

MINUTES OF THE MEETING DECEMBER 27, 2010

PRESIDENT SCHULMAN: Good evening ladies and gentleman and welcome to Canton City Council. Maybe they didn't hear my gavel.

CLERK TIMBERLAKE: Please be seated.

PRESIDENT SCHULMAN: We want to wish all of you and the citizens in our community a healthy, happy and prosperous New Year. We appreciate you coming down tonight. 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:

11 COUNCIL MEMBERS PRESENT: (DAVID DOUGHERTY, TERRY PRATER, JOE COLE, BILL SMUCKLER, GREG HAWK, THOMAS WEST, JIM GRIFFIN, CHRIS SMITH, PATRICK BARTON, MARK BUTTERWORTH & BRIAN HORNER)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER CIRELLI ABSENT)

CLERK TIMBERLAKE: Eleven present, one absent Mr. President.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader Dougherty I'll recognize a motion to excuse Member Cirelli from this evening's meeting..

MEMBER DOUGHERTY: Mr. President I make a motion we excuse Member Cirelli from tonight's meeting.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Cirelli from this evening's meeting. I know she always desires to be here but she has a minor procedure and of course it's always minor when it's on someone else. But if there are no other remarks, and we're obviously thinking of and sending our thoughts and prayers to Mary. If not roll call vote please, Madame Clerk.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries and Member Cirelli is excused from this evening's meetings. Tonight we're going to have our invocation given by, Ward 2 Council Member Thomas West. If you'll all please stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on December 27, 2010 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 2 Council Member Thomas West. The Pledge of Allegiance led by President Schulman.

MINUTES OF THE MEETING DECEMBER 27, 2010**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: Thank you Member West. We're now under Agenda Corrections and Changes and Members of Council you're going to be asked to suspend Rule 22A to add the 2nd Reading of Ordinances 4 through 11. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to add 2nd Readings Ordinance 4 through 11.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2nd Reading of Ordinances 4 through 11. 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 and Rule 22A is suspended and the Ordinances 4 through 11 are on this evening's Agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. We have no Public Hearings this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: We are now under Old Business and I don't believe there is any Old Business.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We are now under Public Speaks. We have one speaker this evening that's Cynthia Guest. Miss Guest good evening. If you'll come forward and give us your name and your residential address and I know from your subject matter that we're going to be very interested in hearing what you have to say. Good evening.

CYNTHIA GUEST: Thank you very much. My name is Cynthia Guest.

PRESIDENT SCHULMAN: Please speak up, just so we can hear you.

CYNTHIA GUEST: Cynthia Guest. 2543 Gross Street NE, Canton, Ohio. I'm here on behalf of the Goodwill Community Campus and to thank you all for your support. On behalf of Ken Weber, President and CEO of Goodwill Industries of Greater Cleveland and East Central Ohio and the 17 partners within the Community Campus we would like to thank the City of Canton for the \$50,000.00. These funds were used in the most recent phase of the Community Campus construction consisting of Community Hospice and Reentry Bridge Network. We are also grateful for the city being at the Community Campus Open House and ribbon cutting ceremonies. The Community Campus partners look forward to the city continuing to be a partner in our future events. Again thank you to the City of Canton for your continued support of the Community Campus and also I invite each and every one of you to tour. I think some of you have been

MINUTES OF THE MEETING DECEMBER 27, 2010

through and you've seen some of the work we've been doing over the past two years. We're very excited. We have about 15,000 square feet yet to go to complete our project which is roughly renovating 60,000 square feet of the 90,000 that we have. And again, we really thank the city for all their support, the Mayor and all the Council Members for attending. Any time you'd like to come through for a tour, please contact either Ken Weber, Marie Seron or myself and we'll be more than glad to make that happen.

PRESIDENT SCHULMAN: Thank you very much.

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Yes, Mayor.

MAYOR HEALY: I'd just like to ask if you would, how many agencies are there now at the Goodwill Campus?

CYNTHIA GUEST: There are 17. We got our 18th one today that I'm finalizing the lease and we're working on our 19th.

MAYOR HEALY: That's fabulous. Congratulations. Thank you.

CYNTHIA GUEST: Thank you.

PRESIDENT SCHULMAN: I was going to say Miss Guest, I, there are more people that come up to me that say, "You've got to take the tour of this campus" and I think some of us have...I know I have been a little derelict in not doing it but next year I will take you up on it for sure. And you're doing a great job for our community. Thank you so much.

CYNTHIA GUEST: We know this was a big dream of the city fathers for a number of years and we're just glad to be able to help in bringing this to fruition.

PRESIDENT SCHULMAN: It's wonderful. Thank you and Happy New Year.

CYNTHIA GUEST: Happy New Year to you too.

PRESIDENT SCHULMAN: And that concludes our Public Speaks.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions and we have none this evening.

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

MINUTES OF THE MEETING DECEMBER 27, 2010***DECEMBER 27, 2010.***

494. APPLICANT, GERVASI 1700 LLC: REQ ZONE CHG @ 1700 55TH ST NE FROM MA (MUNICIPAL AGRICULTURE DISTRICT) TO PMA (PLANNED MUNICIPAL AGRICULTURE). - PLANNING COMMISSION
495. AUDITOR MALLONN: CERTIFICATE OF TOTAL AMT FROM ALL SOURCES FOR 2010. - RECEIVED & FILED
496. ECONOMIC DEVELOPMENT DIR TORRES: AUTHORIZE MAYOR &/OR SERV DIR TO ENTER INTO CONTRACT W/IMA (INTERDENOMINATIONAL MINISTERS ASSOC OF STARK CTY & VICINITY) TO PROVIDE A GRANT UTILIZING CDBG FUNDS IN AMT NOT TO EXCEED 2,500.00 FOR A FOOD VOUCHER PROG THROUGH MARCH 2011. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
497. MAYOR WILLIAM HEALY: REQ AMENDED VERSION OF PROPOSED PROPERTY MAINTENANCE CODE. - JUDICIARY COMMITTEE
498. OHIO DEPT OF TRANSPORTATION: RECVD COPY OF COOPERATIVE CONTRACT BETWEEN CITY OF CANTON AND ODOT FOR PROJECT AT SR 172 - SECTIONS 17.28/16.58. - RECEIVED & FILED
499. SAFETY DIRECTOR REAM: REQ LEGISLATION BE PREPARED CONCERNING A CONCESSIONARY MEMORANDUM OF UNDERSTANDING (MOU) TO THE PRESENT CONTRACT W/FOP WHICH EXPIRES AT END OF 2011; REQ FORMALIZING OF NEW CONCESSIONARY CONTRACT WITH SAME BARGAINING UNIT TO RUN FROM 2012 THROUGH 2014. - FINANCE & PERSONNEL COMMITTEES
500. SERVICE DIRECTOR PRICE: AUTHORIZE THE ISSUANCE OF ANTICIPATORY NOTE IN AMT OF \$2,000,000.00 IN ORDER TO PROVIDE CASH LIQUIDITY TO MEET DAILY EXPENDITURES & BI-WEEKLY PAYROLL OBLIGATIONS FOR 2011 IN THE 1001 GENERAL FUND BECAUSE THE FINAL CARRYOVER WILL BE INADEQUATE TO MEET THE IMMEDIATE NEEDS AND OBLIGATIONS. - FINANCE COMMITTEE
501. STARK METRO HOUSING AUTHORITY: REQ EXEMPTION FROM RENTAL HOUSING INSPECTION FEES BASED ON CURRENT ANNUAL INSPECTIONS THAT ARE REQUIRED BY HUD ON THEIR PROPERTIES. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We are now under Ordinances and Formal Resolutions for the First Reading. Let the Journal show that all Ordinances are being given their reading as required by State Law. Madame Clerk will you please read the First Reading Ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES

MINUTES OF THE MEETING DECEMBER 27, 2010***#1 THROUGH #3 FOR THE FIRST TIME BY TITLE & ANNOUNCED THE COMMITTEE REFERRAL, AS FOLLOWS:***

- #1. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 37154 THRU 37156, 37150 AND 37151; AND DECLARING THE SAME TO BE AN EMERGENCY (3000 BLOCK OF DALEFORD & FLETCHER AVE NE - HABITAT FOR HUMANITY)
Referred to Public Safety & Thoroughfares Committee
- #2. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 9563, 9564 AND 9565; AND DECLARING THE SAME TO BE AN EMERGENCY (13TH ST NE BETWEEN GIBBS & STRUBLE AVE NE - HABITAT FOR HUMANITY)
Referred to Public Safety & Thoroughfares Committee
- #3. (1ST RDG) AN ORDINANCE CONSENTING TO AND APPROVING THE PERMANENT CLOSURE TO ALL TRAFFIC AT THE RAILROAD CROSSING OF ELM COURT SE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety & Thoroughfares Committee

PRESIDENT SCHULMAN: Member Hawk I think that's the first time I haven't said the Finance Committee.

MEMBER HAWK: Yes sir, it is.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: OK, we're now under Ordinances for their Second Reading. Madame Clerk would you please read Ordinance #4.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #4 THROUGH #11 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #4. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 245/2010** AN ORDINANCE ADOPTING APPROPRIATIONS FOR THE OPERATING AND CAPITAL EXPENDITURES OF THE CITY OF CANTON, OHIO, FOR FISCAL YEAR 2011; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules for Ordinance 4.

MINUTES OF THE MEETING DECEMBER 27, 2010

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance #4. Are there 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. You've heard the three Readings Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 4.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 4. Are there any remarks? Leader.

MEMBER DOUGHERTY: Mr. President, I move we amend Ordinance 4 per the amendment in front of all Members of Council.

MEMBER PRATER: Seconded.

Amendment

Pursuant to Rule 36, I move to amend Agenda Item No. 4 by substituting the attached revised Exhibits A, B and C for the originally proposed Exhibits A, B and C.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance #4 by virtue of the copy before each Member of City Council. Are there 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 the motion carries, Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 4 as amended.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to vote on Ordinance 4 as amended, as amended. Are there any remarks under this Ordinance #4 as amended?

MEMBER SMUCKLER: Mr. President.

MINUTES OF THE MEETING DECEMBER 27, 2010

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: As I stated during the Committee meetings and I want to repeat for the record, a year ago I said, "Mr. Mayor this is your budget" and still voted for it. I have a very tough time supporting a budget that's going to dig into the Capital Improvement account for another year, that comes down here and the Police and Fire are not part of a balanced budget. I have called for at least the last three years to think outside the box and work with the county and their current financial situation of combining Health Departments, Building Departments and I'm now down to the point where, as I said during Committee meetings, I just afraid that everything, spending all this Capital Improvement money that everything's going to come crumbling down around us some day and I'm to the point where I just can't go another year of doing this. If the rest of Council sees fit, that's up to the rest of Council but this is the way I stand at this point in time.

PRESIDENT SCHULMAN: Are there any other remarks on Ordinance 4 as amended?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: I have voted no on the previous two budgets because again they were not balanced budgets. This budget is worse than the previous two that I voted no on. I will not be voting in favor of this budget. Again it doesn't provide adequate safety to our citizens of Canton, Ohio and puts us in dire straits for later on, for years down the road when we look at Capital Improvements and our buildings are crumbling and our vehicles are old and falling apart. I will not be supporting this budget either.

PRESIDENT SCHULMAN: Thank you Member Hawk. Any other remarks? Hearing none Madame Clerk, roll call vote on Ordinance 4 as amended.

NO REMARKS

ROLL CALL 8 YEAS, 3 NAYS
(MEMBERS HAWK, SMUCKLER AND BUTTERWORTH VOTED NAY)

CLERK TIMBERLAKE: Eight yeas, three nays Mr. President.

#4 ADOPTED AS AMENDED AS ORDINANCE NO. 245/2010

PRESIDENT SCHULMAN: Ordinance 4 as amendment, as amended is adopted. Ordinance #5 please.

#5. (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 (2699 ROBERTS AVE NW - FAIRBANKS BLDG. CO.)

PRESIDENT SCHULMAN: Leader.

CLERK TIMBERLAKE: Ordinance #6.

PRESIDENT SCHULMAN: Oh, I'm sorry.

MINUTES OF THE MEETING DECEMBER 27, 2010

CLERK TIMBERLAKE: That's OK. This one you can do.

PRESIDENT SCHULMAN: Yea, I was one, one Ordinance ahead of myself.

CLERK TIMBERLAKE: That's OK, we're a team here.

PRESIDENT SCHULMAN: And a good one.

#6. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 246/2010** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 1/2010, AS AMENDED, BY MAKING THE APPROPRIATION TRANSFERS, SUPPLEMENTAL APPROPRIATIONS, APPROPRIATION REDUCTIONS AND INTERFUND TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Now, Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules for Ordinance 6.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that Council suspends Statutory Rule for Ordinance #6. Are there 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: Motion carries. Statutory Rule is suspended. Leader you've heard the three Readings.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 6.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #6. Are there any remarks under this Ordinance? Alright. Leader is this to be amended? Pardon.

CLERK TIMBERLAKE: Yes Ordinance 6 is amended. The Exhibit.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: I move we amend Ordinance 6 per the copy I now have.

MINUTES OF THE MEETING DECEMBER 27, 2010

MEMBER PRATER: Seconded.

Amendment

Pursuant to Rule 36, I move to amend Agenda Item No. 4 by substituting the attached revised Exhibit A for the originally proposed Exhibits A.

PRESIDENT SCHULMAN: You can't know it's going to be amended if you don't have it. Are there any remarks? It's been moved and seconded to amend Ordinance #6 by virtue of the copy before each Member of Council. Any remarks? All those in favor of the motion signify by saying aye, those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The motion carries. Now Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 6 as amended.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #6 as amended. Are there any remarks under this Ordinance as amended? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

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

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

#6 ADOPTED AS AMENDED AS ORDINANCE NO. 246/2010

PRESIDENT SCHULMAN: Ordinance #6 is adopted. Ordinance #7 please.

#7. (2ND RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY, AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-20767 LABORER'S INTERNATIONAL UNION OF NORTH AMERICA ON 2ND ST NW)

#8. (2ND RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY, AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-14421 LABORER'S INTERNATIONAL UNION OF NORTH AMERICA ON 2ND ST NW)

#9. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH GOODWILL INDUSTRIES OF GREATER CLEVELAND AND EAST CENTRAL OHIO, INC. TO PROVIDE AN ECONOMIC DEVELOPMENT GRANT IN AN AMOUNT NOT TO EXCEED

MINUTES OF THE MEETING DECEMBER 27, 2010

\$50,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

- #10. (2ND RDG) AN ORDINANCE AMENDING SECTION 943.01, DEFINITIONS, OF CHAPTER 943, SEWER REGULATIONS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AMENDMENT NO. 2 TO THE COOPERATION AGREEMENT WITH J.R. COLEMAN COMMUNITY RENOVATION CORPORATION FOR THE MAHONING ROAD CORRIDOR ECONOMIC DEVELOPMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 1/2010; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk very much. We're now under Ordinances and Formal Resolutions for the Third and final Reading and vote. Would you please begin Madame Clerk with Ordinance 12.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #12 THROUGH #15 FOR THEIR THIRD AND FINAL READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS :

- #12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 247/2010** AN ORDINANCE AMENDING CHAPTERS 1313, 1315 AND 1317 OF TITLE THREE - LICENSING CONTRACTORS, OF PART THIRTEEN - BUILDING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

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

MEMBER WEST: Yea, Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I just have a question. When I came into Council today, I was told that the Ordinance had a stipulation in it that it was actually putting, if someone would put, a licensed, unlicensed contractor would put in a toilet for somebody then they would go to jail or something like that and I thought the Ordinance was supposed to read that we were getting away from criminal penalties but more fines and fees. Is that in here? And I know the Law Department talked about that but....so I guess the question is, is there criminal penalties applied to this Ordinance?

MINUTES OF THE MEETING DECEMBER 27, 2010

PRESIDENT SCHULMAN: And we're looking. We're trying to find the answer to that question. Mayor Healy, do you think you could help us here? We have a question about whether there are any criminal penalties in this licensing of contractors that Council is going to vote on. My understanding was it was just civil only.

MAYOR HEALY: Yes, civil only.

PRESIDENT SCHULMAN: Yea, it's civil only according to page 3 of the Ordinance.

MAYOR HEALY: It's in there 3 different times.

PRESIDENT SCHULMAN: Does that satisfy you? Alright any other remarks? What we're voting on is the motion and second to adopt Ordinance #12. Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#12 ADOPTED AS ORDINANCE NO. 247/2010

PRESIDENT SCHULMAN: Ordinance #12 is adopted. Ordinance 13 please.

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 248/2010** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY MORAL OBLIGATIONS IN AMOUNTS NOT TO EXCEED \$2,750.00 TO HEPA; \$4,500.00 TO COTTRILL WRECKING; \$2,830.00 AND \$4,710.00 TO CRS GENERAL CONTRACTING AND \$1,400.00 TO ESLICH WRECKING; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 13. Any remarks under this Ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#13 ADOPTED AS ORDINANCE NO. 248/2010

PRESIDENT SCHULMAN: Motion carries and Ordinance 13 is adopted. Ordinance 14 please.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 249/2010** AN ORDINANCE COMMITTING 2011 APPROPRIATIONS FOR MAINTENANCE AGREEMENTS FOR THE CANCOM SYSTEM; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING DECEMBER 27, 2010

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 14. Any remarks under this Ordinance? 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. 249/2010

PRESIDENT SCHULMAN: Ordinance 14 is adopted. Ordinance 15 please.

#15. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 250/2010** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE IN COOPERATION WITH THE PARKS BOARD AND DIRECTOR OF CANTON CITY PARKS, TO MAKE APPLICATION FOR, EXECUTE GRANT AGREEMENTS AND ACCEPT FUNDS FROM THE NATURE WORKS, LAND AND WATER CONSERVATION FUND, CLEAN OHIO TRAILS FUND AND OTHER POTENTIAL FUNDING SOURCES FOR THE PURPOSE OF DESIGNING AND CONSTRUCTION OF THE MCKINLEY PARK REHABILITATION AND SITE IMPROVEMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 15. Are there any remarks? Leader.

MEMBER DOUGHERTY: I move we amend Ordinance 15 per the copy in front of all Members.

MEMBER PRATER: Seconded.

Amendment

Pursuant to Rule 36, I move to amend Section 1 of Agenda Item No. 15 by adding new language to the existing proposed Section 1 as follows:

Section 1: *The director of Public Service, in cooperation with the Parks Board and Director of*

MINUTES OF THE MEETING DECEMBER 27, 2010

Canton City Parks, is authorized and directed to make application for, execute grant agreements and accept funds from the Nature Works, Land and Water Conservation Fund, Clean Ohio Trails Fund and other potential funding sources for the purposes of the design and construction of the McKinley Park Rehabilitation and Site Improvement Project, and other eligible park and outdoor recreation projects.

I further move to amend the caption by adding the words "and other" in front of the word "project" and by adding an "s" to the word "project".

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance 15 by virtue of the copy before each Member of Council. Are there any remarks under that motion?

MEMBER WEST: Mr. President I just want to thank Service Director for adding the amendment to include other parks to go after grant dollars as well.

PRESIDENT SCHULMAN: Great. Thank you Member West as well. Any other remarks? Hearing none by voice vote all those in favor to amend the Ordinance 15 signify by saying aye, those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Motion carries. The Ordinance is amended. Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 15 as amended.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 15 as amended. Any remarks under this Ordinance? 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 AMENDED AS ORDINANCE NO. 250/2010

PRESIDENT SCHULMAN: Ordinance #15 is adopted and that concludes our Ordinances for Third and Final Reading.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We're now under Announcement of Committee Meetings.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Member Smith.

PRESIDENT SCHULMAN: I'd just like to thank all the other Committee Members for allowing me to have the only Committee Meeting for the year 2011. I'd like to thank you therefore, Public Safety and

MINUTES OF THE MEETING DECEMBER 27, 2010

Thoroughfares Committee will meet at 6:45 on January 3, 2011.

PRESIDENT SCHULMAN: 6:45 on January 3rd. Thank you Member Smith.

MISCELLANEOUS BUSINESS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Like I asked in the Committee meeting, I ask that the Chief of Staff put together a group of people to have meaningful relationships and meetings on the 2011 budget in order to track this more carefully regarding the Police and Fire portions of the budget. Thank you very much.

PRESIDENT SCHULMAN: Any other remarks? Mayor Healy.

MAYOR HEALY: Yes and I just would like to share with the Finance Chairman that I would be happy to head up those meetings with my Service Director, Safety Director, Chief of Staff and as I have invited many times in the past any Members of Council who would like to join us. Thank you.

PRESIDENT SCHULMAN: Any other Miscellaneous Business? Is there any other Miscellaneous Business?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Do you have something?

PRESIDENT SCHULMAN: No I was just going to say, I just want to again with everyone a healthy, happy, safe and prosperous New Year. We have our challenges but we've had them before. They've been a lot harder. We're going to get through these in 2011. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adjourn.

MEMBER PRATER: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adjourn. Madame Clerk roll call vote please for the last time in 2010..

NO REMARKS

ROLL CALL: 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Meeting is adjourned. Happy New Year everyone. *(Gavel falls)*

MINUTES OF THE MEETING DECEMBER 27, 2010

ADJOURNMENT TIME: 8:02 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT