

MINUTES OF THE MEETING APRIL 2, 2012

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. We have a big meeting tonight and a big game tonight at 9:00. Ohio State plays Kentucky, it's funny. *(Laughter)* With a quorum being present, the Chair does call this meeting of Canton City Council to order. Roll call please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

10 COUNCIL MEMBERS PRESENT: (DAVID DOUGHERTY, PATRICK BARTON, JAMES BABCOCK, JOE COLE, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, CHRIS SMITH, KEVIN FISHER & FRANK MORRIS)

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

CLERK TIMBERLAKE: Ten present Mr. President.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader, I'll recognize a motion to excuse Members Cirelli and Mack from this evening's meetings and for the record, I understand Member Cirelli is under the weather and we wish her a speedy recovery and again Member Mack is attending to legal business since he does have a law firm to run. So, with that, Leader.

MEMBER DOUGHERTY: Mr. President I make a motion to excuse Members Mack and Cirelli from tonight's meeting.

MEMBER BARTON: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Members Cirelli and Mack from this evening's meeting. Any remarks? Hearing none Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. As frightening as it is, tonight's invocation will be given by Ward 9 Council Member, Frank Morris. *(Laughter)* Would you all please remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on April 2, 2012 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 led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you Member Morris. You're last part reminded me that we have a better chance of getting struck by lightening then winning the lottery, which none of us won unfortunately, so that's why we're here tonight. Leader.

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MEMBER DOUGHERTY: Mr. President, suspend Rule 22A to add 2nd Readings Ordinances 2 through 9.

MEMBER BARTON: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you Suspend Rule 22A to add the 2nd Reading Ordinances 2 through 9. Are there any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten 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. We have no Public Hearings scheduled this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: Turning now to Old Business and I will refer Old Business to the Mayor's Chief of Staff, Director Price?

CHIEF OF STAFF PRICE: Thank you Mr. President. One item I wanted to touch on and that is the concerns raised by a few residents near Slesnick Company. I did want to point out to City Council and the public that there is a meeting scheduled for Wednesday at 5 P.M. in these Chambers regarding that subject. Also did want to let you know that I had the...all the service departments follow up. On the service department side there were no violations. There were no issues with Street and we had them take a look a couple of different times. So, I just wanted to touch on that. The only other thing was that James Parker spoke last week regarding having a portion of Lincoln Highway designated as the Football Heritage Trail. You know, Derek Gordon with our staff continues to be in contact with Mr. Parker and, you know, considering these ideas and is trying to work with him. So, thank you.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes Leader.

MEMBER DOUGHERTY: Question for Chief of Staff. He wants to name what?

PRESIDENT SCHULMAN: Director.

CHIEF OF STAFF PRICE: You know, the area through the City which is designated Lincoln Highway, he'd like to see addit....additional designation of the Football Heritage Trail.

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MEMBER DOUGHERTY: Well if it's already named after something, why would we name it again? Where do we have that anywhere in the City? You would have to take away the Lincoln Highway designation.

CHIEF OF STAFF PRICE: The..the Lincoln Highway designation is a historic designation by I think the State or the Feds, I mean you know, they're...I guess technically the City could add another name to portions of it.

MEMBER DOUGHERTY: And who's making this decision?

CHIEF OF STAFF PRICE: This would have to be a Council decision.

MEMBER DOUGHERTY: Thank you.

PRESIDENT SCHULMAN: Thank you Leader, any other questions for the Director? Hearing none.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We turn now to Public Speaks. We have four speakers this evening. Our first is Mr. LeRoy Lynch. Mr. Lynch is here tonight and his Pastor will sign for him. So, I told both his Pastor and Mr. Lynch that we would be happy to give him an extra minute because he is going to be signing. And welcome Mr. Lynch to Canton City Council. Thank you for being here.

LEROY LYNCH: Thank you, this is my Pastor here with me tonight. He's really here to support me too as interpreting. I just want to share with you about, I've worked for the City for 33 years and I lost my job. So, I come here to...for the Civil Service test to rehire this past Thursday but when I arrived here, I was ready to take the test but I just...I let Sam know that I was here and I signed in, here's my paper that I signed in and they said on this that part of this was an oral thing and I already had informed him that I was deaf that I needed an interpreter and my rights are to have the interpreter. And they said "Don't worry." So I come and I showed up last Thursday to take the test and then Sam was standing there and he just started taking, he was, you know, there was no interpreter. I couldn't understand anything that was being said at all. So I asked "Where's my interpreter?" They said, you know, "You didn't need one." And so I was kind of upset about that so I walked...I walked out last Thursday because I didn't have that interpreter and I just feel that wasn't...that wasn't right.

PRESIDENT SCHULMAN: Anything else Pastor or Mr. Lynch?

PASTOR: Just...if I could add something, I just, you know.....

PRESIDENT SCHULMAN: Sure.

PASTOR:as his Pastor, you know, he's really going through a really hard time losing his job, you know. And maybe you know why the circumstances.

PRESIDENT SCHULMAN: We do.

PASTOR: When he lost his job, you know, his Supervisor is the one that talked him into taking the early retirement. This Supervisor, you know, not through the interpreter or anything, just writing down things,

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talked him into doing this and he ends up losing his job over this. You know, it's just...for me as his Pastor, I really feel that was so unfair. You know, not...because of the Communication, you know, he has a right to know what...what everything is and you know, because his Supervisor advised him, now he's out of work and you know, so he comes to take the Civil Service and again he's frustrated because there's no interpreter. You know, so it's very frustrating.

PRESIDENT SCHULMAN: And is it our understanding Mr. Lynch that you did not take the test because you were not told that you should have an interpreter?

LEROY LYNCH: Right, I walked out because there was no interpreter. I didn't want to argue in front of everybody. I just walked out. I just want to let you know, it's really...it's a shame, you know, the law...the law says you should have an interpreter when you, you know, do this and there was none provided.

PRESIDENT SCHULMAN: Okay. Thank you very much sir. Our hearts go out to you. Thank you. And we will look into it...we will look into it.

LEROY LYNCH: Thank you.

PRESIDENT SCHULMAN: Our next speaker is Richard Drake. Mr. Drake, good evening. If you'll step forward and give us your name and your residential address please.

RICHARD DRAKE: Good evening citizens, City Council. My name is Richard Drake, 3020 Sycamore Avenue, SE. Here to talk about trees again and mulching the trees. I know everyone here has seen mulch in trees, they just mulch mountains on all these trees all around the City in other areas, parks. And mulching against the trees is a bad practice when it's real deep. It's supposed to be away from the trunk of the tree only two to three inches deep because you'll get...it's a host area for disease and insects and it will cause rot on your tree and if you have too much mulch there, it brings the fang little feeder roots up and they'll start going around the tree. That's called girdling, it will strangle the tree life as years go by and you'll have a shorter life span. And when you guys plant trees and you want a bigger tree in an area, you'll get a two or three inch, four inch tree for each inch diameter that tree is, is one year recovery time. So in other words, it takes that many years before it starts to grow so you're better off planting a one to two inch tree when you plant trees in these spaces. And as I said before, you have to have the right tree, right site, right location. If not the trees not going to grow well. And getting back to the trees again, you're planting the wrong species in some of these areas and you need to pick a variety. And you got to remember the nature and the habitat, there's animals out there, they need to have something to eat, they can't use these (*inaudible*). And they don't grow real well in parks. You know what old growth trees, a tree when you plant it grows for 15 years as a sink, in other words it's taking in more energy than it's giving out, it's not giving no benefits. So, this is why you need old growth trees. Fifteen years it takes before it starts giving back. So you have to decide when you plant trees that you want to plant the right ones that's gonna be beneficial for us. It takes one acre of trees in a natural environment to provide oxygen for 18 people. You got to think of that and then you got to think of your water supplies, how they cleanse the water and so forth. Now this is another reason we need that tree Ordinance, we need to get control and have a Tree Commission so they can make sure that things are done properly. I went along with some of these cityscapes, neighborhood group associations, to plant trees. I wasn't there, I went afterwards and I just seen some beautiful areas and I seen some poorly planted trees, they were falling out of

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the ground or sticking up out of the ground, I mean, they're just, they're not planted correctly. So unless someone is really there that has knowledge, then you're throwing away a lot of good money. Trees are very expensive, you can spend for a one inch diameter tree from 1 to \$200.00, for a two to three inch diameter, up to 6, \$800.00 a tree. So you got to think of the expense. So, this is why you need to have the trees planted correctly and the right tree in the correct place. And I'm running out of time and I know you guys are tired of hearing this. So, I hope the Tree Ordinance gets in and I hope we get all the bugs worked out that way it works well for the City. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much Mr. Drake. Our next speaker is Patricia Kirk. Ms. Kirk, good evening, welcome. If you'll step forward and give us your name and your residential address please.

PATRICIA KIRK: Hi, my name is Patricia Kirk. I live at 131 5th Street NE. And I'm here tonight to give you some more information about topping, which is also called by different names like tipping, heading, hat racking and I brought some pictures and on these pictures, they're from Canton. There's several pages but on the front you will also see an ad there that's from the Repository. Ads where people that come around to cut your trees and brag that they do topping. Topping is a service that has been out of service for over 25 years. Where these people are or were, I do not know but they are still advertising their services because people don't know it, they hire them. They think they are getting a cheaper cut, what they are getting is a dead tree. So, please pass this around and also there's a brochure describing why topping kills trees. And I also have a Tree Commission Academy application for the Service Director. *(Laughter)* The...the application deadline is April the 18th and I have the dates down, it only meets every other month, two days a month and it's excellent educations. So.

PRESIDENT SCHULMAN: Don't you have one for Director Ream too? *(Laughter)* Oh good. Thank you. Our last speaker tonight is Pete DiGiacomo. Mr. DiGiacomo, good evening, welcome as always to Canton City Council. If you'll give us your name and your residential address please.

PETE DIGIACOMO: My name is Pete DiGiacomo, I live at 600 Dent Place SW, Canton, Ohio. I don't know if all the Council People here what I'm going to bring up have....know about this, I didn't and I'm pretty sure people sitting back here didn't or the people of the City of Canton. Last Wednesday there was a pit bull running loose in the neighborhood this is the third time this same dog has been out running, I'm gonna say in the last three to four weeks. This time I got in my car, tried to find, you know, where it was going, track it down. Long story, make it kind of short, I found out where it lived so prior...anyhow, I called the Canton Police because I didn't know the Dog Warden's number, they transferred me to an answering service who asked...to her...you know, what was going on. She said "Has the dog attacked anybody." I said "No, not yet but it was aggressive to one neighbor." The lady says "Well, the only thing I can tell you to do is call tomorrow morning to the Dog Warden and maybe they can help you with the problem at that time." I said "So basically you're of no use right now?" And I hung up. My next call was to the Police Department again and I told them the same thing. I said "I'm following the dog right now." I said "I know you got...you're busy, you got, you know, other stuff going. Is there any chance that a cruiser could come down and I don't know what you would even do with the dog, I know they're not going to shoot it but, you know, do something." The response was, "we're very busy, we'll get a cruiser whenever we can." So I kept following the dog, following in a car, it's not that easy. I called Councilman Morris here and he said "Well, I'll call the Chief." I said "Okay." So I waited, called back to the Police Department, or no I'm sorry, back up. He called me and told

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me about he had got a hold of the...Captain Lawver and he was going to call the Police Department, see about getting a cruiser down there. So I called the Police Department back, told him, I said "I'm the person about the dog...pit bull, this is where the dog is at." They said "Well we told you that, you know, we're kind of busy." I said "Well when the Chief...Chief Lawver calls you, you can tell him where the dog is at so they can send a cruiser down." Hung up the phone, waited, I'm driving around. Finally I find the address where the dog is from. I follow the dog, he's sitting in the yard, cruiser comes by, I stop and tell him where the dog lives, all that kind of stuff, waited. Before I could get turned around the cruiser left. I'm 99% certain he did a drive by, didn't...either didn't see the dog or whatever but went somewhere else. So, I pretty much wasted my time. The other thing I found is that if...when the dog pound is open...or not open, you're on your own time, you're not going to get any...oh God, 8 seconds, 7, 6...and so, you know, I don't know what the...what the answer to this is. How can we address the problem when the dog pound is closed, there's nobody to come get the dog. That's all.

PRESIDENT SCHULMAN: Okay, thank you very much Mr. DiGiacomo.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolution. Madame Clerk would you please read Resolution 29 by title.

#29. COUNCIL-AS-A-WHOLE: COMMENDING AND CONGRATULATING THE TIMKEN COMPANY FOR MAKING THE LIST OF THE WORLD'S MOST ETHICAL COMPANIES. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Informal Resolution 29.

MEMBER BARTON: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 29. Any remarks?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: I will be dropping this off to the Timken Company at their corporate offices on Harrison Avenue, right here in Canton, Ohio.

PRESIDENT SCHULMAN: Very good. Madame Cler....

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader.

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MEMBER DOUGHERTY: Could we have it read for the record?

PRESIDENT SCHULMAN: Thank you.

CLERK TIMBERLAKE: *WHEREAS*, The Timken Company has been recognized as one of the World's Most Ethical Companies for 2012 by the Ethisphere Institute; and *WHEREAS*, The Timken Company has been honored for promoting the highest ethical standards designed to improve corporate citizenship and establish sustainable business practices; and *WHEREAS*, As more and more organizations strive for this honor each year, the Timken Company's inclusion as a World's Most Ethical Company for 2012 demonstrates its industry-leading commitment to ethics and dedication to integrity; and *WHEREAS*, The Timken Company keeps the world turning with innovative friction management and power transmission products and services that help machinery perform more efficiently and reliably; and *WHEREAS*, The Timken Company has sales of \$5.2 billion in 2011 and approximately 21,000 people operating from locations in 30 countries, Timken is Where You Turn for better performance. *NOW THEREFORE BE IT RESOLVED*: that we, the Members of Canton City Council, do hereby go on public record commending and congratulating *THE TIMKEN COMPANY* for making the list of the World's Most Ethical companies.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Any other remarks? I just...I think I speak for the entire Council, I'd like to compliment and congratulate the Timken Company on receiving this award. They're only a small handful of companies in Ohio there's only four who received this very prestigious award. And in the United States, obviously there aren't much, more than four for each state. So, in addition to being community leaders and a treasure to this community and a manufacturer who believes in labor, who believes in fair wages, who believes in benefits for their employees, I want to congratulate the Timken Company on winning this award. We love to have them in our City obviously and we certainly believe and hope that they will stay here and make this their corporate headquarters. Any other remarks? Hearing none, by voice vote all those in favor of the Resolution signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #29 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries and again congratulations to the Timken Company.

COMMUNICATIONS

PRESIDENT SCHULMAN: We're now under Communications. Let the journal show that all of the 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 APRIL 2, 2012.

135. AUDITOR MALLONN: REQ ADDTL AMENDED CERT DATED 3/29/12. - RECEIVED & FILED

136. COMM DEV DIRECTOR MILLER: ESTABLISH FAIR REUSE VALUE OF REAL PROP AND

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AUTHORIZE DISPOSITION OF SAID PROP LOCATED ON LOUISIANA AVE NW FOR SHARON BENDER (PARCEL #02-29786, LOT #8835). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

137. COMM DEV DIRECTOR MILLER: ESTABLISH FAIR REUSE VALUE OF REAL PROP AND AUTHORIZE DISPOSITION OF SAID PROP LOCATED ON OBY PLACE NW FOR LATONYA WALKER (PARCEL #02-85789, LOT PT #6683). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
138. COMM DEV DIRECTOR WILLIAMS: REQ LEGISLATION TO AUTHORIZE EFFECT OF RECOMMENDATIONS OF 2012 TAX INCENTIVE REVIEW COMMITTEE. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
139. COURT ADMIN KOCHERA: CANTON MUNICIPAL COURT 2011 ANNUAL RPT. - RECEIVED & FILED
140. COUNCIL MEMBER WEST: REQ AMEND O#225/2006 TO REMOVE DEMO COSTS AT 712 HOOVER PL NW. - JUDICIARY COMMITTEE
141. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C2 PERMIT FOR SPEEDWAY LLC DBA SPEEDWAY 9399 @ 2122 NAVARRE RD SW. - RECEIVED & FILED
142. MAJORITY LDR DOUGHERTY, CNCL-AT-LRG MBR COLE AND WARD 1 CNCL MBR HAWK: REQ AUTHORIZATION FOR SERV DIR, IN CONSULTATION WITH AD HOC MERCHANDISING CMTE, TO ENTER INTO PROF SVCS CONTRACTS FOR DESIGN & RETAIL AND AGMTS WITH LOCAL SCHOOL SYSTEM & JUNIOR ACHIEVEMENT TO INITIATE A CITY OF CANTON MERCHANDISING PROG; REQ AUDITOR CREATE AND DESIGNATE A SPECIAL REVENUE FUND; AN APPROP TRANSFER AND/OR SUPP APPROP WILL BE REQUESTED TO SEED THE PROG WITH GOAL OF MAKING IT SELF-SUSTAINING WHILE PROMOTING PRIDE OF THE CITY AND DIRECTING FUNDS TO COMMUNITY POLICING EFFORTS. - FINANCE COMMITTEE
143. MAYOR HEALY: ADVISE OF RE-APPT OF ROBERT THOMPSON TO CANTON COMMUNITY IMPROVEMENT CORP FOR RETRO TERM OF 1/1/12 - 12/31/12. - RECEIVED & FILED
144. MAYOR HEALY: ADVISE OF RE-APPT OF DONALD PETERSON TO CANTON COMMUNITY IMPROVEMENT CORP FOR RETRO TERM OF 1/1/12 - 12/31/12. - RECEIVED & FILED
145. MAYOR HEALY: ADVISE OF RE-APPT OF STEVE KATZ TO CANTON COMMUNITY IMPROVEMENT CORP FOR RETRO TERM OF 1/1/12 - 12/31/12. - RECEIVED & FILED
146. MAYOR HEALY: REQ APPRVL OF RE-APPT OF LOVIE HAILEY TO FAIR EMPLOYMENT BOARD FOR RETRO TERM 3/1/12 - 2/28/15. - PERSONNEL COMMITTEE

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147. MAYOR HEALY: REQ APPRVL OF RE-APPT OF VIRGINIA JEFFRIES TO FAIR EMPLOYMENT BOARD FOR RETRO TERM 3/1/12 - 2/28/15. - PERSONNEL COMMITTEE
148. SERVICE DIRECTOR PRICE: REQ PARTICIPATORY CONSENT LEGISLATION WITH ODOT TO PERFORM A LIGHTING UPGRADE AND REHAB PROJ ON I77 AT NO COST TO THE CITY. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
149. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION FOR SERV DIR TO ENTER INTO PROF ENGINEERING AGMT W/BURGESS & NIPLE IN AMT NOT TO EXCEED \$171,700.00 FOR PREPARING PLANS & SPECS ON WATER, SEWER & STREET IMPROVEMENT PROJ ON 37TH ST NW; \$112,400.00 SUPP APPROP OF 5201 WATER FUND; \$40,900.00 SUPP APPROP OF 5410 SEWER FUND; \$18,400.00 SUPP APPROP OF 4501 CAPITAL FUND FOR SAME PROJ; AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
150. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION FOR SERV DIR TO AMEND CLASSIFICATION PLAN FOR MGMT & NON-BARG UNIT PERSONNEL, DEPT 20WT, 20-70-01 SERV DIR WATER CONST, REPAIR, MAINT, SUPPLY & TREATMENT DIV; CLASS CODE 102 ADMIN ASST III; NUMBER OF EMPL 1; FROM 10H TO 9H; ADJ SALARY FOR THIS POSITION IMMEDIATELY. - PERSONNEL COMMITTEE
151. SERVICE DIRECTOR PRICE: REQ AMEND O#220/2011 WITH \$100,000.00 SUPP APPROP FROM UNAPPROP BAL 1001 GENERAL FUND TO 1001 801001 AUDITOR - ADMIN PERSONNEL TO PROVIDE CONTINUED SERV TO ALL CITY DEPTS. - FINANCE COMMITTEE
152. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION FOR SERV DIR TO ENTER INTO PROF SVC AGMT W/SQUIRE, SANDERS (US) LLP FOR LEGAL SVCS ASSOCIATED WITH BOND ISSUANCE & BOND FINANCING ALTERNATIVES TO MAINTAIN & ENHANCE FISCAL INTEGRITY OF THE CITY. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: Turning now to Ordinances and Formal Resolutions for the First Reading. Let the Journal show that all the Ordinances are being given their Reading as required by state law. Madame Clerk would you please read the First Reading Ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #1 FOR ITS FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT FOR ONE (1) 2012 OR NEWER HEAVY DUTY CREW TRUCK CAB AND CHASSIS IN AN AMOUNT NOT TO EXCEED \$42,000.00 FOR THE WATER DEPARTMENT; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO VARIOUS CONTRACTS FOR THE PURCHASE OF VEHICLES PURSUANT TO O.R.C. SECTIONS 125.04

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AND 5513.01; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Turning now to Ordinances for their Second Reading. Madame Clerk, would you please begin reading the next reading Ordinance #2.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #2 AND #9 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #2. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 917, TREES, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
- #3. (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 (TIMOTHY GILLEMS - 509 15TH ST NW)
PUB HRG 4/9/12 @ 7:30 PM
- #4. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY (HEALTH DEPT FUND NAME CHG \$75,000.00)
- #5. (2ND RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$3,248.40 TO PHILIP SEDLACKO; AND DECLARING THE SAME TO BE AN EMERGENCY
- #6. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE, EXECUTE AND GRANT A PERMANENT EASEMENT TO THE EAST OHIO GAS COMPANY DBA DOMINION EAST OHIO FOR GAS LINES IN AND THROUGH CITY PROPERTY KNOWN AS REIFSNYDER PARK AND MARTINDALE PARK; AND DECLARING THE SAME TO BE AN EMERGENCY
- #7. (2ND RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO INSTALLATION OF CONCRETE OVERLAYS AND PAINTING ON BRIDGES AT CLARENDON AVENUE, HARRISON AVENUE, DUEBER AVENUE AND A 24 INCH OVERHEAD WATER MAIN OVER U.S. 30; AND DECLARING THE SAME TO BE AN EMERGENCY
- #8. (2ND RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO THE SANITARY SEWER BETTERMENT AT A STRUCTURE OVER NIMISHILLEN CREEK; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #9. (2ND RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO RESURFACING OF STATE ROUTE 297 (RAFF ROAD) FROM US 30 TO STATE ROUTE 172 (WEST TUSCARAWAS STREET); AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances for the Third and Final Reading and Vote. Madame Clerk, would you please begin with Ordinance #10.

- #10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 48/2012** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$750.00 TO MARK I. LURE INC.; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 10.

MEMBER BARTON: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that we adopt Ordinance 10 or that you adopt Ordinance 10. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

#10 ADOPTED AS ORDINANCE NO. 48/2012

PRESIDENT SCHULMAN: Ordinance #10 has been adopted. Ordinance #11.

- #11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 49/2012** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE STA-SR43-12.64, WALNUT/CHERRY COMPLETE STREETS PROJECT, G.P. 1153; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION ENGINEERING SERVICES; RECEIVE TRANSPORTATION REVIEW ADVISORY COUNCIL (TRAC) FUNDS IN THE AMOUNT OF \$1,500,000.00; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4567 WALNUT/CHERRY COMPLETE STREETS PROJECT FUND, G.P. 1153; AMENDING APPROPRIATION ORDINANCE NO. 220/2011; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

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

MEMBER BARTON: Seconded.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

#11 ADOPTED AS ORDINANCE NO. 49/2012

PRESIDENT SCHULMAN: Ordinance #11 is enthusiastically adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Announcement of Committee meetings.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Public Property Capital Improvements will meet at 7 P.M. April 9th.

PRESIDENT SCHULMAN: Thank you.

MEMBER BARTON: Mr. President.

PRESIDENT SCHULMAN: Yes, Leader Bar....or Assistant Majority Leader Barton.

MEMBER BARTON: Personnel Committee will meet same time, same date.

PRESIDENT SCHULMAN: Thank you. Any other announcements?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Turning to Miscellaneous Business.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Smith.

MEMBER SMITH: Yes, I'd like to thank the Policeman along with our Safety Director, our new Chief, for the swift response on Friday when we was having the peace rally for Trayvon, it was handled very professional and it made the residents that was out there feel really safe and they handled it very well. Thank you.

MINUTES OF THE MEETING APRIL 2, 2012

PRESIDENT SCHULMAN: Thank you Member Smith. Congratulations Director. Any....

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: ...other Miscellaneous Business. Member Hawk.

MEMBER HAWK: Thank you sir. Very quickly, again, a lot of gratitude and thanks go out to the Police Department, for the SWAT Team for the handling of an incident on Broad Avenue NW. It's very close to my home, all my neighbors were over talking to me, they were very proud and thought they were very professional and they asked me to extend that congratulations onto our Police Department.

PRESIDENT SCHULMAN: Congratulations Director and to the Police Department. Any other remarks?

MEMBER MORRIS: Mr. President.

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Morris.

MEMBER MORRIS: Mr. President, could somebody please answer Mr. DiGiacomo's question in regards to how he was transferred from the Police Department to the Dog Warden then he went back to the Police Department and I...I hate to keep beating the same bush about Officer Sedlacko but, I was under the impression that, that's what his job was. So, upon Mr. DiGiacomo's complaint, how come Animal Control was not sent out from the Police Department to address his concern?

PRESIDENT SCHULMAN: Director Ream, do you want to attempt to answer that?

SAFETY DIRECTOR REAM: Yes, I don't know right off hand, I'll be checking into it and I'll let you know.

PRESIDENT SCHULMAN: Thank you Director. Member Fisher.

MEMBER FISHER: I just wanted to take a minute to follow up on what Member Smith and Member Hawk both said. I was at the event on Friday and I thought that the Police did a tremendous job, quick response. Also to follow up with the SWAT response with the shooting that took place on Maryland Avenue and the SWAT Team's response, you know, the following day getting their....their suspect, in just that very short amount of time to follow up on what Member Morris said last week, I just cannot say enough good things about our new Chief. It's been a real pleasure over the last month and I expect good things out of him. Thanks.

PRESIDENT SCHULMAN: Thank you Member Fisher. Any other remarks? Any....

SAFETY DIRECTOR REAM: Mr. President.

PRESIDENT SCHULMAN: Yes, Director Ream.

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SAFETY DIRECTOR REAM: I would just like to thank the Council Members for the praise that they've given to our Police Department in the last several weeks here. We have very dedicated Officers and Command Staff that work very hard trying to serve our community and you know, often times we receive the negative feedback when something doesn't go just right or somebody doesn't understand why it is something took place and to get the positive feedback for the good job that they do on a continuing and constant basis as I'm sure certainly gratifying to me and the Chief and I'm sure that the Chief will pass that information back down to the troops. So, thank you very much.

PRESIDENT SCHULMAN: Thank you Director. Any other Miscellaneous Business? Leader

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

MEMBER BARTON: Seconded.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK TIMBERLAKE: Ten yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. *(Gavel falls)* Meeting is adjourned. Be careful going home everyone, thanks again. See ya next week.

ADJOURNMENT TIME: 8:01 P.M.

ATTEST: APRIL 3, 2012
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: APRIL 3, 2012
ALLEN SCHULMAN
PRESIDENT