

MINUTES OF THE MEETING OCTOBER 20, 2014

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. Sorry about the microphone, it's either too quiet or too loud. I want to send a shout out to the Central Catholic Students who are here tonight. Welcome. It's nice having you. They have a pretty good football team this year, but we'll see what happens. Oh, and they have a great golf team.

CLERK TIMBERLAKE: State champions...

PRESIDENT SCHULMAN: Wow, you guys really are good. Congratulations, why didn't I see that...

CLERK TIMBERLAKE: ...Jim saw them...

PRESIDENT SCHULMAN: Jim Griffin knows everything! With a quorum being pre...and welcome...with a quorum being present, the Chair calls this meeting of Canton City Council to Order. Roll call vote please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

12 COUNCIL MEMBERS PRESENT: (FRANK MORRIS, CHRIS SMITH, JAMES BABCOCK, RICHARD HART, BILL SMUCKLER, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, KEVIN FISHER, DAVID DOUGHERTY, JOHN MARIOL & EDMOND MACK)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight's invocation, and for those of you who have been here for 14 years, you have heard the same one for the last 14 years, will be given by Council Member Greg Hawk. Will you all stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on October 20, 2014 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: Thank you very much Member Hawk. We're now under Agenda Corrections and Changes, Leader.

MEMBER MORRIS: Mr. President, I move that Rule 22A be suspended to add 2nd Readings Ordinances #9 through and include #15.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 9 through 15 to this evening's agenda. Any remarks? Hearing none, Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve 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.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We turn now to Public Hearings. We do have a Public Hearing this evening. It is scheduled for **7:30** and it's AN ORDINANCE VACATING AN UNNAMED ALLEY; EMERGENCY, PLANNING COMMISSION RECOMMENDED APPROVAL (ALLEN AVE SE FOR LEE DICOLA ON BEHALF OF FOLTZ REALTY, LLC IN ASSOCIATION WITH FOLTZ MACHINE IN WARD 4). Is there anyone in the audience wishing to speak for or against this Vacation of the alley tonight, will you please step forward. Yes sir, if you'll step forward. Welcome. If you'll give us your name and your residential address, please.

LEE DICOLA: Good evening. My name is Lee DiCola. I live at 2800 Carrington St. NW, North Canton. I am Chairman of Foltz Machine, LLC and Foltz Realty, LLC. Foltz is bound on the East by the railroad tracks, on the West by the street, on the North by property owned by Abbott Electric, and on the South by this unnamed and abandoned alley, and the vacation of it would be the first part in our plan to provide for future expansion of Foltz because on the other side of the alley are three lots that we want to acquire, all of which are uninhabited. Since we acquired Foltz on February 11th, we had nineteen employees at that time, today we have thirty-two employees and continue to seek other employment. So, we would appreciate your support in helping us grow.

PRESIDENT SCHULMAN: Thank you very much Mr. DiCola, it's good to see you. Thanks for coming down. Is there anyone else in the audience wishing to speak for or against this vacation, will you please step forward. Seeing none, the Chair declares the Public Hearing over in regards to this matter. The matter now rest in the hands of Council. The Ordinance will follow later this evening. I'm going to exercise some Chair prerogative here and we're going to hold Public Speaks for just a moment because we're very excited with two...with all the resolutions this evening, but two in particular.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: So, let's turn to Informal Resolutions. Madame Clerk, will you please begin with Informal Resolution 39.

#39. COUNCIL-AS-A-WHOLE: COMMENDING 2014 FIREFIGHTERS OF THE YEAR, RON JULIO, THOMAS TODD, SHAWN ROBINSON, FRANK WALTERS. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #39.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 39. Madame

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Clerk, would you mind reading that Resolution, please.

CLERK TIMBERLAKE: WHEREAS, When the calls come in, Firefighters react and do their jobs. But sometimes heroic efforts are needed and that's when training, dedication and character are called upon; and WHEREAS, On April 30, 2014, Canton Firefighters Ron Julio, Thomas Todd, Shawn Robinson, and Frank Walters of the 3rd Battalion responded to a call and arrived to find a vehicle submerged in the swollen, swift moving Nimishillen Creek after having plummeted from the Interstate 77 – Rt. 30 exchange. They joined civilians and Police Officers already on the scene and discovered a family of four in dire straits. Swift water and rope rescue equipment was not available to them at that time; and WHEREAS, Through their efforts and others on the scene, they were able to free the victims while putting themselves at great personal risk. Sadly, two members of the family died as a result of the accident. Tragedy and triumph are too often linked; and WHEREAS, The triumph is that four Firefighters, Ron Julio, Thomas Todd, Shawn Robinson, and Frank Walters, who were well trained, dedicated to doing a great job, and men of character, were called upon and performed heroically. NOW, THEREFORE BE IT RESOLVED: that we, the Members of Canton City Council, do hereby go on public record commending and honoring the 2014 Canton Firefighters of the Year, Ron Julio, Thomas Todd, Shawn Robinson & Frank Walters for their for their dedication, loyalty and for ensuring the safety of the citizens of Canton. Thank you! (*Applause*).

PRESIDENT SCHULMAN: Before we vote, are there any remarks? Leader, would you like to make the presentation, or lets have a voice vote. All those in favor of the Resolution signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #39 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The Resolution passes. Leader Morris.

MEMBER MORRIS: Mr. President, I am going to defer this to Member Smith because this act of bravery was in her Ward.

PRESIDENT SCHULMAN: Great, thank you.

CLERK TIMBERLAKE: If you'll please come forward, Firefighters please. Ron Julio, Thomas Todd, Shawn Robinson and Frank Walters.

MEMBER SMITH: Well, first of all, thank you so very much for all your bravery, honor, and most of all, the courage that you had on that night. We the Canton City Council would like to present to you this Informal Resolution and it's respectfully submitted by Council as a whole and it reads: When the calls come in, Firefighters react and do their jobs. But sometimes heroic efforts are needed and that's when training, dedication and character are called upon; and WHEREAS, On April 30, 2014, Canton Firefighters Ron Julio, Thomas Todd, Shawn Robinson, and Frank Walters of the 3rd Battalion responded to a call and arrived to find a vehicle submerged in the swollen, swift moving Nimishillen Creek after having plummeted from the Interstate 77 – Rt. 30 exchange. They joined civilians and Police Officers already on the scene and discovered a family of four in dire straits. Swift water and rope rescue equipment was not available to them at that time; and WHEREAS, Through their efforts and others on the scene, they were able to free the victims while putting themselves at great personal risk. Sadly, two members of the family died as a result of the accident. Tragedy and triumph are too often linked; and WHEREAS, The triumph is that four Firefighters, Ron Julio, Thomas Todd, Shawn Robinson, and Frank Walters, who were well trained, dedicated to doing a great job,

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and men of character, were called upon and performed heroically. NOW, THEREFORE BE IT RESOLVED: that we, the Members of Canton City Council, do hereby go on public record commending and honoring the 2014 Canton Firefighters of the Year. Will each one...everyone please join us once again in honoring these Firefighters. *(Applause)*.

PRESIDENT SCHULMAN: If the...if the family would like to...if there are family members that would like to...gentlemen, hold on right there...if there are family members that want to take photographs, please feel free to step up and take a closer picture if you like. *(Inaudible)...(Laughter)*. Gentlemen, would you like to say anything, you're more than welcome. Congratulations. *(Applause)*. *(Inaudible)*... Alright... and congratulations again. By the way, you do not have to stay here, so if you'd like to leave with your family and enjoy this evening, please feel free. You do not have to stay for the rest of the Council meeting, unless you wish. But again, congratulations. Leader Morris has one more...*(Inaudible)...(Laughter)*...

CLERK TIMBERLAKE: Thank you for coming.

PRESIDENT SCHULMAN: Thank you very much for your service. Madame Clerk would you please read Informal Resolution 40.

#40. COUNCIL-AS-A-WHOLE: COMMENDING 2014 FOURTH GRADE ESSAY WINNER OF THE YEAR, KY'ARA ROSS. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #40.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 40. Madame Clerk, would you mind reading this Resolution.

CLERK TIMBERLAKE: WHEREAS, Ky'ara Ross, a fourth grade student at Gibbs Leadership School was the Fourth Grade Essay Winner at the 49th annual Fire Prevention Week Kickoff Breakfast held on Tuesday, October 7, 2014 at Skyland Pines; and WHEREAS, All fourth graders from Canton City Schools were offered the challenge of writing an essay regarding "Smoke Alarms", a theme selected by the State Fire Marshall; and WHEREAS, Ky'ara's essay exemplified excellent writing skills. She put forth a lot of effort, thoughtfulness & expressed the importance of having a working smoke alarm; and NOW, THEREFORE BE IT RESOLVED: that we, Members of Canton City Council along with her family do hereby go on public record commending and congratulating KY 'ARA ROSS for being awarded the 2014 Fourth Grade Essay Contest Winner for the Fire Prevention Week Breakfast. *(Applause)*. *(Inaudible)*...

MEMBER MORRIS: Thank you. We're very impressed because when I was in the fourth grade, I couldn't spell the word "essay", so you're already so much further ahead than me and my colleagues, *(Inaudible)...(Laughter)*...

CLERK TIMBERLAKE: Sir, you can come up and take pictures...

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MEMBER MORRIS: So, I'm going to lower this and you're going to read your essay, correct?

KY'ARA ROSS: Working smoke alarms saves lives. They sound off when they sense smoke. Lots of people should all have smoke alarms. Checking smoke alarms can save lives. Your smoke alarm can tell you when it smells smoke from fire. People could know when there is a fire because of a smoke alarm. If people did not have smoke alarms they would not know when there is a fire. People can die without a smoke alarm because of smoke alarms is an important thing we need. People should check their smoke alarms at...all the time. You should always change the batteries. Make sure you are always checking your smoke alarms. I check my smoke alarm whenever it goes off. Smoke alarms tell you if you're burning something or the hot air from the bathroom showers, or a curling iron. Smoke alarms can save many people's lives like families, or children, or any even orphanage. People's smoke alarms can go off when they're not home. Pets can die too from smoke, even in pet shelters. Smoke alarms are so helpful to people.

PRESIDENT SCHULMAN: Great.

CLERK TIMBERLAKE: ...And Ms. Tucci, thank you for coming too.

PRESIDENT SCHULMAN: Thank you very much. Now that we've heard the essay, all those in favor of the Resolution signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #40 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Congratulations Ky'ara. (*Applause*). (*Inaudible*). (*Laughter*). Moving on now to Informal Resolution 41, Madame Clerk.

#41. PERSONNEL COMMITTEE: RE-APPT OF TERRY PRATER TO BOARD OF ZONING APPEALS FOR 3 YR TERM FROM 1/1/15 - 12/31/17. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #41.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 41. Any remarks? Hearing none then, by voice vote, all in favor of Resolution 41 signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #41 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Informal Resolution 41 is adopted. Informal Resolution 42 please.

#42. PERSONNEL COMMITTEE: RE-APPT OF JOHN STRAUSS TO ARCHITECTURAL REVIEW BOARD FOR 4 YR TERM FROM 1/1/15 - 12/31/18. - ADOPTED

PRESIDENT SCHULMAN: Leader Morris.

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MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #42.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 42. Any remarks? Hearing none then, by voice vote, all in favor of Resolution 42 signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #42 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries and Ord...Resolution 42 is adopted. Now we'll go back to our regular order of business.

OLD BUSINESS

PRESIDENT SCHULMAN: I understand the Deputy Mayor, Fonda Williams has one matter on Old Business. Deputy Mayor.

DEPUTY MAYOR WILLIAMS: Yes, Mr. President, Members of Council, at our October 6th meeting, this body heard from Mr. Jason Scaglione and also Ms. Connie Weidleman, they had specific questions about the City's plans for fire prevention. Members of Council, or particularly, Leader Morris, I think it may be appropriate to have our Police Chief come and address Council in a couple of weeks, if we could schedule that. Hopefully that can answer not only Mr. Scaglione and Ms. Weidleman's questions, but I'm sure the general public has some of those questions as well. And there would be more appropriate for the Chief to talk about some of the intelligence led, policing initiatives, along with some of our multi-jurisdictional work that some of you have read about in the paper that's taken place in the last couple of weeks. Thank you.

PRESIDENT SCHULMAN: Thank you, Deputy Mayor, very much.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We turn now to Public Speaks. We have 6 speakers tonight. Our first speaker is Jason Scaglione. Mr. Scaglione, always, welcome to Canton City Council. If you'll give us your name though, and your residential address please.

JASON SCAGLIONE: Good evening. Jason Scaglione, 3027 Glen Place. I want to say good job. It's nice to see some of the stuff taken down off the streets, but let's not forget, we've had another drug death at the Factory of Terror, due to heroin. We can't stop, we've got to keep moving forward and keep taking this stuff off the streets to save our citizens. One of the...I spoke last night...no, last meeting on crime and I just want to let you know I've written another letter to folks in our Senate and State Reps and whatnot, looking for some help. Here's what I wrote. To whom it should concern, I would like to take a look in a way to reduce crime and improve Ward 3 in the City of Canton, Ohio. The health of our neighborhood needs everybody's help. I know that when there was a City Police Officer that lived on my street, it was a bit different that it is now. I'd like to look at the State to provide the funding necessary for provided, dedicated officers to Ward 3. I've spoken to City Council about the crime in the area, now I want to offer this solution to the issue. There is a need for constant police presence in our area, and I'd like to look at the effectiveness of an officer that is dedicated in Ward 3. With a dedicated police presence, I think that interaction with our residents would be more than effective. This would allow residents to build a working relationship and form a trust in the Police Department again. With an officer or officers dedicated to Ward 3, they could learn issues unique to our area

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and be able to efficiently address them. The method of sending officers from one problem to the next all over the City is not working. With officers dedicated to one area, they can have a sense of ownership for that area. And I'm sure we would see a more effective policing effort take place. It is time to focus on our neighborhoods and start chipping away at the crime issue. As Josh Mandel states on TV ads, our State's finding us (*Inaudible*). Let's use some of the funds to work on the rising crime rate. Let me know what you might be willing to do to assist us. Thank you. I did get a response. I can't do anything about it because I'm not an elected official, but I have been told that there is a safe neighborhood initiative and that there are some funds possibly there, maybe that cannot directly help with this, but indirectly might be something that can free up some funds that could help with this. I've got contact information on that, a phone number and a name for that program, if someone would like to contact them and see if we can get into some of those funds. I think it'd be a good thing. Keep doing what you're doing, do more of it, do the most you can. Every life we lose is too many. Thank you. (*Applause*).

PRESIDENT SCHULMAN: Thank you very much Mr. Scaglione. (*Applause*). And if you do have that contact information, if you could give it to the Deputy Mayor or Safety Director, would be...

JASON SCAGLIONE: ...Absolutely...

PRESIDENT SCHULMAN: ...Great, thank you. Jim Williams, are you...you're on the list...you want to speak...Jim Adams, I'm sorry. Jim Adams, from our Health Department.

JIM ADAMS: If the Chair would recognize, I'd be more than happy to make a brief presentation.

PRESIDENT SCHULMAN: It would be my pleasure. If you'll give us your name and your residential address.

JIM ADAMS: Thank you. My name is Jim Adams and I am the Health Commissioner for the City of Canton Health Department. I did just...I did brief Council on the Health Department's activities relative to the Ebola concerns in the community, and I really just wanted to go on the record to be able to kind of follow up on a couple of those ideas and to let anybody know that may have some concerns. We have had some very good news coming out of the Dallas area. We do know that the individuals that lived with the index case, the first case of Ebola in the United States, who unfortunately passed away, his family has been released from quarantine after twenty-one days with no signs of Ebola disease. That's very good news for us and for our community also, and especially for them. You may know that Ohio has taken a very aggressive approach to looking at contacts to a Dallas healthcare worker who traveled into the Cleveland area over this weekend last. Just so you know that in Ohio we were following up...public health in Ohio was following up on about 114 individuals that may have had some type of contact with this healthcare worker. In Stark County there are no people in Canton that we are following up with. There is one Massillon, none in Alliance, and the Stark County Health Department is following up on six individuals. We are monitoring their temperature, a public health person is visiting them once a day to make sure that they're okay. I do want to make sure, like I've said before, that public health is working very, very closely with our hospitals and healthcare personnel. Also, our EMS folks and our first responders to make sure that we can take this time and use the experiences of others to make sure that we can respond appropriately in our community and make sure that first of all the healthcare workers that might be called upon to care for these people are adequately protected and our first responders are adequately protected, but most of all that we can respond to protect the folks in our community. So the greatest risk right now is not really from Ebola, but from the fear of Ebola, and we know that fear can cause us to do some irrational things in the communities. We can always fight fear with facts. So, before we act, we

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need to understand what's going on and I encourage people to learn as much as they can before they take any kind of action. We, as always, have information available and questions should be referred to us if you have any questions whatsoever. I would be remiss if I didn't point out that this is the beginning of flu season. We can all protect and our families by getting a flu shot. The flu is a vaccine preventable disease. So, we need to do our part, not only to protect ourselves and our families, but get a flu shot. Thank you.

PRESIDENT SCHULMAN: Thank you Commissioner, very much. Appreciate it. (*Applause*). And thank you for all your hard work. And I believe flu shots are being given here in City Council on Wednesday, from 10:30 til 12:30, so I would encourage all of us to have the flu shot. It's much more serious than Ebola. Let's see...we are still on Public Speaks and our next speaker is Charles Killins. Mr. Killins...Mr. Killins, good evening. If you'll step forward sir. Welcome. If you'll give us your name and your residential address please.

CHARLES KILLINS: My name is Charles Killins. I'm at 1027...10...1226 Market Avenue North, Canton, Ohio. I'm here, like I'm here a couple weeks ago, I have a form here for the City Councilmen. All of you have your name, the dates, and when scheduled Council are to be held. And I'm glad the Mayor is here. Mr. Martuccio, you told me you'd have that information for me last week, last week, knowing that it was a holiday and you wouldn't be here, but I came, but I have the whole Council here that send to the Federal Judge, as witnesses to what you have said. Now, can you answer me, are you going to give me what I asked for, or do I have to send the Federal Judge in question?

PRESIDENT SCHULMAN: (*Inaudible*)...Go ahead Mr. Killins.

CHARLES KILLINS: I'm asking...

PRESIDENT SCHULMAN: Right, but we don't...

CHARLES KILLINS: Would you answer my question?

PRESIDENT SCHULMAN: Right, we can it after the meeting's over, so, if you'll sit patiently, I'm sure you'll get your question answered.

CHARLES KILLINS: That isn't what you told me..I've been patiently, but I sent a letter to the Federal Court and you all may be called as witnesses. I'm informing you so you will know this here and you will tell the truth. Thank you.

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

JAMES PARKER: Thank you. As you've indicated, I'm James Parker. I live at 630 Penny St. SE, the City of North Canton. I don't know if any of you, when you leave here, God has left our ears open at all times so we can always hear, there's a loud vibrant squeak of a bearing and a pulley, and belt, and something going on. It sounds like it's coming from on top of the roof here...it's noise pollution, basically. It's beautiful downtown, we have beautiful art objects, and there's a incessant, unyielding, unremitting noise, and it's very disturbing and annoying. Hope something...maybe Cliff can be called to see if it's on top of this roof this way the sound bounces, it could be off the Bow Building. Now that we're speaking of Ebola, you know people, it is

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pandemic. It has affected us, but it's not epidemic where there's maybe between three and seven percent of the population, it's not even endemic to this region, whereas a viral disease such as rabies is, which is over ninety percent fatal all the time, and exists commonly in animals and we're not panicking about that. If you were to swab half of these teenagers over here and culture their throats, they're going to come back positive about twenty percent of them with the meningitis XYZ bacterial, viral, whatever, (*Inaudible*). We all carry it. It's the germ theory that we're so afraid of, and I can debunk it easily by stating that fact that we carry these germs but none of us are going home and developing pneumonia or meningitis, and none of us are worrying about catching from each other right now. So, which comes first, the garbage or the flies? I do not believe that the flu vaccine is neither safe nor effective and you're welcome to contact Kristine Severine, the head of the Ohio Vaccine Network, whatever she is registered, Pharmacologist and so on. However, we can take it upon ourselves to strengthen our own immune system through vitamins and micro nutrients that aren't available to those little people in Sudan, Zaire, and wherever, Marburg, Germany is where it first came out in 1976. So, (*Inaudible*) green monkeys from Uganda, it's a retro virus, inline with the Aids virus, which is much more slower and insidious. However it is a hemorrhagic fever, so vitamin C and K are known as clotting vitamins, anti hemorrhagic, so I think it does impose upon us to reflect upon our own garden and see how we are tending to our own immune system that God has given us. Thank you very much (*Applause*).

PRESIDENT SCHULMAN: Thank you, Mr. Parker, very much. Appreciate it. Our next speaker is Henry Preston. Mr. Preston, if you'll step forward and give us your name and your residential address, and as always sir, welcome to Canton City Council.

HENRY PRESTON: Good evening. My name is Henry Preston. I live at 326 31st St. NW. About...I've been living in this house about two years and there's a patch of asphalt that is about 4x8 and after every storm the cracks, like what we have in many, many streets, they get wider and wider. This spring, the cracks were getting wider and now the asphalts coming out and relocating on the street. So as cars come by, it creates debris. So, the Street Departments coming out and patching the streets and I still have this dilemma. My section of the street is still falling apart. It's crumbling like we see in so many places. So, I thought well, what should I do? I called the Street Department. I was very please, it was...I picked a good time because we had about twelve days of no rain and five days after I called, the street...two gentlemen from the Street Department came out to make a survey and their final words to me where, "we'll take care of it." Less than three hours later, the Street Department came by and took care of it, and I'm very pleased. So, I want to thank the Street Department and I also want to...I spoke a couple times about...if you don't do it, when we were talking about street, whose going to do it? My neighbors drove over this three or four times a day, nobody calls. So, I thought, well I have to do it. And so, that's the same thing in our Wards. You Council Members need to stay on top of this and help the residents in your Ward and we can make some things happen. We have good people here. We just need to have them engaged in it and I think Council Members need to be engaged also. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much Mr. Preston appreciate it. Our last speaker has some really good news, and that's Dan Moeglin. Mr. Moeglin, if you'll step forward and although we know who you are, but for the record will you give us your name and your residential address, and as always, welcome sir.

DAN MOEGLIN: My name is Dan Moeglin. I live at 1320 Buena Vista St. in Canton, Ohio. I'd like to come and give you some great news as Councilman Schulman mentioned. This afternoon we got a letter from the Ohio Department of Natural Resources. That letter announced to us that we received \$500,000.00 grant for

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the construction of a section of bike trail. That bike trail will run from Cleveland Ave. along Rt. 62 and Malone University all the way over to the West Branch Trail. That trail will consist of a section of what's known as National Bike Route 40, so it's not just important to the City of Canton, it's not just important to Malone University, it's not just important to the Stark Parks, which is a partner with us, it's important nationally because it will be a draw nationally to bring people into town that will run through...go to the Hall of Fame, visit our attractions and so forth. So I just thought...Councilman Schulman thought it was important I come and bring that information to you. Couldn't have been done without the support of Council Members, Mayor Healy and the Administration that had given us the direction to go forth and seek out these types of opportunities. It's great for not only bike trail and recreational aspects, but the health of our community, economic development and the property values in our city because it's well documented that bike trails do improve property values. Little bit of good information and congratulations to all of us. (*Applause*).

PRESIDENT SCHULMAN: We've got a great City Engineer. Thank you very much. Really appreciate that good news. It's always good to hear.

COMMUNICATIONS

PRESIDENT SCHULMAN: And now we're 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 OCTOBER 20, 2014.

445. ANNEXATION CHAIRMAN WEST: REQ STATEMENT OF SERVICES FOR LESH-EVERETT ANNEXATION OF 0.4936 ACRES LOCATED IN PLAIN TOWNSHIP. - ANNEXATION COMMITTEE
446. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 10/15/14. - RECEIVED & FILED
447. COMM DEV DIR MILLER: AMEND O#264/2013 (\$1,275,000.00 APPROP TRANSFER FROM 2211 506001 CD ADMIN - OTHER TO 2211 506002 CD DEMO - OTHER AND \$110,805.10 FROM 2211 501601 CD YOUTH DEV - OTHER TO 2211 506001 CD ADMIN - OTHER). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
448. CNCL-AT-LRG HART: INQUIRING AS TO WHEN CITY WILL TRAIN FIRST RESPONDERS ON PROPER CDC PROCEDURES IN DEALING WITH PERSONS WHO MAY HAVE CONTACTED EBOLA VIRUS. - RECEIVED & FILED
449. DEPUTY MAYOR WILLIAMS: AUTHORIZE SERV DIR TO ENTER INTO JEDD WITH STOLLE MACHINERY INC FOR JOB CREATION TAX INCENTIVE . - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
450. FINANCE CHAIRMAN HAWK: REQ 2015 REVENUE DRIVEN BALANCED BUDGET TO BE SUBMITTED BY 12/8/14. - RECEIVED & FILED

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451. MAYOR HEALY: ADVISE OF RE-APPT OF ANDREW BLACK TO CANTON PARK COMMISSION FOR 3 YR TERM COMMENCING 1/1/15 - 12/31/17. - RECEIVED & FILED
452. PLANNING COMMISSION: VACATION & REPLAT OF A PORTION OF HAFFER CT SW BEGINNING AT THE NORTH RIGHT OF WAY OF 17TH ST SW RUNNING NORTH TO SOUTH LINE OF CANTON CITY LOT 7242 & REPLAT OF PORTION HAFFER CT SW AND ALL CITY LOTS 7443 - 7451 AND REMAINING PARTS OF LOTS 7473 & 7474 IN WARD 5. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
453. PLANNING COMMISSION: VACATION OF PORTION OF 19TH ST SW WEST OF THE WEST RIGHT OF WAY LINE OF GARFIELD AVE SW, EAST OF EAST RIGHT OF WAY LINE OF DUEBER AVE SW, SOUTH OF SOUTH LINE OF OUTLOT 941 AND NORTH OF NORTH LINE OF OUTLOT 947, WARD 5. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
454. SAFETY DIRECTOR PERRY: AMEND O#177/2006, SECTION 1(a), TO APPROP \$600.00 FOR CHANGE DRAWERS FOR ADDT'L REGISTERS IN BLDG DEPT. - JUDICIARY & FINANCE COMMITTEE
455. SERVICE DIRECTOR BARTOS: REQ \$272,000.00 SUPP APPROP FROM UNAPPROP BAL 5201 WATER FUND TO \$4,000.00 5201 207003 - WATER BILLING - OTHER, \$42,000.00 5201 207010 - WATER PUMPING - PERSONNEL, \$51,000.00 5201 207012 - WATER MAINTENANCE - OTHER, \$175,000.00 5201 207022 - WATER DISTRIBUTION - OTHER AND A \$4,000.00 SUPP APPROP FROM 5410 SEWER FUND TO 5410 207003 - SEWER BILLING - OTHER AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
456. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONSTRUCTION CONTRACT CHANGE ORDER WITH CENTRAL ALLIED ENTERPRISES, INC NOT TO EXCEED \$146,909.21; AMEND APPROP O#264/2013 AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (\$11,763.63 SUPP APPROP FROM UNAPPROP BAL 2181 GERVASI 1700 LLC TIF FUND TO 2181-202001 GERVASI 1700 LLC TIF FUND - ENG ADMIN - OTHER, \$78,248.04 SUPP APPROP FROM UNAPPROP BAL 4501 CAPITAL FUND TO 4501-202087 CAPITAL FUND - 55TH ST PROJ, GP 1125 - OTHER; \$30,000.00 APPROP TRANSFER FROM 4501-202001 CAPITAL FUND - ENG ADMIN - OTHER TO 4501-202087 CAP FUND - 55TH ST PROJ, GP 1125 - OTHER AND \$30,000.00 APPROP TRANSFER FROM 4501-201001 CAPITAL FUND - SERV DIR ADMIN - OTHER TO 4501-202087 CAPITAL FUND - 55TH ST PROJ, GP 1125 - OTHER). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
457. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO A ONE YR PROF SERV CONTRACT FOR COMPREHENSIVE NETWORK SERV WITH ACLARA TECH; MAKE A \$16,558.00 SUPP APPROP FROM UNAPPROP BAL 5201 WATER FUND TO 5201 207003 - WATER BILLING - OTHER & A \$11,038.00 SUPP APPROP FROM UNAPPROP BAL 5410 SEWER FUND TO 5410 207003 - SEWER BILLING - OTHER AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE

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458. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, REC BIDS, AWARD AND ENTER INTO CONTRACT FOR CURBING OF BOULEVARDS LOCATED AT & AROUND THE INTERSECTION OF 19TH ST NE AND EDWARDS AVE NE; MAKE A \$70,000.00 SUPP APPROP FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202041 - 19TH & EDWARDS INTERSECTION IMPROVEMENTS, GP 1106 - OTHER AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
459. TREASURER PEREZ: RPT OF DEPOSITS & PAY INS FOR AMBULANCE LOCK BOX FOR SEPTEMBER 2014. - RECEIVED & FILED
460. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR SEPTEMBER 2014. - RECEIVED & FILED
461. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 9/30/14. - RECEIVED & FILED
462. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 9/30/14. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: And turning now to First Reading Ordinances and Formal Resolutions for the First Reading. Madame Clerk would you please begin with Ordinance #1.

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

- #1. (1ST RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF TWO PARCELS OF CITY OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #'S 02-16208 AND 02-16209 ON HARRISBURG AVE NE FOR LENA & JACK PORTER)
Referred to Community & Economic Development Committee
- #2. ____ (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE SALE OF THE LAND AND STRUCTURE AT 2506 CLEVELAND AVENUE S.; AND DECLARING THE SAME TO BE AN EMERGENCY (SERV CENTER)
Referred to Public Property Capital Improvement Committee
- #3. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$35,000.00 FROM

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UNAPPROP BAL 2111 STREET MAINT FUND TO 2111 104020 TRAFFIC SIGNAL - OTHER; \$85,000.00 FROM UNAPPROP BAL 6041 DMV FUND TO 6041 208010 SERVICE & REPAIR - OTHER; \$12,000.00 APPROP TRANSFER FROM 2216 505010 FAIR HOUSING DEPT - PERSONNEL TO 2216 505010 FAIR HOUSING DEPT - OTHER)

Referred to Finance Committee

- #4. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,800.00 SUPP APPROP FROM 2312 301001 - OTHER TO 2312 301001 - PERSONNEL AND \$8,000.00 FROM 2321 301001 - OTHER TO 2321 301001 - PERSONNEL) (HEALTH DEPT)
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PART OF OUTLOT 577; AND DECLARING THE SAME TO BE AN EMERGENCY (LOCATED AT AND AROUND MAHONING RD NE AND HARMONT AVE NE FOR DOLLAR GENERAL - WARD 6)
Referred to Public Safety & Thoroughfares Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE DISCHARGE OF THE DEMOLITION LIEN, ASSESSMENTS, PENALTIES AND INTEREST ON THE PROPERTY LOCATED AT 710 WILSON PLACE NW.; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO RECEIVE THE 2014 COPS HIRING PROGRAM GRANT IN THE ESTIMATED AMOUNT OF \$1,125,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

COUNCIL RECESSED AT 8:06 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #8; RECONVENED AT 8:10 PM)

- #8. (1ST RDG) **ADOPTED AS ORDINANCE NO. 214/2014** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT AND ENTER INTO A COOPERATIVE AGREEMENT WITH AEP FOR THE ROADWAY LIGHTING CONSTRUCTION CONTRACT, GP 1219; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement Committee

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PRESIDENT SCHULMAN: And at this time the chair will declare an in house recess for the Public Property Capital Improvement Committee to meet in regards to Ordinance #8 on your agenda this evening. You're now in recess.

PRESIDENT SCHULMAN: Okay, Council will reconvene after its recess, Leader.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinance #8 back on this evening's agenda.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A. Any remarks? Hearing none Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #8 which is in Mary's Committee (*Laughter*).

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #8 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We turn now to Ordinances and Formal Resolutions for their Second Reading. Again Madame Clerk, would you please begin with Ordinance #9.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #9 THROUGH #15; FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#9. (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 (CITY-WIDE ZONING).

PUB HRG 10/20/14 @ 7:30 P.M.

#10. (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 (915 WERTZ AVENUE N.W., CANTON, OHIO FRM B-3 (NEIGHBORHOOD BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) DENNIS R. AND CAROLYN J. COPELAND - WARD 3).

PUB HRG 10/27/14 @ 7:31 P.M.

#11. (2ND RDG) AN ORDINANCE AUTHORIZING THE DISCHARGE OF THE DEMOLITION LIEN, ASSESSMENTS, PENALTIES AND INTEREST ON THE PROPERTY LOCATED AT 1417 - 4TH STREET N.E.; AND DECLARING THE SAME TO BE AN EMERGENCY.

#12. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$40,000.00 SUPP APPROP FROM UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102001 POLICE ADMIN - OTHER).

#13. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO PURCHASE ONE VACALL AJV 1015 WITH ACCESSORIES FROM SOUTHEASTERN EQUIPMENT CO. INC., AT AN ESTIMATED COST OF \$332,000.00 THROUGH THE NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING AGREEMENT, IN ACCORDANCE WITH OHIO REVISED CODE SECTION 9.48 AND CANTON CODIFIED ORDINANCE SECTION 105.11; AND DECLARING THE SAME TO BE AN EMERGENCY.

#14. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH GREG MENCER IN AN AMOUNT NOT TO EXCEED \$30,000.00; AND

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DECLARING THE SAME TO BE AN EMERGENCY (SANITARY SEWER ENGINEER).

- #15. (2ND RDG) A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you Madame Clerk. We're now under Ordinances and Formal Resolutions for Third, Final Reading and Vote. Would you please begin with Ordinance 16.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #16 THROUGH #19 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 215/2014** AN ORDINANCE VACATING AN UNNAMED ALLEY; AND DECLARING THE SAME TO BE AN EMERGENCY (LEE DICOLA FOR FOLTZ MACHINE - ALLEN AVE SE)

PUB HRG 10/20/14 @ 7:30 PM

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #16.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 16. Any remarks under this Ordinance? Hearing none, Madame Clerk again, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 215/2014

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

- #17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 216/2014** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH LEONARD INSURANCE SERVICES AGENCY, INC. IN AN AMOUNT NOT TO EXCEED \$175,000.00 FOR A ONE (1) YEAR FIRE, VANDALISM & MALICIOUS MISCHIEF (PROPERTY) INSURANCE POLICY FOR THE CITY-OWNED BUILDINGS AND CONTENTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #17.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 17. Any remarks under this Ordinance? Hearing none, Madame Clerk again, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 216/2014

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

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 217/2014** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER 2 IN THE AMOUNT OF \$5,319.01 WITH BLACK HORSE BRIDGE COMPANY FOR THE NAVARRE ROAD SANITARY SEWER AND BRIDGE PROJECT, GP 1159; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #18.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 18. Any remarks under this Ordinance? Hearing none, Madame Clerk again, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 217/2014

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

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 218/2014** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF TWO (2) ASPHALT PATCHERS; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ALTERNATIVELY PURCHASE SAID ASPHALT PATCHERS PURSUANT TO STATE COOPERATIVE PURCHASING AGREEMENTS; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$65,000.00 FROM UNAPPROP BAL 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 202210 STREET MAINT - OTHER)

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PRESIDENT SCHULMAN: Again, Leader Morris.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 218/2014

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: The Finance Committee will meet Monday, October 27th at 6:45 p.m.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Chairman West.

MEMBER WEST: Public Safety & Thoroughfares Committee will also meet at the same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Chairman Smith.

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

PRESIDENT SCHULMAN: Thank you.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Chairman Mariol.

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MEMBER MARIOL: Public Property Capital Improvement Committee will meet same time, same place.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Turning now to Miscellaneous Business. Is there any?

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President, Member of Council. Just to respond, for the record, I appreciate Health Commissioner Adams coming to our rescue a couple of meetings ago, with his very fine recollection of what it is that has brought Mr. Killins here a number of times. It was a piece of real property that had undergone a number of complaints, much due process, many hearings, and ended up a subject of the Board of Health Commissions resolutions. And at Court, I believe ultimately. At any rate, when Mr. Killins has appeared in the office, a few times over the last year or two, we receive him cordially and we invite any and all papers that he brings. I have to say that none of them have been current and if they are, I will answer them, if anyone calls from any offices, with any inquiries. I will answer them to the best of my ability. To date, nothing I've received has been current. So, if there's anything anyone wants to pass along, or help recall, I'm happy to do that. Mr. Commissioner, if you'd help me out on a resolution to this, please. Thank you.

PRESIDENT SCHULMAN: Commissioner Adams.

JIM ADAMS: I think the Law Director has done find summarizing that. I would certainly entertain any kind of current information. I do want to point out that the Board of Health has always been fair in its dealings with the citizens of Canton. In the middle 1930's, there was a house that used to be located on Market Avenue that was moved down to 6th Avenue Southwest. That house was occupied by the then sitting President, William McKinley. That has was moved down there in the 30's with the hope that it would be remodeled into a Presidential home and museum. The home fell into disrepair. It became the subject of a Board of Health order and the Board of Health had the home demolished under public health orders in the 1930's. We're not playing favorites.

PRESIDENT SCHULMAN: Thank you Commissioner. Thank you Law Director, and I think we all know that your office is open and noone is ever shut out of at least the opportunity to present a grievance. Mayor.

MAYOR HEALY: Thank you Mr. President. Just would like to share with this Council, some interesting events this week and if you were not able to participate...I was able to attend an event, in fact the first event that was held at the Onesto Hotel since the remodeling project has started. I don't know if anybody got to go there or not, but it is just spectacular what that is and what it's going to become. The ballroom was opened up and they had hundreds of people over there and it was just...you saw pictures in the Repository and it really doesn't even do it justice, as great as it looks, so, I would encourage everybody to get over there. And again, I want to thank this Council for approving the support of the Onesto Hotel. That's going to be a huge, huge, positive energy for our downtown and help us with development. So, that was exciting, to be apart of that. And then Sunday, I went to church with one of our colleagues here, who happened to have a birthday, as well. So I got to join her and they had a great, great service. So, thank you for letting me participate with that. But Sunday evening, those of us who know Brother Dave at Trinity Gospel. He was celebrating his 50th year as Pastor of that church. He's pastored the same church for 50 years. There was nearly a thousand people there to celebrate with him, and it was just an amazing spectacle. If you happen to see Brother Dave, you know, pass along your

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congratulatory remarks, because that's such an amazing feat. Those are three wonderful things that happened this weekend and I'd just like to remind Council and share with them what's going on and it's fun stuff. Thanks.

PRESIDENT SCHULMAN: Thank you Mayor Healy. Any other miscellaneous business?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: For over a decade I've been a sad part of some of Canton's slime. The Mayor most recently has been brought into this and I know over the years, several people have gotten these letters. There was a lot of courage that you saw tonight and there's some people that don't have courage. Again, sent to City Hall, the title is "Kill Jews". Now, for over a decade I've stuck my head in the sand and I've just let this go. We've tried to work through the proper channels, but, in this day and age when we can elect an African American President twice, when we can watch United States Senates of all walks of life and all religions, I'm embarrassed that we have a person, that we know who this is that lives in this community. I'm sickened by this and I want to tell this gentleman that I'm down here every Monday night, he doesn't have to come looking anywhere else but here. The coward you are, you can't sign these. The coward you are, you would never come down here. Mr. Law Director, I'm asking you for the record, because it's never gone on the record, it says "made copies, pass them out". Now I'm asking you to go publicly to the Northeastern Ohio Attorney General's office because I can't believe this falls under freedom of speech. I want a written response from someone in that office that this doesn't fall under the Hate Crime Legislation that was passed in the 90's under President Clinton. I'm done. These came to my house before, they've come to other people's homes, and I know what would happen with my brothers and sisters in the African American community. They wouldn't put up with this for five minutes. Well, I'm no different and I certainly don't need this, nor does my family need to be subject to this all these years. Again, Law Director, I've given you a copy and I want a written response. Thank you.

PRESIDENT SCHULMAN: Thank you Member Smuckler.

MEMBER DOUGHERTY: Mr. President:

PRESIDENT SCHULMAN: Yes, Member Dougherty.

MEMBER DOUGHERTY: Yes, I too, Law Director, expect that to happen. Thank you very much.

PRESIDENT SCHULMAN: Thank you...

MEMBER DOUGHERTY: ...Cause this is hateful.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I applaud your stepping up, Member Smuckler, because I think this is...once and for all we do have to take a stand and tell this gentleman to stop emailing us. Everybody gets these hate crimes...or these hate cards, and it's sickening and I want to applaud Member Smuckler for standing strong today. Thank you.

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

MEMBER HART: Yes, just a question for the Law Director. You know this...the Ebola virus coming up, does that put the City in a unique position for loss? I mean, you know, employees, they put people on three weeks hiatus when they thought they may have been exposed, worker's compensation, and at least if somebody contracts it, I had heard that it may cost as much as \$500,000.00 for treatment of those people that have had the Ebola virus. I think it was up in Nebraska and there, and I think at Embry University. And I guess too, one of my greatest fears, you know a few...quite a few years ago when Aids was at epidemic, or I'll say at epidemic proportions, you know St. Hope was torched and burned down and I guess my greatest fear is that somebody does contract that, that ignorance is bliss and there's a lot of happy people out there and the same thing could happen to somebody if that fear is there. I know that Director Adams said about education and fear, but there are way too many people out there that don't want to be educated and seem to live in a life of fear. I just didn't know if that could put us in a position of a great deal of financial liability.

PRESIDENT SCHULMAN: Law Director.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Mr. Hart, to answer your questions. First of all I want to thank Health Commissioner Adams for coming repeatedly to keep us up to date, both here and in the media, about the virus and what are real and present dangers and what are potential dangers. If an employee, while in the scope of their employment, contracts any contagious disease, they are covered by Worker's Compensation and Orange Relief. Especially first responders. It's an assumption of the risk, it's something that can ordinarily happen. First responders are exposed to any number of contagious diseases. If it happens outside of employment, if it...if one of us who are covered by City insurance happens to get any contagious disease, our Healthcare insurance is bound to cover us. So, we are covered one way or another in terms of caring for that person, as terms of an employee who gets it while in the scope of their job, Worker's Comp, Injury Relief, any number of things. We would work closely as a City, as a Law Department, as a Human Resources, with the Health Commissioner and any other agencies that are involved in making sure that anyone who needs help with their rights, with their Healthcare, gets it. Member Smuckler, I will follow up on your and other Member's request. As you know we've been talking with the Federal Law Enforcement Agency periodically. I know you have. I have. There are First Amendment issues, but this is increasingly abhorrent and I'll do what I can. Thank you.

PRESIDENT SCHULMAN: Thank you. Any other miscellaneous business? Hearing none, Leader.

MEMBER MORRIS: Motion to Adjourn.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Meeting is adjourned. Drive carefully everybody. See you next week. *(Gavel falls)*

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ADJOURNMENT TIME: 8:30 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT