80,010.00; AUTHORIZE AUDITOR TO DRAW WARRANT UPON RECEIPT OF VOUCHER. - FINANCE COMMITTEE
235. SAFETY DIRECTOR PERRY: REQ LEGISLATION TO ESTABLISH ADDT'L FUNDS OR ACCTS NECESSARY FOR TASK FORCE ACTIVITIES PURSUANT TO STATE LAW AND THROUGH OUR AUDITOR'S OFFICE; AUTHORIZE SAF DIR OR POLICE CHIEF TO ENTER INTO A MEMORANDUM OF UNDERSTAND (MOU) ON BEHALF OF POLICE DEPT WITH STK CTY PROSECUTOR'S OFFICE, US MARSHAL SERV AND THE US ATTY IN ORDER TO ACCEPT FUNDS GAINED THROUGH THE EFFORT OF THE NORTHERN OHIO VIOLENT FUGITIVE TASK FORCE. - FINANCE COMMITTEE

MINUTES OF THE MEETING MAY 19, 2014

236. SAFETY DIRECTOR PERRY: REQ COUNCIL TO IMPLEMENT PERSONNEL MODIFICATION FOR FIRE DEPT. TO INCREASE NUMBER OF BATT CHIEF FROM 3 TO 4. ADDT'L BATT CHIEF WOULD ASST IN "HANDS ON" SUPERVISION OF EMS AND PERFORM FUNCTION OF SAF OFFICER. THIS WOULD BE 40 HR POSITION. POSITION ONE RANK ABOVE CAPT, ALLOWING FOR ADDT'L SUPERVISION AND ASST IN SUCCESSION PLANNING. - PERSONNEL & FINANCE COMMITTEES
237. SERVICE DIRECTOR BARTOS: RATIFY ACTIONS TAKEN PURSUANT TO SEC 105.04 OF CODIFIED ORDINANCE OF CANTON; AUTHORIZE AUDITOR TO PAY MORAL OB TO NORTHSTAR ASPHALT, INC., FOR AN AMT NOT TO EXCEED \$50,000.00; AUTHORIZE AUDITOR TO DRAW WARRANT UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
238. SERVICE DIRECTOR BARTOS: RATIFY ACTIONS TAKEN PURSUANT TO SEC 105.04 OF CODIFIED ORD OF CANTON; AUTHORIZE AUDITOR TO PAY MORAL OB TO CENTRAL ALLIED ENTERPRISE, INC. FOR AN AMT NOT TO EXCEED \$51,088.00; AUTHORIZE AUDITOR TO DRAW WARRANT UPON RECEIPT OF VOUCHERS (12TH ST NW). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
239. SERVICE DIRECTOR BARTOS: MAKE \$76,500.00 SUPP APPROP FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202210 STREET MAINT - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS FOR MISC CAPITAL PURCH. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
240. SERVICE DIRECTOR BARTOS: MAKE \$22,500.00 SUPP APPROP FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 208010 DMV SERVICE AND REPAIR - OTHER FOR MISC CAPITAL PURCH. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We now turn to our First Reading Ordinances and Formal Resolutions for the First Reading. By the way, we have no Informal Resolutions tonight. Madame Clerk would you please begin with Resolution, 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 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 (DEPUTY CHIEF OF POLICE)
Referred to Personnel & Finance Committees
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND/OR THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS,

MINUTES OF THE MEETING MAY 19, 2014

AWARD AND ENTER INTO CONTRACTS FOR THE LEASE AND/OR PURCHASE OF VARIOUS VEHICLES AND/OR EQUIPMENT FOR VARIOUS DEPARTMENTS; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND/OR THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO VARIOUS CONTRACTS FOR THE PURCHASE OF VARIOUS VEHICLES AND/OR EQUIPMENT IN ACCORDANCE WITH ORC SECTION 125.04 OR 5513.01; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (STREET DEPT 5, HEALTH DEPT 2, CODE 2 AND IT 1)

Referred to Public Property Capital Improvement Committee

- #3. (1ST RDG) AN ORDINANCE AMENDING SECTION 539.03, ADMISSION CHARGES AT KURTZ FIELD, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
Referred to Judiciary Committee
-

- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF EQUIPMENT AND SUPPORTING SUPPLIES FOR THE FIRE DEPARTMENT; AUTHORIZING THE DIRECTOR TO ALTERNATIVELY PURCHASE SAID EQUIPMENT AND SUPPORTING SUPPLIES PURSUANT TO STATE COOPERATIVE PURCHASING AGREEMENTS; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$323,000.00 FROM UNAPPROP BAL 4501 CAPITAL PROJ FUND TO 4501 103001 FIRE ADMIN - OTHER)
Referred to Public Property Capital Improvement Committee
-

- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PURCHASE/MAINTENANCE CONTRACT IN AN AMOUNT NOT TO EXCEED \$140,000.00 WITH DELL/MCPC FOR THE DATA CENTER VIRTUALIZATION PROJECT PURSUANT TO ORC SECTION 125.04; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$86,100.00 FROM UNAPPROP BAL 4501 CAPITAL PROJ FUND TO 4501 504010 INFORMATION TECHNOLOGY ADMIN - OTHER)
Referred to Public Property Capital Improvement Committee
-

- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A ONE-YEAR CONTRACT WITH THE STARK METROPOLITAN HOUSING AUTHORITY (SMHA) FOR VEHICLE MAINTENANCE AND FUEL SERVICE
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Turning now to Ordinances and Formal Resolutions for the Second Reading. Madame Clerk would you please begin with Ordinance 7.

MINUTES OF THE MEETING MAY 19, 2014

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #7 THROUGH #12 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #7. (2ND RDG) AN ORDINANCE AMENDING SECTION 181.05, RETURN AND PAYMENT OF TAX; REFUND, AND SECTION 181.15, CREDIT FOR TAX PAID TO OTHER MUNICIPALITY AND JOINT ECONOMIC DEVELOPMENT DISTRICT, OF THE CODIFIED ORDINANCES
- #8. (2ND RDG) AN ORDINANCE AUTHORIZING THE CITY OF CANTON TO ACCEPT THE DONATION OF REAL PROPERTY FROM THE CANTON COMMUNITY IMPROVEMENT CORPORATION
- #9. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTIES, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY
- #10. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MUTUAL ECONOMIC DEVELOPMENT AGREEMENT WITH PLAIN TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO CONTRACT WITH THE WALTER H DRANE COMPANY IN AN AMOUNT NOT TO EXCEED \$22,750.00 TO ASSIST IN THE RE-CODIFICATION OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2ND RDG) **ADOPTED AS ORDINANCE NO. 102/2014** AN ORDINANCE AMENDING ORDINANCE NO. 66/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (5 VEHICLES)

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader.

MEMBER MORRIS: Mr. President, I move that we suspend the Statutory Rule for Ordinance #12.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule for Ordinance #12. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

MINUTES OF THE MEETING MAY 19, 2014

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

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

MEMBER SMITH: Seconded

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#12 ADOPTED AS ORDINANCE NO. 102/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and Ordinance #12 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Now we turn to Ordinances and Formal Resolutions for Third, Final Reading and Vote. Madame Clerk would you please begin with Ordinance 13.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #13 THROUGH #17 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 103/2014** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$31,000.00 TO RELATED PARTIES FOR WORK PERFORMED AS PART OF THE GOODWILL PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

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, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 1 NAYS
(MEMBER HART VOTED NAY)

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

#13 ADOPTED AS ORDINANCE NO. 103/2014

MINUTES OF THE MEETING MAY 19, 2014

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

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 104/2014** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$50,000.00 FROM UNAPPROP BAL 2766 MUNICIPAL PROBATION SERVICES FUND TO 2766 701001 MUNICIPAL PROBATION SERVICES - OTHER.)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It’s been moved and seconded that you adopt Ordinance 14. Any remarks under this Ordinance? Again hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#14 ADOPTED AS ORDINANCE NO. 104/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 14 is adopted. Ordinance 15 please.

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 105/2014** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH A SALVAGE CONTRACTOR TO RE-EXCAVATE, SORT, CLEAN AND PALLETIZE SALVAGEABLE PAVING BRICKS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 105/2014

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

MINUTES OF THE MEETING MAY 19, 2014

- #16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 106/2014** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO TAKE POSSESSION OF AN ARMORED MINE RESISTANT AMBUSH PROTECTED VEHICLE FOR THE CANTON POLICE DEPARTMENT AND CANTON REGIONAL SPECIAL WEAPONS AND TACTICS COOPERATIVE TEAM IN AN AMOUNT NOT TO EXCEED \$6,000.00 FOR SHIPPING; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 106/2014

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

- #17. (3RD RDG) ***POSTPONED UNTIL 6/2/2014 AN ORDINANCE ACCEPTING THE RECOMMENDATIONS OF SANITATION SUPERINTENDENT MARK ADAMS FOR ADJUSTING THE CITY'S SANITATION RATES; AMENDING SECTION 975.08, OF THE CANTON CODIFIED ORDINANCES; 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: It's been moved and seconded that you adopt Ordinance 17. Any remarks under this Ordinance?

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: I move we postpone Ordinance #17.

MEMBER SMITH: Seconded.

MINUTES OF THE MEETING MAY 19, 2014

PRESIDENT SCHULMAN: It's been moved and seconded that you postpone Ordinance 17. Any remarks under that motion? 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 17 is postponed to June 2, 2014. That concludes Ordinances and Formal Resolutions for the Third/Final Reading and vote.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Now we turn to Announcement of Committee Meetings.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you good sir. The Finance Committee will meet Monday, June 2, 2014 at 6:30 p.m.

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 HART: Mr. President.

PRESIDENT SCHULMAN: Chairman Hart.

MEMBER HART: Personnel Committee will also meet at that same time.

PRESIDENT SCHULMAN: Thank you. 6:30 gives you.....

MEMBER WEST: Mr President.

PRESIDENT SCHULMAN: Yes Chairman West.

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

PRESIDENT SCHULMAN: That gives everybody enough time? 6:30? OK.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Turning now, thank you to Miscellaneous Business. Do we have any tonight?

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Fisher.

MINUTES OF THE MEETING MAY 19, 2014

MEMBER FISHER: Yes, just on the point made by Miss Metz and was it, I wrote it down but I can't read my own writing, Mr. Tabor. In regards to the semis on that road, it's not my Ward but I will tell you that last week actually I was requested by Service Director Bartos because commercial truck traffic is something that I deal with in my day job that we're going to be meeting here in the next couple weeks to try to start the process of completely re-looking at and re-working the way we do commercial truck traffic in the city because this not only the impacts it has on neighborhoods but also on our infrastructure and our goal is to of course reduce the wear and tear on roads and obviously you can see from those pictures the sort of impact that has. So I just wanted to let you know that, that is something that is on the radar and is going to be worked on here in the very near future.

PRESIDENT SCHULMAN: Thank you Member Morris.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Just to piggyback real quick and I don't know is there currently a law on the books that deal with trucks in residential areas?

LAW DIRECTOR MARTUCCIO: *(Inaudible)*

MEMBER WEST: Is there a current Ordinance in place that deals with the semis in residential areas because that also impacts my area quite greatly.

LAW DIRECTOR MARTUCCIO: Mr. President thank you. Member West the honest answer is I can't recall precisely. I know there are some weight limits, weight bearing issues but I can research that and either email it to you or report back next meeting either way.

MEMBER WEST: Thank you and I also appreciate you Member Fisher for looking into that. Let me just follow up with the response in reference to the Animal Nuisance Control Officer. Back in June 3, 2013, an Informal Resolution was passed by this Council that was presented by myself and Member Dougherty where we were requesting an animal nuisance contract for an Animal Control Officer with the availability funds to pick up vicious and nuisance animals other than cats and that's my position today. Again it's to continue to seek out an Animal Nuisance Control Officer. When Phil Sedlacko stepped down from his post, we lost a valuable tool as a City Councilman and what I mean by that is, when someone calls me in the middle of the night or on the weekends when I'm enjoying my family and my kids, a lot of times I have to have an answer for a raccoon or for a you know, a major animal, a big dog. This isn't something that I would like to go out and pick on. Matter of fact, I'm not a professional when it comes down to animals. Matter of fact, I'm pretty scared of those raccoons so, I would like to call on and often times and Cindy will tell you, I had to call her in the middle of the night one night saying, who are we using as an Animal Nuisance Officer. Who do we use and what I heard was that we had, they, my constituents had to pay or call and pay for somebody to come out and respond to this while they've got a raccoon in their face. You know I just don't think that, that's where were at in the city and I believe that we should have an officer. The Council Members around this horseshoe has to respond to our constituents and we should have that as a tool. Again, cats is a whole nother issue. I know that this Council has not dealt with a policy. I know a policy was presented at some meeting but it has not come yet for legislation. That's a different issue. Our cats, our feral cats is a whole nother issue but today I believe that we need an Animal Nuisance Control Officer in the city and ever since Phil Sedlacko stepped down, we've been calling on him and he's been stepping up for free. He has not stopped serving this city so, you know, I was supportive of

MINUTES OF THE MEETING MAY 19, 2014

him then. I'll be supportive of him now because he's constantly stepped up and he was responsible when it came down to dealing with the animals in my yard and throughout my neighborhood and I'd like to see us have another Animal Nuisance Control Officer and I'm going to continue to advocate for that until we get one. Thank you.

PRESIDENT SCHULMAN: Thank you Member West.

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: I'd just like to echo the remarks of Mr. West and to the point on Mr. Sedlacko. I actually, if he's here tonight. I actually called him just last week with an issue and he came down to Council to help me out with and that's something that's just been resolved today and again this is the guy who doesn't work for us and is continuing to do this and I wanted to thank him for that so, but I want to echo what Mr. West said I, when trying to catch an animal around my house just in the few days that we were trying to catch it, we ended up catching 4 other cats and a possum. That doesn't sound like city life to be honest with you so....thank you.

PRESIDENT SCHULMAN: Thank you Member Fisher. Member Hart.

MEMBER HART: Just on the lighter side in terms of animal control, I wanted to thank, I think her name is Teri Ross on the 8th floor. This afternoon out in front on 1st Street there was 8 baby ducklings that had fallen down into a sewer and the mother duck was pretty upset, flying around and the city, you know again, I say this tongue and cheek. The sewer guys from the Collection Systems did a great job finding, and they stayed down, the one guy was down there in the sewer until he got the last baby duckling. And I mean it's a nice lighter side and I just want to thank those guys for doing a good job and I'm sure the mother duckling when she settled down was pretty happy to get the babies back.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Thank you Member Hart.

MEMBER HART: Just thank you.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I also got, I got that call from the Mental Health Board and I sent them up to the 8th floor because I didn't know what to do with some ducks but I wasn't afraid of a duck but I just wouldn't know what to do with a duck. But I will say this, I wanted to also congratulate Viola Fisher for her graduating college this last week so....(APPLAUSE). She's always here at Council.

PRESIDENT SCHULMAN: Stand up. OK. (APPLAUSE)

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: I happen to know that if anyone needs to get a hold or rid of any snakes, Fonda

MINUTES OF THE MEETING MAY 19, 2014

Williams is an expert at that. (LAUGHTER)

CLERK TIMBERLAKE: There's a few crawling around in here Bill. (LAUGHTER)

PRESIDENT SCHULMAN: Oh boy. That was off the record for the press. Member Smuckler any other remarks about any other animal life?

MEMBER SMUCKLER: No. Member West I would tell you that I would be more than happy to help support that also and us getting back an Animal Control Officer.

PRESIDENT SCHULMAN: Leader did you have a Miscellaneous Business?

MEMBER MORRIS: Yes sir I do, thank you Mr. President. Since we're on the subject of animals, there was a successful drug raid in the 2100 block of Maple Avenue. I'd like to compliment the Safety Director, Chief of Police. We've had a lot of gang activity down on the 22 to 2400 block of Maple Avenue. We've slowed the traffic down up on 24th Street somewhat. We're not seeing as many buys over there and it was pretty successful. As for Mr. Tabor's comments. Sir, I'm unaware that I was punishing you and I apologize for that and the fact that I did turn down your zoning request but, I hardly find that to be punishing but I apologize for that. I, ladies I did have an opportunity to talk to Mr. Keefer outside. He is exploring ways of trying to divert his trucks. He has communicated with the truck drivers. He's not sure if these gentlemen are getting lost, getting sidetracked or why they're coming up through the neighborhoods and I've had numerous conversations about this with Member Fisher so hopefully we can get that resolved rather quickly and Safety Director if you would be so kind to update me on Convey. I know that you and the Law Department have been working on that pretty diligently so, if you could share with myself and these people in the audience as to where we stand with that please.

PRESIDENT SCHULMAN: Thank you Leader. Safety Director, did you want to say something?

SAFETY DIRECTOR PERRY: I'm going to need to look into it because I'm not exactly sure. Director Martuccio may have something on the legal side, on the building side. I thought everything was complete so I'll defer to Martuccio, Mr. Martuccio.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thanks Mr. President. Member Morris what was that? What was the name of the entity we're talking about?

MEMBER MORRIS: It's Convey. It's down off of Dover Avenue. If memory serves me correct, Jason Reese....

PRESIDENT SCHULMAN: The chemical fire. It's the chemical fire building.

MEMBER MORRIS: Yes, it's the chemical fire. Jason Reese was looking and exploring the possibility of filing legal action against them for not cleaning up the mess.

LAW DIRECTOR MARTUCCIO: I don't have an update for you Mr. Morris. I'll have to talk with our Assistant Law Director and get that for you. Thank you.

PRESIDENT SCHULMAN: That probably should be a no brainer, I would think considering he almost took out

MINUTES OF THE MEETING MAY 19, 2014

that entire part of the community. Director.

SERVICE DIRECTOR BARTOS: Yes Mr. President. I'll be real quick. We started the mowing program today and based on the positive that we got, I think last time we said we were probably going to get 2 mows. It's actually projected that we'll be able to get 3 mows per lot so, it's 3,100 lots that we have with 3 mows. We're looking at for the, over the next 6 months each lot getting mowed once in a 2 month period if you will. Mike Rorar left some materials for everybody. If you don't have copies, I think the extras were left with Cindy but take a look at those. Those are from our discussion earlier and please provide me with your feedback. Also a bit of good news. Last week Mahoning Road bids came in and we got two good bids and with Winger being the apparent low bidder. We're still evaluating those but Central Allied also enter a bid that was acceptable that we award to. So, we had 2 good bidders there so if anything happens with the apparent low bidder, we have another one to fall back on but positive news there. And in fact the low bid was about \$500,000.00 under the Engineer's estimate so, very exciting stuff.

PRESIDENT SCHULMAN: Did you say \$500,000.00 under the estimate?

SERVICE DIRECTOR BARTOS: Right. \$500,000.00 under the Engineer's estimate. The other, the second low bid was slightly over the estimate but not 10% over to point where we couldn't award it if we needed to so....that's all I have, although 12th Street from Cleveland to Market has been, has been paved. I wanted to mention that. And we have the folks from Northstar out helping our guys, helping Bill and our guys out doing the patching so. You'll probably see the Northstar folks in the northern part of the city since where they go to get their asphalt is north of, Mike thought it makes sense to keep them where they wouldn't be traveling very long distances to go get their asphalt but our other crews are out all over the city right now so thank you.

PRESIDENT SCHULMAN: Thank you Director. Good job. Chairman Hawk.

MEMBER HAWK: Thank you. Very quickly, Conneaut, Ohio mirrored our law for finding and people who do not mow their grass in little Village or city of Conneaut, Ohio northeast of us. I guess my question is, if we're mowing 3,100 lots in this city, can't we find 6 of the to cite in court. Just give me 6 and let's show them that we really mean what we did when we passed the 2008 Ordinance. Thank you.

PRESIDENT SCHULMAN: Thank you Member Hawk. *(APPLAUSE)* Member West.

MEMBER WEST: Mr. Chairman do we have a list of those lots per Ward? Do you know?

SERVICE DIRECTOR BARTOS: Member West, if you...

PRESIDENT SCHULMAN: Director.

SERVICE DIRECTOR BARTOS: I can have it sent to everybody. If you'll look on the Purchasing Departments website, we actually have the specs still up there and it has a list of all the, all the properties that have been reported over the course of you know, the past few years and there were 3,100 total on there but I'll make sure to send it directly to Cindy or at least point out to Cindy where you can get it cause it's a rather large document. It's a long list of 3,100 properties so I don't know if it, if it will go through the email or not but I'll make sure it's available to all of you.

PRESIDENT SCHULMAN: Thank you. Before we adjourn I asked our Clerk of Council tonight whether she'd be willing to do this and she said it was no problem at all. You remember we all agreed a while ago to invite

MINUTES OF THE MEETING MAY 19, 2014

our legislators to come to one of our, Member, or one of our Council meetings and explain what they're doing to us and why they're doing it to us from Columbus. Only 2 responded and never did come to our meeting so we could ask questions or hear from them. So what our Clerk is willing to do is starting next week, we're going to send a letter every week and we're going to invite our State Legislators to come to our meeting and every week that they don't come, I'm going to make a comment that this is the first week that they have not come, this is the second week that they have not come. Somebody did that, I think it was either Walter Cronkite or some news reporter said this is our 100th day in some war that we had over the world but, that's what's going to happen so, our Clerk is willing to do that. I hope nobody has objection to that but I think it's time we have these people come down and explain to us what it is that they're thinking about as they continue to deprive all our urban areas in the state of the resources that we need to help our citizens and our community and ourselves. So any other questions? Director.

SERVICE DIRECTOR BARTOS: On that note, one thing I forgot to mention is Mr. Moeglin has submitted his request for additional funding for 12th Street to the, to ODOT and our resident Republican, Sam Sliman was in contact today with, he made calls both to State Senator Oelslager and Representative Schuring. Representative Schuring got right back to him and has pledged as much support as he can give us on 12th Street so I just wanted to thank him on returning the call so quickly.

PRESIDENT SCHULMAN: And Senator Oelslager?

SERVICE DIRECTOR BARTOS: At the time that I had spoken to him, he hadn't heard back from him yet but this was just you know, ongoing throughout the day.

PRESIDENT SCHULMAN: Alright. OK, Leader.

MEMBER MORRIS: Motion to adjourn.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: Moved and seconded to adjourn. Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Meeting is adjourned. Thank you everybody for coming down. Have a wonderful holiday. *(Gavel falls)*

ADJOURNMENT TIME: 8:22 PM

ATTEST: MAY 23, 2014
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: MAY 23, 2014
ALLEN SCHULMAN
PRESIDENT