

MINUTES OF THE MEETING NOVEMBER 23, 2015

PRESIDENT SCHULMAN: Good evening, ladies and gentlemen. Welcome to Canton City Council. We're waiting for a couple of members to come in. On behalf of City Council, and the know the Mayor and his Administration, we want to wish everyone in the audience a very happy and fun and safe Thanksgiving. Hope you're all gonna be with your families and will enjoy the day. *(brief pause)* Did I say that I wanted everyone to have a wonderful Thanksgiving Thursday with their families.

VOICE FROM THE AUDIENCE: Thank you.

PRESIDENT SCHULMAN: You're welcome. It wasn't... it wasn't designed for a thank you. It's just we're still waiting. *(brief pause)* Okay. Alright, with a quorum being 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:

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: Finally all present.

PRESIDENT SCHULMAN: Thank you very much, Madame Clerk. Tonight's invocation will be given by my good friend and Council Member at Large, Richard Hart. If you'll all stand, please, and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on November 23, 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 Richard Hart, At Large Council Member. The Pledge of Allegiance was led by President Schulman.

MEMBER BABCOCK: Brother Dave, move over. *(Laughter)*

PRESIDENT SCHULMAN: I was thinking that that must have been the longest inaugural ever. It's a good thing President Roosevelt served, you know, like twenty terms.

MEMBER HART: He just had his hand on and he didn't read.

PRESIDENT SCHULMAN: Um, thank you, Member Hart.

AGENDA CORRECTIONS & CHANGES

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

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinance through... Ordinance #6 through 8 and #10 to include... through and include #18. Ordinance #9 will be retained in committee.

MEMBER SMITH: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 6 through 8, 10 through 18, holding #9 in committee. Any remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: Turning now to Public Hearings. We have none this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: We now turn to Old Business, and my good friend, Deputy Mayor Fonda Williams, says there is no...

VOICE FROM THE AUDIENCE: (*Inaudible*)

PRESIDENT SCHULMAN: Sorry?

VOICE FROM THE AUDIENCE: (*Inaudible*)... the same thing.

PRESIDENT SCHULMAN: Yes, I know. We're not there yet.

VOICE FROM THE AUDIENCE: Oh, sorry.

PRESIDENT SCHULMAN: That's alright. Scared me there for a minute. I thought I had missed something. So, my friend Deputy Mayor Williams has indicated there is no Old Business.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: Now we are under Public Speaks, sir. And our first speaker is Eugene Blakely. Mr. Blakely, welcome. I'm sorry that...

MR. BLAKELY: (*Inaudible*)... about that.

PRESIDENT SCHULMAN: That's alright. Not a problem. Happy Thanksgiving, sir. If you'll give us your name and your residential address, please.

EUGENE BLAKELY: Yes. Uh, Eugene Blakely. I live at 2622 Grace Avenue NW, Canton, Ohio 44709.

PRESIDENT SCHULMAN: Thank you, sir. Welcome.

EUGENE BLAKELY: I have paper from the Red Cross. We are... it's on smoke detectors around town. Uh, the issue of I want to bring up to Council is that when you see Veterans go around, that the horns work on the

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detectors, but the sensors don't after ten years. That way I want to get this out to the public. I want you guys to know, I have (*inaudible*), can I pass them around?

PRESIDENT SCHULMAN: Sure. Yes, sir. Absolutely. Thank you.

EUGENE BLAKELY: Uh, I'm asking that Council commission, I have a sign up sheet to people that want free smoke detectors by the American Red Cross. We're giving them out. We hit the Newton Zone on Thursday of this week, and we're trying to hit more areas. And I want to make sure that the County knows that too about these Veterans. When they do go out for these inspections for the County for Stark Metro, they need to start checking the dates on the smoke detectors because of they're outdated after several years. That's my main issue. I will have (*inaudible*) afterwards.

PRESIDENT SCHULMAN: Very good. Thank you...

EUGENE BLAKELY: Thank you.

PRESIDENT SCHULMAN: Thank you so much, sir. Appreciate it. Again, happy Thanksgiving. (*Applause*) Our next speaker is Patricia Kirk. Oh, there you are. You're hiding. You're usually up front. Come on up, please, as always, and if you'll give us your name, Ms. Kirk, and your residential address, please. And happy Thanksgiving to you.

PATRICIA KIRK: Yes, hi. My name is Patricia Kirk. I live at 131 Fifth Street NE where about 200 people live, plus visiting children. Other apartment houses are nearby with children and preschools as well. As President of Downtown Central Neighborhood Association, I'm concerned about Kresge lot on Market Avenue, that's its oldest name. Our neighborhood association, plus Can Do Association, have voluntarily adopted this lot through the City's Adopt a Site Pro... Agreement since 2008. I know DCNA has spent many thousands building landscape walls, adding top soil, mulch, plants, weeding, trimming trees and rose bushes while using local businesses. In 2008 the Ohio Department of Development said the City can leave it as greenspace. Pendel said that agency representatives found it meets the economic development of the City. I admire the Rotary Club formerly in the DCNA neighborhood for their good works, but what about the next generation? Grandparents need a place for kids, people eat lunch and chill out there. A man took pictures of roses in the middle of the city. Agencies use it to make statements. Christmas decorations showpiece there, and I've seen a wedding picture taken there because I live nearby. I live near the YWCA Preschool and Shelter, and in good weather the kids have every slide and jungle gym known to man, but guess where they place most? There's a teeny tiny little grass hill in their playground, and they spend their time rolling down that hill. That's it. They love it. And it's not just the boys either. They do this because nature attracts and heals. The closest we get to nature downtown is run off flooding from the concrete asphalt and the buildings. If Rotary wants to be remembered for their goodwill, why not build a beautiful nature park that calms and serves as a recreation site. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much. (*Applause*) Our next speaker is Brenda Kimbrough. Mr. Kimbrough, as always, welcome. Happy Thanksgiving to you and your family, and if you'll step forward and give us your name and your residential address, please.

BRENDA KIMBROUGH: My name is Brenda Kimbrough, and I live at 902 Lippert Road NE in great Canton, Ohio. Hall of Fame City, obviously. Okay. I was just thinking, you said say happy Thanksgiving to all of you also. And if you were to break that down and spell it out, the T would be for the trees that we have in our area

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that make our life greater. The watershed was talking about it. We plant trees, we also stop flooding. Trees suck up water. Suck it up, folks. (*Laughter*) H is for health. Healthy breathing occurs. Trees give out air. We need that. Which air is cleaner when you got more grass and you got more trees. We need that downtown. N is for the nature. Nature has a space and a place. The little animals need a place to come. Not in my yard, but it'd be nice if they could go out away from my home and (*inaudible*) you good folks here in the city. People like to watch the birds. They are doing great things as well. Nature has a space and a place. K, uh, knowledge. Knowledge is power. If we have knowledge, there's one thing we've learned about our forefathers is they had a space and a place for families. They have designated spots for parks. Greenspace is for a reason. Greenspaces are for people to come together and have a good time. If you don't do anything but open up your McDonald meal and eat it on a green bench on a hot day, it's a beautiful thing. It's time to get out of those cubicles and enjoy nature. And you and I can all make a difference for our kids in the future by keeping these greenspaces green. Oh, were owners, we're residents. We are investing in our land when we come out and we do things that... pull weeds and make it aesthetically more beautiful. And now that also brings up people who are depressed. If you could just get out of those little cubicles and enjoy nature, you'll bring yourself natural endorphins that make you a better person. And doesn't that make it nice to work with someone who's happier rather than crabber? Alright. You can make that difference. If we keep this area clean and we keep it green, clean and lean. Cause that's also a place where you can walk it off, folks. We know it's turkey time, you know it's gonna happen. It's all behind me now. (*Laughter*) Okay. When they say sit on it, we bounce back cause, you know what, we got to do something. Push backs and fork downs after Thanksgiving. Serious walking has to occur, and isn't it nicer to walk on grass than on concrete. Especially us ladies that wear our heels. You know, we got to work hard to keep it going on, and it's hard to do that on concrete cause your feet are crying. So we want to keep it lean and green. Walk, exercise, enjoy the outdoors. And I know it's getting ready to get cold, but even the nicest darkest days are brighter when the snow falls cause the bright light comes with the snow and the fall. And I know it's gonna rain in those places, but Spring is coming again, we're gonna have another Spring, we're gonna enjoy some new flowers. And with the Fall and the Winter coming, we know the Spring is coming after that, and if we can just get through this Winter together and think about that greenspace, we want to keep it green, lean and clean. Thank you. (*Applause*)

PRESIDENT SCHULMAN: Thank you, as always. Thank you very much. Thanks to all our speakers.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We now turn to Informal Resolutions. We have one this evening. Madame Clerk, would you please read Informal Resolution 38.

#38. COUNCIL-AS-A-WHOLE: REQUEST RENEWAL 5-YR, 4-MILL TAX LEVY FOR PARKS & RECREATIONAL PURPOSES. - ADOPTED AS AMENDED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #38.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 38. Leader. Remarks?

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MEMBER MORRIS: Mr. President, I move we amend Informal Resolution #38 per the copy that all Council Members have in front of them.

MEMBER SMITH: Second.

Amendment

Pursuant to Rule 36, I move to amend the Informal Resolution by substituting the attached amended version for the original in order to ask for two valuations of property.

PRESIDENT SCHULMAN: It's been moved and seconded that you amend the Informal Resolution #38 by virtue of the copy bef... of the amendment 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: The ayes have it. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution 38, as amended.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 38, as amended. Any remarks? Again hearing none, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION 38 PASSED UNANIMOUSLY AS AMENDED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Informal Resolution 38 has been... as amended has been adopted.

COMMUNICATIONS

PRESIDENT SCHULMAN: We're now under Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED NOVEMBER 23, 2015.

405. COMMUNITY DEV DIR MILLER: AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT OF \$3,195.00 TO HOWLAND COMPANY FOR ASBESTOS ABATEMENT AS PART OF NIP PROGRAM (1542 OLIVE PLACE NE). - FINANCE COMMITTEE

406. COUNCIL MEMBERS: FRANK MORRIS (WARD 9), CHRIS SMITH (WARD 4), THOMAS WEST (WARD 2), KEVIN FISHER (WARD 5), JOHN MARIOL (WARD 7), JAMES BABCOCK (CNCL-AT-LG): REQ FOR LEGISLATION ADJUSTING REPORTING STRUCTURE OF OFFICE OF FINANCE. - PERSONNEL AND FINANCE COMMITTEES

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407. LAW DIRECTOR MARTUCCIO: AUTHORIZE LEGISLATION TO FREEZE LAW DIR STIPEND AT CURRENT LEVEL (\$3,000.00) AND DIRECT REMAINING MONEY TO SPECIAL PERSONNEL SALARY FUND FOR ASST LAW DIR TO PROSECUTE MISDEMEANORS IN TOWNSHIPS IN CANTON MUNICIPAL COURT DISTRICT (STIPEND INCREASED TO \$29,000.00 EFFECTIVE 1/31/16). - PERSONNEL AND FINANCE COMMITTEES
408. LIQUOR CONTROL DIV (OHIO): REQ NEW C1 C2 LIQUOR PERMIT FOR SHA B INC DBA B&B DRIVE THRU #3 @ 1225 RAFF RD SW (WARD 3). - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We now are in Ordinances and Formal Resolutions for their First Readings. Madame Clerk, please.

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

- #1. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/20014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$47,500.00 SUPP APPROP FR UNAPPROP BAL OF 2762 INDIGENT DRIVER ALCOHOL TREATMENT FUND TO 2762 701001 INDIGENT DRIVER ALCOHOL TREATMENT - OTHER)
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/20014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$13,767.17 SUPP APPROP FR UNAPPROP BAL OF 2767 701001 JAIL DIVERSION GRANT FUND - PERSONNEL TO 2767 701001 JAIL DIVERSION GRANT FUND - OTHER)
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE ACCEPTING A \$100,000.00 DONATION FROM THE ROTARY CLUB OF CANTON; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE ROTARY TO ACCEPT SAID DONATION; AUTHORIZING AND DIRECTING THE CITY AUDITOR TO RE-ESTABLISH THE 2461 MARKET SQUARE DONATION FUND FOR THE PURPOSE OF ACCEPTING AND TRACKING SAID DONATION AND EXPENDITURES AND ANY RELATED DONATIONS MADE TO THE MARKET SQUARE PROJECT FROM COMMUNITY ORGANIZATIONS AND NON-PROFITS; AND DECLARING THE SAME TO BE EMERGENCY
Referred to Finance Committee
- #4. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/20014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$55,636.00 SUPP APPROP FR UNAPPROP BAL OF 4509 2006 RECREATIONAL BOND FUND TO 4509 506001 COMMUNITY DEVELOPMENT - ADMIN- OTHER)

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- #5. (1ST RDG) A RESOLUTION TO SUBMIT BEFORE THE ELECTORATE OF THE CITY OF CANTON A RENEWAL OF THE 4.0 MILL LEVY OUTSIDE THE 10 MILL LIMITATION FOR THE CANTON PARK SYSTEM FOR A PERIOD NOT TO EXCEED FIVE YEARS

Referred to Parks & Recreation and Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Thank you, Madame Clerk. We now turn to Ordinances and Formal Resolutions for the Second Reading. Would you please begin, Madame Clerk, with Ordinance #6.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #6 THROUGH ORDINANCE #18 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #9 WAS RETAINED IN COMMITTEE):

- #6. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (2835 W TUSC ST FOR FETTMAN PROP MGMT FR B-3 GENERAL BUSINESS & R-1 SINGLE FAMILY RESIDENTIAL TO PB-3 PLANNED GENERAL BUSINESS WARD 3) **PUB HRG 11/30/15 @ 7:30 PM**
- #7. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE ALLIANCE FOR CHILDREN & FAMILIES TO PROVIDE A GRANT UTILIZING HOME FUNDS IN AN AMOUNT NOT TO EXCEED \$325,000.00 FOR THE CONSTRUCTION OF A 10-UNIT APARTMENT COMPLEX WITH A 30-BED CAPACITY FOR HOMELESS FAMILIES WITHIN THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY (500 BLOCK OF LINWOOD SW)
- #8. (2ND RDG) AN ORDINANCE APPROVING THE DEPARTMENT OF DEVELOPMENT'S AMENDED CITIZEN PARTICIPATION PLAN; AND DECLARING THE SAME TO BE AN EMERGENCY (HUD POLICIES)
- #9. (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE DECLARING THE WEEK OF DECEMBER 7 - DECEMBER 11, 2015, TO BE AMNESTY WEEK FOR ANY PERSON WITH UNPAID PARKING TICKETS AND UNPAID RENTAL REGISTRATION FEES; AND DECLARING THE SAME TO BE AN EMERGENCY
- #10. (2ND 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 2016 SPECIALIZED DOCKET SUBSIDY GRANT IN THE AMOUNT OF \$42,700.70; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$42,700.70 FR UNAPPROP BAL OF 2797 SPECIALIZED DOCKET GRANT FUND TO 2797 701001 SPECIALIZED DOCKET GRANT -

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PERSONNEL)

- #11. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$48,850.00 SUPP APPROP FR UNAPPROP BAL OF GUARDRAIL/ATTENUATOR REPLACEMENT FD TO 2415 202210 STREET MAINT; APPROP TRFS FOR STREET MAINT, BLDG MAINT, PIROLOZZI, CENTRAL COMM, TRAFFIC, HUMAN RESOURCES, CIVIL SERV, URBAN FORESTRY PER EXHIBIT A)
- #12. (2ND RDG) AN ORDINANCE APPROVING THE EXERCISE OF A ONE-YEAR OPTION OF THE FUEL CREDIT CARD PROGRAM WITH SPEEDWAY, LLC; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE STARK COUNTY PUBLIC DEFENDER COMMISSION FOR THE PROVISION OF LEGAL SERVICES TO INDIGENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A 36 MONTH EXTENSION OF THE CITY'S CURRENT CONTRACT WITH AT&T CORPORATION FOR DS1, DS3 AND ISDN SERVICES AND TO NEGOTIATE AND ENTER INTO CONTRACT WITH AT&T CORPORATION FOR AN IP FLEXIBLE SOLUTION TO REPLACE THE CITY'S CURRENT PHONE CARRIER SERVICES AND LONG DISTANCE SERVICES CONTRACTS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES AND/OR COOPERATIVE PURCHASING CONTRACT PURSUANT TO CANTON CODIFIED ORDINANCE SECTION 105.10 AND/OR SECTION 105.11 WITH PRO ONCALL TECHNOLOGIES, LLC, IN AN AMOUNT NOT TO EXCEED \$44,000.00 TO UPGRADE THE CURRENT TOSHIBA PHONE SYSTEM, REPLACE THE EXISTING VOICEMAIL SERVICE AND PROVIDE A FIVE YEAR TOSHIBA SOFTWARE SUPPORT AND UPGRADE SERVICE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO PROFESSIONAL SERVICES CONTRACTS WITH PROFESSIONAL SERVICE INDUSTRIES, INC. FOR DESIGN, ENGINEERING, CONTRACT ADMINISTRATION AND OTHER PROFESSIONAL SERVICES FOR THE CITY HALL & CIRELLI BUILDING ROOF REPAIR/REPLACEMENT PROJECTS AND TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACTS FOR SAID PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #17. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014;

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AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,000.00 APPROP TRF FR 1001 852001 TREASURER - OTHER TO 1001 852001 TREASURER - PERSONAL SERVICES; \$51,014.21 APPROP TRF FR 2120 852101 INCOME TAX - OTHER AND \$15,000.00 APPROP TRF FR 2120 852101 INCOME TAX - INCOME TAX REFUND TO 2120 852101 TREASURER - PERSONAL SERVICES IN AMT OF \$66,014.21)

- #18. (2ND RDG) AN ORDINANCE AMENDING TITLE NINE, TAXATION OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON BY THE ADDITION OF CHAPTER 182, MUNICIPAL INCOME TAX (EFFECTIVE JANUARY 1, 2016)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you very much, Madame Clerk. We now turn to Ordinances and Formal Resolutions for the Third Final Reading and Vote. Madame Clerk, would you please read Ordinance 19.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCE #19 THROUGH ORDINANCE #20 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 224/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 6018 VEHICLE SELF INSURANCE FUND TO 6018 VEHICLE SELF INSURANCE FUND - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 224/2015

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

- #20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 225/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT FOR THE 53RD STREET RESERVOIRS REROOFING PROJECT; RECEIVE GRANT FUNDS IN THE AMOUNT OF \$355,417.00 AND A ZERO PERCENT INTEREST LOAN IN THE

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AMOUNT OF \$369,923.00; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5231 53RD ST. RESERVOIR ROOF REPLACEMENT PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$725,340.00 SUPP APPROP FR UNAPPROP BAL OF 5231 53RD ST. RESERVOIR ROOF REPLACEMENT PROJECT FUND TO 5231 207033 53RD ST. RESERVOIR ROOF REPLACEMENT PROJECT - OTHER)

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 that you adopt Ordinance #20. Any remarks under this Ordinance?

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: I just wanted to thank Tyler Converse for getting me the information I asked last week. I spoke to him, and Dave Kirven of Building Trades, and this has been written up as a PLA and is currently over there for their approval.

PRESIDENT SCHULMAN: Very good. Thanks, Member Fisher. Good job. Anything, any other remarks? Hearing none, by vo... hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 225/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 20 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you, good sir. The Finance Committee will meet Monday, November 30, at 6:30 P.M.

PRESIDENT SCHULMAN: Thank you.

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MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Member Mariol.

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

PRESIDENT SCHULMAN: Thank you, Chairman.

MEMBER GRIFFIN: Mr. Chairman, Parks and Recreation will meet same time.

PRESIDENT SCHULMAN: Thank you, Chairman Griffin.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Okay. We now turn to Miscelleneus... Miscellaneous Business. Easy for me to say. Any remarks? Yes, Member Hart.

MEMBER HART: Again (*inaudible*) on Route 62 going up to 77 south there is a dead deer, and it's been there quite awhile, and it's right there on the exit, you know, leading up to the Hall of Fame. And then yesterday (*inaudible*) was in between the Tusc and Route 62 exit there was two dead doe there, and is that our responsibility or ODOT's, you know, on that area?

PRESIDENT SCHULMAN: Deputy...

DEPUTY MAYOR WILLIAMS: Mr. President, Member Hart. Not sure, but we'll look into it and get it handled.

MEMBER HART: You know, to me it looks terrible getting out there to the Hall of Fame and there's a dead doe that's been there for, you know, and so if that could be removed it'd be a great thing.

PRESIDENT SCHULMAN: Thank you, Member Hart. Member Griffin.

MEMBER GRIFFIN: Mr. President, I'd like to announce that there's gonna be a special meeting of the Canton Board of Park Commissioners will be held in conjunction with Canton Joint Recreation Department on Wednesday, December 2, 2015 to discuss the future of the proposed departmental merge and corresponding ballot issues. The meeting will be held in this room here, Council Chambers, on December 2nd at 5:30 P.M. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Griffin.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: Yes, I'd like to thank Mr. Blakely, one for coming down and educating us on the smoke detectors. That was something I didn't even know, so when he called me and told me a little bit about it, I know we check for batteries in our smoke detectors but there's a sensor that nobody every thinks about checking, and

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that's something that was very crucial, so I thank him for coming down. Secondly, Brenda Kimbrough and Pat, I... I presume you're talking about Market Square and I will continue to fight that we have greenspace there. There's nothing definitive about Market Square. These are just dollars that are coming in to be able to recreate Market Square in a much more enlightening inviting way for our children and families. Thank you.

PRESIDENT SCHULMAN: Thank you, Member West. Yes, Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. Members of Council, to follow up on Member Griffin's announcement, thank you for passing the amendment to the Informal Resolution tonight. It gives the flexibility to ask the County Auditor to provide two valuations, four mills and five mills, because as will be discussed next week in committee at second readings, the commission and the joint rec board are formulating alternative strategies. And the follow... the following Wednesday, December 2nd, more of those will be discussed, so by the time you have your third reading we will know precisely where we're headed in terms of the park levy, how much millage, which approach to take in the... in the primary. Member Hart, thank you for that prayer. It's fitting if it's one of the last if not the last invocations you'll read. I think it sums you up. *(Laughter)*

MEMBER HART: That's brutal. *(Laughter)*

LAW DIRECTOR MARTUCCIO: I mean with love, brother. Love.

MEMBER HART: Oh, okay. *(Laughter)*

LAW DIRECTOR MARTUCCIO: And finally, I will ask the Mayor, the Finance Chair of Council, the Deputy Mayor, the Service Director, the City Engineer and the Majority Leader to stay behind after Council where we'll make a motion to go into executive session of the Claims Committee to discuss a pending claim against the City. Thank you.

PRESIDENT SCHULMAN: Thank you, Law Director Martuccio. Any other remarks? Just... oh yeah, I'm sorry. Service Director Bartos.

SERVICE DIRECTOR BARTOS: President Schulman. I just wanted to let the Council and members of the public know that last Thursday I had the pleasure of attending a District 19 public works integrating committee meeting. That sounds like a barrel of fun, but actually it really was. Um, I came in with Dan Moeglin, Tyler Converse, some... some folks from their... their respective departments, and we walked out with the recommendation of the committee that the City of Canton receive nearly seven million dollars in funds for various projects, 1.5 million dollars towards Phase II of 12th Street, 1.5 million dollars for 38th Street water line and roadway repair, 1.5 million dollars for 30th Street rehab, up to 1.5 million for Phase II of Mahoning Road, 193 thousand dollars for a storm sewer on Overbrook NW, and nearly a million dollars for water line repair in the Avondale area. So, I... I just want to take this opportunity to thank Dan Moeglin who's here. I really think he deserves a round of applause for this. *(Applause)* All told he's responsible for six million dollars of that funding. It's just a recommendation, but those recommendations usually hold and are solid. And I tell you this not only to spread the good news, but also to remind you that there will be matching funds for most... for many of these projects, and Dan... Dan plans to seek other track funds, municipal road funds, other... other ways to match these projects, but we'll also have to look at capital funding and really be creative with... with capital funds in the next few years after we receive these grants on July 1st of next year. So, thanks to Dan, also thanks to Tyler Converse. He was responsible for the Avondale water line project as well, he and Brent Burrier, his

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assistant superintendent, so good news here before Thanksgiving, so...

PRESIDENT SCHULMAN: Thank you, Service Director. Any other remarks? I hate to... I have to have a downer here, but for every good news then we get our Deputy Treasurer McEnaney explaining to us the ramifications of our finances in the City by House Bill 5 tonight. And, I don't know, it's like we scream in a hurricane. On the one hand the Department of Transportation gives and on the other hand the Legislature just keeps taking away one dollar after another with 2.5 billion dollars in surplus. I don't know why they're doing it, but they're doing it, and we're gonna face some serious ramifications for what they have done to cities, here in our city, very soon. So, with that, Leader.

MEMBER MORRIS: Move 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 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: *(Gavel falls)* Thank you, Madame Clerk. Meeting's adjourned. Drive safely. Again, happy thanksgiving, everyone.

ADJOURNMENT TIME: 8:00 P.M.

ATTEST:
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT