

MINUTES OF THE MEETING SEPTEMBER 30, 2013

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. It's good to have all of you here. We're honored tonight to have the Jackson Township government class here tonight. Would you stand up and we'll give you a little round of applause. For you budding politicians in the government class I would just say, do not run for the House of Representatives please. I think that the Senate might be a better place for you. With a quorum present, the Chair calls this meeting of Canton City Council to order. Roll call vote please Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

12 COUNCIL MEMBERS PRESENT: (DAVID DOUGHERTY, JAMES GRIFFIN, JAMES BABCOCK, MARY CIRELLI, JOSEPH 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.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight's invocation will not be given by my friend Ward 7 Council Member John Mariol, instead John will introduce our guest speaker for invocation. If you'll all stand please though and remain standing for our Pledge of Allegiance.

MEMBER MARIOL: Kyle Stone will be giving the invocation for me.

The regular meeting of Canton City Council was held on September 30, 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 Kyle Stone. The Pledge of Allegiance led by President Schulman.

PRESIDENT SCHULMAN: Thank you very much for those words.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to add 2nd Reading Ordinances 10 through 16 with #9 remaining in Committee.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: Thank you. It's been moved to Suspend Rule 22A to add the 2nd Reading Ordinances 10 through 16 with 9 being Retained in Committee. Are there any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Rule 22A is suspended and the Ordinances are a legal part of your Agenda.

MINUTES OF THE MEETING SEPTEMBER 30, 2013**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: Turning now to Public Hearings. We have no Public Hearings scheduled this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: I'll turn now to Old Business where I know we do have some and I'd ask the Chief of Staff, Fonda Williams to present the Old Business please..

CHIEF OF STAFF WILLIAMS: Thank you Mr. President. Last week Mrs. Becky Murphy approached this body in regards to vacant buildings, vacant commercial buildings and how often they were inspected by city departments and I gotta tell you, at the fire that we all know about that happened I believe on the 16th, that was one of the questions that came to mind as well. Director Perry and myself did a little research. It appears that various entities are assigned that task of inspecting vacant buildings. It's between the Fire Prevention Bureau, our local emergency Planning Commission at the county level and also our Air Pollution Department at the Health Department also plays an entrical role in inspections. To date there's been a combination of about 70, I should say a total of about 79 inspections to date. I think that number clearly states that we have a lot more than 79 buildings so there's a lot more work to be done to, to address this issue. Furthermore, it's broken down into the type of business manufacturing, hazmat, etc. It depends on which, which category they fall in as to who inspects these properties on an annual basis so, if it's OK with Members of Council, I'd like to do some additional research and report back as to the number of buildings that, the threshold and then also plans to move forward to make sure that we're making a greater attempt to inspect all the buildings that need inspected. I think that's fair. Secondly, Mr. John Laughlin approached Council about what funds are going to be used for demolition and I talked to Mr. Laughlin after the meeting and expressed to him that we would be using potentially CDBG funds or even state funds for these types of programs. So, thank you.

PRESIDENT SCHULMAN: Thank you very much Chief of Staff.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We now turn to Public Speaks. We have 2 speakers scheduled this evening. Our first is Pete DiGiacomo. Mr. DiGiacomo welcome as always. If you'll come up though and give us your name and your residential address please.

PETE DIGIACOMO: Thank you. My name's Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. A couple of things I wanted to speak on. First was last week was past the credit card for obtaining gas and diesel fuel for the vehicles. I just wanted to bring maybe, you've thought of this or maybe you could think about it that have some way computerized, and I'm certain Pat Barton could do this where somehow. They would find out in the morning where is the lowest price of fuel in the Canton area because some places, you know, you could be at one spot and it's one price and you go 3 or 4 blocks up and it's .25 or .30 difference the way it fluctuates. And if you were only talking 10 or 40 vehicles, OK you're going to save money over the year but, when you're talking with all the vehicles the city of Canton has, you're talking a whole lot of money. That would just be something to consider. One other thing was, last week you also passed for the out of law, out of town, in Columbus, Ohio a law firm who Service Director Bartos said that was already set in place before he got his position. There was a lot of people that didn't like that, like you know, let's keep the money here in the Canton area or Stark County anyhow. So maybe down the road that could be a future precedent that, you know, hey we need somebody locally here for that. OK, down to the last thing I'm going to talk about and I saved this because Mr. Martuccio's here tonight. I'm not an opponent of counterflow lanes. That being said, I won't tell the whole details, it's kinda long. But on the west coast a lot of the states out there

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which are bike friendly cities and where they are bike friendly cities, yes they do use counterflow lanes and it's a, a lot of other states use that. We're just new to the game. I don't really think it's all that safe. Maybe down the road but, it's, it's here so I guess we embrace it. That's all. And this is the last time I will speak on that.
(LAUGHTER)

PRESIDENT SCHULMAN: Thank you Mr. DiGiacomo very much. (APPLAUSE) And that's a very intriguing idea you had by the way about checking the gas prices. Our next speaker is Norma Mills. Ms. Mills, good evening. There you are. If you'll step forward and give us your name and your residential address and as always, welcome to Canton City Council.

NORMA MILLS: Thank you. My name is Norma Mills and I live at 3414 Columbus Road NE, Canton, Ohio. OK, I just want to say that Stand Up for Canton is in full support of the amendment to Chapter 1353, the Foreclosed Property and Building Codified Ordinance and we urge you to pass this Ordinance. We also want to thank you for your time and attention to making the amendment happen and thanks to Tom West, Joe Martuccio, Jason Reese, Kevin Fisher, Chris Smith and the entire City Council for the work that you've done on this Ordinance. Thank you.

PRESIDENT SCHULMAN: Thank you very much. (APPLAUSE) I wanna thank our speakers tonight.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: Now we turn to Informal Resolutions and we do have one. Madame Clerk would you please read Informal Resolution #46.

#46. COUNCIL AS A WHOLE: SUPPORTING THE 10/30/13 PUBLIC HEARING AT JACKSON TOWNSHIP ADMIN BLDG IN REGARD TO POLITICAL SUB DIVISIONS INCLUDING THE CITIES OF CANTON & NORTH CANTON TO ENTER INTO A CEDA W/THE BOARDS OF TRUSTEES OF JACKSON TOWNSHIP & PLAIN TOWNSHIP. - ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Informal Resolution 46.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Resolution 46. Any remarks under this Resolution? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #46 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries and the Resolution 46 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

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379. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 9/20/13. - RECEIVED & FILED
380. LAW DIRECTOR MARTUCCIO: REQ LEGISLATION ON BEHALF OF ADMINISTRATION TO PROCEED W/THE IMPLEMENTATION OF THE PUBLIC SVC PLAN ADOPTED BY THE DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT TO ADOPT THE ESTIMATES PREPARED & FILED W/THE RESOLUTION OF NECESSITY. - JUDICIARY COMMITTEE
381. LIQUOR CONTROL DIVISION (OHIO): REQ FOR TRANSFER OF C2 C2X LIQ PERMIT FROM CLASSIC DRIVE THRU INC DBA FOODLINE MARKET TO ALBERT COURT ENTERPRISES INC DBA FOODLINE MARKET @ 1415 ALBERT AVE SE 1ST FL. - RECEIVED & FILED
382. MAYOR HEALY: ADVISING THAT HE WILL AGAIN SERVE ON THE BD OF DIRECTORS FOR THE JOINT ECONOMIC DEVELOPMENT DISTRICT W/JACKSON TOWNSHIP ON BEHALF OF CITY OF CANTON. - RECEIVED & FILED
383. SERVICE DIRECTOR BARTOS: REQ \$295,081.00 SUPP APPROP FROM UNAPPROP BAL OF 5442 WRF PHOSPHORUS/NITROGEN PROJECT FUND TO 5442 206044 WRF PHOSPHORUS/NITROGEN PROJECT-OTHER TO COVER PREVIOUSLY AMENDED MBR PROCUREMENT CONTRACT PRICE. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
384. SERVICE DIRECTOR BARTOS: REQ TO AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY SERV DIR IN AMT NOT TO EXCEED \$12,152.84 TO CENTRAL ALLIED ENTERPRISES FOR ASPHALT PURCHASE. - FINANCE COMMITTEE
385. SERVICE DIRECTOR BARTOS: ADVISING OF EMERGENCY REPORT; REQ ALL STEPS NECESSARY BE TAKEN TO RATIFY ACTIONS OF SERV DIR & SUPERINTENDENT MONROE; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY SERV DIR IN AMT NOT TO EXCEED \$23,195.00 TO LAKE ERIE CONSTRUCTION CO FOR REPLACEMENT OF AN IMPACT ATTENUATOR. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

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NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #8 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO ENTER INTO A THREE YEAR PROFESSIONAL SERVICES AGREEMENT WITH JULIAN & GRUBE, INC. IN AN AMOUNT NOT TO EXCEED \$24,900.00 ANNUALLY; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$180,000.00 FROM UNAPPROP BAL 6041 MOTOR VEHICLES DEPT, DMV FUND TO 6041 208010 SERVICE & REPAIR - OTHER)
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING AND RENUMBERING OF OUTLOT 1150; AND DECLARING THE SAME TO BE AN EMERGENCY (MARET AVE NE)
Referred to Public Safety & Thoroughfares Committee
- #4. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 145/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$31,268.05 FROM UNAPPROP BAL 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 102000 POLICE - OTHER)
Referred to Public Property Capital Improvement Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT REIMBURSEMENT GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$31,988.28 FROM THE STATE FOR A TRAFFIC ENFORCEMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$8,067.84 TO KIMBLE CLAY & LIMESTONE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO AMEND THE ENERGY EFFICIENCY AND CONSERVATION BLOCK GRANT WITH THE FEDERAL GOVERNMENT TO EXTEND THE GRANT PERIOD AND ACCOUNT FOR AEP ENERGY EFFICIENCY GRIDSMART GRANT FUNDS; AMENDING ORDINANCE NO. 248/2009; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$19,480.73 FROM UNAPPROP BAL OF 2236 ENERGY

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EFFICIENCY & CONSERVATION GRANT FUND TO 2236 202030 CANTON
SUSTAINABILITY PROJ GP 1134 - OTHER)

Referred to Finance Committee

(COUNCIL RECESSED AT 7:41 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #8; RECONVENED AT 7:48 P.M.)

#8. (1ST RDG) **ADOPTED AS ORDINANCE NO. 176/2013** AN ORDINANCE AMENDING
ORDINANCE NO. 120/2013; AND DECLARING THE SAME TO BE AN
EMERGENCY

Referred to Public Property Capital Improvement Committee

PRESIDENT SCHULMAN: And at this time I would declare a recess for the Public Property Capital Improvement Committee to meet in regard to Ordinance 8 on your Agenda. You're now in recess, Chairman.

PRESIDENT SCHULMAN: Council then will reconvene after its recess. Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to place Ordinance 8 back on the agenda.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to place Ordinance 8 back on this evening's agenda. Any remarks? Hearing none Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The Motion carries. Ordinance 8 is a legal part of your Agenda. Leader Dougherty.

MEMBER WEST: Mr. President.

CLERK TIMBERLAKE: You're alright. It just moved the Rule Thomas.

PRESIDENT SCHULMAN: That's just to put it back on the agenda.

CLERK TIMBERLAKE: Yea, you're alright. Deputy will you come in and get Member West please. Leader.
(LAUGHTER)

MEMBER WEST: Bring the Mayor over.

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MEMBER DOUGHERTY: We can make sure he doesn't vote at all tonight. (*LAUGHTER*) Mr. President, I move we suspend the Statutory Rules on Ordinance 8.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 8. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 9 YEAS, 1 NAYS, 2 ABSTAIN
(MEMBER CIRELLI VOTED NAY, MEMBERS WEST & MORRIS ABSTAINED)

CLERK TIMBERLAKE: Nine yeas, one nay, two abstain, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Leader, you've heard the three readings.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 8.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 8. Any remarks? Hearing none, Madame Clerk again, roll call vote please.

NO REMARKS

ROLL CALL 9 YEAS, 1 NAYS, 2 ABSTAIN
(MEMBER CIRELLI VOTED NAY, MEMBERS WEST & MORRIS ABSTAINED)

CLERK TIMBERLAKE: Nine yeas, one nay, two abstain Mr. President.

#8 ADOPTED AS ORDINANCE NO. 176/2013

PRESIDENT SCHULMAN: Motion carries and Ordinance 8 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Now we turn to Ordinances and Formal Resolutions for the Second Reading. Would you please begin Madame Clerk with Ordinance 10.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #10 THROUGH #16 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#9 RETAINED IN COMMITTEE):

#9. (2ND RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AMENDING SECTION 1107.04, MEMBERSHIP, OF THE PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

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- #10. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE STARK COUNTY REGIONAL PLANNING COMMISSION IN AN AMOUNT NOT TO EXCEED \$20,000.00 FOR THE ADMINISTRATION OF THE CITY'S EMERGENCY SOLUTIONS GRANT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT AND FILE WITH THE US DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AMENDMENTS TO THE 2013 ANNUAL ACTION PLAN, NSP 1 SUBSTANTIAL AMENDMENT AND NSP 3 SUBSTANTIAL AMENDMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AND ENTER INTO CONTRACTS FOR THE REMOVAL OF ASBESTOS FROM AND DEMOLITION OF TWO COMMERCIAL STRUCTURES LOCATED AT 2408 13TH STREET NE AND 1446 WEST TUSCARAWAS STREET; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO: ACCEPT TWO (2) HOUSES FROM DDK PROPERTY GROUP LLC AND ELEVEN (11) HOUSES FROM FREED HOUSING CORPORATION; ENTER INTO CONTRACT (S) FOR THE REHABILITATION AND OTHER HOUSING EXPENSES OF EACH PROPERTY IN A TOTAL AMOUNT NOT TO EXCEED \$500,000.00; SELL SAID PROPERTIES ONCE THEY ARE COMPLETED; AND AUTHORIZE AN EXPANSION OF THE HOUSING REHAB PROGRAM TO UTILIZE UP TO \$500,000.00 IN CDBG FUNDS TO ENTER INTO CONTRACT FOR THE ACQUISITION, REHAB AND RESALE OF HOMEOWNER OCCUPIED UNITS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$80,000.00 FROM UNAPPROP BAL 2323 PREP FUND TO 2323 PREP GRANT - OTHER & 2323 PREP GRANT - PERSONNEL)
- #15. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$97,600.00 FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207003 WATER BILLING - OTHER AND 5201 207012 PUMPING MAINTENANCE - OTHER; \$6,600.00 FROM UNAPPROP BAL 5410 SEWER FUND TO 5410 207003 SEWER BILLING - OTHER; \$6,600.00 FROM UNAPPROP BAL 5601 SANITATION FUND TO 5601 207003 SANITATION BILLING - OTHER AND \$1,220.00 UNAPPROP BAL 5227 WATER METER/MTU REPLACEMENT FUND TO 5227 207030 WATER METER/MTU REPLACEMENT - OTHER)

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#16. (2ND RDG) **ADOPTED AS ORDINANCE 177/2013** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE AN AERIAL EASEMENT AGREEMENT WITH ABL REAL ESTATE, LLC FOR PROPERTY LOCATED AT 309 COURT AVENUE NW; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules for Ordinance 16.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance 16. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

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? Hearing none again, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 177/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 16 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Now we turn finally to Ordinances and Formal Resolutions for their Third, Final Reading and Vote. Would you please begin with Ordinance 17.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #17 THROUGH #21 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

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- #17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 178/2013** AN ORDINANCE AMENDING CHAPTER 1353, FORECLOSED PROPERTIES AND BUILDINGS OF THE CODIFIED ORDINANCES OF CANTON

PRESIDENT SCHULMAN: Leader Dougherty.

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. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#17 ADOPTED AS ORDINANCE NO. 178/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 17 is adopted. Ordinance 18 please.

- #18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 179/2013** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF ONE PARCEL OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-08850 - ON 4TH ST SE - JESSE JONES)

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. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#18 ADOPTED AS ORDINANCE NO. 179/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 18 is adopted. Ordinance 19 please.

- #19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 180/2013** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE AGREEMENT WITH CASE FARMS PROCESSING, INC. AND CASE

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DECLARING THE SAME TO BE AN EMERGENCY**

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 19.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 19. Any remarks under that Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#19 ADOPTED AS ORDINANCE NO. 180/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 19 is adopted. Ordinance 20 please.

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 181/2013** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$80,000.00- 2328 301001 PHEP GRANT - HEALTH)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 20.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 20. Any remarks under this Ordinance? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#20 ADOPTED AS ORDINANCE NO. 181/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk and the highlight of the evening, Ordinance 21 please.

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 182/2013** AN ORDINANCE AMENDING SECTION 1 OF ORDINANCE NO. 177/2006; AND DECLARING THE SAME TO BE AN EMERGENCY (IMPOUND - CHANGE DRAWER \$50.00)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 21.

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MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 21. Any remarks under this Ordinance? Hearing none, again Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

#21 ADOPTED AS ORDINANCE NO. 182/2013

PRESIDENT SCHULMAN: Ordinance 21 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Now we turn to Announcement of Committee Meetings.

MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Member Cole.

MEMBER COLE: Yes, Finance will start at 6:30 on October the 7th.

PRESIDENT SCHULMAN: Thank you.

MEMBER CIRELLI: Mr. President

PRESIDENT SCHULMAN: Member Cirelli.

MEMBER CIRELLI: Public Safety and Thoroughfares will follow that with that. Thank you.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet then.

PRESIDENT SCHULMAN: Thank you.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Turning now to Miscellaneous Business. Do we have any?

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Member Cirelli.

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MEMBER CIRELLI: I just seen in the paper and probably some of the other people have seen it too, that this railroad company was agreeing to clean up their railroad ties however, they were leaving Canton out of it and I, I remembered Councilman West brought that up. The fact that we have all these railroad ties and I was just trying to understand why, they're the Wheeling/Lake Erie Railroad company has agreed to remove and properly dispose of most of the discarded railroad ties and it goes on to say. But it says, this agreement does not cover railroad ties in Canton because the city isn't under the county Health Department's jurisdiction. So how could we possibly, you know, have our Law Director or somebody contact them and you know, argue for our side that while they're doing it, get ours cleaned up too. Cause I remember Councilman West was very concerned about that.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President, Member Cirelli. Member West was burning up my phone line earlier today wondering the very same thing and I think I will speak with the folks at our Health Department cause I understand it was a Health Department violation that drove it through the County Prosecutors. We of course aren't a part of the County Health Department so I will initiate a conversation with them and then follow up with Member West and the Wheeling and Lake Erie railroad. I believe that's the railroad and see if we can't bootstrap onto that, unless Mr. Bartos has an update.

PRESIDENT SCHULMAN: Director Bartos.

SERVICE DIRECTOR BARTOS: Mr. President, actually when I saw that I knew that Councilman West would be asking about it. I gave Jim Adams at our Health Department a call today. I'm meeting with Mark Adams tomorrow who's also in charge of Sanitation and when he stops by maybe we'll stop down to the Law Department as well because I know, when I saw Health Department I figured we should run it through our...yep, I saw the same article so, I figured maybe we could run it through our Health Department. Jim Adams did mention that our rules are slightly different than the county's but we're going to take a look and see what we can do so when Mark comes up to see me on a Sanitation issue, we'll stop down and see Law Director Martuccio as well.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: Just to mention, Pat has a big file in our office if you want to use that and also, they owe us some fines so make sure you capture that as well.

SERVICE DIRECTOR BARTOS: Alright.

PRESIDENT SCHULMAN: Great. Great job. Any other Miscellaneous Business? Leader.

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

MEMBER GRIFFIN: Seconded.

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

MINUTES OF THE MEETING SEPTEMBER 30, 2013

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Meeting is adjourned. Safe trip home and thanks to Jackson Township for being here. You heard one of the shortest meetings, you're lucky.

ADJOURNMENT TIME: 7:59 PM

ATTEST: OCTOBER 3, 2013
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: OCTOBER 3, 2013
ALLEN SCHULMAN
PRESIDENT