

MINUTES OF THE MEETING DECEMBER 30, 2013

PRESIDENT PRO TEM DOUGHERTY: Good evening. With a quorum being present, Chair calls this meeting of Canton City Council to order. Roll call.

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.

EXCUSING MEMBERS

PRESIDENT PRO TEM DOUGHERTY: Member Griffin I'll recognize a motion to excuse Member Cirelli.

MEMBER GRIFFIN: Mr. President...

PRESIDENT PRO TEM DOUGHERTY: And President Schulman.

MEMBER GRIFFIN: I move we excuse Member Cirelli and President Schulman from tonight's meeting.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to excuse Member Cirelli and President Schulman from this meeting this evening. Are there any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Members are excused from this evening's meeting. We'll have invocation given tonight by Ward 4 Councilman Chris Smith. Please remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on December 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 Ward 4 Council Member Chris Smith. The Pledge of Allegiance led by President Pro Tem Dougherty.

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM DOUGHERTY: Now under Agenda Corrections. Member Griffin.

MEMBER GRIFFIN: Yea, Mr. President. I move that Rule 22A be suspended to add 2nd Reading Ordinances #3 through and including #6.

MEMBER BABCOCK: Seconded.

MINUTES OF THE MEETING DECEMBER 30, 2013

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to suspend Rule 22A on 2nd Readings. There any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT PRO TEM DOUGHERTY: The Ordinances are a legal part of the Agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM DOUGHERTY: No Public Hearings tonight. _____

OLD BUSINESS

PRESIDENT PRO TEM DOUGHERTY: There is no Old Business to discuss.

PUBLIC SPEAKS

PRESIDENT PRO TEM DOUGHERTY: Public Speaks. 4 people have signed up this evening. Jonathan Bailey. Good evening.

JONATHAN BAILEY: Hello everybody. My name's Jonathan Bailey. I live at 405 3rd Street northeast end of town. I'm back to beat that same old dead horse. Maybe it will come back to life. I don't know what to say, seriously, anymore. I mean out there you guys are sick to death of hearing me. I've looked at this from half a dozen different angles. It's, it's ridiculous. It's still going on. I don't know. Something's got to be done. There's a business right up the street here called B Loco. He's trying to run a bicycle delivery service. He lost a bike, so now it's actually impacting a local business getting started. It's going to cost him time, money and effort to get that replaced. And like I said, they're still scrapping city stuff and state stuff. I heard that Youngstown or someplace was talking about changing the scrap laws. Hopefully maybe that's enough. I don't know. I can't wait until this issues done so I can beat on a different dead horse, cause I'm kinda getting tired of it too. I don't know what to say, seriously. Anymore it's, it seems like this is really slow process. There's got to be a way of making this work a little bit more efficiently. I don't know. I just fail to see what the slowness is about and now I'll sit down and let someone else take over.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Bruce Nordman. Good evening.

BRUCE NORDMAN: Good evening. I'm Bruce Nordman. I reside at 1623 Logan Avenue NW. On behalf of Group 175, it's board and it's members, we'd like to extend to each of you our thanks for all that you have helped us with last year and we're looking forward to working with you next year. Just to remind you, our goal continues to be what we established in 2013 and that's to bring our police force and our firemen to 175. That means 25 more policemen and 35 more firemen. We'll be working with you, with the Council and with the Mayor to help move this along and we're very anxious to do this. I also want to remind you of another function of Group 175 and that's beginning the preliminary work on the Easter, Saturday parade. I want to thank Councilman, Council people West and Smith for their initial help in providing us with churches that we are going to begin to speak to, so that we can get tremendous participation on the part of all of the citizens. I would urge the rest of the Council to get with me so that we can speak with your churches also, that we could make this a wonderful get together for the sitting of Canton. We'll keep you posted as we move along. We'll be working with the city after the first of the year. Also, representing the McKinley Bulldog 100 Booster

MINUTES OF THE MEETING DECEMBER 30, 2013

Club, we'll be working with you and with the Mayor and the Mayor's staff to get this event going again next year. We, meaning Group 175, that did all of the fundraising for the banners, has established a goal for ourselves of \$10,000.00 going forward in fundraising. This means 5 more banners, 51 more flags and 20 more small banners that go on to the lampposts. We'll be getting back to you after the first of the year to advise you on what's going on with the, with the High School. We've got tremendous cooperation and I'll be Garcia carrying that message back and forth and am eager to work with all of you in making this a big success. We're going to have some very, we're going to have some remedial reading classes for the football team because those banners which said, Canton McKinley beat Massillon obviously weren't read by the football team. So, we're going to make sure that the coach gets everybody involved next year and again it's another great event for the city and I thank you for all of your help and I'm looking forward to working with all of you next year. All of you have a blessed New Years. Thank you.

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

HENRY PRESTON: Good evening. My name is Henry Preston. I live at 326 31st Street NW, Canton. Last Thursday at 6:30 in the morning, the driver of the sanitation truck got off, saw fit to get out of his cab and walk over and prepare to look in my living room window and I was standing behind the window. When I looked around, he turned around and did an about face and so I called the city of Sanitation work at about 6:45 and explained what had happened and they said that they'll take care of it. Well to me that's not good enough. I, I need to hear something about what kind of behavior standards do we have for city Sanitation employees when they're picking up trash. Snooping around somebody's property is not something that I would expect from the Sanitation workers so maybe there's somebody here that can explain to me what guidelines we have for the Sanitation workers and what as residents we should expect. And I don't expect it to be snooping around somebody's property. We have the police will come around and walk around if you ask them to be, if you ask them to check when your on vacation but, that's a Police officer not a Sanitation worker. Thank you.

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

JAMES PARKER: Good evening. James Parker, 630 Penny Street SE, North Canton. I believe Mr. Preston completely. I know him to be a career Army veteran and fantastic citizen. Last weeks Canton Repository elucidated upon the malfeasance in City Council's closed door Executive Sessions after Law Director Martuccio gave clear instructions to be followed including but not limited to, a straw vote. I'll spare you because I think you all read the admonishments in the Repository and the brow beatings that you received which were quite, there's a Yiddish word "Ashonda". You ask attorney Schulman, he'll translate it for you. In the Republic by Plato, he writes about the noble lie. "It is the business of the rulers of the city to tell lies deceiving both it's enemies and it's own citizens for the benefit of the city." Plato's justification was that the philosopher King knows that the people are too ignorant to see the truth about their city's problems and how to fix them. It is only with a lie that he can get them to cooperate with his agenda, like if you like your health insurance or doctor, you could keep it. So, I know that doc, Law Director Martuccio clearly stated not to have a straw vote so, I looked up straw vote in Webster's new 20th Century dictionary unabridged. It states that an informal or unofficial vote taken with a view to learning the probable outcome of an election or the strength of certain election issues. We got that and I think what Mr. Law Director Martuccio got was a straw bid which is a bid that the bidder does not intend to comply with. And then of course, there is the man of straw which is either a worthless person or thing or a sophisticated argument to sustain a cause. Like the word chicanery. It's pretty much the same meaning. So this equivocation and prevarication is to what is and what isn't a horse for example. *(Makes galloping noise on podium)* Everybody hears a horse, could be a zebra. Don't paint the

MINUTES OF THE MEETING DECEMBER 30, 2013

horse black and white with stripes and tell me it's a zebra. That's all I can tell you. Mary Cirelli sat here over 6 months ago over some Chinese T-shirts and called Mayor Healy out about being a liar in reference to some discussion they had informally. Well, what happened. I don't know if she's going to call you all a liar but she might. I don't know what happened last week or so ago when a consensus was reached about the city Council's who, who but I do know at this point it's a fate aut-au-complee, a thing already done and I don't think it was right. Remember in the public health circles and public dealings that non-feasance is better than malfeasance. That if you take a stand not to go in and you think it shouldn't be done, then don't go in there. Don't participate. How do you go to your parents and say, well they were all doing it so, I just went along for the ride. You're complacent in the act and therefore you're all guilty. High crimes and misdemeanors do not need to be indictable as a ground for impeachment. Thank you very much.

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

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM DOUGHERTY: OK, now under Informal Resolutions. Please read Resolution 63 by title.

#63. PERSONNEL COMMITTEE: REQ APPRVL OF APPT OF ERIN THOMPSON TO CANTON REC BD FOR RETRO TERM OF 10/28/13 - 12/31/15. - ADOPTED

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Informal Resolution #63.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: There's a motion to you adopt Resolution 63. Are there any remarks? By voice vote all those in favor of signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #63 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: It has been adopted.

COMMUNICATIONS

PRESIDENT PRO TEM DOUGHERTY: 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 30, 2013.

510. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERTIFICATE DATED 12/18/13. - RECEIVED & FILED

511. MAYOR HEALY: ADVISING OF APPT OF ALLEN SCHULMAN TO CCIC WITH NO

MINUTES OF THE MEETING DECEMBER 30, 2013

EXPIRATION. - RECEIVED & FILED

512. MAYOR HEALY: ADVISING OF RE-APPT OF ERNIE SCHOTT TO HEALTH DISTRICT LICENSING COUNCIL FOR RETRO TERM OF 1/1/12 - 12/30/17. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We're now under Ordinances for First Readings. Madame Clerk will you please begin with Ordinance 1.

NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 AND #2 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

(COUNCIL RECESSED AT 7:45 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCES #1; RECONVENED AT 7:47 P.M.)

- #1. (1ST RDG) **ADOPTED AS ORDINANCE NO. 253/2013** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING THE SAME TO BE AN EMERGENCY (\$130,000.00 FROM UNAPPROP BAL 7502 PAYROLL CLEARING FUND TO 7502 801001 - PERSONNEL)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:47 P.M. FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #2; RECONVENED AT 7:50 P.M.)

- #2. (1ST RDG) **ADOPTED AS ORDINANCE NO. 254/2013** 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 #02-23646, LONNETTA O'BRYANT ON SANDAL PLACE NE)
Referred to Community & Economic Development Committee

PRESIDENT PRO TEM DOUGHERTY: At this time to take, declare an in house recess to go over, have Committee meetings for Ordinances 1 and 2. You're now in recess.

PRESIDENT PRO TEM DOUGHERTY: OK, thank you. Council has reconvened. Member Griffin.

MEMBER GRIFFIN: Mr. President, I move we suspend Rule 22A to place Ordinances 1 and 2 back on this evening's agenda.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to replace Ordinance 1 and 2 back on

MINUTES OF THE MEETING DECEMBER 30, 2013

the agenda. Any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Thank you. Member Griffin.

MEMBER GRIFFIN : Mr. President, I move that we suspend the Statutory Rules on Ordinance 1.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's moved to suspend the Statutory Rules on Ordinance 1. Any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT PRO TEM DOUGHERTY: You've heard the three Readings Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance #1.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 1. Any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#1 ADOPTED AS ORDINANCE NO. 253/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 1 has been adopted. Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we suspend the Statutory Rules on Ordinance #2.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to suspend the Statutory Rules on Ordinance 2. Any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

MINUTES OF THE MEETING DECEMBER 30, 2013

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT PRO TEM DOUGHERTY: You've heard the three Readings Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance #2.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 2. Any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#2 ADOPTED AS ORDINANCE NO. 254/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 2 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM DOUGHERTY: Now under Ordinances for their Second Reading. Madame Clerk.

NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #3 THROUGH #6 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#3. (2ND RDG) **ADOPTED AS ORDINANCE NO. 255/2013** AN ORDINANCE AMENDING SECTION 1353.04, REGISTRATION OF PROPERTIES IN DEFAULT AND REO PROP, OF CODIFIED ORDINANCES OF THE CITY OF CANTON

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we suspend the Statutory Rules on 3.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to suspend the Statutory Rules for Ordinance 3. Any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: You've heard the three readings Member Griffin.

MINUTES OF THE MEETING DECEMBER 30, 2013

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance #3.

MEMBER BABCOCK: Seconded

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 3. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#3 ADOPTED AS ORDINANCE NO. 255/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 3 has been adopted. Ordinance 4.

#4. (2ND RDG) **ADOPTED AS ORDINANCE NO. 256/2013** AN ORDINANCE WAIVING THE RESIDENCY REQUIREMENT OF SECTION 735.01 OF OHIO REVISED CODE FOR THE DIRECTOR OF PUBLIC SAFETY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move we suspend the Statutory Rules on Ordinance #4.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to suspend the Statutory Rule for Ordinance 4. Any remarks?

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Yes.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President Pro Tem. Members of Council a little historic background on this request. This is pursuant to the Ohio Revised Code both Chapters 735 and 733 respectively have a provision that allows for the waiver of the Service and/or Safety Director within the first 6 months of their service. As many of you may recall, several years ago, Governor Taft and the General Assembly managed to waive mandatory residency for city employees and other subdivisions across the state with the exception of adjoining counties. The only employees required to live in the city now are we elected officials and by law still, the Service and Safety Director provided though that, that can be waiver within the, within 6 months. So Service and Safety Directors can be waived. We recently did it for folks like Mr. Bernabei, Mr. Ream and some others so again, this is before you because we are within that 6 month period and it 's a request. Thank you.

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

MINUTES OF THE MEETING DECEMBER 30, 2013

NO REMARKS

ROLL CALL 9 YEAS, 2 NAYS
(MEMBERS HAWK AND MACK VOTED NAY)

CLERK TIMBERLAKE: Nine yeas, two nays Mr. President.

PRESIDENT PRO TEM DOUGHERTY: This was on.....

CLERK TIMBERLAKE: This is just suspending the Statutory. Now we're for adoption.

PRESIDENT PRO TEM DOUGHERTY: Yea to suspend. Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance 4.

MEMBER BABCOCK: Seconded

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 4. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 9 YEAS, 2 NAYS
(MEMBERS HAWK AND MACK VOTED NAY)

CLERK TIMBERLAKE: Nine yeas, two nays Mr. President.

#4 ADOPTED AS ORDINANCE NO. 256/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 4 has been adopted. Ordinance 5.

#5. (2ND RDG) **ADOPTED AS ORDINANCE NO. 257/2013** AN ORDINANCE APPROVING
AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN
THE CITY OF CANTON AND CANTON POLICE PATROLMAN'S ASSOCIATION;
AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we suspend the Statutory Rule for Ordinance #5.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to suspend the Statutory Rules for
Ordinance 5. Any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

MINUTES OF THE MEETING DECEMBER 30, 2013

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: You've heard the three readings Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance 5.

MEMBER BABCOCK: Seconded

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 5. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#5 ADOPTED AS ORDINANCE NO. 257/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 5 has been adopted. Ordinance 6.

#6. (2ND RDG) **ADOPTED AS ORDINANCE NO. 258/2013** AN ORDINANCE AMENDING EXHIBIT A OF ORDINANCE NO. 218/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (MAHONING RD NE CORRIDOR PROJ)

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we suspend the Statutory Rule on Ordinance #6.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to suspend the Statutory Rules for Ordinance 6. Any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance 6.

MEMBER BABCOCK: Seconded

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 6. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

MINUTES OF THE MEETING DECEMBER 30, 2013

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#6 ADOPTED AS ORDINANCE NO. 258/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 6 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM DOUGHERTY: Now under Ordinances Third and Final Reading.

NOTE: PRESIDENT PRO TEM DOUGHERTY CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCE #7 FOR THE THIRD TIME BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

- #7. (3RD RDG) **ADOPTED AS ORDINANCE NO. 259/2013** 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 FRESH MARK PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance #7.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 7. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#7 ADOPTED AS ORDINANCE NO. 259/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 7 has been adopted. Ordinance 8.

- #8. (3RD RDG) **ADOPTED AS ORDINANCE NO. 260/2013** AN ORDINANCE AUTHORIZING

MINUTES OF THE MEETING DECEMBER 30, 2013

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)

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance #8.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 8. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#8 ADOPTED AS ORDINANCE NO. 260/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 8 has been adopted. Ordinance 9.

#9. (3RD RDG) **ADOPTED AS ORDINANCE NO. 261/2013** 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

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance #9.

MEMBER BABCOCK: Seconded.

MINUTES OF THE MEETING DECEMBER 30, 2013

PRESIDENT PRO TEM DOUGHERTY: It’s been moved and seconded to adopt Ordinance 9. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS, 1 ABSTAIN
(MEMBER HAWK ABSTAINED)

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

#9 ADOPTED AS ORDINANCE NO. 261/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 9 has been adopted. Ordinance 10.

#10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 262/2013** 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

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance #10.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It’s been moved and seconded to adopt Ordinance 10. Any remarks?
Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#10 ADOPTED AS ORDINANCE NO. 262/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 10 has been adopted. Ordinance 11.

#11. (3RD RDG) **ADOPTED AS AMENDED ORDINANCE NO. 263/2013** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 209/2012; AND DECLARING

MINUTES OF THE MEETING DECEMBER 30, 2013

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)

PRESIDENT PRO TEM DOUGHERTY: Mr. Griffin.

MEMBER GRIFFIN: Member, Mr. President, I move that we adopt Ordinance #11.

MEMBER BABCOCK: Seconded

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 11. Are there any remarks? Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we amend Ordinance #11 per the copy that all Council Members have in front of them.

MEMBER BABCOCK: Seconded.

Amendment

Pursuant to Rule 36, I move to amend Agenda Item No. 11 by the substituting the ordinance attached to this amendment for the ordinance currently pending before Council.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to amend Ordinance 11. Any remarks? By voice vote, all those in favor signify by saying aye. All those opposed.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance #11.

MEMBER BABCOCK: Seconded.

MEMBER GRIFFIN: As amended.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 11 as amended. Any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

MINUTES OF THE MEETING DECEMBER 30, 2013

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#11 ADOPTED AS AMENDED AS ORDINANCE NO. 263/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 11 has been adopted as amended. Ordinance 12.

#12. (3RD RDG) **ADOPTED AS AMENDED ORDINANCE NO. 264/2013** 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

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance #12.

MEMBER BABCOCK: Seconded

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 12. Any remarks? Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we amend Ordinance #12 per copy all Council Members have in front of them.

MEMBER BABCOCK: Seconded.

Amendment

Pursuant to Rule 36, I move to amend Agenda Item No. 12 as follows:

- (a) Amend Exhibit A by substituting pages 2, 3 and 27 attached to this amendment for pages 2, 3 and 27 contained in Exhibit A attached to the ordinance currently pending before Council.*

- (b) Amend Exhibit B by substituting Exhibit B attached to this amendment for Exhibit B attached to the ordinance currently pending before Council.*

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to amend Ordinance 12. Any remarks? All those in favor, signify by saying aye. Those opposed.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I move that we adopt Ordinance #12 as amended.

MINUTES OF THE MEETING DECEMBER 30, 2013

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 12 as amended. Any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#12 ADOPTED AS AMENDED AS ORDINANCE NO. 264/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 12 has been adopted as amended. Ordinance 13.

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 265/2013** 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

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MEMBER GRIFFIN: Mr. President, I make a motion that we adopt Ordinance #13.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 13. Any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#13 ADOPTED AS ORDINANCE NO. 265/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 13 has been adopted. Ordinance 14.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 266/2013** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY \$1,550.00 TO BEAVER EXCAVATING, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM DOUGHERTY: Member Griffin.

MINUTES OF THE MEETING DECEMBER 30, 2013

MEMBER GRIFFIN: Mr. President, I make a motion that we adopt Ordinance #14.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adopt Ordinance 14. Any remarks? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#14 ADOPTED AS ORDINANCE NO. 266/2013

PRESIDENT PRO TEM DOUGHERTY: Ordinance 14 has been adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM DOUGHERTY: We voted on Ordinances 1. Are there any other Announcement of Committee Meetings at all? I don't think so.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM DOUGHERTY: Now under Miscellaneous Business? Is there any Miscellaneous Business?

SERVICE DIRECTOR BARTOS: Mr. Leader.

PRESIDENT PRO TEM DOUGHERTY: Yes.

SERVICE DIRECTOR BARTOS: To Mr. Preston. I apologize. It's, I'm very upset to hear about what you had to go through. There are citywide work rules that every employee has to follow. It just, taking a cursory overview of them on my phone. They're posted online and I can show you where to find them. Just looking at them quickly sitting here after you spoke, it sounds like whoever, if the allegations are true, they're in violation of a handful of those work rules so, I already text messaged the Sanitation Superintendent, Mark Adams and made him aware of the situation and I'll be speaking with him after the meeting on it as well. If I could just get your, I know you already gave your address and the time and everything but I just want to get it just so I have it clear so that I can get that to Mr. Adams. So, if you could just hang, hang out after the meeting so I can get that from you.

(Inaudible from audience)

SERVICE DIRECTOR BARTOS: No problem at all. I apologize for the inconvenience. That's not something you want to wake up to at 6:30 in the morning. I understand that. Just two other quick things. I just wanted to thank Council for, on a personal note, thank Council for passing the waiver for Safety Director Perry. She's been a joy to work with and I'm glad that you passed that and prevented her from having to choose between her job and a potential hardship so, it's a, we have a great team up in the Mayor's cabinet and I've learned a lot from her so far so I'm glad that we're gonna still have her around. And also, I know that we're losing a few Council people tonight so, I'd just like to say to Member Cole and Member Cirelli's not here but, I've enjoyed working with the both of you and met some fine people on my ride along with, not 1 but 2 ride alongs with Member

MINUTES OF THE MEETING DECEMBER 30, 2013

Cirelli so I will always have fond memories of those. But, but thank you for your service and I'm sure we'll see you again in the future, so....

MEMBER WEST: Mr. President.

MEMBER COLE: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member West.

MEMBER WEST: Yes, I also, I too want to thank Joe Cole and Member Cirelli for their service. I commend them both. It's hard stepping up here in City Council and working for your constituents each and every day but you guys served each and every day and I appreciate your support for Ward 2. Joe, I thoroughly enjoyed working with you and wish you well.

MEMBER SMITH: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member We, Member Smith.

MEMBER SMITH: You said Member who?

PRESIDENT PRO TEM DOUGHERTY: Member Smith.

MEMBER SMITH: That's alright. OK, but I'm Chris Smith. OK, Joe I enjoyed working with you also. I'd like to thank you for the many, many times that you supported anything that came up in Ward 4. I definitely enjoyed working with you and if there's anything that I can be of assistance to you in whatever your endeavors be, you know all my phone numbers. Just give me a call and you have a very, very Happy New Year.

MEMBER FISHER: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Fisher.

MEMBER FISHER: Member Cole I wanted to thank you for your service and your friendship to my old vice president from our Young Democrat days. Neither of us qualify anymore in case you were wondering, launching another campaign for it, we're both aged out. But, thank you. I appreciate your friendship sir.

MEMBER COLE: Mr. President.

PRESIDENT PRO TEM DOUGHERTY: Member Cole.

MEMBER COLE: I just wanted to take a few moments and I'll be quick because there are bowl games going on right now and I know everyone wants to get home and watch those. I just wanted to thank a couple people. First of all Majority Leader Dougherty, thank you for your leadership and your friendship. James Babcock, the first person when I got involved in politics in this area, was Jim Babcock. He befriended me and kinda took me under his wing and really has been a good friend. Mayor Healy and administration, past and present, Joe, Fonda, Andrea, Bill, Derek, Warren, Tom Ream. I may be forgetting some people but, I just want to say thank you to the administration. I know when I always had an issue, I'd call, it was handled. I really do appreciate that. Law Director Martuccio just thank you for always just being a stand up guy. You're just a class act. You just carry yourself so well and I thank you for your friendship. Thomas, I worked with you prior to even getting

MINUTES OF THE MEETING DECEMBER 30, 2013

involved in politics with the H transitional housing for young people that were exiting the foster care system and you stepped up and you helped very much on that. I really do appreciate that. Chris, you took me through your neighborhood so many times, introduced me to so many wonderful people. I really do appreciate it. RA you gave me advice when I was just getting involved. Met with me. Had lunch with me. You know, just were so open, so willing to help. I really do appreciate that. Kevin, like I said, like you said, we started, we brought back the Young Dems and so I think if you have anyone to blame for me being up here, it's that man right there so, I think the Young Dems were actually the reason why were seeing so many more young people get involved and that was due to Kevin Fisher. Colleagues that I didn't mention, you know, I know sometimes we don't agree up here all the time, but I think that the thing, and the folks that I didn't agree with, I think that the thing we can all count on is everyone was up here trying to do whether you disagreed with them or not, they're trying to do the best. They're not being mean. They're not being malicious. They're trying to do what's best for the city. We got different ways of going about that. We have different personalities but as Thomas said, no one gets involved in this, I mean we don't make a ton of money. I mean you would have to be pretty crazy ego to get involved in it for that way. Most people get involved in that to help out their fellow citizens, to help out this community. I just want to say and last but not least, Cindy, Michelle and Pattie, I've heard other people come and go and they've always said this and it's absolutely true. You guys make this job so much easier. There is such a learning curve and you guys always help speed that learning process up for all of us and you just, I just can't thank you enough. The nice thing about this and I'll be quick, I know I said that I would hurry up but there's a lot of people I wanted to thank, is that I have met so many wonderful people. So many friends that will transcend, just politics and you know, that I'll have for a lifetime so I'm just very appreciative of everyone's help and I really enjoyed myself. Thank you. (APPLAUSE)

PRESIDENT PRO TEM DOUGHERTY: Thank you Member Cole. On Friday we had a call from Joe Kolacsky from Giant Eagle and he had some hams and turkeys that he wanted to donate, wanted to know if we could find some families for them and that's exactly what we did. Thomas and Chris was involved in this, office staff and myself and we made sure that we got this out to some families in need so, that was always...that was really good. Also thank you Joe, appreciate it. Your hard work and dedication I'll never forget and the biggest thing out of that is your friendship. Mr. Griffin....don't say it. I want to thank you for being my Assistant Majority Leader. I appreciate your leadership and your friendship.

MEMBER GRIFFIN: Thank you. I appreciate it too and Joe, good luck in the future. OK, Mr. President. I make a motion we adjourn.

MEMBER BABCOCK: Seconded.

PRESIDENT PRO TEM DOUGHERTY: It's been moved and seconded to adjourn. Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT PRO TEM DOUGHERTY: (Gavel falls)

ADJOURNMENT TIME: 8:14 PM

ATTEST: JANUARY 2, 2014
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED: JANUARY 2, 2014
DAVID R. DOUGHERTY
PRESIDENT PRO TEM