

**MINUTES OF THE MEETING APRIL 15, 2013**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and always, welcome to Canton City Council. Before we begin tonight's meeting, I need not remind anyone in the room of the tragedy that occurred today in Boston, another terrorist attack on our Country and I have a very special feeling for it because my daughter attends school there. So, for awhile it was, you know, the fears of a father. So, I'd like to spend this moment with a moment of silent prayer. Our prayers and thoughts go to the families and the victims, the families of those who have been injured and we pray that the authorities will track down those responsible and bring them to justice. So, for one moment let's take a moment of prayer.

*(MOMENT OF SILENCE)*

PRESIDENT SCHULMAN: Thank you. With a quorum being present, the Chair does call this meeting of Canton City Council to order. Roll call vote please Madame Clerk.

*ROLL CALL TAKEN BY CLERK TIMBERLAKE:*

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER HAWK ABSENT)

CLERK TIMBERLAKE: Eleven present Mr. President.

**EXCUSING MEMBERS**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader. Member Hawk, sorry.

MEMBER DOUGHERTY: Sorry, I make a motion to excuse Member Hawk from this tonight's meeting.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Hawk from tonight's meeting. I talked to Greg this afternoon and he sounded horrible. He's got a very bad flu. So, that's the reason he cannot be in attendance tonight. Any other remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and Member Hawk is excused from this evening's meeting. The invocation tonight will be given by my good friend, Member West, Thomas West. Will you all please stand and remain standing for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on April 15, 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 the Pastor of Life Ministries, Kyle Stone. The Pledge of Allegiance led by President Schulman.*

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PRESIDENT SCHULMAN: Thank you very much Pastor. We appreciate those thoughtful words.

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Yes Mayor.

MAYOR HEALY: I just wanted to let you know that Kyle Stone actually is a City employee and he runs our Fair Housing Department.

MEMBER WEST: Mr. President, that was a lot shorter then I was going to be tonight. So.

PRESIDENT SCHULMAN: And we can all pray to that Member West. *(Laughter)*

**AGENDA CORRECTIONS & CHANGES**

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

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinances 11, through 15 with the exception of 14 being retained in Committee.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2<sup>nd</sup> Reading Ordinances 11, 12, 13 and 15 to this evening's Agenda. Ordinance #14 will be retained in Committee. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries and the Ordinances will be a legal part of your agenda.

**PUBLIC HEARINGS**

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

**OLD BUSINESS**

PRESIDENT SCHULMAN: We're now under Old Business and I will turn this over to the Mayor's Chief of Staff, Warren Price. Director.

CHIEF OF STAFF WARREN PRICE: Thank you Mr. President, I just wanted to let Council know that I am following up on a couple issues from past Public Speaks. One in particular I just wanted to make mention of would be handicapped accessibility for the Civil Service exam. You know, we work very closely with the Law Department to make sure that, you know, all of our folks are accommodated, we'll continue to do that. We're looking into some of the issues that Mr. Hawk raised but, Jack Hawk, that is not Councilman Hawk, at Public Speaks during the last meeting. But I just wanted to let you know we are looking into those...those things, we're not just ignoring it when they bring those things to our attention. So, thank you.

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PRESIDENT SCHULMAN: Thank you Director, very much.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: Turning now to Public Speaks. We have 10 speakers scheduled this evening. Our first...first, excuse me, is Pete DiGiacomo. Mr. DiGiacomo, as always, welcome to Canton City Council. If you'll give us your name and your residential address please.

PETE DIGIACOMO: Yes, my name is Pete DiGiacomo, I live at 600 Dent Place, SW, Canton Ohio. There was an article in Friday's paper "Reduce Size of City Council" and basically what it comes up with is that we should eliminate Council at Large. I for one am completely against it. Council at Large people there, years ago helped us get a bar closed. Without them, we would not have been able to get the bar closed. So, they...they help all the Council folks. And this was before Chris Smith was our Council Ward, we were having the trouble. So, please don't frown at me. I can see you looking over here. *(Laughter)* Oh, now...now she ain't gonna look. Come on Chris. Man...okay my time is running. But anyhow, it's a bad, bad idea and the fact that President Schulman stated in here, he could do the job of three Councilman at Large. Well yeah...you know, I know you have a very important job. You make a lot of good money. The money here is pretty good but it doesn't match the same plus you'd be up all night. So, I realize the President, regardless of who it is, cannot do the job of Council at Large. The other thing that I...I asked to find out and this I believe was from the Mayor, they, "Council seats, probably should have been eliminated years ago. It's a long time coming but people are afraid of change." People are not afraid of change but they maybe af...excepting a good change, a positive change. This is not a good or positive change. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. DiGiacomo. Our next speaker, excuse me, is Bruce Brewer. Mr. Brewer, as always, welcome to Canton City Council. If you'll give us your name and your residential address sir.

BRUCE BREWER: My name is Bruce Brewer, I reside at 1520 Harvard Avenue, City of Canton. Good evening Members of Council and Council President. I'm here this evening to represent Group 175 and its drive for as many officers to fill the void in the Police Department. Crime is running rampant within...with...with...throughout the City and the...without these officers, I see little change in our neighborhood. And that goes for every neighborhood. We now have the echoing system for the City of Canton. These new systems take time to set up and to monitor in...in our trouble areas throughout the City. Who will respond to these alerts? We do not have the Police Officers to respond to them. They are...they're worthless. Group 175 is committed to get those officers back on the street. Won't you join us in our efforts to make Canton a safer place to live, stand up, be counted, wear the yellow and red badge. We hope that our Mayor, Mayor Healy has a...has a plan made up for us to meet with him tomorrow to make that 175 happen. Another comment I might add, the second issue, I would like to speak on are...are Mr. Cole's statement to get rid of valuable Members of City Council. If this is how Mr. Cole really feels about the City's leaders then let Mr. Cole be the first to step down and let's make our neighborhood a safer place to live. Thank you.

PRESIDENT SCHULMAN: Thank you sir. Our next speaker is Leroy Lynch. Mr. Lynch, if you'll step forward and I know Mr. Hawk is here to assist. If you'll give us your name and your residential address and as always, welcome Mr. Lynch to Canton City Council.

LEROY LYNCH: *(with Jack Hawk interpreting)* Leroy Lynch, I live at 3911 Highview Avenue SW. Thank you for inviting me here and also thank you for...Warren, for what you just said recently about the Civil

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Service but I'm still...some of the people are here but the last time you voted, some 2...2 ½....2 ½, 2 weeks ago about the 2 ½ % raise, one of the concerns is, some of these non union people have, sometimes twice, three times pension and yet you still pay them the 2 ½. He says I know I can't go in to...go in to the union without...because he doesn't...because he's deaf and he...and you're not going to accept him back until he passes that test if possible. So, he can't communicate with you and the community but you sort of give them the raise and gave them raises. Now, he's looking at that and he says I'm deaf and you're giving other people raises, your giving people 2 ½ % pensions and your giving them pensions and percentages. He says that means that you should probably treat everybody the same because I pay taxpayers'....taxes, a lot of people pay the same and he says you've sort of given them sort of a disappointment by just sort of giving him sort of \$7,000.00 and he says he is hoping that you as Council will turn that down please. Thank you.

PRESIDENT SCHULMAN: Thank you very much. Thank you. As always Mr. Hawk, thank you sir. Our next speaker is Kenny King. Mr. King good evening. If you'll step forward and give us your name and your residential address sir. And welcome to Canton City Council.

KENNY KING: Thank you, my name is Kenny King. I live at 2916 6<sup>th</sup> Street SW, the corner of 6<sup>th</sup> and Wertz. Last night I was coming home, I usually park my car on 6<sup>th</sup> Street, well I looked down Wertz, maybe about 30, 40 people, I didn't know what was going on. I figured it out, it was a big fight. So, I drove my car down there and kinda broke...broke up the fight, went right through the middle. I just told them, I sa...I got out of the car and I said "we can't have this." It was a lady with dread locks and another lady, just, you know, it was getting pretty ugly. So, I don't know what I wrote here. I...I realize that...that, you know, things were getting ugly. So, I tried to keep the peace until the...somebody said the police were coming and I said "okay". Then the police came, just kind of ignored me, went right to the lady doing all the, you know, the fighting, subdued her. Took her back to the cruiser. The other guy come and...the officer, said "took care of the crowd" I said "I just want out of here, you blocked me in, I just want out and go" and they said "okay". I guess what my question is, is you get in the middle of something like that, you don't want to be involved but trying to help. So, I'm just a citizen, I'm not, you know, trying to...I'm a crime watch...we're having a crime watch meeting Thursday at St. Paul's United Methodist Church. Jim Knight from the Prosecutor's Office will be there, the Mayor is sending somebody if he can't make it. Councilman Jim Griffin and...you know, I'm just concerned about the neighborhood. What are you supposed to do before the police get there? You know, that's kind of a crucial time. I did what I could do and tried to keep the peace. You don't really know and the police handled it good, I mean they...they came in like...like troopers and sorted it out and I left so I can't tell ya and I don't care. But I'm...I'm asking, I...I guess I'll find out Thursday night but, you know, you try to stop things before it happens. I guess that's what I'm trying to do, clean up the neighborhood. I give the police credit because they..they handled it but when you get that many people, it's hard to break up. It's, I don't know, that's all I got.

PRESIDENT SCHULMAN: Thank you very much sir. Thank you. Our next speaker is Bruce Nordman. Mr. Nordman, as always welcome to Canton City Council sir. If you'll give us your name and your residential address please.

BRUCE NORDMAN: I'm Bruce Nordman, I reside at 1623 Logan Avenue NW. Greetings Mayor, Council President, Members of City Council. You probably saw today headlines in the Repository about Group 175. If ya haven't read it, get the paper, it tells all about who we are. We represent on personal contacts, over 500 individuals in the City and over 50 businesses. And I want to take this moment to thank the Mayor for his efforts to put 14 more Police Officers on the force. We have a meeting tomorrow at 10:00 with the Mayor and

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our position is and will remain, is that we need the police strength at 175. Now I've circulated this memo which came from the commiss...from the Commissioners, the Stark County Commissioner where we were at 175 officers in 2008 with 2,432 arrests and when we dropped down to...to...to 144, we dropped 143 arrests. Now the contention is that that's due to the Sheriffs not having the beds. And frankly I think that's an insult to the excellent Police Officers that we have on the force who don't shun their duty to make the arrests. The arrests are down because the strength is down because we got less officers on the street. Now, it was a suggestion made that we meet with our representatives. We've already talked to Representative Schuring and we will follow up with the rest of the State Representatives and our one State Senator. Now, every Councilman that is running for Office and hope to be Councilmen has stated the number one issue is crime and that's why we're here. Now we found \$3,000,000.00 dollars for the Hercules operation, we found \$360,000.00 for Shotspotter, I don't know who is going to respond to that because we have talked to a great number of Police Officers on the street and several of them have told us that in the process of responding to a call, they've been called off of that call 3 times and went to the 3<sup>rd</sup>...went to the 3<sup>rd</sup> call. Of course, crime #1, crime #2 are not reported, of course not, that's why the crime is down because we're not having enough officers on the force to make the arrests. Now, we're asking the Mayor tomorrow morning to submit his budget to us so that we can analyze it. Asking the Mayor to realign his priorities so that we can find this 1,335,000 to get more officers on the street. And that is a request now, not waiting for monies coming down from every project that we are hopeful to get. We need this help now. And I thank you very much Council and Mayor and Mr. President for your time.

PRESIDENT SCHULMAN: Thank you very much sir. Our next speaker is Ray Skotnicky. Mr. Skotnicky, good evening, welcome. If you'll give us your name and your residential address please.

RAY SKOTNICKY: My name is Ray Skotnicky. I live at 3122 12<sup>th</sup> Street NW, Canton, Ohio. I'm one of the employees that was fired over this rehire/retire nonsense. I'm 59 years old, I've lived in the City my entire life. I worked for the City for 36 years. My father worked for the City, he had an uncle, Anthony Skotnicky. He was a Police Officer and died in the line of duty. We also have a street named after us. I've never seen or heard of anything as egregious as what the City did to us. At no time did any of us intend to retire, resign or otherwise voluntarily separate our employment with the City. High level City Officials encouraged, advised, approved of and insisted...assisted with the PERS application forms knowing and intending that none of us were retiring our employment with the City and knowing further that we were only submitting the OPERS applications for the sole purposes of receiving benefits under the age and service requirements (*inaudible*) our employment. None of us submitted any retirement/resignation notification to supervisors or appointing authorities in conjunction with the City's established procedures to retire/resign our employment with the City. Letters by us were for PERS purposes only, prepared by the Deputy Auditor, Gary Young and carefully limited to retirement PERS purposes only. None of us were paid our occurred sick vacation or longevity which is a requirement when any City employee retires, resigns or otherwise voluntarily separates his employment. All of us continued to work in our same positions, uninterrupted after PERS applications were submitted and that was known and understood by high level City Officials that prepared forms, encouraged, advised, approved of and assisted with our PERS applications. Our Supervisor, including Tracy Mills, Tyler Converse and George Fawver, who was retired and rehired himself, appointing authorities, Richard Mallonn, were fully aware that we were receiving PERS benefits, while still employed in the same protected positions without any changes and took no steps to report this to the appointed authorities or question why these employees have (*inaudible*) retired were still working. In fact, Tracy Mills called all the employees, one at a time into his office and recruited and encouraged us to do. Mr. Tyler Converse along with George Fawver wrote letters to Leroy Lynch

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to inform him of the procedure, Mr. Lynch is deaf. None of us gaged in any contact that would warrant any removal. On January 13, 2012, none of us were involuntarily terminated from our employment from the City and ordered to leave the work place. City Officials were fully aware of the prepared documents for and approved of this procedure. It is the City not us that should be of the responsibility of the decisions and actions of its Officials that established a policy and procedure as far back as the Watkins Administration, whereby we were encouraged, recruited, advised and assisted in submitting OPERS benefit applications. If those City Officials acted incorrectly or made faulty (*inaudible*) when they were capable of knowing the facts of each situation, they should suffer the consequences of their decisions and actions, not us. In particular, Law Director Martuccio and Civil Service Director Sliman, the two men who more than anyone should know the law and Civil Service rules. I don't have time to finish the rest but I'm highly disappointed in what happened to us. I don't think it was right, they encouraged us, they filled out paperwork, they made up paperwork and then they told us they would help our families if we did this and they turned around and fired us. Shame on you Mr. Mayor...

PRESIDENT SCHULMAN: Okay...thank....

RAY SKOTNICKY: ...shame on you!

PRESIDENT SCHULMAN: ...you sir. Thank you. Our next speaker is James Parker, Mr. Parker. Good evening Mr. Parker, if you'll step forward and give us your name and residential address.

JAMES PARKER: Thank you Council President Schulman, Honorable Mayor William Healy. James Parker, 630 Penny Street SW, North Canton, Ohio. I'm here for the, I think, the 3<sup>rd</sup> time to discuss time to discuss massage Ordinance 785, there's 4 pages of it. I'd like each of you to review it and ask yourself if you were in a business and had a college degree in this business, would you find it anti-touch? It makes a crime out of touching. You know, when Mike Gill threatened to have me arrested for promoting the spa down here, I thought he would be crazy. I says what are you going to arrest me for, aggravated touching? It turns out since 1986 this has been on the books. Allen, you remember Jessie the (*inaudible*) from the Jewish Center, worked at the YMCA down here forever, a blind masseur, as I've talked about. He was not in compliance with this, nor was Dell Dormand that worked 50 years at the YMCA. This, in order to help include the healing arts as part of the connotation to the arts district. You can do MMA, try to kill each other, there's no Ordinance against that but, you know, try to touch one another to help your...your boo boos and look out, you better have a badge and get printed and all this malarkey. Ohio Revised Code Section 503.40 covers massage just fine. But 785, Canton City Ordinance goes on to draconian lengths to hinder the business of passionate touch, healing touch, touch for health, whatever. How is this like a headness...headless nail, it's much easier to get in then to get out with this Ordinance. Last Tuesday, April 8<sup>th</sup>, a fruitful and simplified article in the Wall St...in the New York Times, they show a couple of...the future of Government like (*inaudible*) conquering the crisis of complexity. It's all about simplifying. Look at Apple, Ipad, what they've done with their products, how they streamline them. Use it to form and operate your as a template, achieving simplicity. It's just common sense arguing for the elimination of bureaucracy and redundancy whether its healthcare to sidestep these difficulties to reduce the complexity in today's lawyered up in inner connected society. I could quote from office in White House, this and that and the rules and regulations and they need nudged to make more rational sense of choices. Use plain language, the reduction and red tape, the elimination of costly unjustified requirements. We are reminded of the challenges of simplifying the federal tax code by the basic fact that according to Mr. Segal (*inaudible*) nearly tripled in volume during the last decade to 3.5 million words. Massage fees just increased 300% in two categories, a \$300.00 fire inspection that nobody else has to pay for. It went through this Council.

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Government simplification requires many of the same things needed to simplify businesses, strong leadership, clarity of purpose, it's a (*inaudible*) openness, empathy and innovation. I don't have time to go on. So, I'll come back. Thank you very much.

PRESIDENT SCHULMAN: Thank you Mr. Parker. Our next speaker is Kliff Speaker. Mr. Speaker, good evening, if you'll give us your name and your residential address please.

KLIFF SPEAKER: Yes, my name is Kliff Speaker, I live at 1925 Woodland Avenue NW in Canton, Ohio 44709. And I would like to...I've did some research and basically I think that the salaries that Mayor Healy makes and...the salary in general because I only have three minutes instead of three months. Mayor Healy makes \$107,470.00. Well I called the office this morning and talked to Michelle at the City Council Office and I wanted to know what that was based on, whether it's based on population, whether its based on CPI, Consumer Price Index. Well, I found out, they didn't...weren't sure so I contacted the Ohio Secretary of State and they informed me that the State and County is done by population and the City is done by their budget. So, I lived in Gainesville, Florida for 14 years and I know...I'm very familiar with the Government, the Mayor there was very good. He was..he was there for about 14 years and just voted out. Well I also...all my documentation is from Media Sources and from Government sources. So, everything is public record. I have copies of everything and I could go into great detail if anyone needs me to do so. Gainesville, Florida, if you're basing this on population, Gainesville, Florida as of the last census had a population of 124,354 people. If you look at the same census for the City of Canton the population was 72,007. Mayor Healy's salary is \$107,470.00. The City of Gainesville's salary is \$40,436.45. So Mayor Healy makes more than double of the salary of this Mayor in a City that has a population of 50,000 less. So obviously there is a discrepancy there. So then I went on the Consumer Price Index because they said it's based on that. Well also if you go to the Quick Facts for the US Census Bureau you'll see that (*inaudible*) home value ownership in the City of Canton and the City of Gainesville has a medium value owner occupied housing unit of \$164,500.00. If you look at the City of Canton, and that's from years 2007 to 2011, if you look at the City of Canton from the same years by the US Census Bureau, the medium home value is \$80,000.00. So, by going by the CPI, Mayor Healy's salary should be around \$20,000.00 because the medium house value is half in this City of what it is in Gainesville, Florida and the Gainesville, Florida Mayor makes 40,000. Therefore, you are significantly overpaid. And with the money that you...the City of Canton would save by reducing your income to hire many more Police Officers without any hair brain schemes, putting cameras up, you know, at intersections. I think that you're doing this City an injustice and I...and also I'd like to add that in Gainesville, Florida there is no State income tax and there is no City income tax but there is here. And projected next year, Canton's populations projections go down again like it has for the last 30, 40 years and Gainesville's population is projected to go up. You can...with this type of attitude and this type of policy, I can continue to see Canton on the decline. (*Inaudible*) surprised to see, you know, this becoming a ghost town.

PRESIDENT SCHULMAN: Thank you very much sir. Thank you. Our next speaker is Patricia Kirk. Ms. Kirk, it's good to see you, I hope you're feeling well. If you'll step forward. Welcome again to Canton City Council, if you'll give us your name and your residential address.

PATRICIA KIRK: Yes hello. My name is Patricia Kirk, I'm President of Downtown Central Neighborhood Association. As we all know in Ward 2, the Board of Election's roof caved in during a very, very, very bad storm that we had last week. I was a poll worker for years and I am very acquainted with their...with their work that they do on election night that goes on past 12. They also need a central location. And I learned that they are considering moving out to Regent NE. We have so many empty buildings downtown, especially the one on the corner of 4<sup>th</sup> and Market that was just recently vacated by a business that was there for 26 years. Why can't

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the Board of Elections be located in a central location such as that? Because part of the work after voting night is when all of the machines and the votes are returned to the Board of Elections and they have quite a lot of work that needs to be done and a central location is essential. Thank you very much.

PRESIDENT SCHULMAN: Thank you. Our last speaker is Henry Preston. Mr. Preston, good evening, if you'll give us your name and your residential address sir and welcome to Canton City Council.

HENRY PRESTON: My name is Henry Preston, I live at 326 31<sup>st</sup> Street NW. I am here to talk about the inappropriate use of some...inappropriate use of technology by some Canton City employees. Last week Councilwoman Cirelli (*inaudible*)...truth of how some Canton City employees inappropriately use the telephone and answering equipment. Well the topic of discussion was about pay raises for City employees, Councilwoman Cirelli (*inaudible*) that on a Friday she called many department heads only to be greeted by an answering machine. While I sat back here in the audience, I identified with what she said because I have experienced the very same thing. And I've also am waiting a call from somebody in the Street Department to return my call since January, the middle of January. So, this kind of performance by City employees is ongoing and I think its (*inaudible*) in places. Last week I came to sign up at the City office and I was denied and I inquired why and they said the sheet was pulled and I said who determines that. Well, they were using a cell phone. Well I didn't pursue it to an extent when I went to check with security and their phone, I mean their...their watch, the man's watch was the same as my cell phone. I came in here, my cellphone was the same as the clock in here. Most of the time I've got stellar service from City Council office but last week I did not and so I think, you know, minor details I think is important. And one other thing is I think the City loses some of its dollars, it's like the Water Department, they lose water and they don't know where it's going. What they pump out is not what they get back in receipts. And I was over at the park at Harvard and 25<sup>th</sup> Street and I talked to the (*inaudible*) you know who I'm talking about. And Frank, Councilman Morris had requested a tree to be trimmed. Well I looked at the tree and it's horrible and it didn't do what the man that called Councilman Morris to do. It's still dropping leaves and what they did, somebody sent out an employee that didn't know how to do it or didn't want to do it and nobody went back and checked and I don't know if it's got back to the Parks Department, if the...that there's something wrong with it. So, that's what I'm here to address is that technology and equipment is not properly used many times by City employees. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Preston. That concludes Public Speaks. We appreciate you all coming down this evening. Thank you very much.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: Turning now to Informal Resolutions. Madame Clerk would you please begin with Informal Resolution 25.

#25. CNCL-AT-LRG MBR CIRELLI & WARD CNCL MBRS GRIFFIN AND MACK: AUTHORIZE SAF DIR TO IMPOSE TEMPORARY MORATORIUM FOR A PERIOD OF 180 DAYS ON PROCESSING & ISSUANCE OF PERMITS AND LICENSING FOR AN AMUSEMENT ARCADE WHERE MORE THAN 5 SKILL BASED AMUSEMENT AND/OR COMPUTERIZED SWEEPSTAKES DEVICES ARE PRESENT. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Informal Resolution 25.

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MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 25. Any remarks under this Resolution? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #25 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries. Resolution 25 is adopted. Resolution 26 please.

#26. PERSONNEL COMMITTEE: REQ CONFIRMATION OF APPT OF BERNADINE SNELL (JENKINS) TO CANTON CITY BOARD OF HEALTH FROM 4/1/13 TO 3/31/18. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Informal Resolution 26.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 26. Are there any remarks under this Resolution?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I'd just like to say that I knew Bernadine's father very well and he would really be very proud that she's carrying on the tradition of giving back to the City, her expertise. So, thank her very much for that. Thank you sir.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Any other remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #26 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries and Resolution 26 is adopted.

**COMMUNICATIONS**

PRESIDENT SCHULMAN: We now turn 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 APRIL 15, 2013.***

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168. AGENT FOR PETITIONER, SLIMAN: RECEIPT OF PERTINENT DOCUMENTS FOR THE TACO BELL ANNEXATION. - RECEIVED & FILED
169. COURT ADMIN KOCHERA: 2012 MUNICIPAL COURT ANNUAL REPORT. - RECEIVED & FILED
170. DEVELOPMENT DIR WILLIAMS: REQ APPROVAL & AUTHORIZE IMPLEMENTATION OF NEIGHBORHOOD REVITALIZATION STRATEGY AREA PLAN; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS WITH COMMUNITY BASED DEVELOPMENT ORGANIZATIONS USING CDBG FUNDS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
171. SERVICE DIRECTOR PRICE: AUTHORIZE SERV DIR TO ENTER INTO AMENDED EXTENSION SERVICE AGMT WITH KEYBANK FOR A LANE OF TRAVEL TO THE ATM LOCATED ON THE MILLENNIUM PARKING DECK. - FINANCE COMMITTEE
172. SERVICE DIRECTOR PRICE: REQ PREPARATION OF ORDINANCE TO SETTLE A PORTION OF THE CIVIL LITIGATION INVOLVING 18 OF THE EMPLOYEES INVOLVED WITH RETIRE/REHIRE. - FINANCE COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: Now we are under 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 begin First Reading Ordinance by title.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #10 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT DONATION OF \$22,999.90 IN VALUE OF REAL PROPERTY; TO NEGOTIATE, ENTER INTO A PURCHASE AGREEMENT AND PURCHASE A 44.452 ACRE PARCEL FROM DIANA REALTY CORP. IN AN AMOUNT NOT TO EXCEED \$436,998.10 AND TO NEGOTIATE AND ENTER INTO A FIRST RIGHT OF REFUSAL AGREEMENT FOR THE PURCHASE OF A 4.132 ACRE PARCEL OWNED BY DIANO REALTY CORP.; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; RESTRICTING THE EXPLOITATION OF MINERAL RIGHTS ON THE PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE VACATING THE UNIMPROVED PORTIONS OF MAXINE AVENUE N.E., MARTHA AVENUE N.E., FAIRMONT STREET N.E., GRIDLEY AVENUE N.W. AND REGENT AVENUE N.E.; APPROVING AND ACCEPTING THE REPLAT OF THE VACATED STREETS AND OUTLOTS 1313 THROUGH 1316, 28728 THROUGH 28737 AND 42892 THROUGH 42969; AND DECLARING THE SAME TO BE AN

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EMERGENCY

**PUB HRG 4/29/13 @ 7:30 PM**Referred to Public Safety & Thoroughfares Committee

- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING CHAPTER 105, CONTRACTS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON TO INCLUDE A LOCAL PURCHASE PREFERENCE FOR VEHICLES  
Referred to Judiciary Committee
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH ZENITH SYSTEM, LLC IN AN AMOUNT NOT TO EXCEED \$25,000.00 TO PROVIDE CONSULTANT SERVICES FOR UPGRADES TO THE COURTROOMS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH NEW DAWN DEVELOPMENT HERSHBERGER FAMILY LLC TO PROVIDE A REAL PROPERTY TAX EXEMPTION; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON LOCAL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82 (C) OF THE REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee
- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH CPX SOUTH CANTON, LLC TO PROVIDE A REAL PROPERTY TAX EXEMPTION; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON LOCAL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82 (C) OF THE REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee
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- #7. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A THREE-YEAR AGREEMENT WITH DELL/MCPC IN AN AMOUNT NOT TO EXCEED \$36,100.00 FOR THE KACE 1100 MANAGEMENT APPLIANCE PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee
- #8. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FIVE-YEAR CONTRACT WITH AT&T IN AN AMOUNT NOT TO EXCEED \$100,000.00 FOR THE UPGRADE OF THE CITY'S WIDE AREA NETWORK (WAN) PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee

***(COUNCIL RECESSED AT 8:10 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCES #9***

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**& #10; RECONVENED AT 8:19 P.M.)**

- #9. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 71/2013** AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT A \$1,500.00 GRANT FROM WAL-MART FOR FAIR HOUSING MONTH ACTIVITIES; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #10. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 72/2013** AN ORDINANCE AUTHORIZING THE SETTLEMENT OF GRIEVANCES FILED AGAINST THE CITY OF CANTON BY AFSCME LOCAL 2937 AND 3449 REGARDING EIGHTEEN (18) FORMER EMPLOYEES; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

PRESIDENT SCHULMAN: And at this time the Chair would declare an in house recess for the Finance Committee for Member Chairman Cole to meet in regard to Ordinances 9 and 10 on your Agenda this evening. You're now in recess.

PRESIDENT SCHULMAN: Okay, Council will reconvene after the recess, thank you Chairman Cole. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to place Ordinances 9 and 10 back on the agenda.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend Rule 22A to put and place Ordinances 9 and 10 back on this evening's agenda. Any remarks? Hearing none Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries, Ordinances 9 and 10 are a legal part of your Agenda. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 9.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule on Ordinance 9. Any remarks? Hearing none, Madame Clerk.....Oh, I'm sorry, Member Cirelli.

MEMBER CIRELLI: I believe it's Ordinance 10?

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PRESIDENT SCHULMAN: Number 9.

MEMBER CIRELLI: *(Inaudible)*

PRESIDENT SCHULMAN: That's alright, if you'll let me conduct the Meeting Member Cirelli, I would appreciate it. *(Laughter)*

MEMBER CIRELLI: *(Inaudible)*...Mr. President.

PRESIDENT SCHULMAN: That's okay, not a problem. Madame Clerk, roll call vote please.

CLERK TIMBERLAKE: *(Inaudible)*

PRESIDENT SCHULMAN: Sure. Do you see what you've done now, the computer is down.

MEMBER CIRELLI: Sorry sir, sorry everybody.

PRESIDENT SCHULMAN: The computer heard you.

CLERK TIMBERLAKE: See Mr. Preston, you had to talk about technology tonight did ya. *(Laughter)*

PRESIDENT SCHULMAN: There it is.

CLERK TIMBERLAKE: Thank you for your patience.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The Motion carries. Leader you've heard the three readings.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 9.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 9. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

**#9 ADOPTED AS ORDINANCE NO. 71/2013**

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PRESIDENT SCHULMAN: Thank you Madame Clerk. The Motion carries and Ordinance 9 has been adopted. Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules on Ordinance 10.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 10. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The Motion carries. Leader you've heard the three readings.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 10. Any remarks under this Ordinance? Member Cirelli

MEMBER CIRELLI: Thank you Mr. President. I got a little ahead of myself so I apologize to everyone for that.

PRESIDENT SCHULMAN: It's alright.

MEMBER CIRELLI: My question is to the Mayor. On this Ordinance sir, having to do with the people with the retire/rehire, are...are the people...are you comfortable that those people in good faith feel that they have the opportunity to possibly be rehired again or are there some positions that you've said that you would not ever take back or some particular people, sir?

PRESIDENT SCHULMAN: Mayor Healy.

MAYOR HEALY: Mr. President, I'm not sure if I understand the question. But do I feel confident that these people feel they have an opportunity to come back? I really don't know how the people feel and can't tell you what they're thinking. I do know that the...the agreement says that if they take this settlement that they are eligible to take the test and based on they're scores would be considered for those positions if they...if they're in the top scores as any other applicant would...would fall.

MEMBER CIRELLI: Mr.....excuse me.

PRESIDENT SCHULMAN: Member Cirelli.

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MEMBER CIRELLI: Mr. President, maybe you could clarify this. Mayor Healy, what I'm asking you is, yourself, cause you know who all the people are, are there some people that you would not consider bringing back to your employment if they pass the test?

MAYOR HEALY: I...I couldn't answer that, most of these people are evaluated by the Department Heads that are doing the hiring and they would evaluate...and they know the performance and the background of those folks more so then I ever did. The...the Department Heads, when it comes to Civil Service test, they recommend new hire and send it up to Administration, not the other way around.

MEMBER CIRELLI: Okay, Mr. President, thank you Mayor Healy.

PRESIDENT SCHULMAN: Thank you Member Cirelli. Any other remarks? Hearing none, I believe you've made a motion, have you not Leader, to adopt Ordinance 10? Thank you. It's been moved and seconded then that you adopt Ordinance 10. Are there any other remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 1 NAY, 1 ABSTAIN  
(MEMBER CIRELLI VOTED NAY & MEMBER MACK ABSTAINED)

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

**#10 ADOPTED AS ORDINANCE NO. 72/2013**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 10 is therefore adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: Turning now to Ordinances and Formal Resolutions for the second reading. Madame Clerk, would you please begin Madame Clerk with Ordinance 11.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #11, #12, #13 AND #15 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #14 WILL BE RETAINED IN COMMITTEE):***

- #11. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Judiciary Committee
- #12. (2<sup>ND</sup> RDG) A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF THE 2013 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Judiciary Committee
- #13. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED

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\$95,000.00 WITH CTI ENGINEERS, INC. TO PREPARE PLANS AND SPECIFICATIONS FOR THE REPLACEMENT OF FAILING WATER MAINS ON WESTMORELAND AVENUE N.W. AND VICINITY; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #14. (2<sup>ND</sup> RDG) **RETAINED IN COMMITTEE** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO AMEND THE EXISTING JACKSON-CANTON JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT (JEDDC); AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Judiciary Committee

- #15. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GRANT AGREEMENT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION IN AN AMOUNT NOT TO EXCEED \$175,000.00 FOR THE PURPOSE OF FUNDING CANTON REGIONAL CHAMBER OF COMMERCE ACTIVITIES; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

PRESIDENT SCHULMAN: Thank you Madame Clerk.

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**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SCHULMAN: Turning now to Ordinances and Formal Resolutions for their third and final reading and vote. Madame Clerk, would you please begin with Ordinance 16.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #16 THROUGH #18 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.***

- #16. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 73/2013** AN ORDINANCE TEMPORARILY SUSPENDING THE 3% CAP FOR THE FINANCE DIRECTOR'S POSITION

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 16.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 16. Any remarks under this Ordinance?

MEMBER CIRELLI: Mr. President.

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PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: I recall in the past, I wasn't here but I believe it was Mr. Bernowski, I think it was made Service and Safety Director for awhile, I can't remember the reasons and then Mr. Tom Ascani, Service and Safety Director and I believe I was here whenever that occurred and unders...with the understanding that Mr. Price is taking on this extra duties and it is going to be an awful lot of extra work and...

PRESIDENT SCHULMAN: Member Cirelli, may I interrupt you? We're on Ordinance 16, which is temporarily suspending the 3% cap.

MEMBER CIRELLI: Sorry sir.

PRESIDENT SCHULMAN: That's okay. That's alright. That's...

MEMBER CIRELLI: Got ahead of myself again.

PRESIDENT SCHULMAN: Well, you're ahead of your time tonight.

MEMBER CIRELLI: I usually am.

PRESIDENT SCHULMAN: Any other remarks on Ordinance 16? Hearing none, Madame Clerk, roll call vote please.

CLERK TIMBERLAKE: I got to catch up with Member Cirelli here. *(Laughter)*

NO REMARKS

ROLL CALL 8 YEAS, 3 NAYS  
(MEMBERS CIRELLI, MACK & MORRIS VOTED NAY)

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

**#16 ADOPTED AS ORDINANCE NO. 73/2013**

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PRESIDENT SCHULMAN: Ordinance #16 is adopted. Do we want to move for Adjournment now Leader? Would that be a good idea? *(Laughter)* Why don't we just take it right to the end and forget about the rest it. *(Laughter)* Leader...or Madame Clerk, would you read Ordinance #17 please.

#17. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 74/2013** AN ORDINANCE AUTHORIZING A STIPEND, IN AN AMOUNT NOT TO EXCEED \$12,000.00 PER YEAR, TO ANY INDIVIDUAL SERVING SIMULTANEOUSLY AS THE DIRECTOR OF PUBLIC SAFETY AND DIRECTOR OF PUBLIC SERVICE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 17.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 17. Are there any remarks? Member Cirelli.

MEMBER CIRELLI: Thank you Mr. President and thank you Council.

PRESIDENT SCHULMAN: You're welcome.

MEMBER CIRELLI: As I was saying in the past, we...Mr. Bernowski, I remember reading about that in the newspaper and then Tom Ascani, and I believe I was here whenever that happened, when he took over both positions. And then last week they answered a question in a discussion that I had some concerns over and was that Mr. Price to my understanding is not going to stay there forever in this position and should he step back into his regular position, if I'm wrong somebody correct me.

PRESIDENT SCHULMAN: No, I think you're probably right.

MEMBER CIRELLI: And I think he's thinking he'll be relieved when that might happen. At the nod of his head, it's pretty obvious. So in the fact that I supported those two, God bless him. I wish him well and I hope it's not going to be too long in the fact that I wanted to make sure that we were not going to, you know, keep...we were not going to keep...we are going to keep that position open should they need to have a Safety Director. That's an awful lot of work for one person to take care of. Thank you sir.

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

MEMBER WEST: Yes, I'd like to also say...

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: ...you know, I see the Service Director work and I mean, his job...he already carries three jobs, this is actually the 4<sup>th</sup> job. I say that because that's how much work he does in the Service Director position and I think the \$12,000.00 is well deserved for taking on that 4<sup>th</sup> responsibility and...to cover our Wards and...you know see you in filling the positions of all the positions up there on the 8<sup>th</sup> floor. And I just love the way you work man, just continue to do what you and I'll definitely support this.

PRESIDENT SCHULMAN: Thank you Member West? Any other remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

**#17 ADOPTED AS ORDINANCE NO. 74/2013**

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PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #17 is adopted. Ordinance #18, Leader do we need an aye or.....

CLERK TIMBERLAKE: We need to read it.

PRESIDENT SCHULMAN: Okay.

#18. (3<sup>RD</sup> RDG) ***POSTPONED UNTIL 4/22/13 AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BENNETT & WILLIAMS ENVIRONMENTAL CONSULTANTS, INC. IN AN AMOUNT NOT TO EXCEED \$498,600.00 TO PERFORM A COMPREHENSIVE SOURCE WATER PROTECTION PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY***

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 18.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 18, Leader.

MEMBER DOUGHERTY: Mr. President, I move we postpone Ordinance 18 for one week to April 22<sup>nd</sup>.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to postpone Ordinance 18 for one week. Any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the Motion carries and Ordinance 18 is postponed for one week.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: Turning now to Announcement of Committee Meetings.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Member Smith.

MEMBER SMITH: CD will meet on the 22<sup>nd</sup> at 6:30.

MEMBER DOUGHERTY: Mr. President.

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PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will meet on the 22<sup>nd</sup> at 6:30.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Judiciary will meet same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Public Safety & Thoroughfares, same time.

PRESIDENT SCHULMAN: Great, thank you very much.

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: Miscellaneous Business, turning to that. Is there any?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I got a few things here. On this Thursday the 18<sup>th</sup> we're going to have a senior dance, okay a senior dance. Seniors, 50 and over right Tina? 50? Alright, you're 50, you're a senior. So, I didn't say senile, I said senior. *(Laughter)* Okay, this is actually on the 18<sup>th</sup>, it's going to be at the Corporate Lounge and come prepared to dance. So, make sure some of you guys in the audience, please come on out to that event. It's at the Corporate down on...the old Pete's Grill. And I..I wanted to, there was a couple things, one thing I heard on the radio today in reference to Charter Government and I wanted to say this very clearly and concisely, what I guess Member Cole brought up was not about Charter Government and I want everybody to be very clear on that and this Council didn't vote against Charter Government, it never got to the Council because we wanted the people, the citizens of Canton to be educated first. I know this is political year, this goes into my next thing, this is a political year and I like all the Members up here on this floor, on this panel and you know, I'd like to have a cup of what with Cole and a cup of water with Frank and a cup of water with Mariol every now and then and I just want everybody, please be civil to each other, including the audience. This is not...this circle is not of this room, is not about politics. This is about City business and we need to keep it that way. We need to ha....we need to continue the integrity of this little...of what this is all about. It's about the people and about the citizens. So let's do politicking out the door...outside of here and let's respect each other through this process and when we all finish this May 7<sup>th</sup>, you know let's all have a beer together or a glass of water. Okay, but I just wanted to say that because sometimes you walk in this room and it's thicker...it's thicker than mud, the tensions that's between pe...between us up here as well as the public. So let's all be civil this election. Thank you.

PRESIDENT SCHULMAN: Thank you Member West. Any other remarks? Leader.

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MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cole.

MEMBER COLE: Yes, many of you have already heard about the Resolution in regards to the reduction of Council Members. Law Director Martuccio is not here this evening. I would expect that, that would be coming down within the next week or so. My phone is always available to Council Members who want to discuss this issue, would like to talk about it further. I'm sure we will have a robust debate about this and I look forward to having those conversations with all of you. Thank you.

PRESIDENT SCHULMAN: Thank you Member Cole. Before we adjourn Leader. Were we supposed to hear from Angela Cavanaugh tonight, Director?

SERVICE DIRECTOR PRICE: Angela Cavanaugh is not available tonight. She has a medical issue and she advised me of that...

PRESIDENT SCHULMAN: Okay.

SERVICE DIRECTOR PRICE: ...when I met with her right after the previous meeting. So...

PRESIDENT SCHULMAN: Is she going to be here next week you think?

SERVICE DIRECTOR PRICE: Yeah, she plans to be here next week if she's recovered fully. But she said she is on target to do that.

PRESIDENT SCHULMAN: Okay, great thank you. Leader.

MEMBER DOUGHERTY: I move we adjourn.

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas.

PRESIDENT SCHULMAN: Thank you. Meeting is adjourned. Drive carefully everyone. *(Gavel falls)*

ADJOURNMENT TIME: 8:36 PM

ATTEST: APRIL 18, 2013  
CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

APPROVED: APRIL 18, 2013  
ALLEN SCHULMAN  
PRESIDENT