

MINUTES OF THE MEETING DECEMBER 16, 2013

PRESIDENT SCHULMAN: Good evening ladies and gentleman. Welcome to Canton City Council. Thank you for the brave souls who are out tonight in the audience with this weather. With a quorum being present, the Chair calls this meeting of 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, JOE COLE, GREG HAWK, THOMAS WEST, CHRIS SMITH, KEVIN FISHER, JOHN MARIOL, EDMOND MACK & FRANK MORRIS)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER CIRELLI ABSENT)

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. I know Member Cirelli wishes she was here tonight but unfortunately she's a little under the weather so, speaker or leader.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you Madame Clerk. I know Member Cirelli wishes she was here tonight but unfortunately she's a little under the weather so, speaker or leader.

MEMBER DOUGHERTY: Mr. President...

PRESIDENT SCHULMAN: Speaker, leader...

MEMBER DOUGHERTY: I make a motion to excuse Member Cirelli from tonight's meeting.

MEMBER GRIFFIN: Seconded

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Cirelli from this evening's meeting. 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. Tonight's invocation will be given by my good friend Council Member Greg Hawk. Would you please all stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on December 16, 2013 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Cynthia Timberlake. The invocation was given by Ward 1 Council Member Greg Hawk. The Pledge of Allegiance led by President Schulman.

AGENDA CORRECTIONS & CHANGES

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

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MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to add 2nd Reading Ordinance #12.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add the 2nd Reading Ordinances, Ordinance 12 to 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. Rule 22A is suspended and the Ordinances are a legal part of your Agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We turn now to Public Hearings which we have none this evening. _____

OLD BUSINESS

PRESIDENT SCHULMAN: Turning now to Old Business. I will ask the Mayor's Chief of Staff, Fonda Williams to address two, as he indicated, minor points.

CHIEF OF STAFF WILLIAMS: Mr. President thank you. At the December 9th meeting Mr. Jon Hall addressed Council in regards to increasing police presence around Hartford and Allen school respectively. I did touch base with Director Perry and that's going to be addressed. Also Mr. Jack Hawk addressed Council about the Civil Service test being looked into for the hearing impaired. I know that Mayor Healy did meet with Mr. Hawk and Director Perry and I had a brief meeting to look at additional items that we could do to address the situation. Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Thank you. Yes Member West.

MEMBER WEST: I spoke with Civil Service Sliman, Sam Sliman and he took care of the matter and he is going to have an interpreter present at, for the hearing impaired. Thank you.

PRESIDENT SCHULMAN: Great. Thank you Member West very much. And I take it Mr. Hawk and Mr. Lynch heard that I hope. Well, you did.

(Inaudible comment from audience)

PRESIDENT SCHULMAN: Well I know you heard it and I know Mr. Lynch heard it from you.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: Turning now to Public Speaks. We have 4 speakers this evening. Our first is Jonathan Bailey. Mr. Bailey, as always, welcome to Canton City Council. If you'll step forward and give us

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your name and your residential address please.

JONATHAN BAILEY: My name's Jonathan Bailey. I live at 405 3rd Street NE end, Canton, Ohio. First off, right off the grift, why isn't there a bicycle rack anywhere around City Hall, preferably in front of some cameras because someone's going to get their bike stolen from it. Catch someone that way. On top of that, I have an idea. Maybe we need to change how we get the scrap metal to these scrap metal places. Maybe we need to have licensed scrap metal gatherers. People that we can hold accountable. People that if they lose their license, can't scrap so they'll be more reluctant to accept things that they might think are shady. This could cut down on also copper wiring and copper pipes that are being stripped from the homes. Let's not let every Shmo that just wonders in with whatever, sell it. There's got to be a way to get the crime out of this. If they were a bank that were laundering money from drug dealers and the mafia and bank robbers, just a little bit, you'd be shutting them down, would you not.

PRESIDENT SCHULMAN: Maybe.

JONATHAN BAILEY: That's my point. They don't care. I just talked to one of them today about just, unilaterally banning the selling, scrapping of bicycles and he said, we can't do that because you can get sued for discriminating. You know who's doing this. He knows who's doing this. He knows the shady characters bringing in 2 or 3, 4 bikes a week. Riding them in. Nice ones. It's obvious. I wouldn't accept it. I'm sorry, I guess I'm just too honest but they're going to do it because they're going to make money. Something needs to be done. There's too many homes being stripped. There's too much valuable stuff being scrapped from the city. The city and state. He's, the guy I just talked to today, I only talked to the one because, boy was that an experience, pretty much spelled out for me, the only they're afraid of is federal law. They could care less about city and state law. Why, cause you're not enforcing it. He said so. I'm going to keep pounding on this drum even though you guys think I'm flipping a dead horse. I'm going to keep doing it. I'm not going away. This is year one of probably the rest of my life. I'm going to be here. Have a nice day.

PRESIDENT SCHULMAN: Thank you Mr. Bailey. Our next speaker is Patricia Kirk. Miss Kirk, as always, welcome. Good to see you up and around. Hope you're feeling better. If you'll give us your name and your residential address please.

PATRICIA KIRK: Yes, my name is Patricia Kirk. I live at 131 5th Street NE and I've got a couple of things just to mention to you. First of all, I don't know how many of you know what the Tree Commission really is or does. We're not sure either. No, you didn't hear that. But anyway, our latest thing that we are going to be working on tomorrow night at 6:00 we're going to start, Standards and Specifications. Do you know what those are? It's not an Ordinance. I thought the Tree Ordinance was hard but for instance, different cities do have them. Lola Lewis from ODNR has supplied about 5 different cities and they're simple ones. Akron has a really thick one. This is construction and this is like from Findlay, Minerva, different cities that have standards and specifications. Do you know what you do with them? The beauty of this is that it does not have to go through City Council. It does not have to have 3 Readings. It does not have to be voted on by your body. The beauty of this is, when someone comes to work on our trees, we don't just say, OK, hey pay the fine, we give you a license. The beauty of this is, we don't show them the Tree Ordinance, that can be very confusing. We show them standards and specifications and we say this is what we want done. This is how we want to do it. They can't misunderstand this. This is what you show people that are going to be working for us. The second thing that I wanted to bring up to you is, I will be available to Neighborhood Associations to speak about the practical issues of the Tree Commission and how it effects you, also sidewalks. Have you

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noticed how bad they are? How you know to, have you noticed how we will spend thousands redigging brand new ones, making them bigger and wider but we have sidewalks in the city of Canton that have been broken up into pieces for decades. You have to walk in the street. We've got pride in the city of Canton. Why can't we fix some sidewalks? Would it kill us? We really do have to walk in the street. Sometimes there's not even a sidewalk there. There's some cement then it's blank, some cement and I'll tell you something, those old pieces of slate can be recycled for someone else's garden. OK, thank you very much.

PRESIDENT SCHULMAN: Thank you Miss Kirk. Our next speakers are Leroy Lynch and then Jack Hawk, but I know Jack will come forward too. Welcome as always. If you'll step forward and give us your name and your residential address.

LEROY LYNCH: Good evening everyone, Council. Wait, wait, address. His name is Leroy Lynch. He lives at 3911 Highview Avenue SW. You know him, so he forgot he had to use his name, sorry. He came here for almost 2 years and come he for maybe 2 years to discuss with you about jobs so now he's on this floor to thank the Mayor and to thank Civil Service man Sliman and some of you in Council that have worked with him for the last minute left, to allow me to take a test with an interpreter. So, that is solved. So he'll see what he what he's going to do about that on Thursday at 1 to see if he can take that test. He doesn't know but he wants to thank you Mayor for working with him.

JACK HAWK: OK, I've asked him to sit there so I can interpret for him. I'm here to do something that's not normally done, that is to thank you all. Thank the Mayor, to thank Director Sliman and the Clerk of Council. And why the Clerk of Council. I called her. She got me Mr. Sliman's direct line and when he picked up the phone he said, who's this? And we got things solved. So thank you very much Cindy.

CLERK TIMBERLAKE: You're welcome.

JACK HAWK: I want to thank the Mayor, President, Council Members for giving Leroy accommodations to have a test given to him this Thursday at 1:00 with an interpreter for American Sign language and some extra time if he needs it so we'll hope to see what happens then. So, I'm thankful for all of you doing that. Mr. Mayor, thank you again. About the Rooney Rule, it's not a panacea. I understand that because in the past year, 8 coaches, not 1 black coach was hired and that Rooney Rule is not just a race, it's for all diversity. And I tried to explain to the deaf community about classified employees and employees who serve at will. Those are 2 different people. The Rooney Rule does not really apply to the average worker of a classified ad and they have a little bit hard to understand that. So I explained to them about what an employee is at will. Now, in this community there are 2,000 hearing impaired, deaf people in Stark/Canton and Canton/Stark. Not one works in the city. We have 2 people who have degrees. MBA's, social workers, so I hope to bring them forward to you for qualifications and hope that we can solve this for other people of diversity and not just race, OK. And again, that you for listening to the disenfranchised people in the county who are deaf, who have a disability, and again thank you for all your willingness to hear us. Thank you. (APPLAUSE)

PRESIDENT SCHULMAN: Thank you all for coming down. Thanks again Mr. Hawk for all that you do.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions and we have none this evening.

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PRESIDENT SCHULMAN: Turning 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 DECEMBER 16, 2013.

- 493. DEVELOPMENT DIR FREEMAN: WITHDRAWING COMMUNICATION #479 FOR HERCULES TIF. - RECEIVED & FILED
- 494. LAW DIRECTOR MARTUCCIO: REQ TO AMEND THE FORECLOSURE ORDINANCE TO CLARIFY PURPOSES & PROCEDURAL REQUIREMENTS OF MAINTENANCE BOND & TO AUTHORIZE SAF DIR TO ESTABLISH THE ADMIN FEE RATE. - JUDICIARY COMMITTEE
- 495. MAYOR HEALY: REQ WAIVER OF RESIDENCY REQUIREMENT FOR SAF DIR PERRY. - PERSONNEL COMMITTEE
- 496. MAYOR HEALY: REQ TO RATIFY TENTATIVE AGMT REACHED BETWEEN CITY AND CPPA RESULTING FROM THE WAGE REOPENER. - PERSONNEL & FINANCE COMMITTEES
- 497. SERVICE DIRECTOR BARTOS: AMEND EXHIBIT A TO O#218/2013 (MAHONING RD CORRIDOR) TO INCLUDE ADDT'L PROP APPRAISALS AS HIGHLIGHTED IN EXHIBIT A, REV 1. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
- 498. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 11/29/13. - RECEIVED & FILED
- 499. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR NOVEMBER 2013 IN AMBULANCE LOCK BOX. - RECEIVED & FILED
- 500. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR NOVEMBER 2013. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We're now under First Reading 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 would you please read the First Reading Ordinances by title.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #11 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL

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PROPERTY LOCATED IN THE CITY OF CANTON TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE FRESH MARK PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH THE 2160 VACANT/FORECLOSURE REGISTRY EXPENSE FUND AND THE 7509 VACANT/FORECLOSURE DEPOSITORY FUND; AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,620.00 FROM UNAPPROP BAL 2160 VACANT/FORECLOSURE REGISTRY EXPENSE FUND TO 2160 VACANT/FORECLOSURE REGISTRY EXPENSE - OTHER AND \$290,000.00 FROM UNAPPROP BAL 7509 VACANT/FORECLOSURE DEPOSITORY TO 7509 VACANT/FORECLOSURE DEPOSITORY - OTHER)

Referred to Finance Committee

- #3. (1ST RDG) AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF CANTON TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND FOR THE JEBCO PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

- #4. (1ST RDG) AN ORDINANCE DECLARING THE IMPROVEMENT OF CERTAIN REAL PROPERTY LOCATED IN THE CITY OF CANTON OWNED BY DABILCO, INC. TO BE A PUBLIC PURPOSE; DECLARING A PORTION OF SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; DESIGNATING INFRASTRUCTURE IMPROVEMENTS TO BE MADE THAT WILL BENEFIT SUCH PROPERTY; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

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- #5. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$4,000.00 FROM 1001 901001 CIVIL SERV - OTHER TO 1001 901001 CIVIL SERV - PERSONNEL AND \$225,000.00 FROM UNAPPROP BAL 1001 GENERAL FUND TO 1001 102001 POLICE ADMIN - PERSONNEL)
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE ADOPTING TEMPORARY APPROPRIATIONS FOR THE OPERATING AND CAPITAL EXPENDITURES OF THE CITY OF CANTON, OHIO, FOR FISCAL YEAR 2014; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY THE CENTER FOR COMMUNITY SOLUTIONS FOR PROFESSIONAL SERVICES RENDERED IN REGARDS TO THE STUDY CONDUCTED OF THE POSSIBLE COMBINATION OF THE STARK COUNTY AND CANTON CITY HEALTH DEPARTMENTS DURING YEARS 2012 AND 2013; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$1,550.00 TO BEAVER EXCAVATING, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

COUNCIL RECESSED AT 7:45 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #9; RECONVENED AT 7:54 P.M.)

- #9. (1ST RDG) **ADOPTED AS ORDINANCE NO. 243/2013** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A ONE YEAR MANAGEMENT SERVICES AGREEMENT WITH THE BOARD OF THE CANTON CITY HEALTH DISTRICT TO PROVIDE MANAGEMENT OVERSIGHT OF THE CITY OF CANTON SANITATION DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$65,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

PRESIDENT SCHULMAN: And at this time the chair would declare a recess for the Finance Committee to meet in regard to Ordinance #9 on your Agenda. You're now in recess.

PRESIDENT SCHULMAN: Council will now reconvene after the recess. Leader.

MEMBER DOUGHERTY: Mr. President, I move we suspend Rule 22A to place Ordinance 9 back on the Agenda.

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MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to place Ordinance 9 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. Leader.

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

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 9. Any remarks under this motion? Hearing none again, 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. 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 under this Ordinance? Again 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. 243/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 9 is adopted.

#10. (1ST RDG) A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF CANTON TO APPROPRIATE PROPERTY WITHIN ITS CORPORATE LIMITS PURSUANT TO OHIO REVISED CODE CHAPTER 719 FOR THE PURPOSE OF ACQUIRING WARRANTY DEEDS, STANDARD HIGHWAY EASEMENTS

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AND/OR TEMPORARY EASEMENTS FOR THE 12TH STREET N. CORRIDOR
PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement Committee

- #11. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 120/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (EXHIBIT A, EASEMENTS FOR 12TH ST CORRIDOR PROJ)
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Turning now to Ordinance and Formal Resolutions for the Second Readings. Will you please begin Madame Clerk with Ordinance #12.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #12 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #12. (2ND RDG) RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE TASOS ELECTRIC ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE FOR INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We now turn to Ordinances and Formal Resolutions for the Third, Final Reading and Vote. Would you please begin with Ordinance 13.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #13 THROUGH #18 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

- #13. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 244/2013** AN ORDINANCE AMENDING CHAPTER 917, TREES, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

PRESIDENT SCHULMAN: Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 13.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 13. Any remarks?
Leader.

MEMBER DOUGHERTY: Mr. President, I move we amend Ordinance 13 per the Amendment in front of all

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Council Members.

MEMBER GRIFFIN: Seconded.

Amendment

Pursuant to Rule 36, I move to amend Agenda Item No. 13 by deleting Section 1 and renumbering Sections 2 through 8 as 1 through 7 respectively.

PRESIDENT SCHULMAN: It has been moved and seconded to amend Ordinance 13 by virtue of the copy before each Member of Council. Any remarks under this Motion? Hearing none, oh I'm sorry, do you want to....Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President, Members of Council. Again to repeat, this amendment deletes the provision that would insert a removal clause. Let me back track. Last week Dan Moeglin described for this Council during Committee Meetings at length each of the new changes to this Tree Ordinance that was discussed and approved by the Tree Commission. Many of these Ordinances, or many of these changes were requested by the Tree Commission. Some by the people that work with the Tree Commission. At any rate, one was added and that's the one that's the subject of this amendment and that was a removal clause. There were discussions about how perhaps we didn't need that removal clause because if we didn't have it, it would just revert to the way people are appointed. Any removals would take place through the Mayor and Council. So, let me repeat to make it as simple as possible. If you vote yes for this amendment right now, your vote is coming up for the amendment. If you vote yes for the amendment, you're voting to remove the removal clause and make it the way it was. Is that OK or do I have to take it a different approach on that? OK.

PRESIDENT SCHULMAN: OK, any other remarks on the motion to amend? Hearing none all those in favor, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have....I'm sorry. Mr. Morris and that's it. OK, the ayes have it. The motion carries. Leader.

MEMBER DOUGHERTY: Mr. President, I move we adopt Ordinance 13 as amended.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 13 as amended. Any remarks under this Ordinance as amended? Again, hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

MINUTES OF THE MEETING DECEMBER 16, 2013**#13 ADOPTED AS AMENDED AS ORDINANCE NO. 244/2013**

PRESIDENT SCHULMAN: Ordinance 13 as amended is adopted. Ordinance 14 Madame Clerk.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 245/2013** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$0.03 FROM 4501 801001 AUDITOR - OTHER TO 4501 201004 2006 CONSTRUCT/RECONSTRUCT BOND - OTHER; \$20,000.00 FROM 1001 702001 CLERK OF COURTS - PERSONNEL TO 1001 802001 AUDITOR - CLERK OF COURTS ATM - OTHER)

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 14.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 14. Any remarks under this Ordinance? Hearing none again, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#14 ADOPTED AS ORDINANCE NO. 245/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 14 is adopted. Ordinance 15 please.

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 246/2013** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT FUNDS IN AN AMOUNT NOT TO EXCEED \$349,500.00 FROM THE 2013 FAIR HOUSING AGENCY PARTNERSHIP GRANT; AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THE 2216 FHAP FY13 PARTNERSHIP PROJECT GRANT FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Dougherty.

MEMBER DOUGHERTY: Mr. President I move we adopt Ordinance 15.

MEMBER GRIFFIN: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 15. Any remarks under this Ordinance?

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MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Hawk.

MEMBER HAWK: Thank you sir. Last week in Committee Meetings we discussed the, we were told that this could possibly carry a new position within the grant. I would ask, and the position would be eliminated when the grant expired. I believe that is what we discussed. If in fact, I know tonight we're just accepting the grant and we probably have to look at personnel when we do this. I would suggest as we look at this new employee, that we looked at contract work possibly, that we look, made possibly to put the position in the Law Department or maybe putting them back into CD and therefore eliminating some of this General Fund money that we're now paying for CD. Is that a possibility sir?

PRESIDENT SCHULMAN: Chief of Staff.

CHIEF OF STAFF WILLIAMS: Mr. President. Member Hawk as you mentioned this particular legislation is just to accept the funding. As Law Director Martuccio pointed out last week, we will have companion legislation coming down in the very near future to accompany this legislation. The two positions we're talking about have to be worked out through Civil Service and classifications and probably Mr. President will go through the Personnel Committee. But, our intentions, I'll speak to that. Our intentions are to create actually two positions. One is a Intake Special, Intake Education Specialist. One is a Fair Housing Investigator and those two positions respectively would be funded through the grant and the grant only. So there will be legislation written to specify that when the grant monies are expended that those positions would be terminated.

MEMBER HAWK: Thank you Chief of Staff Williams. I appreciate that very much. Thank you.

PRESIDENT SCHULMAN: Thank you. Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Member Hawk, I'll ducktail on what Director Williams said. We have precedent for that. We have brought legislation before this Council before that specifically said in the Personnel Ordinance when the grant expires, the position does as well and we will work together to make sure it goes appropriately through Civil Service. We will address any union concerns. These will not be what is considered at will or fiduciary positions or department heads. These are positions that will likely end up being in any union even for a short period of time. As to where they go, we'll work closely with the administration and Council Members.

MEMBER HAWK: Thank you.

PRESIDENT SCHULMAN: Thank you Law Director. Any other remarks under Ordinance 15? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

MINUTES OF THE MEETING DECEMBER 16, 2013**#15 ADOPTED AS ORDINANCE NO. 246/2013**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 15 is adopted. Ordinance 16 please.

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO 247/2013** AN ORDINANCE AUTHORIZING THE AUDITOR TO RENAME THE 2530 PARK SPECIAL REVENUE/PROJECT FUND TO 2530 PARK OPERATIONS AND SPECIAL REVENUE/PROJECT FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

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 remark under this Ordinance? Again hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#16 ADOPTED AS ORDINANCE NO. 247/2013

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 16 is adopted. Ordinance 17 please.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO 248/2013** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$20,740.00 TO TRUCK SALES & SERVICE, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY (REPAIR OF 4700 MODEL FIRE ENGINE)

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 remark under this Ordinance? Again hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

MINUTES OF THE MEETING DECEMBER 16, 2013**#17 ADOPTED AS ORDINANCE NO. 248/2013**

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

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 249/2013** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE AND/OR PARK COMMISSION TO APPLY FOR, ENTER INTO AGREEMENT FOR, AND RECEIVE FUNDS FROM MULTIPLE POTENTIAL FUNDING SOURCES DURING 2014 FOR VARIOUS CAPITAL IMPROVEMENT PROJECTS; 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. Any remark under this Ordinance? Again hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#18 ADOPTED AS ORDINANCE NO. 249/2013

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We have Announcement of Committee Meetings.

MEMBER COLE: Mr. President.

PRESIDENT SCHULMAN: Member Cole.

MEMBER COLE: Yes, Finance will meet on December 23rd at 6:45 PM.

PRESIDENT SCHULMAN: Thank you.

CLERK TIMBERLAKE: 6:45?

PRESIDENT SCHULMAN: 6:45?

CLERK TIMBERLAKE: We got the budget.

MINUTES OF THE MEETING DECEMBER 16, 2013

MEMBER COLE: Maybe we should, 6:15?

MEMBER SMITH: Mr. President. CD will also meet at 6:15 on the 23rd.

PRESIDENT SCHULMAN: Leader, 6:15 sound alright?

MEMBER DOUGHERTY: Mr. President, Public Property Capital Improvement will meet at 6:15.

PRESIDENT SCHULMAN: I guess that means it's alright. The concludes Announcement of Committee meetings.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Any Miscellaneous Business? Hearing none, 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.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Meeting is adjourned. *(Gavel falls)* Be careful everybody. Stay warm. Thank you for coming. See you next week.

ADJOURNMENT TIME: 8:05 PM

ATTEST: DECEMBER 18, 2013
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: DECEMBER 18, 2013
ALLEN SCHULMAN
PRESIDENT