

MINUTES OF THE MEETING OCTOBER 26, 2015

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. Certainly pleased that our honored and esteemed colleague is receiving a Resolution tonight for his many years of service to the City of Canton, and I know his whole department is here and we welcome you. Thank you for being here tonight. We'll get to that in just a little bit. Interestingly and coincidentally, 50 years, a half of a century seems like an enormous amount of time. For R.A. Mallonn, it has been an enormous amount of time. Our Auditor turned 50, so let's give him a big round of applause. (*Applause*). As I like to say, I have belts older than you. I guess that wasn't that funny...ok. I said I have belts older than you. (*Laughter*). Thank you. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

10 COUNCIL MEMBERS PRESENT: (FRANK MORRIS, CHRIS SMITH, JAMES BABCOCK, RICHARD HART, WILLIAM SMUCKLER, THOMAS WEST, JAMES GRIFFIN, KEVIN FISHER, DAVID DOUGHERTY & JOHN MARIOL)

PRESIDENT SCHULMAN: I know that Edmond Mack is here tonight, he had to run over to his office very quickly, but he'll be right back. So, we have ten present.

TEN COUNCIL MEMBERS PRESENT. (MEMBERS HAWK AND MACK ABSENT)

PRESIDENT SCHULMAN: Leader, in regard to Greg Hawk...

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Hawk from tonight's meeting. Any remarks? I will say for the record that Greg is very sick tonight, unfortunately, and is suffering a cold and was kind enough not to infect all of us. That's the reason he's not here. Any other remarks?

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Fisher.

MEMBER FISHER: Our Parliamentarian next to me, says that...I believe we do have to excuse Member Mack and then note for the record that he's back, when he comes in. So...

PRESIDENT SCHULMAN: Alright. Leader.

MEMBER MORRIS: Mr. President. I move we excuse Member Mack as well.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that we excuse Member Mack as well. But we know he'll be here very shortly. Any remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 2 ABSENTS

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CLERK TIMBERLAKE: Ten yeas, 2 absents, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Tonight's invocation and it will be given by my good friend and Leader, Member Morris...

CLERK TIMBERLAKE: Member Mack...

PRESIDENT SCHULMAN: Here is Member Mack, coming in, so let the record reflect that Member Mack is present and here. Leader Morris is going to give us our invocation and if you'll all stand...

MEMBER MORRIS: I will wait until Member Mack gets up here. As you said, he was going to be here shortly...short..ly. *(Laughter)*.

The regular meeting of Canton City Council was held on October 26, 2015 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 Ward 9 Council Member, Frank Morris. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you very much, Member Morris. We are now under Agenda Corrections and Changes. Leader.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #8 through and include #12.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add 2nd Reading Ordinances #8 through 12 to this evening's agenda. Any remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings, and we have none this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: We're under Old Business, and Deputy Mayor, Fonda Williams, has indicated there is no Old Business.

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PRESIDENT SCHULMAN: We are now under Public Speaks and tonight we have 2 speakers. Our first is Bob Knight. Mr. Knight, good evening. As always, welcome to Canton City Council. If you'll step forward sir, and give us your name and your residential address please.

BOB KNIGHT: My name is Bob Knight. 928 Richard Pl. NW, Canton, Ohio 44703-1947. Do I have your permission to pass these around?

PRESIDENT SCHULMAN: Sure. Absolutely.

BOB KNIGHT: Okay, two years ago my neighbor's pit bull jumped the fence, 2 of them, and bit...both of them bit me. We went through the...everything you go through with the Dog Warden, etcetera. They were being vicious. They were supposed to be put down. The owners of the dogs begged me to give them a variance. Promised to put up kennels. None of that transpired. So, all summer I had to go out and get a concealed carry permit so I could make it from my house to the vehicle because they kept jumping over the fence. I had a rough summer that year. This summer they've escaped numerous times. The long and the short of it is, I've had the Dog Warden out there nine times, counting last Friday. They told the Dog Warden that these two animals that were being vicious, moved to Pennsylvania. That these two that they have now are different dogs. So, their record don't count, and they're not vicious. I woke up Friday morning at 11:00, was checking my emails and things and glanced at my security camera and saw 2 of my neighbor's pit bulls running loose on my property. I attempted to notify the neighbor that they were loose, but was warned off by the dogs because they came back through the hole in the fence they had chewed. They aggressively challenged me every time I approached the property. I called the Police and the Dog Warden. The Police responded in about an hour and forty-five minutes. They did not issue a citation even though I believe 955.11, paragraph 2 indicates that if they break containment, then they could be cited. They did get the dogs back on their side. I repaired the fence at the cost of about \$300.00, and half a day's work. Their dogs were chasing my cats everywhere. My back door usually stays open and I have a doggy door, with five dogs that weigh less than 8 pounds. These dogs next door were there over three hours, off and on. How none of my dogs got killed, I cannot explain. Whoopee, they fined my neighbors \$100.00 per dog, but I can't feel safe for my grandchildren, myself, my dogs to be in my backyard. I have the consolation that if they do this three more times, then they can be deemed vicious. Maybe it's time for the City Council to reinstate an animal control officer and pass some laws that work to protect me so I can pursue my happiness. That's all I have to say. Thank you.

PRESIDENT SCHULMAN: Thank you very much, Mr. Knight. Appreciate it. (*Applause*). Our next speaker is Vera Rippert. Ms. Rippert, good evening. Welcome to Canton City Council. If you'll step forward please, and give us your name and your residential address. Good evening.

VERA RIPPERT: My name is Vera Rippert. I reside at 1311 S. Park Ave. NW. I own property, lucky me, on the corner of Shorb and 12th Street NW. The Corridor repairs, expansion, remodeling, and so on, hopefully will result in the City looking better. The problem with the work that was done has caused some damage to my building. The building that was torn down next to mine, which was the dry cleaners, so they could have a turning lane. Our buildings were joined. I think when the person tearing it down realized that the walls were really joined together, they didn't finish that...tearing down his whole wall because I think they were fearful of my wall coming in. My new roof...well, four year old roof, the corner caps were ripped off when his roof was taken down. So now, I have the trusses and everything showing there, so I'm going to have water damage. Plus, there are other things too and I really just don't want to go into each individual thing, but I've tried since before they started seeding everything, getting ready for the Football Hall of Fame, to get some work done so I

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could do some more work to the building that I need to do. Because of past tenants, I've gotten windows replaced, all sorts of things that keep getting replaced, and replaced, and replaced. I just need someone to come out there and say yes, I see this, I see this and then tell me who's responsible and who is going to help. That's it.

PRESIDENT SCHULMAN: Okay. You want to stay right there because uh...Mr. Reese from our Law Department will address you.

ASSISTANT LAW DIRECTOR REESE: Mr. President.

PRESIDENT SCHULMAN: Yes.

ASSISTANT LAW DIRECTOR REESE: Ma'am if you can, take some photos where your end caps are damaged, and I need you to bring them up to the Law Department. You can file a claim against the City. If, for example, the damage was caused by the person who did the demolition, we're allowed to make a claim against his bond. So, I need you to bring all the information you have. The individual...when you come in...come to the main window, tell them you want to file a claim and what happened. They'll give you a claim form and then we'll begin the process. Take photos and the more information you give us, the better, okay? Thank you.

VERA RIPPERT: Thank you.

PRESIDENT SCHULMAN: Thank you very much.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: I also addressed some of these issues with our Engineer's Department. Nick Loukas has indicated that he was on top of this and was going to go out and see the property and take care of the property. That has not happened yet; however, I did speak with the Safety Director tonight, to see if she would follow up with Nick Loukas to see why he is not following up with Ms. Vera.

PRESIDENT SCHULMAN: Okay, great. Thank you Member West. Thank you, Law Director. That concludes our Public Speaks. Thank you very much folks for coming down.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We now turn to Informal Resolutions, and we do have one this evening and it's Informal Resolution 34. Leader.

#34. COUNCIL-AS-A-WHOLE: COMMENDING CHIEF DEPUTY AUDITOR GARY YOUNG ON HIS RETIREMENT - ADOPTED

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #34.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution #34. I know we're

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going to read it, but why don't we adopt it first? All those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION 34 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries and Madame Clerk, would you mind reading our Resolution for this evening?

CLERK TIMBERLAKE: **Whereas**, After thirty years of devoted service, Chief Deputy Auditor, Gary Young, has announced his retirement; and **Whereas**, Gary has faithfully served the Auditor's Office since being hired by Richard A. Mallonn Sr. on June 4, 1985 as a part time clerk/laborer. For the interim period from 1998 to 2002 Gary served as Chief Deputy Treasurer for the City of Canton. Soon after returning to the Auditor's Office, Gary's impeccable performance earned him the promotion to Chief Deputy Auditor in December, 2003. Gary's chief responsibilities have included Budgetary and Accounting Procedures, Annual Financial Reporting and Preparation, Office, Payroll and Information System Management, and preparation of the City's Comprehensive Annual Financial Report; and **Whereas**, Over time Gary has been instrumental in implementing financial computer programs such as Banner, Kronos, and New World, all of which have been successfully utilized by various City Departments. He has handled all aspects of the City's issuances of debt obligations, including the initial consideration of the financing options, the structuring and sale of each issuance, and all aspects of post-issuance compliance under federal tax and securities law. Gary is highly respected by his peers throughout the financial community. **Whereas**, Having worked with four Mayors, five Treasurers, three Auditors, four Law Directors, eight Finance Directors, six Human Resources Directors, seven Service Directors, eight Safety Directors, at least five MIS Directors, and numerous City Council Members and Staff, Gary has cultivated and maintained favorable relationships that have not only benefitted those individuals with whom he has worked, but also the City as a whole; and **Whereas**, The members of Canton City Council, along with Gary's wife Rebecca, son Brandon, and daughter Alexa join in celebrating this milestone in his life. We wish you continued prosperity, good health, and much happiness. **Now, Therefore, Be it Resolved:** That we, the Members of the Council of the City of Canton, Ohio, do hereby recognize and commend **GARY YOUNG** for his superb intellect and exemplary performance as Canton City's Chief Deputy Auditor. We thank you for sharing your invaluable talents for the benefit of all Canton City office holders and staff. Thank you Gary. *(Applause)*.

CLERK TIMBERLAKE: Alexa, would you please come up...for pictures. *(Inaudible)*.

PRESIDENT SCHULMAN: If anybody wants to take pictures, they can come up and take photos before Bill begins. Do you want to come up and take those? You can come up right here.

MEMBER SMUCKLER: We can take them right up front.

PRESIDENT SCHULMAN: Oh, you're fine. Right up here is great. You can go right up front here. Smile Alexa. *(Laughter)*. Member Smuckler.

MEMBER SMUCKLER: Before we begin, for those of you that don't know, and I've been around here for a little while, and I do know this...Gary grew up with R.A. Mallonn. This is your opportunity to tell us about R.A. and the childhood. *(Laughter)*. Fifty years now, that's what he just said...*(Laughter)*. Wow. You know, I think that anybody that's ever dealt with finances in this city, over the last 30 years, it's a one-stop shop. Whether you're a Democrat, Republican, Independent, Administration, Council, it didn't matter. If you went to see this

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man, whatever he said, that was the gospel. I think that says it all for his whole working relationship here. You were the gospel and you will be sorely missed, especially by a lot of us old timers who have been through the cycles of financial doom and gloom down here. When things are riding high, no one bothers you, but just like coming up here in the next year, from 2008 and I think it was 2000, there were some ugly times here that you were instrumental in helping make this all work. I think that 2016 comes along, you will be sorely missed. No matter who the replacement is and no offense to the Auditor's Department, but we always knew we could count on and get a straight answer from you and that's the way it was. I think all of us down here, especially on City Council, and I think I speak for the Administration on this and the other elected officials, if there's anybody that was irreplaceable, you're as close to it as we've ever come by. Thank you. *(Applause)*.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Gary, I just want to thank you for all that you've done for the City and me. For personally, 26 years. You always were a straight shooter, and I wasn't always in a good mood. *(Laughter)*. But, I respected you very much. I truly appreciate your hard work and dedication. You're right, Member Smuckler, those shoes won't be filled anytime soon. Thank you. *(Applause)*.

PRESIDENT SCHULMAN: Thank you Member Dougherty. Deputy Mayor.

DEPUTY MAYOR WILLIAMS: Mr. President. Gary, and to the entire Young family, thank you. Thank you for sharing Gary with us. Gary is, by far, the best public servant the City of Canton has ever had. *(Applause)*. More importantly, though, Gary's a true friend. There's been many a time where I've come down to your office and cried and screamed and complained, hugged you, and told you that I loved you. And that remains the same today. Thank you for everything, and I mean everything. God Bless. *(Applause)*.

PRESIDENT SCHULMAN: Member Hart.

MEMBER HART: I know Gary's a Republican and I was an Independent, and *(Inaudible)*. If I ever needed some information, I *(Inaudible)*. For the City...*(Inaudible)*...and I understand you're going to be going to MRDD, and again, they're going to be blessed to have you. When I think of the word "integrity", *(Inaudible)*. *(Applause)*.

PRESIDENT SCHULMAN: Madame Clerk.

CLERK TIMBERLAKE: I had to write mine. Gary's retirement for me is bittersweet. I'm happy for him moving on to the next journey in his life, but so sad to think you won't be in City Hall no more, Gary. From my first encounter with Gary, I knew this was a special person that I would connect with, not only on a professional basis, but on a personal one as well. In my years of working with Gary, he has taught me more about finances than I'd really like to know, but it's all been good. I've also learned he's a man of his word, who cares deeply for God, his family, his office staff, and the City of Canton. When I needed anything, I went to Gary because I knew I'd receive accurate, factual and financial guidance. He never sidestepped or sugar coated any issue or misled me in any way. Gary, your wisdom will carry on for many, many years. For me, Gary's been a mentor, a confidant, and more importantly, a friend. Gary, I'll miss you personally and professionally, and I thank you for all those times we had some really good talks. I thank you for everything you've done for me over the years.

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You're the man, Gary Young. *(Laughter, Applause)*.

PRESIDENT SCHULMAN: Well, we want to hear from the star of the...

AUDITOR MALLONN: Mr. President.

PRESIDENT SCHULMAN: Auditor Mallonn.

AUDITOR MALLONN: Well, Gary, what can I say, buddy? Thank you for the 30 years of service to the City of Canton, the constituency of the City of Canton, and to all these Council Members and Administration, I know you've served them well. Thanks to Rebecca and Alexa for loaning you for the many times I needed to talk to you. Thank you for being one of my best friends and you'll be greatly missed. Thank you for everything buddy, I really appreciate it. *(Applause)*.

PRESIDENT SCHULMAN: Gary.

CHIEF DEPUTY AUDITOR YOUNG: Well, I don't really know what to say to all of that, but I'm going to start with Mr. Morris' prayer. One of the things that I did every time before I got out of the car and came before Council, was that I prayed that I would always would say the right things for the right reasons, nothing more and nothing less. Your prayer meant the world to me today and I just wanted you to know that. Beyond that, I will just say a couple things, I'll be very brief, I'll try to. When I was 10 years old, I figured out how to deal with Council. Council Member...Council Candidate Mallonn had the old wooden signs with the two inch stakes. There was wood on both sides. We used to go out and play football on the strip there. You could only hit the sign that said Council so many times, eventually you'd move it a little bit and you'd decide you're either going to go around it or you're going to use it in the right way for an end zone or move something, so that you used it as a tool for facilitating what you got done. Not to try to butt heads with it because that wood was a lot harder than my head. So, what I would say to each one of you, I honor the commitment that you make to this City. I've tried to always honor that commitment and give you the respect that you deserve, the answers that you deserve, with no filter, but with only in what's in the best interest of the citizens. I hope and I...I know there are many of you here today who said that you felt that way, but I hope that every Member of Council that I came across feels the same way. And now, I would be remiss if I didn't say a couple of other things. One, to the late Richard Mallonn, who gave me my first chance. I was 17 years old and as dumb as they come, but it was just supposed to be a summer job. I helped put in the first computer system when I was just 18 years old and I've parlayed that into a career. Along that way, obviously I had my tenure with Mr. Mallonn, who I'd probably give my right arm to be here today. I knew the work ethic my mother and father had taught me, and the leadership that he showed, and I just patterned my life after those people. Then the opportunity came up, and much to my dismay, Auditor Mallonn passed away and Kim Perez came in. I'll never forget, he asked me that day, he said, "How are you going to be with this?" I said to him, I said, "I don't want you sitting in that chair, but I don't want, with all due respect, don't want Jesus Christ himself sitting in that chair. I want Auditor Mallonn sitting in that chair, but I can't have that. So, what I promise you today is my work will never show it and I will give you everything I have", That's what I told him and that's what I did until the day that he was no longer Auditor. When R.A. had the opportunity to come back and he asked me to stay, I kept that same mantra. I hope that showed in the work that I did. I always believed that it doesn't matter if you're a "D", it doesn't matter if you're an "R", and it doesn't matter if you're an "I", on November 3rd. What matters is about the job we have to do for the citizens of Canton and, you know...when I was interviewing for MRDD, they said...I said, I can't heal anybody, can't make anybody better, but I know finances and I'll do the best job that I can ever do for you. I hope you guys feels that I've done that here and I thank all of you for the relationships, the friendship,

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comradery, and the work we've done together. Thank you. (*Applause*). Let me just add one other thing. No more applause except for two people...two groups of people. One, my wife, my daughter. She's tolerated all of those years...(*Applause, Inaudible*) I thank you and I love you. And to my staff, whether it's this staff or the staff I had in the Treasurer's Office, together we got anything done because I was always there for you and you were always there for me, and I treated you like the professional that you are. Everyone's worried about what will happen, but I know the staff that I had is going forward, and I thank you all for that. (*Applause*). And, I'll just close with...who'd have known where Tom, Dick, Harry, and Sam would have ended up 30 years later and here's where we are. (*Laughter, Applause*).

PRESIDENT SCHULMAN: Now, for those who came down for Gary and his beautiful family, you do not have to stay for the rest of Council. (*Laughter*). You're more than welcome to leave. That includes Gary, Rebecca and Alexa. We appreciated you coming down, but I understand you may have some other things to do. That concludes our Informal Resolutions.

COMMUNICATIONS

PRESIDENT SCHULMAN: We now turn 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 OCTOBER 26, 2015.

369. LAW DIRECTOR MARTUCCIO: REQ \$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 6018 VEHICLE SELF INSURANCE FUND TO 6018 VEHICLE SELF INSURANCE FUND - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (PAY VEHICLE REPAIR VENDORS). - FINANCE COMMITTEE
370. LIQUOR CONTROL DIV (OHIO): REQ TRANSFER OF D2, D2X, D3 PERMIT FR DAVE KIEFFER TO GAROLD F. MCNUTT, DBA FAST TIMES PUB, 1537 HARRISON AVE SW (WARD 5). - RECEIVED & FILED
371. LIQUOR CONTROL DIV (OHIO): REQ NEW D3A PERMIT FOR MICHAEL NASVADI, DBA BUZZBIN & PATIO, 337-339 CLEVELAND AVE NW (WARD 2). - RECEIVED & FILED
372. SERVICE DIR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD & ENTER INTO CONSTRUCTION CONTRACT FOR 53RD ST RESERVOIR REROOFING PROJ; AUTHORIZE CITY TO ACCEPT GRANT FUNDS IN AMT OF \$355,417 AND A 0% INTEREST LOAN IN AMT OF \$369,923 FR OH PUBLIC WORKS COMMISSION; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE SEPARATE FUNDS FOR TRACKING PROJ REVENUES AND EXPENDITURES; REQ APPROP OF OH PUBLIC WORKS COMMISSION FUNDING AMT OF \$725,340 FR UNAPPROP BAL OF 5231 53RD ST RESERVOIR ROOF REPLACEMENT PROJ FUND TO 5231 207033 - 53RD ST RESERVOIR ROOF REPLACEMENT PROJ - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for their First Readings.

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Madame Clerk, 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. (1ST RDG) AN ORDINANCE RENAMING BRUCE AVENUE S.E. IN THE CITY OF CANTON, FRED JOHNSON WAY S.E.
Referred to Public Safety & Thoroughfares Committee
- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$39.84 SUPP APPROP FR UNAPPROP BAL OF 2772 2013 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT - OTHER)
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) BACKHOE, PURSUANT TO O.R.C. SECTION 125.04 AND CANTON CODIFIED ORDINANCE SECTION 105.11; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER DEPT)
Referred to Public Property Capital Improvement Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB RETENTION TAX INCENTIVE AGREEMENT WITH CUSTOM UTILICOM, INC. PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AN AMOUNT NOT TO EXCEED \$148,215.00 FOR WORK TO BE PERFORMED AT THE FORMER WEBER DENTAL FACILITY; AUTHORIZING THE AUDITOR TO CREATE FUND 2817 THE JOBS OHIO FUND; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO RECEIVE THE BLUE RIBBON ARSON COMMITTEE (BRAC) GRANT FOR SUPPLIES WORTH UP TO \$1,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY (FIRE DEPT ARSON K-9 UNIT)
Referred to Finance Committee
- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO RECEIVE THE 2015 COPS HIRING PROGRAM GRANT IN THE ESTIMATED AMOUNT OF \$981,670.00; AUTHORIZING THE AUDITOR TO RENAME THE 2773

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BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TO 2773 2015 COPS HIRING PROGRAM GRANT FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Okay. We're under Ordinances for their Second Reading. Madame Clerk, will you please begin with Ordinance #8.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #8 THROUGH ORDINANCE #12 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#11 ADOPTED ON 2ND READING ; O#12 ADOPTED AS AMENDED ON 2ND READING):

- #8. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$8,350.00 SUPP APPROP FR UNAPPROP BAL OF 2215 FAIR HOUSING FUND TO 2215 505010 FAIR HOUSING DEPARTMENT - OTHER)
- #9. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$12,000.00 APPROP TRF FR 2314 301001 - OTHER TO 2314 301001 PERSONNEL)
- #10. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$6,883.33 SUPP APPROP FR UNAPPROP BAL OF 2181 GERVASI 1700 LLC TIF FUND TO 2181-202087 55TH ST PROJ, GP 1125; \$0.01 SUPP APPROP FR UNAPPROP BAL OF 4570 RAILROAD CROSSING/TRAFFIC SIGNAL UPGRADE PROJ, GP 1149, FUND TO 4570-202097 RAILROAD CROSSING/TRAFFIC SIGNAL UPGRADE PROJ, GP 1149 - OTHER)
- #11. (2ND RDG) **ADOPTED AS ORDINANCE #206/2015** RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move that we suspend the Statutory Rule for Ordinance #11.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule for Ordinance #11. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Eleven yeas Mr. President.

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

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

MEMBER SMITH: Second

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #11. Any remarks under Ordinance 11? 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. 206/2015

PRESIDENT SCHULMAN: Ordinance #11 is adopted. Ordinance #12 please.

#12. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE #207/2015** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$73,411.00 TO COON RESTORATION & SEALANTS, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY (MORAL OB FOR REPAIRING FACADE AT CIVIC CTR)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #12.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on 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.

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

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

MEMBER SMITH: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #12. Any remarks?
Leader.

MEMBER MORRIS: Mr. President, I move we amend Ordinance #12, per a copy all Council Members have in front of them.

MEMBER SMITH: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend the caption and Section 1 of Agenda Item No. 12 by substituting the figure "\$84,843.00" for "\$73,411.00".

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance #12 by virtue of the copy before each member of council. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed, no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: They ayes have it. Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #12, as amended. Are there any remarks on the Ordinance, as amended? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#12 ADOPTED AS AMENDED AS ORDINANCE NO. 207/2015

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

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We are under Ordinances for their Third and Final Reading. Madame Clerk, will you please begin with the Ordinance #13.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCE #13 THROUGH ORDINANCE #15 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 208/2015** AN ORDINANCE AMENDING

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APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$11,104.23 SUPP APPROP FR UNAPPROP BAL OF 2767 JAIL DIVERSION GRANT FUND TO 2767 701001 JAIL DIVERSION GRANT - PERSONNEL)

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #13. 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.

#13 ADOPTED AS ORDINANCE NO. 208/2015

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

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 209/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$11,104.23 APPROP TRF FR 2766 701001 MUNICIPAL PROBATION SERVICES FUND - PERSONNEL TO 2766 701001 MUNICIPAL PROBATION SERVICES FUND - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 14. Are there 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.

#14 ADOPTED AS ORDINANCE NO. 209/2015

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

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 210/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$10,000.00 APPROP TRF FR 2328 301001 - PERSONNEL TO 2328 301001 - OTHER; HEALTH DEPT.)

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PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #15. Are there 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.

#15 ADOPTED AS ORDINANCE NO. 210/2015

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We now turn to announcements of Committee Meetings.

MEMBER BABCOCK: Mr. President.

PRESIDENT SCHULMAN: Chairman Babcock.

MEMBER BABCOCK: I just wanted to make you feel at home, you know, without your son here. *(Laughter)*

PRESIDENT SCHULMAN: Thank you.

MEMBER BABCOCK: Finance at 6:45, November 9th. Same place.

PRESIDENT SCHULMAN: You actually almost caused Leader Morris a heart attack. I hope you know that. Any other announcements? Chairman Mariol.

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

PRESIDENT SCHULMAN: Thank you for your quiet statement. Any other meetings?

MEMBER WEST: Yes, Mr. President.

PRESIDENT SCHULMAN: Chairman West.

MEMBER WEST: After all of that I don't know if I even want to mention it. Public Safety & Thoroughfares will meet at the same time, same place.

PRESIDENT SCHULMAN: Anything else?

MEMBER SMITH: Mr. President.

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PRESIDENT SCHULMAN: Yes, Chairman Smith.

MEMBER SMITH: Community & Economic Development will meet, same time, same place.

PRESIDENT SCHULMAN: Thank you. Anyone else?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're now under Miscellaneous Business. Is there any? Leader.

MEMBER MORRIS: First off, Member Babcock, that was really uncalled for. (*Laughter*). But yet again, I say that every week when Member Hawk does it. Motion to adjourn.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: (*Gavel falls*) Meeting's adjourned. Thank you very much ladies and gentlemen.

ADJOURNMENT TIME: 8:10 P.M.

ATTEST:
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT