

MINUTES OF THE MEETING MARCH 11, 2013

PRESIDENT PRO TEM DOUGHERTY: With a quorum being present, the Chair calls this meeting of 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.

CLERK TIMBERLAKE: All present Mr. President.

EXCUSING MEMBERS

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

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. We will have the invocation given tonight by Ward Councilman Frank Morris. Please remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on March 11, 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 9 Council Member, Frank Morris. The Pledge of Allegiance led by President Pro Tem Dougherty.

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM DOUGHERTY: Agenda Corrections and Changes please.

MEMBER GRIFFIN: Mr. President I move that Rule 22A be suspended and to add 2nd Reading of Ordinances 8 through and including #20.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to have Agenda Corrections and Changes. Any remarks?

MEMBER GRIFFIN: Mr. President.

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PRESIDENT PRO TEM DOUGHERTY: Yes.

MEMBER GRIFFIN: After review of referrals, Communication 121, Ordinances 5 and 6, they will be referred to the Finance Committee.

PRESIDENT PRO TEM DOUGHERTY: OK on the additional Agenda Corrections. Any remarks?

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Been moved and seconded to accept the changes in the Agenda. Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Rule 22A is suspended. The Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM DOUGHERTY: Now under Public Hearings. There's none tonight.

OLD BUSINESS

PRESIDENT PRO TEM DOUGHERTY: Old Business. There's no Old Business at this time.

PUBLIC SPEAKS

PRESIDENT PRO TEM DOUGHERTY: Public Speaks. We have 5 tonight. Dominique Simpson. Come on up to the podium sir. Just need your name and address and welcome.

(Inaudible comment from audience)

PRESIDENT PRO TEM DOUGHERTY: Good, good.

DOMINIQUE SIMPSON: I am Dominique Simpson. 901 #3 Skyline Terrace. Best place in Canton. I had a few documents that I wanted to share but I wasn't able to get enough copies for everyone. One is the drug and crime gang profile on the Crips. This is what happens when you don't give people what they're entitled to. My Dad's, this is a real FBI file. My Dad's name is third, fourth in here but also he has a lot of land in Oklahoma which is the republic form of government for America. So if you don't give these people what they need, they turn violent. And I apologize if I offend people because I don't mean to, I just buggin' and I don't even need the other minutes.

PRESIDENT PRO TEM DOUGHERTY: Thank you very much.

DOMINIQUE SIMPSON: *Leaves podium to provide information to Council Members.*

PRESIDENT PRO TEM DOUGHERTY: Thank you. Monique Davis. I need your name and address please

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and welcome.

MONIQUE DAVIS: Good afternoon Council. My name is Monique Davis. I reside at 1446 Miami Court NE in Canton, Ohio. I was asked to speak on quite a few topics from quite a few people but first I want to say this in the room of Council. If there's anything that any Council Member wanted to say to me, first you approach me as Miss Davis. Can a please have a moment of your time? And that's a great way to address me. Not on any public media anywhere because I will embarrass you in this room full of people. No one owns me. I own myself and I am gonna take it from there. I'm here on behalf of Candy Robinson who was shot in Skyline Terrace. She's a 19 year old child who's mother works very hard to provide for her and she's a good girl. She happened to be caught up in a situation. Good people get caught up in situations wanting to see what the crowd is doing. From what I understand, not one Council Member showed up at the hospital to even take any little step towards making change in this place. Once again I said if I was running for, as a politician I would shake this Council to death. I promise you. That's one. Council, I looked up the word Council and what's Council's job. Council's job is one of the biggest jobs, is a urban agenda. To fund the urban areas. To look after the urban areas. To have community events and things going on. The only thing I'm seeing, I've seen downtown maybe get a little bit prettier but people like me can't walk through downtown. I know when I walk through downtown, I stick out like a sore thumb and that's OK because I'm different. I represent what change look like and I'm not even gonna be a politician but I want you to understand what change look like. Change don't come all dressed up. Change got on Nike's, hair wrapped up, a raggedty coat from the thrift store but I am what change look like. I want you to know that. That's number two. Gang violence is a big thing and like Mr. Dominique's saying, gang violence is a problem because, simply because they have nothing to do. You have all these people with ideas and great minds and voices and they don't know how to speak them out. So what they do, they click together to find some kind, some kind of love in a community that don't love 'em. There's no love in this room. Community please stand up and show them what love looks like. I remember a time when all my elders, all my elders used to stand up. I got your back. I promise you I'm a big mouth. A big young mouth. I got plenty of energy and I got you. That's another thing. That's all I really have to say. You guys have a good night and just sleep on it. *(APPLAUSE)*

PRESIDENT PRO TEM DOUGHERTY: Mia Williams. Good evening.

MIA WILLIAMS: My name is Mia Williams. I reside at 325 1st Street SW. February 23, 2013 at approximately 2:21 PM I was at work and received a call that my daughter Kaylee Briana Robinson had been shot in her chest. The neighborhood, Alan Page Drive. By God's grace and mercy, the bullet missed her heart, all blood vessels, arteries and major organs. She was going to make it. At that point I felt relief but my heart hurt for the mothers who got the same chilling call but their child had died. I thought about the young lady who shot her, who was pregnant and had two children already that would be going to jail for this unnecessary crime. But my biggest thought after several days was out of all the people that fled to the hospital, not one Council person from that district or any district reached out. Not one call from Skyline Terrace management to see if my child had survived or not. I attended my first Council meeting last week and was shocked by what I saw. A whole panel full of well dressed individuals who was comfortable in their position. Well dressed individuals who were laughing and having a good time and hearing issues that caused them no discomfort or challenge. A panel that seemed slack, stagnant. What we need, change takes people who are vigilant, persistent. People who are willing to address the hard issues such as funding for the youth, security around the clock in Skyline Terrace for the decent people and the families that live there. Recognition should have been given to the retired military paramedic that applied pressure to the wound of my child till the ambulance got there but none of you knew because no one, not one reached out. That bullet was a stray bullet.

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My child was not involved nor did she even know the girl. Bullets don't have names. No one is exempt not even your children and so while you're comfortable and content with the job you have been doing, I plan to work hard to bring change to Canton and honor the ministry, the memory of all the lives lost to senseless violence. Gloria (*inaudible*) Norris will be running for Ward #2 and I plan to support her for her dedication to her son's memory who was killed in Canton several years ago. Her fervor has never died. She has been to Washington. She has been a speaker at several events concerning gun violence in this area. A fresh wind is blowing through and it's starting here, today with people who are tired of officials only ready to help when it's election time. Thank you. (*APPLAUSE*)

PRESIDENT PRO TEM DOUGHERTY: Pete DiGiacomo. Good evening.

PETE DIGIACOMO: Good evening. My name's Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. Last week it was brought up about the empty beds that are not being filled at the Stark County Jail and once again, Council really can't do a whole lot nor can the city officials but it would be nice if you would put some people's feet to the fire. What I'm here to say is, that I believe that it's this coming Wednesday, 1:00 at the Stark County Office Building on Market Avenue South, 2nd Floor, Room 240 there's some folks want to make a change or try to make a change. Be at that meeting at 1:00. Sheriff Maier is supposed to be there and answer some questions that the Commissioners don't know nothing about and cannot answer the questions. I'm gonna be there. Come on out and put their feet to the fire and find out why the hell we passed a city tax because of the criminal element to get them off the street and get them in the jail. Find out why they're still out on the street. Thank you.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*) William Green.

WILLIAM GREEN: Evening. William Green. 2152 8th Street NE, Canton, Ohio. As a black man I want to say that this city has made me fearful of my life. The policies, the practices of this Council, city government, Prosecutor, Stark County court system has made me a victim and you know what I mean. However, I do want to commend you guys on your efforts to help the black community in their housing efforts but what you are lacking is the land owners, landlords who have come in here and forcing people from their home and using their tenants to, as, using their tenants. So I just want to know, you are doing a wonderful job, there's more you can do. But you need to look at yourselves and look at the people around you. Look at your black community. They are not villains. They just want you to look at them and give them an opportunity. Thank you much.

PRESIDENT PRO TEM DOUGHERTY: Thank you. (*APPLAUSE*)

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM DOUGHERTY: Now under Informal Resolutions. Please read Resolution 17 by title.

#17. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF JOHN STONE TO CANTON TREE COMMISSION FROM 3/1/13 TO 2/28/14. - ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

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MEMBER GRIFFIN: Mr. President, I move that we adopt Informal Resolution 17.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Been moved and seconded to adopt Resolution 17. Any remarks? Roll call. Oh, by voice vote all those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #17 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Please Resolution 18.

#18. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF PATRICIA KIRK TO CANTON TREE COMMISSION FROM 3/1/13 TO 2/28/15. - ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Informal Resolution #18.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Moved and seconded to adopt Resolution 18. Are there any remarks? By voice vote all those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #18 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Resolution 18 has been adopted. Resolution 19.

#19. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF LOIS ELLIS TO CANTON TREE COMMISSION FROM 3/1/13 TO 2/28/15. - ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Informal Resolution #19.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: There's a motion to adopt Resolution 19. Are there any remarks?

MEMBER SMITH: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Smith.

MEMBER SMITH: Yes. Miss Lois Ellis is in the room. I going to ask her is she would please stand. For those of you that do not know her, this is Lois Ellis and she be here just about every Council meeting. Thank you so very much Lois.

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PRESIDENT PRO TEM DOUGHERTY: Thank you Member Smith. Any other remarks? Voice vote all those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #19 PASSED UNANIMOUSLY BY VOICE VOTE

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

#20. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF MAUREEN AUSTIN TO CANTON TREE COMMISSION FROM 3/1/13 TO 2/28/15. - ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Informal Resolution 20.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: A motion to adopt Resolution 20. Are there any remarks? If not, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #20 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Resolution 20 has been adopted.

COMMUNICATIONS

PRESIDENT PRO TEM DOUGHERTY: Now under to Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED MARCH 11, 2013.

116. DEVELOPMENT DIRECTOR WILLIAMS: REQ \$7,859.36 SUPP APPROP FROM UNAPPROP BAL OF 2212 NEIGHBORHOOD STABILIZATION PROG TO 2212 506009 NEIGHBORHOOD STABILIZATION PROG OTHER; REQ \$13,946.42 APPROP TRANSFER FROM 2212 506009 NEIGHBORHOOD STABILIZATION PROG PERSONNEL TO 2212 506009 NEIGHBORHOOD STABILIZATION PROG OTHER. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

117. HEALTH BENEFITS ADMIN MCBRIDE: FEB 2013 MONTHLY COMPARATIVE RPT-INS CLAIMS. - RECEIVED & FILED

118. LIQUOR CONTROL DIV (OHIO): REQ NEW D5H D6 LIQ PERMIT FOR CANTON PALACE THEATRE ASSOCIATION DBA CANTON PALACE THEATRE @ 605 MARKET AV N. - RECEIVED & FILED

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119. MAYOR HEALY: AUTHORIZE APPT OF MEL JAMES TO CANTON TREE COMMISSION FOR TERM OF 3/1/13 -2/28/14. - PERSONNEL COMMITTEE
120. MAYOR HEALY: ADVISING OF APPT OF DEBORAH WATKINS TO AREA AGENCY ON AGING AREAWIDE ADVISORY COUNCIL FROM 3/1/13 TO 12/31/14. - RECEIVED & FILED
121. SAFETY DIRECTOR REAM: DECLARE VARIOUS BLDGS UNSAFE & HAZARDOUS FOR WHICH DEMOLITION IS REQUIRED. - FINANCE COMMITTEE
122. SERVICE DIRECTOR PRICE: REQ \$22,262.77 SUPP APPROP FROM UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410-206046 SANITARY SEWER FUND - WEST SIDE INTERCEPTOR SANITARY SEWER REHAB PROJ GP 1138 & \$21,389.72 SUPP APPROP FROM UNAPPROP BAL OF 5443 WEST SIDE INTERCEPTOR SANITARY SEWER REHAB PROJ GP 1138 FUND TO 5443-206046 WEST SIDE INTERCEPTOR SANITARY SEWER REHAB PROJ GP 1138 FUND & ORGANIZATION FOR CHANGE ORDER #3. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
123. SERVICE DIRECTOR PRICE: REQ AUTHORIZATION TO ENTER INTO LOAN AGMT IN AMT NOT TO EXCEED \$3,000,000.00 BETWEEN CITY & CORMONY DEVELOPMENT (OR SOME OTHER ENTITY YET TO BE DETERMINED) TO PROVIDE GAP FINANCING TO THE HERCULES REDEVELOPMENT PROJ. - FINANCE COMMITTEE
124. TREASURER SCHIRACK: RPT OF DEPOSITS AND PAY INS TO AMBULANCE LOCK BOX FOR FEBRUARY 2013. - RECEIVED & FILED
125. TREASURER SCHIRACK: RPT OF PARKING METER REVENUE FOR FEBRUARY 2013. - RECEIVED & FILED
126. TREASURER SCHIRACK: COMPARATIVE RPT OF CASH RECEIPTS AS OF 2/28/13. - RECEIVED & FILED
127. TREASURER SCHIRACK: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 2/28/13. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM DOUGHERTY: First Reading Ordinances. We're now under Ordinances and Formal Resolutions for the First Reading. Madame Clerk.

NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #7 FOR ITS FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE TACO BELL ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE FOR

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INCOMPATIBLE ZONING USES UPON TS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Annexation Committee

- #2. (1ST RDG) AN ORDINANCE ADOPTING AMENDMENTS TO THE ECONOMIC GROWTH INITIATIVE REGULATIONS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community and Economic Development Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A FIVE-YEAR RECIPROCAL SERVICE AGREEMENT WITH STARK STATE COLLEGE OF TECHNOLOGY (SSCT); AUTHORIZING THE DONATION OF A 1982 TOWER TRUCK TO SSCT IN 2018; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A DESIGN CONTRACT WITH CTI ENGINEERS, INC. FOR THE FAIRCREST S.W. SANITARY SEWER PROJECT, GP 1142; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5401 HB 487 SANITARY SEWER PILOT PROGRAM FUND; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (3 SUPP APPROPS FOR SANITARY SEWER FUNDS AND A \$690,892.16 INTERFUND TRANSFER TO 5401 HB 487 SANITARY SEWER PILOT PROGRAM)
Referred to Public Property Capital Improvement Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO SUBMIT AN APPLICATION AND ANY OTHER NECESSARY DOCUMENTATION TO THE STARK COUNTY LAND REUTILIZATION CORPORATION (SCLRC) FOR A MOVING OHIO FORWARD DEMOLITION PROGRAM FUNDING GRANT AND TO ENTER INTO A SUBRECIPIENT AGREEMENT WITH THE SCLRC IN ORDER TO EFFECT THE DEMOLITION OF NUISANCE RESIDENTIAL STRUCTURES WITHIN CANTON; RATIFYING ANY ACTIONS TAKEN BY THE DIRECTOR OF PUBLIC SERVICE; AUTHORIZING THE AUDITOR TO ESTABLISH THE 1151 STARK COUNTY/CANTON LAND REUTILIZATION AND NOTE FUND; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,000,000.00 FROM UNAPPROP BAL 1151 LAND REUTILIZATION & NOTE FUND TO 1151 101501 CODE ENFORCEMENT - OTHER)
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LOAN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$3,000,000.00 WITH CORMONY DEVELOPMENT (OR SOME OTHER ENTITY YET TO BE DETERMINED) IN ORDER TO PROVIDE GAP FINANCING TO THE HERCULES REDEVELOPMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

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Referred to Finance Committee

(COUNCIL RECESSED AT 7:49 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #7; RECONVENED AT 7:54 P.M.)

#7. (1ST RDG) **ADOPTED AS ORDINANCE NO. 39/2013** AN ORDINANCE DECLARING THE BUILDINGS LISTED ON EXHIBIT A TO BE PUBLIC NUISANCES; AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE DEMOLITION OF SAID BUILDINGS AUTHORIZING THE CLERK OF CANTON CITY COUNCIL TO CERTIFY THE COSTS OF DEMOLITION TO THE STARK COUNTY AUDITOR; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

PRESIDENT PRO TEM DOUGHERTY: While were gathering signatures and stuff, I'd like to have the students from Jackson High School stand up please or from the Government class. Thanks for coming tonight, or is it because you had to? *(APPLAUSE)* Welcome.

PRESIDENT PRO TEM DOUGHERTY: Council is reconvening.

MEMBER GRIFFIN: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: I move that we suspend Rule 22A to place Ordinance 7 back on this evening's agenda.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Moved and seconded to suspend Rule 22A to put this back on the Agenda. Any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Ordinance 7 is a legal part of your Agenda. Member Griffin

MEMBER GRIFFIN: Mr. President, I move that we suspend Statutory Rules on Ordinance 7. Second.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Moved and seconded to suspend the Statutory Rules on Ordinance 7. 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: Mr. President, I move that we adopt Ordinance #7.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Moved and seconded to adopt Ordinance 7. Any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#7 ADOPTED AS ORDINANCE NO. 39/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 7 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM DOUGHERTY: Now under Second Readings. Madame Clerk.

NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #8 THROUGH #20 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #8. (2ND RDG) A RESOLUTION WITHDRAWING CANTON'S OBJECTION TO THE RENEWAL OF A LIQUOR PERMIT LOCATED WITHIN THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY (JOHN LS 704-7TH ST SW)
- #9. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATIONS HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (3 APPROPS FIRE ADMIN; 1 APPROP POLICE ADMIN)
- #10. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (16 VARIOUS HEALTH FUNDS)
- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A THREE-YEAR CONTRACT WITH SHOTSPOTTER FLEX IN A TOTAL AMOUNT NOT TO EXCEED \$360,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO MAKE APPLICATION, ENTER INTO CONTRACT FOR AND RECEIVE FUNDS FOR VARIOUS GRANT PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT(S) FOR THE PURCHASE OF ONE (1) 2013 OR NEWER HEAVY DUTY CREW TRUCK CAB AND CHASSIS IN AN AMOUNT NOT TO EXCEED \$42,000.00 WITH A SEPARATE SERVICE BODY WITH ACCESSORIES AT AN APPROXIMATE COST OF \$16,000.00 TO BE INSTALLED ON THIS TRUCK AND ONE (1) VALVE OPERATING MAINTENANCE TRAILER SYSTEM IN AN AMOUNT NOT TO EXCEED \$75,000.00 FOR THE WATER DEPARTMENT; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTACT(S) FOR THE PURCHASE OF VARIOUS VEHICLES AND EQUIPMENT PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT IN AN AMOUNT NOT TO EXCEED \$90,000.00 FOR LIGHTING REPAIRS AT THURMAN MUNSON MEMORIAL STADIUM; AND DECLARING THE SAME TO BE AN EMERGENCY
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- #15. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO PURCHASE VEHICLES FOR THE ENGINEERING DEPARTMENT PURSUANT TO THE STATE COOPERATIVE PURCHASING AGREEMENT OR TO ALTERNATIVELY ADVERTISE, RECEIVE BIDS AND ENTER INTO CONTRACT(S) FOR THE PURCHASE OF SAID VEHICLES; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16. (2ND RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO CONSTRUCTION OF SIDEWALK ALONG 55TH STREET; AND DECLARING THE SAME TO BE AN EMERGENCY
- #17. (2ND RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO MOWING IN VARIOUS SPOTS ON IR 77; AND DECLARING THE SAME TO BE AN EMERGENCY
- #18. (2ND RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO INSTALLING EPOXY PAVEMENT MARKINGS ON US 30 AND IR 77; AND DECLARING THE SAME TO BE AN EMERGENCY
- #19. (2ND 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 RESURFACING OF

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THE PORTION OF HARRISON AVENUE OVER US 30 INCLUDING THE BRIDGE APPROACHES; AND DECLARING THE SAME TO BE AN EMERGENCY

#20. (2ND RDG) **ADOPTED AS ORDINANCE NO. 40/2013** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$30,000.00 - 2317 301001 LOCAL HEALTH ASSESSMENT AND ACCRED - OTHER)

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President. I move that we Suspend the Statutory Rule for Ordinance #20.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Moved and seconded to Suspend Statutory Rules for Ordinance #20. Any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Griffin, you've heard the Three Readings.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance #20.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM SCHULMAN: 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. 40/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 20 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM DOUGHERTY: Now under Ordinances for their Third and Final Reading. Madame Clerk.

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 41/2013** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$24,154.83 - 2235 506009 BROWNFIELD JOB TRAINING GRANT - OTHER)

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PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I make a motion we adopt Ordinance #21.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM SCHULMAN: 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. 41/2013

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

#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 42/2013** A RESOLUTION CONSIDERING AND APPROVING THE PETITION FOR RENEWAL OF THE OPERATING ASSESSMENT OF THE DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; 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 SCHULMAN: Moved and seconded to adopt Ordinance 22. Any remarks?

MEMBER SMITH: Mr. President.

PRESIDENT PRO TEM SCHULMAN: Member Smith.

MEMBER SMITH: I do sit on that Downtown Special Improvement Board and it is rewarding. The things that they, that we do as a Board and I would ask your support in the renewal of this petition.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Any other remarks?

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member West.

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MEMBER WEST: Special Improvement District is in Ward 2 and 4 and I would also echo Chris Smith's remarks.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#22 ADOPTED AS ORDINANCE NO. 42/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 22 has been adopted. Ordinance 23.

#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 43/2013** AN ORDINANCE AUTHORIZING CHIEF STEPHEN RICH AND THE CANTON FIRE DEPARTMENT TO DONATE USED FIRE EQUIPMENT TO A HONDURAS FIRE DEPARTMENT

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

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

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM SCHULMAN: 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. 43/2013

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

#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 44/2013** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$333.68 TO LIFE GAS; 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.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#24 ADOPTED AS ORDINANCE NO. 44/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 24 has been adopted. Ordinance 25.

#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 45/2013** AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR THE REMOVAL OF NOXIOUS WEEDS AND DEBRIS; 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 #25.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM SCHULMAN: It's been moved and seconded to adopt Ordinance 25. Any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#25 ADOPTED AS ORDINANCE NO. 45/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 25 has been adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM DOUGHERTY: Announcement of Committee Meetings.

MEMBER COLE: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cole.

MEMBER COLE: Finance will meet at 6:30 on March 18th.

MEMBER HAWK: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Hawk.

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MEMBER HAWK: Annexation Committee with meet at 6:30 on March 18th.

MEMBER SMITH: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Smith.

MEMBER SMITH: Community and Economic Development will also meet at that same time.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Anyone else. I got, where'd Jim go. Member Griffin.

MEMBER GRIFFIN: Mr. President, Personnel will meet same time.

PRESIDENT PRO TEM DOUGHERTY: Also Public Property Capital Improvement will meet that night at 6:30.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM DOUGHERTY: Now under Miscellaneous Business. Any Miscellaneous Business?
Member Griffin.

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

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: Moved and seconded to adjourn. Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President. Thirteen.

PRESIDENT PRO TEM DOUGHERTY: *(Gavel falls)* We're adjourned.

ADJOURNMENT TIME: 8:05 PM

ATTEST: MARCH 13, 2013
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: MARCH 13, 2013
DAVID R. DOUGHERTY
PRESIDENT PRO TEM