

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

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. I want to thank the Leader for taking the Chair last week. I really do appreciate it. Welcome everyone and with a quorum being present, the Chair does call this meeting of Canton City Council to Order. Roll call please, Madame Clerk.

*ROLL CALL TAKEN BY CLERK TIMBERLAKE:*

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present Mr. President.

PRESIDENT SCHULMAN: Tonight's invocation will be given by my good friend, Ward 3 Council Member, James Griffin. If you'll all stand and remain standing, please, for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on November 3, 2014 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Cynthia Timberlake. The invocation was given by Council Member James Griffin. The Pledge of Allegiance led by President Schulman.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: Thank you Member Griffin and let the record show please, that Council Member Mack is back with us. We are now under Agenda Corrections and Changes, Leader Morris.

MEMBER MORRIS: Mr. President, I move that Rule 22A be suspended to add 2<sup>nd</sup> Readings Ordinances #8 through and including #16 and add Finance Committee to referral on Communication #469. Number 8 will be postponed indefinitely.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2<sup>nd</sup> Reading Ordinances 8 through 16 to this evening's agenda, the Finance Committee referral on Communication 469, and Ordinance 8 will be Retained in Committee indefinitely. Are there any questions, any remarks? Hearing none, Madame Clerk, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Motion carries. Rule 22A is suspended and the Ordinances are a legal part of this evening's agenda.

**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: Turning now to Public Hearings, we have no Public Hearings tonight.

**MINUTES OF THE MEETING NOVEMBER 3, 2014****OLD BUSINESS**

PRESIDENT SCHULMAN: As we turn to Old Business, I've been informed by Deputy Mayor Williams there is no old business to discuss.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: So, we turn now to Public Speaks. We have 2 speakers signed up. Our first is Pete DiGiacomo. Mr. DiGiacomo, good evening as always. Welcome to Canton City Council. If you'll give us your name and your residential address please.

PETE DIGIACOMO: Thank you. My name is Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. I wrote down to speak on one thing, but I'm gonna...first thing is PMI. That's the company that is doing the new water meters. We got a notice, call up, get an appointment scheduled. I let that go, maybe about three weeks, I got a second notice. On the second notice it said, "Call and make an appointment. If you don't, we may have to shut your water off". My son, who has a house across from us, the people that lived there never did call, and I happened to see at his house, it was a red notice. It said, "You have to make this appointment in "x" amount of days or we will shut your water off". What I want to say is, I don't know if any of the Council people have had anything come back to them from their constituents, but what happens if you go on vacation. Let's say, you're going out of town, you're going down South, whatever business takes you, and you're gone for a month or longer. They send out one notice, they send out two, are they actually going to come down and shut your water off while you're out of town? That's the first thing. Okay...the next thing...I was sitting back here listening about the project up on 55<sup>th</sup> Street. I'm not a Council person. I don't know all the ins and outs of the bidding system for a contract, anything like that. I believe Mr. Moeglin was saying that due to weather, there was \$13,000.00 over-run, plus there was over-runs on black-topping and doing the parking lot for the trail up there. Central Allied apparently gets a lot of contracts from the City of Canton and it sounds to me that if you keep bidding low, you're going to get a lot of contracts and then you end up...here comes time for me to get paid...because of this, because of that, it's going to cost \$146,000.00. I think it's time to stop it. Teach somebody a lesson. If you submit a bid and you run over a little bit, that's one thing...\$13,000.00, that's a little bit, we can understand that. For another \$133,000.00...no. That's too much and the practice should stop and there's a good way to stop it. Teach them a lesson. Thank you. (*Applause*).

PRESIDENT SCHULMAN: Thank you very much. Our next speaker is Dan Moeglin, and he has good news for us. Mr. Moeglin, would you give us your name and residential address please, and welcome as always.

DAN MOEGLIN: Thank you, My name's Dan Moeglin, I'm the Canton City Engineer. My residential address is 1320 Buena Vista, Canton, Ohio. You've heard a lot of talk and I know there's some...folks that it's been on their mind, but our Walnut Street Project that was completed last year, I wanted to come and share with you that early this Spring we were awarded the American Society of Highway Engineers Cuyahoga Valley Section 2014 Outstanding Highway Project. And the category was under \$3,000,000.00. So, this was presented to the City back in February or March. And this was, again, the Cuyahoga Valley Section which generally covers Stark and Summit Counties. So that was pretty exciting. As part of this process, the American Society of Highway Engineers, each section, will then take their awarded contract and forward them onto the Region and they'll be scored against other projects in the region. This was presented to me at ODOT last week, at the Ohio Transportation Engineers Conference, and this is again, from American Society of Highway Engineers. This is the Great Lakes Region. So, it's up a step larger. This includes Wisconsin, Illinois, Indiana, Michigan, Ohio, and Kentucky. The Walnut Street Project completes streets project for the category under \$3,000,000.00 Outstanding Highway Project. So, I thought that was great news, and I wanted

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

to give credit to the Mayor, give credit to Council, and thank all of you for your support and that we've done with this project and all the other projects that we've been able to accomplish. And it's been recognized, not just locally, but on a State and even a Regional basis. Thank you. *(Applause)*.

PRESIDENT SCHULMAN: Well, and you deserve some strong kudos also, Mr. Moeglin. Great job, yes. Mr. West.

MEMBER WEST: I was just going to ask, if you could speak on...what specifically did they like about Walnut? I'd just like to know that personally.

PRESIDENT SCHULMAN: Mr. Moeglin?

DAN MOEGLIN: Yes sir, I think the thing that set this project apart was the fact that we did, not only complete streets, which included the bus stops in combination and cooperation with Sarta, but also the bike lanes, which were the first bike lanes, not only in Stark County, but the first contra-flow bike lane, I believe in the State, with the exception of a 250 foot stretch that Athens, Ohio did a couple years ago. But this was the first significant contra-flow bike lane in the State, which has been used pretty successfully. We actually have traffic counts being done on a regular basis through video monitoring, and there's as many as low 30's using them on a daily basis. So, it's been very successful, and that was the key element. I think they recognized the creativity, the initiative, and the fact that we're trying to re-invent Canton as a place, a destination where people want to come work and play.

PRESIDENT SCHULMAN: Thanks Dan. Mayor.

MAYOR HEALY: Thank you Mr. President. I want to congratulate you Dan 'cause I know that you're the one that has the heart and soul behind the efforts that are done through the Engineering Department and congratulations to you and to your entire team. I know that over the last five or six years particularly, you've probably been busier than you've ever been. We've had more than a couple hundred million dollars that have been brought into our community through water, sewer, streets, bridges, and you have had a hand in virtually all of that in some way or another, and in reference to the Engineering Department. So, while we...we're quick to complain when a paving doesn't happen on time, I know that you're not sitting around all summer waiting for fall to come so you can start the paving, you guys are extremely busy. You're understaffed like every other department, yet you're doing amazing work and I want to personally congratulate you and everyone down there. Thank you. *(Applause)*.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: Thank you Dan. We are now under Informal Resolutions and we have none this evening.

**COMMUNICATIONS**

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

***NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED NOVEMBER 3 2014.***

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

469. AUDITOR MALLONN: REQ APPROP TRANSFERS TO SATISFY DEBT PYMTS & ATM REPLENISHMENTS FOR REMAINDER OF 2014 (\$.05 FROM 4501 801001 AUDITOR TO 4501 201004 2006-CONSTRUCT/ RECONSTRUCT BOND & \$25,000.00 1001 702001 CLERK OF COURTS TO 1001 802001 AUDITOR-CLERK OF COURTS ATM). - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
470. COM DEV DIR MILLER: AUTHORIZE AUDITOR TO PAY MORAL OB'S IN AMT OF \$21,907.20 FOR WORK PERFORMED AS PART OF NIP PROG. - FINANCE COMMITTEE
471. FINANCE CHAIRMAN HAWK: REQ 2015 BUDGET TO INCLUDE SEPARATE LINE ITEM FOR TRAVEL, MEMBERSHIPS & DUES; REQ AUDITOR TO ESTABLISH THE 77613 FUND. - RECEIVED AND FILED
472. LAW DIRECTOR MARTUCCIO: AUTHORIZE PREPARATION OF SUPP ORDINANCE TO ACCOMPLISH THE JEDD; AMEND EGI REGULATIONS CONTAINED IN EXHIBIT A OF ORDINANCE #59/2013 FOR TAX INCENTIVES. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
473. SERV DIR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A SUPP AGMT WITH CITY OF NORTH CANTON THAT EQUITABLY ADJUSTS METHOD FOR DETERMINING NORTH CANTON SHARE OF OPERATION, MAINT & REPLACEMENT COSTS AT CANTON WATER RECLAMATION FACILITY AND ESTABLISH THAT CANTON WILL CREDIT CITY OF NORTH CANTON FOR OVERBILLED OPERATION, MAINT & REPLACEMENT COSTS INCURRED FROM 7/1/13 TO DATE OF EXECUTION OF SUPP AGMT. - FINANCE COMMITTEE
474. SERV DIR BARTOS: AUTHORIZE MAYOR &/OR SERV DIR TO PURCHASE EASEMENTS AND MAKE PAYMENTS TO 5 PROPERTY OWNERS; \$29,172.00 SUP APPROP FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207022; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: We turn now to First Readings Ordinances and Formal Resolutions for the First Reading. Madame Clerk would you please begin with Ordinance #1.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #7 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE AGREEMENT WITH STOLLE MACHINERY INC. PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY

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

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Referred to Community & Economic Development Committee

- #2. \_\_\_\_ (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOINT ECONOMIC DEVELOPMENT DISTRICT AGREEMENT WITH JACKSON TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY (STOLLE MACHINERY INC)

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Referred to Community & Economic Development Committee

- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-26890 @ 902 CHERRY AVE NE)

Referred to Community & Economic Development Committee

- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF MENTAL HEALTH AND ADDICTION SERVICES FOR THE RECEIPT OF THE FY 2015 DRUG COURT FUNDING GRANT IN THE AMOUNT OF \$41,495.00; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH COMMUNITY BUILDING PARTNERSHIP OF STARK COUNTY, INC. IN AN AMOUNT NOT TO EXCEED \$15,000.00 FOR WORK TO BE PERFORMED AND COMPLETED AS PART OF THE STARK COUNTY LAND BANK SIDE LOT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$10,000.00 APPROP TRANSFER FROM 2318 301001 - PERSONNEL TO 2318 301001 - OTHER, \$3,000.00 FROM 2354 301001 - OTHER TO 2354 301001 - PERSONNEL AND \$7,000.00 FROM 2323 301001 - OTHER TO 2323 301001 - PERSONNEL; EMERGENCY (HEALTH DEPT)

Referred to Finance Committee

- #7. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$75.00 TO THE OHIO PEACE OFFICER TRAINING ACADEMY; AND DECLARING THE SAME TO BE AN EMERGENCY

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Referred to Finance Committee

MINUTES OF THE MEETING NOVEMBER 3, 2014ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Turning now to Ordinances and Formal Resolutions for their Second Reading. Madame Clerk would you please begin with Ordinance #8.

**NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #9 THROUGH #16; FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #8 POSTPONED INDEFINITELY; O#15 & O#16 ADOPTED):**

- #8. (2<sup>ND</sup> RDG) **POSTPONED INDEFINITELY** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE SALE OF THE LAND AND STRUCTURE AT 1840 MARKET AVENUE NORTH; AND DECLARING THE SAME TO BE AN EMERGENCY (OLD FIRE STATION)
- #9. (2<sup>ND</sup> RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE LESH-EVERETT ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
- #10. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,275,000.00 FROM 2211 506001 CD ADMIN - OTHER TO 2211 506002 CD DEMOLITION - OTHER AND \$110,805.10 FROM 2211 501601 CD YOUTH DEVELOPMENT - OTHER TO 2211 506001 CD ADMIN - OTHER)
- #11. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING SECTION 1 (a) OF ORDINANCE NO. 177/2006; AND DECLARING THE SAME TO BE AN EMERGENCY (CODE ENFORCEMENT, PETTY CASH \$100.00 AND CHANGE DRAWER \$600.00)
- #12. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$272,000.00 FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207003 WATER BILLING - OTHER \$4,000.00, 5201 207010 WATER PUMPING - PERSONNEL \$42,000.00, 5201 207012 WATER MAINTENANCE - OTHER \$51,000.00, 5201 207022 WATER DISTRIBUTION - OTHER \$175,000.00 AND \$4,000.00 FROM UNAPPROP BAL 5410 SEWER FUND TO 5410 207003 SEWER BILLING - OTHER)
- #13. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONSTRUCTION CONTRACT CHANGE ORDER IN AN AMOUNT NOT TO EXCEED \$146,909.21 WITH CENTRAL ALLIED ENTERPRISES, INC. FOR THE 55<sup>TH</sup> ST STORM SEWER AND ROADWAY PROJECT, GP 1125; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$11,763.63 FROM UNAPPROP BAL 2181 GERVASI 1700 LLC TIF FUND TO 2181 202001 GERVASI

MINUTES OF THE MEETING NOVEMBER 3, 2014

1700 LLC TIF ENG ADMIN - OTHER)

- #14. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A ONE YEAR PROFESSIONAL SERVICES CONTRACT WITH ACLARA TECHNOLOGIES IN AN AMOUNT NOT TO EXCEED \$27,596.00 TO PROVIDE COMPATIBLE MAINTENANCE FOR CANTON'S EXISTING AUTOMATED METER READING SYSTEM; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$16,558.00 FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207003 WATER BILLING - OTHER AND \$11,038.00 FROM UNAPPROP BAL 5410 SEWER FUND TO 5410 207003 SEWER BILLING - OTHER)
- #15. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 228/2014** AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THE 1153 HISTORIC ONESTO PROJECT LOAN FUND; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,000,000.00 FROM UNAPPROP BAL 1153 HISTORIC ONESTO PROJ LOAN FUND TO 1153 501001 MAYOR - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rule for Ordinance #15.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded Suspend the Statutory Rule for Ordinance #15. Any remarks? Hearing none, Madame Clerk, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

MINUTES OF THE MEETING NOVEMBER 3, 2014#15 ADOPTED AS ORDINANCE NO. 228/2014

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

#16. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 229/2014** AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$2,000,000.00 TO PROVIDE FUNDS TO MAKE A LOAN FOR ECONOMIC DEVELOPMENT IN THE CITY; AUTHORIZING RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY (ONESTO HOTEL)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend the Statutory Rule for Ordinance #16. Any remarks? Hearing none, Madame Clerk again, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #16. Any remarks under this Ordinance? Law Director.

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. Members of Council, as was discussed at great length in the Committee Meeting, the terms and conditions of this loan and the sale of the bonds (*inaudible*) notes, and so on, this step, if passed tonight, will allow for the conclusiary, due diligence to insure that the final documentation meets the legal standards as set forth in the Ordinance, per the standards for auditing, accounting, due diligence, and legal...so, this will get us toward there but there are some documents to be completed yet and they are being worked on. Thank you.

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

MEMBER SMITH: (*Inaudible*)



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

PRESIDENT SCHULMAN: I'm sorry...

MEMBER SMITH: Oh, that's okay...

PRESIDENT SCHULMAN: I apologize. Would you...I didn't...I'm sorry, I didn't hear you. Member West.

CLERK TIMBERLAKE: He just called Point of Order.

PRESIDENT SCHULMAN: Oh, alright, I do apologize. Any other remarks? I do think this is important, obviously you did too, because you passed the last Ordinance unanimously and furthermore the building legislation initially unanimously. I certainly would encourage the powers that be not to throw road blocks into this project. This is a worthy project for downtown. That Onesto Hotel was sitting there for years, cobwebs and rodents, and a waste, a blight on our city. One man has the vision to come in, change all of that, and he's demonstrated a commitment to downtown, not only by what he does downtown, but he actually works downtown, eats downtown, goes out to our downtown restaurants. He cares about this City, so I'm hoping that there won't be excessive requirements of loan protection. In the scheme of things, \$2,000,000.00 is not a great deal of money for this entrepreneur. It just isn't, and I guarantee you that this project will be a tremendous boom, not only for downtown, but also for the Onesto Hotel and the citizens of our community. So, with that said, Any other remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

**#16 ADOPTED AS ORDINANCE NO. 229/2014**

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

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

PRESIDENT SCHULMAN: We turn now to Ordinances and Formal Resolutions for their Third and Final Reading and Vote. Madame Clerk would you begin with Ordinance #17?

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #17 THROUGH #22 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

#17. (3<sup>RD</sup> RDG) ADOPTED AS ORDINANCE NO. 230/2014 AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF TWO PARCELS OF CITY OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #'S 02-16208 AND 02-16209 ON HARRISBURG AVE NE FOR LENA & JACK PORTER)

PRESIDENT SCHULMAN: Leader.

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

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 17. Any remarks under this Ordinance?

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader.

MEMBER MORRIS: I would like to thank Lena and Jack Porter for being so vigilant on getting this piece of property. This will be two vacant lots off Harrisburg Road that we will no longer have to maintain. So, thank you very much for holding us all accountable and pushing on me so hard to get this done.

PRESIDENT SCHULMAN: And I think they're....excuse me....I think they're in the audience tonight, is that right? (*Inaudible*). Thank you very much. Congratulations. Any other remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#17 ADOPTED AS ORDINANCE NO. 230/2014**

PRESIDENT SCHULMAN: Ordinance 17 is adopted. Ordinance 18.

#18. \_\_\_ (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 231/2014** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE SALE OF THE LAND AND STRUCTURE AT 2506 CLEVELAND AVENUE S.; AND DECLARING THE SAME TO BE AN EMERGENCY (SERV CENTER)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#18 ADOPTED AS ORDINANCE NO. 231/2014**

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

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

#19. (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 232/2014** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$35,000.00 FROM UNAPPROP BAL 2111 STREET MAINT FUND TO 2111 104020 TRAFFIC SIGNAL - OTHER; \$85,000.00 FROM UNAPPROP BAL 6041 DMV FUND TO 6041 208010 SERVICE & REPAIR - OTHER; \$12,000.00 APPROP TRANSFER FROM 2216 505010 FAIR HOUSING DEPT - PERSONNEL TO 2216 505010 FAIR HOUSING DEPT - OTHER)

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that we adopt Ordinance #19. Any remarks under this Ordinance? Leader.

MEMBER MORRIS: Mr. President, I move we amend Ordinance #19 per the copy that all Members have in front of them.

MEMBER SMITH: Second.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 19 by the substitution of the attached ordinance for the ordinance currently pending before Council.*

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 19 by virtue of the copy before each Member of Council. Any remarks? Yes, Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Members of Council, as we discussed in Committee, there is one addition I'm handing the Clerk of Council. With the additional transfer that was described by our Finance Director, Mr. DiRuzza, from the...between the accounts of the Refuse Administration for \$40,000.00. Thank you.

PRESIDENT SCHULMAN: Thank you, Law Director. Any other remarks? By voice vote then, all those in favor of amending Ordinance #19, signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Leader.

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

MEMBER SMITH: Second.

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

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 19 as amended. Any remarks under this Ordinance as amended? Again hearing none, Madame Clerk again, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#19 ADOPTED AS AMENDED AS ORDINANCE NO. 232/2014**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 19 is amended...has been adopted. Ordinance 20 please.

#20. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 233/2014** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,800.00 SUPP APPROP FROM 2312 301001 - OTHER TO 2312 301001 - PERSONNEL AND \$8,000.00 FROM 2321 301001 - OTHER TO 2321 301001 - PERSONNEL) (HEALTH DEPT)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #20. Any remarks under this Ordinance? Again hearing none, Madame Clerk, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#20 ADOPTED AS ORDINANCE NO. 233/2014**

PRESIDENT SCHULMAN: Thank you. Ordinance #20 is adopted. Ordinance #21 please.

#21. \_\_\_(3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 234/2014** AN ORDINANCE AUTHORIZING THE DISCHARGE OF THE DEMOLITION LIEN, ASSESSMENTS, PENALTIES AND INTEREST ON THE PROPERTY LOCATED AT 710 WILSON PLACE NW.; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

MINUTES OF THE MEETING NOVEMBER 3, 2014

PRESIDENT SCHULMAN: It's been moved and seconded that we adopt Ordinance 21. Any remarks under this Ordinance? Again, hearing none, Madame Clerk roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 234/2014

PRESIDENT SCHULMAN: Ordinance 21 is adopted. Ordinance 22 please.

#22. (3<sup>RD</sup> RDG) ADOPTED AS AMENDED AS ORDINANCE NO. 235/2014 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO RECEIVE THE 2014 COPS HIRING PROGRAM GRANT IN THE ESTIMATED AMOUNT OF \$1,125,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

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

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

MEMBER SMITH: Second.

AMENDMENT

*Pursuant to Rule 36, I move to amend Agenda Item No. 22 by amending the caption to add the language "AUTHORIZING THE AUDITOR TO RENAME THE 2779 2009 COPS HIRING RECOVERY PROGRAM FUND" before the language "AND DECLARING THE SAME TO BE AN EMERGENCY" and to add a new Section 3 to read as follows:*

*Section 3. The Auditor, on behalf of the city of Canton, is authorized and directed to rename the 2779 2009 Cops Hiring Recovery Program Fund to be the 2779 2014 Cops Hiring Program Fund.*

*Renumber current Sections 3, 4 and 5 as 4, 5 and 6 respectively.*

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 22 by virtue of the copy before each Member of Council. Any remarks? Hearing none then by voice vote, all those in favor of the amendment signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

PRESIDENT SCHULMAN: The ayes have it. Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 22 as amended. Any remarks under this Ordinance as amended? Again hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#22 ADOPTED AS AMENDED AS ORDINANCE NO. 235/2014**

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

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: Announcements of Committees.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you good sir. The Finance Committee will meet Monday, November 10<sup>th</sup> at 6:45 p.m.

PRESIDENT SCHULMAN: Thank you Chairman Hawk.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Chairman Smith.

MEMBER SMITH: CD will meet also at the same time.

PRESIDENT SCHULMAN: Any other announcements?

**MISCELLANEOUS BUSINESS**

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

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Motion to adjourn.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adjourn.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas.

PRESIDENT SCHULMAN: Motion is adopted and the meeting is adjourned. Be careful everybody on your way home. *(Gavel falls)*

ADJOURNMENT TIME: 7:58 P.M.

ATTEST:  
CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

APPROVED:  
ALLEN SCHULMAN  
PRESIDENT