

MINUTES OF THE MEETING NOVEMBER 25, 2013

DUE TO TECHNICAL DIFFICULTY THE MINUTES FROM MONDAY, NOVEMBER 25, 2013 WERE NOT RECORDED; THEREFORE THE MINUTES ARE NOT VERBATIM AND ARE A SUMMARY

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER MACK ABSENT)

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

The regular meeting of Canton City Council was held on November 25, 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 Council at Large Member James Babcock. The Pledge of Allegiance led by President Schulman.

EXCUSING MEMBERS

MEMBER DOUGHERTY: Mr. President I move we excuse Member Mack from tonight's meeting.

MEMBER GRIFFIN: Seconded

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Mack from this evening's meeting. Any remarks? Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

AGENDA CORRECTIONS & CHANGES

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

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to add 2nd Reading Ordinances 16 through 23 and will be retaining Resolution #59 in Committee.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend Rule 22A to the 2nd Reading Ordinances 16 through 23 to this evening's Agenda. Are there any remarks? Hearing none Madame Clerk, again 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. Rule 22A is suspended and the Ordinances are a legal part of your Agenda.

MINUTES OF THE MEETING NOVEMBER 25, 2013**PUBLIC HEARINGS*****NO PUBLIC HEARINGS SCHEDULED*****OLD BUSINESS*****CHIEF OF STAFF WILLIAMS SPOKE REGARDING JONATHAN BAILEY AND BRUCE NORDMAN'S COMMENTS IN PUBLIC SPEAKS AT THE NOVEMBER 18, 2103 MEETING*****PUBLIC SPEAKS*****THE FOLLOWING IS A SUMMARY OF THE PUBLIC SPEAKERS (NOT VERBATIM)***

Jonathan Bailey says that most people do not report stolen bicycles because the police don't do anything about it. He gets calls everyday about someone having their bike stolen. This is like legalized bicycle theft. How many bicycle thieves have been arrested in the city? There must be something done about this. Bruce Nordman provided a paper to all Council Members and the administration on how to bring the police officers and firefighters up to 175 employees. He also discussed the plans for next years McKinley versus Massillon game and their group would like to raise \$9,000.00 to purchase 5 more banners to hang-up to show the support and spirit of the city. Mr. Nordman also would like to have a holiday parade or event in downtown Canton next year because the people in Massillon sure enjoy theirs. Pete DiGiacomo stated that Kevin Monroe, the Street Department Superintendent did an excellent job with the purchase of the salt. This could save the city 300 to \$350,000.00 over the winter. He also spoke about Sheriff elect Swanson wanting to resend all of the CCW permits and who is going to pay for all of that.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions. Madame Clerk please read Resolution 51 by title.

#51. COUNCIL-AS-A-WHOLE: CONGRATULATING CITY TREASURER ROBERT SCHIRACK ON HIS RETIREMENT- ADOPTED

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Informal Resolution 51.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 51. Any remarks? Hearing none, by voice vote all those in favor of signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #51 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it and the Motion carries. Resolution 51 is adopted.

MEMBER DOUGHERTY PRESENTED MR. SCHIRACK WITH THE RESOLUTION. COMMENTS TO MR. SCHIRACK WERE MADE BY MEMBER DOUGHERTY, MEMBER COLE, MEMBER WEST AND LAW DIRECTOR MARTUCCIO.

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PRESIDENT SCHULMAN: We are going to bundle Resolutions 52 through 58, The Mayor's appointment resolutions. Are there any remarks? Hearing none, by voice vote all those in favor of signify by saying aye. Those opposed No.

- #52. PERSONNEL COMMITTEE: REQ APPRVL OF RE-APPT OF JACK BOLENDER TO CITY OF CANTON INVESTMENT BOARD FOR TERM OF 1/1/14 - 12/31/15. - ADOPTED
- #53. PERSONNEL COMMITTEE: REQ APPRVL OF RE-APPT OF DAWN DEVINE TO CITY OF CANTON INVESTMENT BOARD FOR TERM OF 1/1/14 - 12/31/15. - ADOPTED
- #54. PERSONNEL COMMITTEE: REQ APPRVL OF RE-APPT OF DAVE KIRVEN TO CANTON CONSTRUCTION BOARD FOR TERM OF 1/1/14 - 12/31/16. - ADOPTED
- #55. PERSONNEL COMMITTEE: REQ APPRVL OF RE-APPT OF JOSEPH FRIEDMAN TO CANTON CONSTRUCTION BOARD FOR TERM OF 1/1/14 - 12/31/16. - ADOPTED
- #56. PERSONNEL COMMITTEE: REQ APPRVL OF RE-APPT OF DAVE GRABOWSKI TO CANTON CONSTRUCTION BOARD FOR TERM OF 1/1/14 - 12/31/16. - ADOPTED
- #57. PERSONNEL COMMITTEE: REQ APPRVL OF RE-APPT OF KENNETH SANDER TO BOARD OF BUILDING APPEALS FOR RETRO TERM OF 7/12/13 - 7/11/16. - ADOPTED
- #58. PERSONNEL COMMITTEE: REQ APPRVL OF RE-APPT OF SUE ROSS TO BOARD OF ZONING APPEALS FOR TERM OF 1/1/14 - 12/31/16. - ADOPTED

NO REMARKS

RESOLUTIONS #52 - #58 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Resolutions 52 through 58 are adopted.

- #59. *PERSONNEL COMMITTEE: REQ APPRVL OF APPT OF DEBORAH SHAMLIN TO FAIR EMPLOYMENT PRACTICES BOARD FOR TERM OF 1/1/14 - 12/31/16. - **RETAINED IN COMMITTEE***

COMMUNICATIONS

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 NOVEMBER 25, 2013.

- 459. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERTIFICATE DATED 11/15/13. - RECEIVED & FILED
- 460. AUDITOR MALLONN: REQ APPROP TRANSFER FROM 4501 801001 AUDITOR - OTHER TO 4501 201004 2006-CONSTRUCT/RECONSTRUCT BOND - OTHER AND \$20,000.00 APPROP TRANSFER FROM 1001 702001 CLERK OF COURTS - PERSONNEL TO 1001 802001

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AUDITOR - CLERK COURTS ATM - OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

461. CHIEF OF STAFF WILLIAMS: REQ APPRVL OF CREATION OF 2 FUNDS IN ACCORDANCE WITH CODIFIED ORDINANCE 1353 "FORECLOSED PROP & BLDG"; 7501 801001 54538 (REGISTRATION & ADMIN FEES) SPECIAL REVENUE FUND FOR 10% AND 7501 801001 54539 (REMAINING BAL OF FORECLOSURE BOND) NON-INTEREST BEARING ACCT FOR 90%. - FINANCE COMMITTEE
462. CHIEF OF STAFF WILLIAMS: REQ APPRVL TO ACCEPT FUNDS FROM 2013 FAIR HOUSING AGENCY PARTNERSHIP GRANT IN AMT OF \$349,500.00; REQ APPRVL OF CREATION OF FUND 2216 FOR GRANT USE; REQ APPRVL OF CREATION OF TWO CLASSIFIED POSITIONS TO SUPPORT IMPLEMENTATION OF GRANT, FAIR HOUSING INVESTIGATOR & EDUCATION/INTAKE SPECIALIST. - FINANCE AND PERSONNEL COMMITTEES
463. DEVELOPMENT DIR FREEMAN: AUTHORIZE THE DESIGNATION OF COMMERCIAL IMPROVEMENTS OF PROP AT & NEAR FRESH MARK INC OFFICE & OPERATING LOCATION IN CANTON SUBJECT TO TAX INCREMENT FINANCING. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
464. MAYOR HEALY: AUTHORIZE RE-APPT OF THOMAS LAROCHELLE TO FAIR HOUSING COMMISSION FOR RETRO TERM OF 9/1/13 - 8/31/18. - PERSONNEL COMMITTEE
465. MAYOR HEALY: ADVISE APPT OF JOSEPH DIRUZZA TO CANTON COMMUNITY IMPROVEMENT CORP. - RECEIVED & FILED
466. PARK DIRECTOR GORDON: REQ AMENDMENT TO O#269/2005 TO RENAME 2530 FUND TO PARK OPERATIONS AND SPECIAL REVENUE/PROJ FUND. - FINANCE COMMITTEE
467. SAFETY DIRECTOR PERRY: AUTHORIZE THE PAYMENT OF A \$20,740.00 MORAL OB TO TRUCK SALES & SERVICE, INC. FOR EMERGENCY ENGINE REPAIR ON A 4700 MODEL FIRE ENGINE. - FINANCE COMMITTEE
468. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR AND/OR PARK COMMISSION TO APPLY FOR, ENTER INTO AGMT FOR & RECV FUNDS FROM MULTIPLE POTENTIAL FUNDING SOURCE DURING 2014 FOR VARIOUS CAPITAL IMPROVEMENT PROJ MANAGED BY THE ENG DEPT OR IN CONJUNCTION WITH OTHER CITY DEPTS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #15 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

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- #1. (1ST RDG) AN ORDINANCE AMENDING CHAPTER 917, TREES, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
Referred to Judiciary Committee
- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012, AS AMENDED, BY MAKING THE SUPPLEMENTAL APPROPRIATION AND INTERFUND ADVANCE AND INTERFUND ADVANCE REPAYMENT HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$35,616.00 BYRNE GRANT FUNDS)
Referred to Finance Committee
- #3. (1ST RDG) 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 #02-08490 DANIEL C & ELIZABETH SUMMERS ON 11TH ST SE)
Referred to Community & Economic Development Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY MORAL OBLIGATIONS IN AMOUNTS NOT TO EXCEED \$7,845.21 AND \$4,867.90 TO AT&T AND \$3,080.68 TO VERIZON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012 BY MAKING THE INTERFUND TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$145.14 FROM 1001 301001 - OTHER TO 2312 301001 - OTHER - HEALTH DEPT)
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE STARK COUNTY PUBLIC DEFENDER COMMISSION FOR THE PROVISION OF LEGAL SERVICES TO INDIGENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #7. (1ST RDG) AN ORDINANCE AUTHORIZING AN AMENDMENT TO THE JACKSON-CANTON JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

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- #8. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOT 35853 AND PART OF LOT 35852; AND DECLARING THE SAME TO BE AN EMERGENCY (MR. & MRS. THOMAS FORBES @ 369 47TH ST NW)
Referred to Public Safety & Thoroughfares Committee
- #9. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PART OF LOT NUMBERS 30740, 38867, 38868, ALSO BEING PART OF PARCEL NUMBERS 209862, 209861 AND 202512; AND DECLARING THE SAME TO BE AN EMERGENCY (REED FUNERAL HOME @ 3737 GREENWOOD PL SW)
Referred to Public Safety & Thoroughfares Committee
- #10. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE DEDICATION PLAT OF RIGHT-OF WAY ALONG THE WEST SIDE OF RAFF ROAD S.W.; APPROVING AND ACCEPTING THE REPLATTING OF PART OF LOT 31008 AND PART OF LOT 31009; AND DECLARING THE SAME TO BE AN EMERGENCY (955 RAFF RD SW)
Referred to Public Safety & Thoroughfares Committee
- #11. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$11,000.00 TO DESANTIS ENTERPRISES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #12. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A FEMA FIRE PREVENTION GRANT IN AN AMOUNT NOT TO EXCEED \$80,010.00 TO PURCHASE SMOKE DETECTORS; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$64,008.00 FROM UNAPPROP BAL 2813 FIREFIGHTERS ASSIST GRANT TO 2813 103001 FIRE - OTHER)
Referred to Finance Committee
- #13. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH THE CANTON CITY BOARD OF HEALTH TO ESTABLISH RATES FOR INDIGENT BURIALS; AMENDING CHAPTER 979, CEMETERIES, OF THE CODIFIED ORDINANCES OF CANTON
Referred to Finance Committee
- #14. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO VARIOUS CONTRACTS AND AGREEMENTS FOR THE WATER METER AND METER TRANSMITTING UNIT REPLACEMENT PROGRAM; AUTHORIZING THE AUDITOR TO RECEIVE ALL LOAN AND REVENUE PROCEEDS AND TRACK EXPENDITURES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement Committees

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- #15. (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (ADD CLASSIFICATIONS PIPEFITTER 3 AND CONSTRUCTION SUPERVISOR TO SERV DIR PUBLIC WORKS COLLECTION SYSTEMS DEPT)
Referred to Personnel Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #16 THROUGH #23 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #16. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOINT ECONOMIC DEVELOPMENT DISTRICT AGREEMENT IN SPECIFIC AREAS IN PARTNERSHIP WITH JACKSON TOWNSHIP, THE CITY OF NORTH CANTON AND PLAIN TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY
- #17. (2ND RDG) _____ AN ORDINANCE VACATING A PORTION OF GROVE PLACE SW; AND DECLARING THE SAME TO BE AN EMERGENCY (WEST LINE OF LOT 16058 TO EAST LINE OF LOTS 16059 AND 10270 FOR AULTMAN HEALTH FOUNDATION) **PUB HRG 12/2/13 @ 7:30 P.M.**
- #18. (2ND RDG) _____ AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #234939 AT 1809 22ND ST NE FOR ROBERT TABOR) **PUB HRG 12/2/13 @ 7:31 P.M.**
- #19. (2ND RDG) _____ AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH TRIMBLE IN AN AMOUNT NOT TO EXCEED \$24,662.31 FOR THE PURCHASE OF A "TOTAL STATION" PURSUANT TO O.R.C. SECTION 125.04; AND DECLARING THE SAME TO BE AN EMERGENCY
- #20. (2ND RDG) **ADOPTED AS ORDINANCE NO. 217/2013** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO A FIVE-YEAR CONTRACT WITH THE WORKSHOPS, INC. FOR THE OPERATION, MANAGEMENT AND SUPERVISION OF THE SNACK BAR LOCATED ON THE FIRST FLOOR OF CITY HALL; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules for Ordinance 20.

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MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: Thank you. It's been moved and seconded to suspend the Statutory Rule for Ordinance 20. 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. You've heard the three readings Leader.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 217/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk.

- #21. (2ND RDG) _____ AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO: NEGOTIATE AND ENTER INTO EASEMENT AGREEMENTS WITH AMERICAN ELECTRIC POWER (AEP) AUTHORIZING THE PLACEMENT OF TRANSMISSION POLES AND/OR LINES ON OR OVER CITY PROPERTY; NEGOTIATE THE FAIR MARKET VALUE OF OR DONATE TO AEP THE EASEMENTS AUTHORIZING SAID PLACEMENT; MAKE TYPOGRAPHICAL CORRECTIONS OR EASEMENT DELINEATION ADJUSTMENTS BASED UPON NEGOTIATIONS AND TRANSMISSION LINE PLACEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #22. (2ND RDG) _____ AN ORDINANCE DECLARING THE CITY AUDITOR TO PAY \$63,530.25 TO STARK STATE COLLEGE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #23. (2ND RDG) _____ **ADOPTED AS ORDINANCE NO. 218/2013** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEE, TO ENTER INTO AGREEMENTS FOR PURCHASE/ACQUISITION OF PARCELS AND TEMPORARY CONSTRUCTION EASEMENTS FOR THE MAHONING

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ROAD CORRIDOR PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend the Statutory Rules for Ordinance 23.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: Thank you. It's been moved and seconded to suspend the Statutory Rule for Ordinance 23. 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. You've heard the three readings Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 23.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 23. Any remarks? Hearing none, Madame Clerk again, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 218/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #24 THROUGH #29 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#24. (3RD RDG) **RECONSIDERED, AMENDED AND ADOPTED AS ORDINANCE NO. 210/2013**
AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH LENCO ARMORED VEHICLES IN AN AMOUNT NOT TO EXCEED \$79,623.50 TO REFURBISH THE SWAT ARMORED VEHICLE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

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MEMBER DOUGHERTY: Mr. President, on Ordinance 24 I move to Reconsider 210/2013 adopted November 18, 2013.

MEMBER GRIFFIN: Seconded.

AMENDMENT

Pursuant to Rules 41 and 36, I move to reconsider and amend Ordinance #210/2013 by amending adding a new Section 2 and renumbering the remaining sections 2, 3 and to 4 to 3, 4 and 5. Section 2 is to read as follows:

Section 2. Appropriation Ordinance No. 209/2012, as amended, is amended by making the following supplemental appropriation:

<i>FROM:</i>	<i>Unappropriated Balance of the 4502 Motor Vehicle Fund</i>	<i>\$79,623.50</i>
<i>TO:</i>	<i>4502 102001 Motor Vehicle</i>	<i>\$79,623.50</i>
	<i>- Other</i>	

PRESIDENT SCHULMAN: It's been moved and seconded that you Reconsider 210/2013 adopted on November 18, 2013. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: I move we amend this Ordinance per the amendment in front of all Council Members.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance 210/2013 per the copy that each Members of Council have in front of you. Are there any remarks? Do you want this summarized Leader?

MEMBER DOUGHERTY: Sure. Thank you.

PRESIDENT SCHULMAN: Any other remarks? Under the motion all those in favor signify by saying aye. Those opposed no.

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NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Leader.

MEMBER DOUGHERTY: Mr. President I move we adopt, reconsider Ordinance 210/2013 as amended.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 210/2013 as amendment. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#24 RECONSIDERED, AMENDED AND ADOPTED AS ORDINANCE NO. 210/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 210/2013 as amended has been adopted. Ordinance 25 please.

#25. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 219/2013** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (4 APPROP TRANSFERS AND 2 SUPP APPROPS - PURCHASING, ENGINEERING, MAINTENANCE, PARKS)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 25.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 25. Any remarks? Leader.

MEMBER DOUGHERTY: Mr. President, I move we amend Ordinance 25 per the amendment in front of all Council Members.

MEMBER GRIFFIN: Seconded.

Amendment

Pursuant to Rule 36, I move to amend Agenda Item No. 25 by the substitution of the attached revised exhibit for the originally proposed exhibit.

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PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 25 by virtue of the copy before each Member of Council. Are there any remarks under that motion? Hearing none then by voice vote on the motion to amend all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. The Ordinance is amended. Now, Leader.

MEMBER DOUGHERTY: Mr. President, I move that we adopt Ordinance 25 as amended.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 25 as amended. Any remarks under the Ordinance as amended? Hearing again nothing, Madame Clerk again, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#25 ADOPTED AS AMENDED AS ORDINANCE NO. 219/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 25 is adopted as amended. Ordinance 26 please.

#26. (3RD RDG) **ADOPTED AS ORDINANCE NO. 220/2013** AN ORDINANCE REPEALING SECTION 549.11, PERMIT FOR CONCEALABLE FIREARMS, OF THE CODIFIED ORDINANCES

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 26.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 26. Any remarks? Hearing none again, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#26 ADOPTED AS ORDINANCE NO. 220/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 26 is adopted. Ordinance 27 please.

#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 221/2013** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT AN ADVANCE FUNDING GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$1,500.00; AMENDING APPROPRIATION ORDINANCE NO. 209/2012;

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AND DECLARING THE SAME TO BE AN EMERGENCY (FROM UNAPPROP BAL 2786 POLICE EMS GRANT FUND TO 2786 102001 POLICE ADMIN - OTHER)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 27.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 27. Any remarks? Hearing none again, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#27 ADOPTED AS ORDINANCE NO. 221/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 27 is adopted. Ordinance 28 please.

#28. (3RD RDG) **ADOPTED AS ORDINANCE NO. 222/2013** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH MURPHY TRACTOR & EQUIPMENT COMPANY, INC. FOR THE PURCHASE OF ONE JOHN DEERE 650K BULLDOZER WITH ACCESSORIES IN AN AMOUNT NOT TO EXCEED \$150,000.00 PURSUANT TO O.R.C. SECTION 125.04; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$75,000.00 FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207022 WATER DISTRIBUTION FUND - OTHER)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 28.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 28. Any remarks? Hearing none again, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#28 ADOPTED AS ORDINANCE NO. 222/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 28 is adopted. Ordinance 29 please.

#29. (3RD RDG) **ADOPTED AS ORDINANCE NO. 223/2013** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT WITH H-P PRODUCTS (H-P) TO ACCEPT THE DONATION OF A

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3.81 ACRES, MORE OR LESS, TRACT OF LAND; CANTON ACCEPTS THE DONATION OF \$80,000.00 IN VALUE OF REAL PROPERTY FROM H-P; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 29.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 29. Any remarks? Hearing none again, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 1 NAYS
(MEMBER CIRELLI VOTED NAY)

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

#29 ADOPTED AS ORDINANCE NO. 223/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 29 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We now turn to Announcement of Committee Meetings.

MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Member Cole.

MEMBER COLE: Finance will meet on December 2, 2013 at 6:15.

MEMBER CIRELLI: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Cirelli.

MEMBER CIRELLI: Public Safety and Thoroughfares will also meet then.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

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

PRESIDENT SCHULMAN: Thank you.

MEMBER SMITH: Mr. President.

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PRESIDENT SCHULMAN: Yes, Member Smith.

MEMBER SMITH: CD will also meet at the same time.

PRESIDENT SCHULMAN: Thank you.

MEMBER GRIFFIN: Mr. President.

PRESIDENT SCHULMAN: Member Griffin.

MEMBER GRIFFIN: Personnel will meet at 6:15 on the 2nd.

PRESIDENT SCHULMAN: Thank you very much.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement at 6:15 on the 2nd.

MISCELLANEOUS BUSINESS***THE FOLLOWING IS A SUMMARY OF MISCELLANEOUS BUSINESS, NOT VERBATIM.***

Member Cirelli is pleased about Kevin Monroe's purchase of the salt. He is a very conscience employee. He takes calls on nights and weekends and cares about the city. She also requested a moment of silence for Thelma Slater who passed away at 92 years old. Ms. Slater had served on the Mayor's Literacy Commission under several Mayor's. Member Griffin informed all that the city won two awards at the Wilson Sporting Goods award ceremony in Oklahoma City. The city achieved a 100% for the girls fast pitch softball tournament in which 29 teams were involved. Because of this outstanding award the city will now be hosting the 2014 East Class C Men's fast pitch and the 2015 Class B girls at Willig Field. Mayor Healy stated that Munson Stadium was once on the verge of being torn down and now there are tournaments held there as well. He also discussed a press release that was going out for the acceptance of a grant for the Fair Housing Department. Kyle Stone worked on this and only a handful of cities in the state received them.

PRESIDENT SCHULMAN: Leader.

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

MEMBER GRIFFIN: Seconded.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

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PRESIDENT SCHULMAN: Meeting is adjourned. (*Gavel falls*)

ADJOURNMENT TIME: 8:16 PM

ATTEST: NOVEMBER 26, 2013
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: NOVEMBER 26, 2013
ALLEN SCHULMAN
PRESIDENT