

MINUTES OF THE MEETING FEBRUARY 4, 2013

PRESIDENT PRO TEM DOUGHERTY: Good evening everyone With a roll call being present, the Chair calls this meeting of Canton City Council to order. Roll call.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

12 COUNCIL MEMBERS PRESENT: (DAVID DOUGHERTY, JAMES GRIFFIN, JAMES BABCOCK, MARY CIRELLI, JOE COLE, GREG HAWK, THOMAS WEST, CHRIS SMITH, KEVIN FISHER, JOHN MARIOL, EDMOND MACK & FRANK MORRIS)

TWELVE COUNCIL MEMBERS PRESENT. PRESIDENT SCHULMAN ABSENT.

CLERK TIMBERLAKE: Twelve yeas Mr. President.

EXCUSING MEMBERS

PRESIDENT PRO TEM DOUGHERTY: Thank you. Member Griffin, a motion to excuse Members tonight

MEMBER GRIFFIN: Mr. President I move that we excuse President Schulman from tonight's meeting.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to excuse President Schulman from tonight's meeting. Any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: The motion carries. President Schulman is excused from tonight's meeting. We'll have the invocation given by Member Smith. Please remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on February 4, 2013 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 4 Council Member, Chris Smith. The Pledge of Allegiance led by President Pro Tem Dougherty.

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM DOUGHERTY: Thank you Member Smith. We have Agenda Corrections and Changes Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that Rule 22B be suspended...

PRESIDENT PRO TEM DOUGHERTY: 22A.

MEMBER GRIFFIN: Thank you sir. 22A be suspended and add 1st Reading of Ordinance #14A and 2nd Reading Ordinance 17 through, 17 and 18. 15 and 16 will be Retained in Committee.

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MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Moved and seconded for the Agenda Corrections and Changes. Are there any remarks? Roll call.

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes, Member Cirelli.

MEMBER CIRELLI: What's 14A sir?

PRESIDENT PRO TEM DOUGHERTY: It was added to the agenda. You should have a copy in your box of the Ordinance. I believe the bond stuff for the demos.

MEMBER CIRELLI: Oh OK, thank you.

PRESIDENT PRO TEM DOUGHERTY: Cause we had the other one on there above that. Wanted to get that on there so that we had them both together.

MEMBER CIRELLI: OK, thank you sir.

PRESIDENT PRO TEM DOUGHERTY: Any more remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT PRO TEM DOUGHERTY: The Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM DOUGHERTY: No Public Hearings tonight.

OLD BUSINESS

PRESIDENT PRO TEM DOUGHERTY: Old Business. Is there any from Chief of Staff?

SERVICE DIRECTOR PRICE: Mr. President, no. The Old Business items would have involved the American leachate contract which I can cover under the, you know when that's voted on. Thank you.

PUBLIC SPEAKS

PRESIDENT PRO TEM DOUGHERTY: There is no one signed up for Public Speaks. That's a record.

MEMBER GRIFFIN: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes.

MEMBER GRIFFIN: They heard that you were going to be presiding. (LAUGHTER)

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PRESIDENT PRO TEM DOUGHERTY: Three minutes, three minutes. There'll be no more of that.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM DOUGHERTY: We're under Informal Resolutions. Resolution 8 please.

#8. PERSONNEL COMMITTEE: CONFIRM RE-APPT OF CLINT ZOLLINGER TO FAIR EMPLOYMENT PRACTICES BD FROM 1/1/13 - 12/31/15. - ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Informal Resolution #8.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Resolution 8. Any remarks? By voice vote all those in favor signify by saying aye. All opposed.

NO REMARKS

RESOLUTION #8 PASSED BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Resolution 8 has been adopted. Resolution 9.

#9. PERSONNEL COMMITTEE: CONFIRM RE-APPT OF AMY WEISBROD TO FAIR EMPLOYMENT PRACTICES BD FROM 1/1/13 - 12/31/15. - ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Informal Resolution #9.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: There's a motion to adopt Resolution 9. Any remarks? If not, by voice vote all those in favor signify by saying aye. All opposed.

NO REMARKS

RESOLUTION #9 PASSED BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Thank you. Resolution 9 has been adopted. Resolution 10.

#10. PERSONNEL COMMITTEE: CONFIRM RE-APPT OF VALERIE WATSON TO FAIR EMPLOYMENT PRACTICES BD FROM 11/22/12 - 12/31/15. - ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Informal Resolution #10.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Resolution 10. Any

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comments or remarks? By voice vote all those in favor signify by saying aye. All opposed.

NO REMARKS

RESOLUTION #10 PASSED BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Resolution 10 has been adopted. Resolution 11 please.

#11. PERSONNEL COMMITTEE: CONFIRM RE-APPT OF JOHN PICARD TO BD OF BUILDING APPEALS FROM 1/1/13 - 12/31/15. - VOTE

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Informal Resolution #11.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Yes it's been, motion to adopt Resolution 11 and seconded. Are there any remarks? By voice vote all those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #11 PASSED BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Thank you. Resolution 11 has been adopted.

COMMUNICATIONS

PRESIDENT PRO TEM DOUGHERTY: 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 FEBRUARY 4, 2013.

58. AUDITOR MALLONN: MONTHLY RPT BY FUND 1/1/13 - 1/31/13. - RECEIVED & FILED

59. AUDITOR MALLONN: YEARLY RPT BY FUND 1/1/13 - 1/31/13. - RECEIVED & FILED

60. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C1 C2 D6 LIQ PERMIT FOR VENKAT ADUSUMILLI DBA HARMONT DRIVE THRU @ 3315 HARMONT AV NE. - RECEIVED & FILED

61. MAYOR HEALY: ADVISING THAT REVEREND WARREN CHAVERS WILL NO LONGER BE SERVING AS A MEMBER OF CANTON CIVIL SERVICE COMMISSION. - RECEIVED & FILED

62. MAYOR HEALY: ADVISING OF APPT OF MONTY PENDER TO CANTON CIVIL SERVICE COMMISSION FROM 2/1/13 - 12/31/15. - RECEIVED & FILED

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63. SAFETY DIRECTOR REAM: REQ \$30,000.00 TRANSFER FROM 2760 102001 OTHER TO 2760 102001 PAYROLL DUE TO IT NOT BEING APPROPRIATED PROPERLY AT BUDGET TIME. - FINANCE COMMITTEE
64. SERVICE DIRECTOR PRICE: RECEIPT OF 2012 ANNUAL RPT OF OPERATION FOR WRF. - RECEIVED & FILED
65. SOLES LAW OFFICES: RECEIPT OF REQUEST TO DEPT OF COMMERCE TO RESCHEDULE HEARING SCHEDULED ON 2/19/13 FOR DG HOLDING & MANAGEMENT CO INC DBA THE SPOT. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM DOUGHERTY: Now under Ordinances and Formal Resolution for First Reading.
Madame Clerk.

NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #14A FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$1,762.00 TO BLACK, MCCUSKEY, SOUERS. & ARBAUGH; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$2,700.00 TO US EVALUATIONS, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$167.00 TO PREMIER COURT REPORTING; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #4. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 5213 THRU 5221, 30051, PART OF LOT 30052 AND PARTS OF OUT LOTS 351 AND 72; AND DECLARING THE SAME TO BE AN EMERGENCY (1138 CAMDEN AVE SW - SIMON WARSTLER)
Referred to Public Safety & Thoroughfares Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE YOUNG MEN'S CHRISTIAN ASSOCIATION (YMCA) IN AN AMOUNT NOT TO EXCEED \$50,000.00 FOR THE OVERALL MANAGEMENT AND SUPERVISION OF THE FACILITY AND

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PROGRAMMING AT THE EDWARD "PEEL" COLEMAN COMMUNITY CENTER;
AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance and Community & Economic Development Committees

- #6. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012, AS AMENDED, BY MAKING THE APPROPRIATION REDUCTIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (NSP, NSP3, HOME & BYRNE GRANTS)
Referred to Finance Committee
- #7. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$20,000.00 UNAPPROP BAL 2327 LEAD ASSESSMENT FUND)
Referred to Finance Committee
- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BLACK, MCCUSKEY, SOUERS & ARBAUGH IN AN AMOUNT NOT TO EXCEED \$45,000.00 TO PROVIDE SPECIALIZED LEGAL ASSISTANCE WITH WORKERS' COMPENSATION CASES; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$45,000.00 6010 WORKERS' COMP FUND TO 6010 501101 HUMAN RESOURCES - OTHER)
Referred to Finance Committee
- #9. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT FOR THE CONSTRUCTION OF THE MILL STREET SE SANITARY SEWER REPLACEMENT, GP 1188 AND TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE BOARD OF STARK COUNTY COMMISSIONERS, IF NEEDED TO REIMBURSE CANTON FOR A PORTION OF THE WORK; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$35,000.00 5410 SANITARY FUND TO 5410 201031 SANITARY FUND)
Referred to Public Property Capital Improvement Committee
- #10. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$1,585.44 TO BEAVER EXCAVATING, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #11. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT FOR THE CONSTRUCTION OF THE ALLENFORD DRIVE SANITARY SEWER REPAIR, GP 1114 (SEWER BYPASS); AND TO ENTER INTO A COOPERATIVE AGREEMENT WITH THE BOARD OF STARK COUNTY

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COMMISSIONERS AND THE CITY OF NORTH CANTON, TO REIMBURSE CANTON FOR A PORTION OF THE WORK; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$220,000.00 5410 SANITARY FUND TO 5410 206310 SANITARY FUND)

Referred to Public Property Capital Improvement Committee

- #12. (1ST RDG) A FINAL RESOLUTION ADOPTING PLANS, AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO COOPERATE WITH AND REQUEST THE DIRECTOR OF TRANSPORTATION TO PROCEED WITH THE REHABILITATION OF THE EXISTING ARCH BRIDGE CARRYING STATE ROUTE 172 OVER THE EAST BRANCH OF NIMISHILLEN CREEK AND THE COMBINING OF TWO EXISTING PARALLEL SANITARY SEWER SYSTEMS INTO ONE WITHIN THE CITY OF CANTON AND ENTER INTO CONTRACT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares Committee

- #13. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT(S) TO COMPLETE DEMOLITIONS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

- #14. (1ST RDG) AN ORDINANCE AMENDING SECTION 181.14, ALLOCATION OF FUNDS, OF THE CODIFIED ORDINANCES; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

- #14A. (1ST RDG) AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000.00, FOR THE PURPOSE OF PAYING THE COSTS OF REVITALIZATION WITHIN THE CITY AND ADDRESSING PROPERTY CONDITIONS THAT ARE DELETERIOUS TO THE PUBLIC HEALTH AND SAFETY THROUGH THE DEMOLITION OF DETERIORATING STRUCTURES AND THE IMPROVEMENT OF THOSE SITES, THEREBY ENABLING THE USE OR REUSE OF LANDS WITHIN THE CITY

Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM DOUGHERTY: Now under Ordinances for their Second Reading. Madame Clerk.

NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #17 THROUGH #18 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCES #15 AND #16 RETAINED IN COMMITTEE:

- #15. (2ND RDG) ***RETAINED IN COMMITTEE AUTHORIZE SAF DIR TO ENTER INTO PROF SVCS AGMT W/REDFLEX TRAFFIC SYSTEMS INC FOR IMPLEMENTATION OF AN AUTOMATED PHOTO TRAFFIC ENFORCEMENT PILOT PROGRAM IN LIMITED***

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AREAS OF CITY

#16. (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH TWO FUNDS FOR RECEIPT AND DISBURSEMENT OF REVENUES COLLECTED IN CONJUNCTION WITH THE AUTOMATED TRAFFIC ENFORCEMENT PROGRAM

#17. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012;

PRESIDENT PRO TEM DOUGHERTY: Ordinance 15.

CLERK TIMBERLAKE: They're Retained in Committee.

PRESIDENT PRO TEM DOUGHERTY: Oh, that's right. I'm sorry.

CLERK TIMBERLAKE: You're OK.

PRESIDENT PRO TEM DOUGHERTY: Sorry.

CLERK TIMBERLAKE: You're just upset because we don't have no Public Speaks. (*LAUGHTER*)

PRESIDENT PRO TEM DOUGHERTY: Continue.

#17. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$285,000.00 FROM UNAPP BAL 5410 SEWER OPERATING FUND TO 5410 202010 ENGINEER - DAILY OPERATIONS - PERSONNEL)

#18. (2ND RDG) **ADOPTED AS ORDINANCE NO. 12/2013** A FINAL RESOLUTION ADOPTING PLANS, AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO COOPERATE WITH AND REQUEST THE DIRECTOR OF TRANSPORTATION TO PROCEED WITH THE RESURFACING OF U.S. ROUTE 30, FROM STATE ROUTE 43 TO TRUMP AVENUE AND ENTER INTO CONTRACT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we suspend the Statutory Rule for Ordinance #18.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved to suspend the Statutory Rule for Ordinance 18. Any remarks? Roll call.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: You've heard the three readings, Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance 18.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded that you adopt Ordinance 18. Are there any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#18 ADOPTED AS ORDINANCE NO. 12/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 18 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM DOUGHERTY: We're now under Ordinances for the Third and Final Reading. Please read Ordinance 19.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 13/2013** AUTHORIZE SERV DIR TO ENTER INTO LONG-TERM AGMT WITH AMERICAN LANDFILL, INC. FOR LEACHATE & SLUDGE DISPOSAL; EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I make a motion we adopt Ordinance 19.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 19. Any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes, Member Cirelli.

MEMBER CIRELLI: I have some questions for Mr. Price. The first is a statement. Just last week the state of Pennsylvania had ordered a massive study of flow back including landfill leachate because of what might be in it.

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Now tonight we're here to, I think, wait a minute, I don't know how to make that stay there. Tonight we're here to vote on this pipeline to bring this leachate into our Waste Water Treatment Plant. Prior to accepting leachate from a publicly owned water treatment plant, there's to be a review from the landfill to the nature of the compliance what they are disposing to us. Do you know all the contaminants, contaminants that are on the NPDES and are you content that those are not dangerous or hazardous to our Waste Water Treatment Plant sir.

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes.

SERVICE DIRECTOR PRICE: I am confident the waste stream we're accepting, we're proposing to accept from American Landfill fulling meets our permit requirements.

MEMBER CIRELLI: Mr. President and Mr. Price. What about the radiation? Nothing is ever stated about the radiation and there is radiation in there and radiation sir does cause cancer. *(Microphone cuts out)* Is this working? Yea. I think this is very important point that we need to look at. This is a serious piece of legislation that we're promoting, that you're asking us to vote on. There was an article in today's paper that stated and I don't know whether all my fellow Council Members have seen it. The energy industry develops a non-toxic fracking fluids. That purely states that these fluids that they use in the fracking process are toxic and then they have this back flow. Not fullbacks but back flow that comes and they're transporting it here into Ohio into the landfills. Then it goes down through the landfill with whatever else is there and there's all this non-toxic and all kinds of natural chemicals and what have you and we're willing to say OK, send it on board to us. There's no way we can tell or calculate how many truck loads will be coming because it's a pipeline. There's no way, once a pipeline starts flowing, there's no stopping it. Who's going to pay to have it, the testing done on both ends because you had explained to me that they were going to do testing prior to it leaving the landfill and then us accepting it. Who's going to pay for all the expenses there?

SERVICE DIRECTOR PRICE: Well the landfill is required pursuant to their various permits to test their leachate in addition, once they would become an industrial user on our system they would be issued an industrial discharge permit. They will have permit limits like any other user on the system and we monitor those permit, the limits with our own in house chemists who are the local enforcement arm of the Environmental Protection regulations that the American Landfill would be subject to with the permit. In terms of paying for that testing there will be testing that will be required of American Landfill by our Water Reclamation staff that will be above and beyond what they do now. In addition, and so then those tests, in other words, their own monitoring that they'll have to report back to us, in other words they'll have to report back to us what's in that waste stream and they'll be subject to monitoring requirements. They will have to pay for those tests. In terms of tests that we might conduct at the plant, there may be some that we pay for but that would be in accordance with, with...it would be the same as any industrial user we have on the system.

MEMBER CIRELLI: Mr. President and Mr. Price then our testing will be done on disposal into Nimishillen Creek, correct?

SERVICE DIRECTOR PRICE: We actually, we actually test samples that are sent to us by our rate payers or by our users of the system and in addition, then we actually go on site on occasions and conduct our own tests and the

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results of those tests if they violate the limits, we conduct administrative hearings and for violations we fine people. There's at least one person who's been imprisoned and is still in prison as a result of violations of our permit requirements. We've imposed fines. We've actually cut off connections and gone as far as to pour concrete in sewer lines to stop users who violate our permit laws.

MEMBER CIRELLI: Mr. President and Mr. Price and fellow Councilmen. I plead with all of you. What we're doing here tonight is permitting leachate which as far as I'm concerned is highly toxic or else there would not have been any need to have this article in the paper today that they're, by the way the business is saying oh well made we can produce something different using food industry called a clean stem and as they say, it's premature to say whether it will ever be feasible to have fluids for fracking that are totally non-toxic. And this was said by Scott Anderson, a Senior Advisor for the Environmental Defense Fund. I can't in good conscience vote to support to allow this to come in to our Waste Water Treatment Plant because of the harm that could potentially be done to the plant in itself, to our employees and to the Nemece, which is one of the ten highly already contaminable waste streams that we've got going and now we're going to impound the Nimishillen with God knows what. We, there's no way of knowing what's coming through that pipeline. I can't believe, I guess I really don't have that, that factor of trust in this whole thing that I can say that I'm comfortable to say OK, let's take this leachate whenever it's said here, that the leachate is highly toxic and that we're going to de-toxify it, which I've not heard that be mentioned anywhere and then turn around and let it flow down stream and good luck to the people down further. You know, we've all taken an oath to protect the health, safety and welfare of our constituents and I'm asking my fellow Councilmen to do exactly that. There is no price on people's lives. We're taking something that we don't know what in the future could occur with this. We could have babies that are born with, that are deformed. We could be having I truly believe this area is a cancer cluster and we're going to allow it grow. I can't be responsible for that. I just in good conscience, I'm very passionate about this issue sir and I spent a great deal of time and I must tell you, I haven't had any computer since Saturday before Martin Luther King day, so I don't know of some of the latest things that maybe the rest of my fellow Council Members have gotten and I know there's been an awful lot of things that I have sent to them in the past and I know they continue to get more but I think this is really probably the most important thing that we're looking at because it's an environmental issue that we cannot control and we're willing to turn our heads. We can stop it here and I think that's what we should do. If we really care about this community, we owe it, all due diligence to say we don't want to get involved with this at all. So I can only say and asking my fellow Council Members to heed my words and think of the future and think of your grandchildren and think of the aquatic life. Think of the wildlife. Think of what we're doing to that stream and the potentially harm that could come from it. So I'm please asking them all to vote this down. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Any other remarks?

MEMBER FISHER: Mr. President.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes, West.

MEMBER WEST: Yes, Safety Director, Service Director. If this would be voted down, could you give us a, what would happen to the average constituent? What would happen to our residents?

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SERVICE DIRECTOR PRICE: Pursuant to Chapter 9 of the Codified Ordinances of the City of Canton, we just implemented by automatic operation Ordinance an additional 9 ½% rate increase. Several years ago, we began preparing after we stopping fighting through legal challenges, our new permit requirements that require the Water Reclamation facility to meet the new phosphorus limits which are at 1 or 1 part per million and that now \$80,000,000.00+ project to meet those new permit limits is part of that. Several years ago in the planning stages we came to this Council and I have done in about the first month I was here and asked this Council to raise the sewer rate after they had not been touched for four years. I came to you for that first rate increase and I recall former Councilman Smuckler telling me listen, if you can show me that the consumer price index that brought us to a point at or near this rate increase that you're asking for then I'll support it publicly. And so this Council did the right thing and while unpopular, you went ahead and implemented the rate increase I'd ask for to keep pace with costs and at the time we had a \$3,000,000.00 reserve in fund for a facility that for insurance purposes, is probably valued, I don't know, somewhere around a quarter of a billion dollars. And that was the first year I had asked for a rate increase and then given our preparation for the debt reserve, see the entire plant project is going to be funded through loans through the State of Ohio. And to prepare for those loans, we began a four year rate structure of consecutive 9 ½% rate increases adopted by this Council and Codified actually, they are Codified Ordinances. So, you're asking me what's going to happen if, if financially if you don't pass this legislation. What's going to happen financially is that the solids we produce, the sludge that remains from the sewer treatment process which amounts to about 30,000 tons per year is, or approximately 3/4 of the weight of the Titanic, that sludge is going to cost us at least \$42.50 a wet ton to send to the landfill. This agreement, under this agreement in exchange for taking American Landfill's leachate, which we did by the way for 30 days in February and March of last year. And by the way there are 600 pages, 600 pages of data, if any of you are interested in looking at it, that will tell you exactly what was in that waste stream. 600 pages. No one has asked for it. We've told you we had it and we've told the environmental groups that we had it. No one's asked for it but that's an aside. That's an incidental. So we've been taking that waste stream in exchange, you know, we've took it. This is just about the contract and if you don't approve the contract the \$42.50 of wet, the \$17.50 a wet ton becomes \$42.50 a wet ton to not just us but our partners in Stark County and North Canton. And oh, by the way, our engineers on the plant, we've, as part of the agreement we need to secure with the county and North Canton, they can't predict the operating and maintenance expenses of the plant because we don't know how much it's going to cost us to dispose of our sludge but the difference between the two is three quarters of a million dollars a year, \$750,000.00. That is the equivalent of, we've calculated it now because, you know, you talk about a roughly 5% rate increase and you know, the next week after you've looked at the numbers because we've been, for two years we've been negotiating with American Landfill regarding this matter and so I need to be very careful about the numbers I mention because if the number goes up from one week to the next, either we don't know what we're talking about or we're accused of padding the number because I'm so desperate to convince you folks to take leachate from a landfill. But the difference is three quarters of a million dollars a year based on the estimated per ton price which amounts to a 6.59% rate increase on top of the 9.5% rate increase that is already going to be imposed this year to pay for the debt on what's now becoming the roughly, I don't know, 82 to \$87,000,000.00 upgrade to the plant that we have to do because of our new permit requirements. And our suspicion is, well more than a suspicion, what we're being told and I'm just passing along what we're being told. I'm not making this up to try to convince you to do this but what we're being told is that five years from now, we'll wish that we'd locked in the \$42.50 a wet ton rate because that rate's likely to go up even more because of the increased demand for landfill space. So you're looking at, at least a 6.59% one time rate increase and you're looking, what I'm afraid of more than anything is the unknown of the future solid waste disposal contracts. You know over a 10 year period, you're looking at an additional \$7,500,000.00 that our rate payers are going to have to pay and I understand. I've been in your shoes in a different community and while it sounds scary to take landfill leachate, we've done it and again we have 600 pages of data that show not only is it safe but that our plant, we have the 30 days of operational experience taking that waste stream, to demonstrate that

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it's safe. Alliance takes 22,000,000 gallons of it a day, I'm sorry, a year. That's a double digit percentage of their waste stream and meanwhile it would be 3/10's of 1% of ours and I'm not just, I'm not saying just cause Alliance takes it, we should take it but, it will cost significantly more. That cost is a total unknown. It will be bid year to year. Our solid waste disposal contracts tend to be 1 to 3 years and I'm, the number one benefit to this contract and the most value in this contract, to our rate, the 28,000 rate payers that, you know that I've got to look out for as well as the county and the entire city of North Canton's system that feeds into ours. For all those entities that are going to by the way, share in the operating and maintenance expenses that are going to increase expeditiously literally by three times almost if we don't do the contract. It's going to cost more and that's not a threat. That's not to try to convince you to do this. To be honest, if the vote's going to happen and this is going to be resolved one way or the other, at least that gives me the ability to move forward with our partners in Stark County and North Canton and try to estimate our operating and maintenance expenses because bottom line is, I'm up against a May 1st deadline to submit the plans for the new plant upgrades, to move that forward, to get all the loans in place, to have all the design in place for the 4., I don't know, over \$4,000,000.00 design contract and in terms of...I mean there have been a number of things mentioned and these are important issues and trust me, I mean I do tend to get stressed out about certain things, well this is one of them because naturally and I think you all know, I care about this city. I have great pride in our Water Reclamation facility and staff. Between our distribution side and the Water Reclamation facility, we have over 100 people and if we're looking out for the interest of the employees I was with them for 10 hours and 45 minutes over a 24 hour period, 3 hours on Thursday night. The people that flew in from Austin, Texas for the worlds largest distributor of waste water products, from, with engineers from all over the country to meet with the county to try to work out this contract. That was Thursday night for 3 hours and then it was for 7 hours and 45 minutes with Stark County and North Canton. We had three lawyers from the Law Department there for half the day to talk about this contract and so, I've been with the employees. I interact with the employees. I've been in the belt press room. I've been all over the plant and our employees, these inspectors, the people that we're talking about or that we're concerned about, they're the ones that test. They're the ones that shake their heads and, and, and you know, as to what's the problem. Radiation, yea it's a concern and the word alone is, is scary right? We take radiation every day. There's radiation going into that plant as we speak. You want to talk about frightening waste streams.....

PRESIDENT PRO TEM DOUGHERTY: I think you've answered the question.

SERVICE DIRECTOR PRICE: ...our industrial.....(LAUGHTER)

PRESIDENT PRO TEM DOUGHERTY: Member West.

MEMBER WEST: I love you Service Director, I will say this. I got one more quick question. Yea, you have answered the question. But we have also Tracy Mills here. Tracy could you come up to the mic real quick. I just got one quick question for you. Tracy Mills runs the Waste Water Treatment Plant. He's the Director. So, one question I have for him is, he's our expert. That's the guy that we pay the big bucks to answer some of the big questions and he's received several awards over the years so I have a tremendous amount of respect for him so, you've heard what Member Cirelli has talked about and seen the thousands of emails that came through from all over the world address this leachate and the radiation issues and those kind of things. Again, you're the expert and you're the one that needs to advise us as to how we should move forward as a city. Can you help us or give us some clarity. Do you think this safe? Do you think this is something we should do for the citizens of Canton?

TRACY MILLS: Thank you Member West. We are in the business of taking waste. That's what we do every

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single day. This particular waste stream, leachate from American Landfill is no different than waste streams that we take from a number of industries that are discharging to our plant as we talk. Envirite of Ohio which is located on Central Avenue is a hazardous waste treatment facility. Every truckload that goes into their facility is classified by US EPA as hazardous waste. That facility then de-hazardizes the waste stream and discharges to our facility and we further treat that. That's just one example. We have currently 32 facilities under permit that includes plating shop, shops, high strength waste from dairies and food producers, a number of different waste streams that come into the plant of that nature. We have 4 full time personnel on staff that do nothing, nothing but monitor industrial waste to our facility. You must keep in mind that we monitor waste not only from the City of Canton dischargers but we're responsible for every single discharge that is tributary to our plant. That includes all of North Canton, all of East Canton. It includes Allegany Ludlum from Louisville and our jurisdiction goes to north of the airport, south of the plant to North Industry, west to Whipple Avenue, east to, like I say to East Canton. So this is what we do. Over the last 10 years we've collected almost \$400,000.00 in administrative penalties. We are required by US EPA and Ohio EPA to implement the provisions of 40 CFR 403, which is the general pre-treatment regulations that are US code. So we have to have an enforcement response plant. We have a penalty schedule in place. We have as is alluded to earlier, we have issued penalties. We have shut people down. We have sent people to jail. We have worked in conjunction with the Ohio Bureau of Criminal Investigation, the US Attorney General's Office in prosecuting people that have done wrong. It, this is what we do. It is our job. I am very comfortable that the waste stream coming from American Landfill that it will be under permit. I've got a draft permit before me. I can tell you that the different parameters that we're going to require them to monitor, the frequency that they're going to be monitoring. It's not going to be easy for them. The best insurance that we have that they will not harm our facility other than the language that we have in the contract requiring them to remedy the situation financially is the fact that they're going to spend between 2 ½ and \$3,000,000.00 to put this pipeline in the ground. It's their money, their pipeline. If there's an issue with that pipeline, if it breaks and discharges to the stream, they're one the hook for the liability. They've got a 2 ½ to \$3,000,000.00 investment. We have a clause in the contract that if they harm the plant, we shut them down. That's 2 ½ to \$3,000,000.00 gone from their bank roll, if you will. That's a heck....

PRESIDENT PRO TEM DOUGHERTY: Thank you. Thank you.

MEMBER WEST: Thank you so much.

PRESIDENT PRO TEM DOUGHERTY: Member Fisher.

MEMBER FISHER: Thank you Mr. President. At great risk of a filibuster I would like to ask Senator Price or Director Price (*LAUGHTER*)...

PRESIDENT PRO TEM DOUGHERTY: He talks like one. Hours and hours.

MEMBER FISHER: I had, there's a member of the audience who asked a question several weeks back that I posed to you and I promised him that I would ask it before the vote to you which I know we've already spoke about. The contract with the reduced price for our solid waste, that price goes into effect upon the contract going into effect not at the completion of the pipeline, is that correct? We do not have to wait for them before we start to see the reduced price.

SERVICE DIRECTOR PRICE: Mr. President.

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PRESIDENT PRO TEM DOUGHERTY: Yes sir.

SERVICE DIRECTOR PRICE: That's correct. *(LAUGHTER AND APPLAUSE)* See I can do it.

PRESIDENT PRO TEM DOUGHERTY: Thank you sir. Any more comments?

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.

MEMBER CIRELLI: I'm going to not belabor the issue, I just say that, you know, I worked at a hospital, local hospital. We had, we didn't even have a cancer floor. We had a med/surg floor that generally then because a cancer/oncology floor. Then I saw oncology wings. Now we're having oncology or cancer hospitals. It's coming to people from somewhere and it's a growing business and I've never seen one person that didn't have cancer that would not pay \$750,000.00 to get rid of it if they could. And I, I just seen my taxes double for garsh sakes when it comes to the schools, excuse me the library tax. My tax went from \$22.00 to \$44.00 a half a year. That's just for the library. So I have to pay money, I will pay more money to protect the people and to protect myself if it's for our Waste Water Treatment Plant but I just don't have the trust that we're not going to regret this down the road. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Any more remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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

#19 ADOPTED AS ORDINANCE NO. 13/2013

(MEMBERS CIRELLI, MACK AND MORRIS VOTED NAY)

PRESIDENT PRO TEM DOUGHERTY: Ordinance 19 has been adopted. Ordinance 20.

#20. (3RD RDG) **ADOPT AS ORDINANCE NO. 14/2013** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH SMITH AND NEJEDLIK, INC. TO COMPLETE APPRAISAL REVIEW WORK FOR THE 12TH STREET N. CORRIDOR PROJECT, GP 1098, PID 85299; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$194,500.00 4501 202077 CAPITAL FUND - 12TH ST N CORRIDOR PROJ GP 1098)

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I make a motion we adopt Ordinance 20.

MEMBER BABCOCK: Seconded.

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PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 20. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#20 ADOPTED AS ORDINANCE NO. 14/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 20 has been adopted. Ordinance 21.

#21. (3RD RDG) **ADOPT AS ORDINANCE NO. 15/2013** AN ORDINANCE RATIFYING THE AUTHORITY GRANTED IN ORDINANCE NO. 194/2012; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$247,920.00 AND \$61,980.00 4501 202095 11TH ST SE INTERSECTION & ROADWAY IMPROVEMENT PROJ GP 1144)

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I make a motion we adopt Ordinance 20.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's 21.

MEMBER GRIFFIN: 21

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 21. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#21 ADOPTED AS ORDINANCE NO. 15/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 21 has been adopted. Ordinance 22.

#22. (3RD RDG) **ADOPT AS ORDINANCE NO. 16/2013** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE OHIO POWER COMPANY, AKA AMERICAN ELECTRIC POWER (AEP), IN AN AMOUNT NOT TO EXCEED \$53,031.00 FOR THE USE OF EXISTING AEP CONDUITS AND THE INSTALLATION/REMOVAL OF CITY OWNED ELECTRICAL CONDUCTORS IN SAID CONDUITS TO FACILITATE THE

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WALNUT/CHERRY COMPLETE STREETS PROJECT, PID 91592, GP 1153;
AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO
RECEIVE TRANSPORTATION REVIEW ADVISORY COUNCIL FUNDS THROUGH
THE OHIO DEPARTMENT OF TRANSPORTATION; AMENDING APPROPRIATION
ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I make a motion we adopt Ordinance 22.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 22. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#22 ADOPTED AS ORDINANCE NO. 16/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 22 has been adopted.

#23. (3RD RDG) **ADOPT AS ORDINANCE NO. 17/2013** AN ORDINANCE AUTHORIZING THE
MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE
ORDER #1 WITH CTI ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED
\$37,600.00 FOR THE 55TH ST NE STORM SEWER PROJECT, GP 1125; AMENDING
APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE
AN EMERGENCY (\$37,600.00 4501 202087 CAPITAL FUND - 55TH ST NE STORM
SEWER PROJ GP 1125 - OTHER)

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I make a motion we adopt Ordinance 23.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 23. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#23 ADOPTED AS ORDINANCE NO. 17/2013

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PRESIDENT PRO TEM DOUGHERTY: Ordinance 23 is adopted. Ordinance 24.

#24. (3RD RDG) **ADOPT AS ORDINANCE NO. 18/2013** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR AND RECEIVE PROFESSIONAL QUALIFICATIONS FOR PROJECT MANAGEMENT CONSULTING SERVICES FOR THE MAHONING ROAD CORRIDOR ECONOMIC DEVELOPMENT PROJECT AND TO ENTER INTO CONTRACT IN AN AMOUNT NOT TO EXCEED \$50,000.00 PER YEAR FOR TWO YEARS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I make a motion we adopt Ordinance 24.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 24. Any remarks?

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.

MEMBER CIRELLI: Question to Service Director Price. On this we have several corridors that we've called them at Economic Development or corridor or whatever. Is this usually what we have done, cause I can't recall. I could be wrong and we have a project manager consulting services for each one of those. Is that right sir? I can't remember.

SERVICE DIRECTOR PRICE: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes sir.

SERVICE DIRECTOR PRICE: Yea we've used, we've used project management consultants on various projects including some of our construction projects. This one is different in the fact that the consultant in this case has gone kind of above and beyond what we'd normally contract to do in that this consultant has interacted you know to the level of negotiating with individual property owners for right-of-way acquisitions and has been able to obtain a lot of property for free. This consultants looking at zoning overlay and some of the, you know consulting on some of the planning and zoning issues that surrounding neighborhoods. The point being, the goal was, OK you can do a streetscape and just build the corridor however, in this you know, kind of a build it and they'll come attitude. In this case you know, the entity that's involved you know, looked at it more holistically and is trying to plan around the corridor for the neighborhoods that surround it and so if you're picking up a lot of extra duties in addition to what we normally have but it would be normal that we'd hire consultants or project managers as part of a large multi-million dollar streetscape project like this.

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MEMBER CIRELLI: Thank you. Mr. President and Mr. Price. You're talking, what I'm hearing you say, it sounds like, they're already doing this so how are we, how are they already getting paid that we're gonna....

SERVICE DIRECTOR PRICE: Well they're, they're under, JR Coleman essentially spearheaded this project in partnership with you know, City Council, the city, the residents in the area really deserve a lot of that credit because it's from the grassroots up but, they've been paid through our engineering, you know through various dollars. There were federal earmarks for this. There was TRAC, \$15,000,000.00 in TRAC Funds from SARTA. So JR Coleman's been paid in the planning phase of it and the design phase but now that we're actually going to construction moving forward, this would be for the services beyond the planning and design phase. So this would be moving forward on the construction phase.

MEMBER CIRELLI: Mr. President, thank you. I don't want to belabor it but like, what services would be required beyond planning and what you've said already. Maybe I'm missing something.

SERVICE DIRECTOR PRICE: Well in terms of the construction management, the nuts and bolts construction manageably handled by the general contractor naturally. Again Coleman continues to assist with right-a-way acquisitions so there's a continued need for that but, what we're also moving into or we moved into is a phase where there's also a large CDBG grant to benefit the businesses along the corridor so, Julie through JR Coleman has been acquiring the easements necessary to place signage and other decorative improvements on the private property and again those fall outside of the traditional realm of say for instance, a normal ODOT streetscape project. So, you know, the sign, the changes to the, you know changing the pole signs to ground signs, burying the utilities, developing the, the outlying neighborhoods, the new signage, the walkways, the bike path, you know there are a number of elements to this project that fall outside the scope of for instance, an ODOT contract. Basically Coleman has picked up responsibility for all of those functions that are not covered by the Ohio Department of Transportation or would traditionally be covered by our Engineering.

MEMBER CIRELLI: Thank you Mr. President, and you said it would traditionally be done by our Engineering Department so our Engineering Department will not be doing these then. Is that right?

SERVICE DIRECTOR PRICE: Well these aren't...correct and these aren't functions that would normally be preferred, done by Engineering.

MEMBER CIRELLI: Thank you. Thank you Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Chief of Staff wouldn't you say this project, it's, it's a one of a kind and we've never done this project to this extent. Do that work?

SERVICE DIRECTOR PRICE: That's fair to say. That's correct.

PRESIDENT PRO TEM DOUGHERTY: It's a type of, for this project what we tried to do is lay a foundation of hopefully how other projects would run. This project was run from the ground up, through the city, the neighborhoods. It didn't come from the city down, OK, it came from the community with a vision and a goal and you know, she was on the plane with me at 5 in the morning going to Washington to try to get funds and so, you know, all those things were done. Would you, would you agree we're getting our money's worth and then some?

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SERVICE DIRECTOR PRICE: Oh I, this, I can tell you and it's not always, and Julie will tell you the same thing, I mean it's not always been smooth sailing but I can tell you this, we would not have this project funded and would not be ready for construction in the spring and I can tell you this a 100%, with 100% certainty. That funding would not be in place and this project would not be going forward in the spring.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Any more comments? Roll call.

NO REMARKS

ROLL CALL 12 YEARS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#24 ADOPTED AS ORDINANCE NO. 18/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 24 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM DOUGHERTY: Announcement of Committee Meetings.

MEMBER COLE: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes sir.

MEMBER COLE: Finance will meet at 6 PM on February 11th.

MEMBER CIRELLI: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.

MEMBER CIRELLI: Same time for Public Safety and Thoroughfares.

PRESIDENT PRO TEM DOUGHERTY: Public Property Capital Improvement will also meet that night at 6 PM.

MEMBER WEST: Mr. President. Judiciary will meet the same time, same place.

PRESIDENT PRO TEM DOUGHERTY: Judiciary, do we have Community & Economic Development. Member Smith.

MEMBER SMITH: *(Inaudible)*

PRESIDENT PRO TEM DOUGHERTY: OK, number 5. Call a Committee meeting. Oh, OK.

MEMBER SMITH: Community and Economic Development same time, same place.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM DOUGHERTY: Any Miscellaneous Business?

MEMBER CIRELLI: Mr. President.

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PRESIDENT PRO TEM DOUGHERTY: Member Cirelli.

MEMBER CIRELLI: We've all seen this cameras, this is to Director Ream. A lot of my constituents saw this and they thought it was a good idea however, they felt that it should go along also they should have the cameras with, on the cars as well. Just, and I, I looked this over. I don't know what your plans are for it because it was kinda an open ended thing and do you have anything to say about it. It seems like a very good device. I think actually if I owned a bank I'd have one on every one of my tellers and everybody working there are some of these other maybe the awareness of this, people will go out and purchase them for their own businesses, cause I think it would be a handy device.

SAFETY DIRECTOR REAM: Yes, it's something that the Department's been working on and looking at for approximately a year. When they're complete, when they're getting ready to purchase, I'll listen to their recommendations and before we remove things out of the cars for the in car video, we'll let them explain the redundancy and the appropriateness of that whether we feel we should keep both systems operating.

MEMBER CIRELLI: Mr. President. On conversations that I had with the constituents a case came into my mind that unfortunately the city did loss and Mr. Martuccio's very familiar with that cause we're still paying for it and had we not had those cameras there, the truth maybe wouldn't have come out as so and so I can appreciate the general public's concern about that. So I, but they also said that we're, why is it that you're, you know thinking of purchasing newer and updating equipment but you're maybe not going to have any police officers to put them on. That's the main thing they wanted to know is, we need the police officers to put these things on. So I just said I would pass that on.

PRESIDENT PRO TEM DOUGHERTY: Any other Miscellaneous Business?

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes.

MEMBER WEST: Just a quick announcement. I'm going to have a meeting this Friday with the businesses on 12th Street to address a lot of the crime and issues they have up on the 8th Floor, Mayor's office so if anybody's interested in showing up, they are welcome to come.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Any other Miscellaneous Business?

MEMBER CIRELLI: What, could he Mr. President, could he tell us what time the meeting's going to be?

MEMBER WEST: Thank you Member Cirelli. Yes, the meeting is at 9:30 on Friday morning.

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President. I move, make a motion that we adjourn.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded that you adjourn. Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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(MEMBER HAWK LEFT PRIOR TO ADJORNMENT)

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Meeting is adjourned. Good night everyone (*Gavel falls*)

ADJOURNMENT TIME: 8:26 P.M.

ATTEST: FEBRUARY 11, 2013
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: FEBRUARY 11, 2013
DAVID R. DOUGHERTY
PRESIDENT PRO TEM