

MINUTES OF THE MEETING MARCH 2, 2015

PRESIDENT SCHULMAN: Good evening, Ladies and Gentlemen. Welcome to Canton City Council. I see we have a scout troop tonight, is that right? And it is Troup 127 (*Applause*), and they're earning their citizenship in the community. Welcome. You got here just in time. Anyone else in the audience visiting tonight? With a quorum being present, the Chair does call this meeting of Canton City Council to order. Roll call vote please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER HAWK ABSENT)

CLERK TIMBERLAKE: Eleven present, Mr. President.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you. Leader.

MEMBER MORRIS: Mr. President I move we excuse Member Hawk from this evening's meeting.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Hawk from this evening's meeting. Any remarks? I will tell the audience and members of Council that Greg had an arm surgery today on his shoulder so we hope and wish him a speedy recovery, but that's the reason he's not here tonight. So, any other remarks? Hearing none. Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Motion carries and Member Hawk is excused from this evening's meeting. (*Coughs*) Excuse me. Tonight's invocation will be given by my good friend, Ward 7 Council Member, John Mariol. If you'll all stand and remain standing, please, for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on March 2, 2015 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 John Mariol, Ward 7 Council Member. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you, Member Mariol. We're now under Agenda Corrections and Changes. Leader.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #14 through and include #16.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 14 through 16, to this evening's agenda. Are there any remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: Turning now to Public Hearings. We have none this evening. _____

OLD BUSINESS

PRESIDENT SCHULMAN: We're now under Old Business, and Deputy Mayor has indicated there is no Old Business.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: Now we turn to Public Speaks and we have two speakers tonight. Our first is Bill Dieffenbaugher. Mr. Dieffenbaugher, as always welcome to Canton City Council. If you'll step forward and give us your name and your residential address, and thank you for your service, sir.

BILL DIEFFENBAUGHER: Good evening, Councilmembers, Directors, my buddy, R.A. I had to go get my seeing eye dog out of the car. Uh, my name's Bill Dieffenbaugher. I live at 1611 Haag Avenue Southwest in Massillon, Ohio. I am an employee of the Canton City Street Department. And I am proud to be a member of the Canton City Street Department. I'm here to shed a little bit of light about what's been going on with all the ridicules and E-mails and texts and everything else that's been going on talking about what a terrible job we're doing. Lately it's getting a little better, thank goodness. Uh, I just want to give you some numbers here to bring you up to date. First off, this is our 40th day of work in a row. So we haven't been off for 40 days, so it's not like we're not trying to do our jobs. Um, I just think some of the citizens need a little bit of education to realize that there's only 26 of us actual workers that do everything. We do it all. We do the paving, we do the patching, we do the plowing, we do the trees down, you name it, lot clean ups. We do it all. There's not separate crews to do everything that needs done in this city. Uh, just from November to February, November 4th to February 15th we've put in 17 hundred and 91 hours patching. We put in 500 tons of asphalt, and we've worked 5,000 and 66 hours plowing snow, which is ungodly. I mean it's unbelievable. This is probably the worst winter I've been... I was born and raised in Canton, and it's probably the worst winter I ever remember next to last year. Uh, what we're responsible for as far as plowing and maintaining the streets, we got 967 lane miles. That's from here to North Carolina. A lot of people don't realize that, and we're not done annexing, I'm sure. Sam and uh, my buddy. And we have total 460 miles of road and 967 lane miles. A lot of them are two lanes, some of them four lanes. And I wanted to talk about this patching ordeal we're going through. I got some numbers from my boss, and in regards to what material we used and the amount we used from the period from November of 13, December 13, January 14, February 14. Cold mix, we used 373 tons. The period of November 14th, December 14th, January and February 15th, same period of time from last year to this year, we've

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only used 149 tons of cold mix, which is 60 percent less than we used last year. Uh, cold mix, if you're not familiar with, it's not the real good hot stuff, it's the second best thing, and the worst thing, of course, is the HPM. Uh, now, the HPM we used 49.15 tons in that period last year. This year we've used 169.85 tons which is a 246 percent increase. And if you're not familiar with HPM, it's cold material. You put it in the hole. You have to roll it because if you don't roll it, it stays in there for about two days. It's a... it's a band aid, that's all it is. Uh, my concern this summer is that I know that we contract out a bid for material. Uh, I don't want to see them restrict my boss from going other places if the material's not available. Uh, the citizens want the roads patched. We got to have the material to do it. So, I'm kinda looking for them maybe not to restrict them so much on going to that specific low bidder. Uh, hopefully that can happen. And the other thing about the snow, I know a lot of people are complaining. We haven't had this much snow in a long time. There's only so much we can do with that stuff. You know, people get upset because we're told plow it back curb to curb. I don't know if they realize, but the reason we do that is to open those catch basins. If those catch basins aren't open, tomorrow night it's supposed to rain like all end. If those catch basins aren't open, then they're gonna be calling and bugging all you guys about the flooding, which we take care of that too. Uh, so I... I just think they need to understand, you know, there's only so much we can do with the people we have. We still need bodies, and it ain't like we're not working to try to do it. Our average age in the Street Department, by the way, is 54 years old. Uh, but, 20 out of the 26 wear these just like I do. Uh, one good thing is that our boss is busting his butt to get us decent equipment, which I thank Council, Service Director, Joe DiRuzza, Mar... Mr. Mariol, I mean, they're coming up with money to get us some stuff, so we're getting some equipment. Now we need a little bit more manpower and a little bit more equipment. And hopefully we can continue to try to do the job the citizens expect us to do. But I just want to stick up for the guys. Believe me, we're busting out butts.

PRESIDENT SCHULMAN: Thank you, Bill. (*Applause*). Thanks, Bill, and thanks to all your crew members. We do appreciate it. Our next speaker is Henry Preston. Mr. Preston, as always good evening, welcome. If you'll step forward and give us your name and your residential address, please.

HENRY PRESTON: Good evening. My name is Henry Preston. I live at 326 31st Street Northwest, Canton. This evening I'd like to commend Councilmembers Dougherty, Fisher, Babcock, Smith and Morris for their no vote on Informal Resolution #4 several weeks ago. I think it demonstrates good fiscal responsibility. Thank you. Mr. Morris requests a plan... require a plan to be submitted before voting to spend the taxpayers' money was a responsible plan of action. The old saying if you fail to plan then you plan to fail still holds true. Councilman West stated that every city has a square and we need to make that square bright and beautiful. I agree. Downtown is a neighborhood. I agree. People are moving downtown everyday. That's their neighborhood. I agree. Downtown Canton does not have any green space other than Market Square. Every neighborhood needs green space. Market Square in its present form is the green space for downtown Canton. Market Square is adaptable to sporting many different venues and events in downtown Canton. Councilman Morris is a hundred percent correct in wanting to see a plan before talking about spending taxpayers' money. It doesn't take anywhere close to two million dollars to create a bright and beautiful green space in Market Square. The first baby step is to have a plan that includes Market Square as a green space. Councilman Hawk stated that it's very important to continue to properly invest money in order that we grow. I agree. If the Market Square green space disappears because of poor design, then that was not a proper investment of the taxpayers' money. If Market Square is kept as a green space Canton neighborhoods will not fail or fall into decay. Councilman Dougherty's concerns were right in line with this comprehensive plan survey. Question 3 on the comprehensive plan survey, one of the goals of the comprehensive plan is to set Canton on a course of being a (*inaudible*) city of viable economy and ability to pay its bills. Human limited resources and the steering committee needs to set some priorities. Attendants were asked to set... to select five factors from lists that they considered the most

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important in making down... making Canton a livable city of the future. Or add one that was not on the list that they thought was important. Of all the residents who responded to the survey the number one most important need in Canton was well maintained streets and infrastructure. Thank you.

PRESIDENT SCHULMAN: Thank you, sir. And that concludes our Public Speaks. (*Applause*).

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We now move to Informal Resolutions. We have three this evening. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #10.

CLERK TIMBERLAKE: Can I read it first? Excuse me.

PRESIDENT SCHULMAN: Sorry.

CLERK TIMBERLAKE: That's okay.

10. COUNCIL-AS-A-WHOLE: SUPPORTING SMHA IN THEIR APPLICATION EFFORTS FOR FUNDING TO OBTAIN THE NECESSARY RESOURCES TO INCREASE SAFETY AND SECURITY MEASURES AT THEIR FOUR PROPOSED TARGET LOCATIONS. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, now I move we adopt Informal Resolution #10.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 10. Any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #10 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries, and Resolution 10 is adopted. Resolution 11, please, Madame Clerk.

11. PERSONNEL COMMITTEE: RE-APPT CHET WARREN TO STARK AREA REGIONAL TRANSIT AUTHORITY BOARD, EFFECTIVE 4/1/15 - 3/31/18. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #11.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution #11. Any

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remarks under this ordinance? Again, hearing none, Madame... no, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #11 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Motion carries. Informal Resolution 11 is adopted. Resolution #12, please, Madame Clerk.

12. PERSONNEL COMMITTEE: RE-APPT JAMES REINHARD TO STARK AREA REGIONAL TRANSIT AUTHORITY BOARD, EFFECTIVE 4/1/15 - 3/31/18. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #12.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution #12. Any remarks under this Informal Resolution? Again hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #12 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries. Resolution #12 is adopted.

COMMUNICATIONS

PRESIDENT SCHULMAN: We now turn to Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED MARCH 2, 2015.

79. ABCD, INC PRES WILL DENT: LETTER INFORMING THAT ABCD, INC. PLANS TO BE MANAGING MEMBER OF RESIDENTIAL RENTAL DEVELOPMENT. - RECEIVED & FILED

80. COM DEV DIRECTOR MILLER: REQ WITHDRAWAL OF COMMUNICATION #56 FROM THE 2/23/15 AGENDA. - RECEIVED & FILED

81. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO PAY MORAL OB TO AKRON VETERINARY REFERRAL & EMERGENCY IN AMT OF \$3,305.95. (K-9 LUCO). - FINANCE COMMITTEE

82. SAFETY DIRECTOR PERRY: REQ SUPP APPROP OF \$350,000.00 FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 103001 FIRE ADMINISTRATION - OTHER - \$250,000.00; TO 4501

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102001 POLICE ADMINISTRATION - OTHER - \$100,000.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. (MISC CAPITAL PURCH AND PROJ). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

83. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO 60 MONTH LEASE TO OWN PURCH/MAINT CONTRACT WITH COPECO, INC. FOR COPY, PRINT, SCAN, AND FAX MACHINE AT EST COST OF \$440.00 PER MONTH THRU NATIONAL JOINT POWERS ALLIANCE COOP PURCH AGMT IN ACCORD WITH ORC SECTION 9.48 AND CANTON CODIFIED ORD SECTION 105.11; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
84. SERVICE DIRECTOR BARTOS: REQ SUPP APPROP OF \$165,100.00 FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 208001 DMV ADMINISTRATION - OTHER - \$5,100.00; TO 4501 504010 INFORMATION TECHNOLOGY MANAGER - OTHER - \$100,000.00; TO 4501 202210 STREET MAINTENANCE - OTHER - \$60,000.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. (MISC CAPITAL PURCH & PROJ). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
85. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF 1 FORD F-350 CAB AND CHASSIS, 1 JOHN DEERE 85G EXCAVATOR WITH ALL NECESSARY EQUIP AND OPTIONS, 1 FORD E-450 DRW CUTAWAY MOUNTED MAINLINE TV INSPECTION SUMMIT SYSTEM WITH ALL NECESSARY EQUIP AND OPTIONS; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR PURCH OF SAID ITEMS IN ACCORD WITH ORC SECTION 125.04 OR ORC SECTION 5513.01 WHICH EXEMPT SAID PURCH FROM REQUIREMENTS OF COMPETITIVE BIDDING; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
86. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE A PROF SERVS CONTRACT WITH OMNIPRO SERVICES FOR CONSTRUCTION ENGINEERING; \$627,000.00 SUPP APPROP FR 5201 UNAPPROP BAL OF THE WATER FUND TO 5201 207032 APPLGROVE/MIDDLEBRANCH/WERNER CHURCH WATER MAIN PART B - JOINT PROJECT - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (APPLGROVE ST/MIDDLEBRANCH AVE/WERNER CHURCH RD PROJ). - FINANCE COMMITTEE
87. STARK CO COMMISSIONERS: REQ ANNEX OF 184.450 ACRES IN CANTON TWP TO CITY OF CANTON (WATER RECLAMATION FACILITY). - PLANNING COMMISSION

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: Turning now to First Reading Ordinances for their First Reading. Will you please begin, Madame Clerk, with Ordinance #1.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1

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- #1. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$30,000.00 FR UNAPPROP BAL OF THE 2766 MUNICIPAL PROBATION SERVICES FUND TO 2766 701001 75806 MUNICIPAL PROBATION SERVICES - OTHER)
Referred to Public Property Capital Improvement Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A TAX REMISSION REFUND TO CANTON COURTHOUSE COMPANY, LLC IN AN AMOUNT NOT TO EXCEED \$40,236.39; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$63,598.94 FR UNAPPROP BAL OF THE 2233 FED CAMPUS FUND TO 2233 506001 FED CAMPUS - OTHER)
Referred to Finance and Community & Economic Development Committees
- #3. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,051,132.04 FR UNAPPROP BAL OF 2211 CDBG FUND TO 2211 506001 CDBG - OTHER; \$30,647.59 FR UNAPPROP BAL OF 2212 NSP1 FUND TO 2212 506009 NSP 1 - OTHER; \$2,623.50 FR UNAPPROP BAL OF 2213 NSP3 FUND TO 2213 506001 NSP3 - OTHER; \$637,747.27 FR UNAPPROP BAL 2214 HOME FUND TO 2214 506001 HOME - OTHER; \$159,487.79 FR UNAPPROP BAL 2219 ESG FUND TO 2219 506001 ESG - OTHER; \$133,223.82 FR UNAPPROP BAL 1152 NIP ACQ. DEMO FUND TO 1152 506001 COMMUNITY DEVELOPMENT DEPT - OTHER)
Referred to Community & Economic Development and Finance Committees
- #4. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (APPROP REDUCTIONS AND SUPP APPROPS LISTED ON EXHIBIT A. PAY LEGAL SETTLEMENT, MUNI RD FUND - ENG, AUDITOR MEET OBLIGATIONS FOR ENTIRE YEAR)
Referred to Finance and Public Property Capital Improvement Committees
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- #5. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (INTERFUND ADVANCE OF \$30,000.00 FROM 1001 301001 GENERAL FUND - OTHER TO 2323 301001 84341 PERS. RESPONSIBILITY EDUCATION PROGRAM FUND - OTHER)
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE CANTON PARK COMMISSION TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH THE YMCA OF CENTRAL STARK COUNTY FOR THE MANAGEMENT OF THE EDWARD "PEEL" COLEMAN COMMUNITY CENTER; AND DECLARING THE SAME TO BE AN EMERGENCY (AMT NOT TO EXCEED \$66,000.00 IN 2015 AND AMT NOT TO EXCEED \$90,000.00 IN 2016)

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- Referred to Parks & Recreation and Finance Committees
- #7. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$67,000.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARK OPERATING FUND TO 2530 - OTHER; \$90,000.00 FR UNAPPROP BAL OF 2530 PARK OPERATING FUND TO 2530 - OTHER; \$40,000.00 FR UNAPPROP BAL OF 2530 PARK OPERATING FUND TO 2530 - OTHER)
- Referred to Finance Committee
- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THREE SPECIAL PARK FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY (2531 - GARDEN CENTER FUND; 2532 - HOLIDAY LIGHTS FUND; 2533 - SPECIAL EVENTS FUND)
- Referred to Finance Committee
- #9. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT WITH A NON-PROFIT ORGANIZATION FOR A FIVE YEAR LEASE, WITH THE OPTION OF A FIVE YEAR RENEWAL, OF APPROXIMATELY THREE ACRES OF PARK PROPERTY AT HERBRUCK PARK FOR THE PURPOSE OF ESTABLISHING AN URBAN FARM; AND DECLARING THE SAME TO BE AN EMERGENCY (2600 - 19TH ST. NE.)
- Referred to Finance Committee
- #10. (1ST RDG) AN ORDINANCE RATIFYING THE DECISION TO FORGO THE ESTABLISHED PROCEDURE FOR ADJUSTING THE CITY OF CANTON'S SOLID WASTE COLLECTION RATES; MAINTAINING THE CURRENT RATES; AND DECLARING THE SAME TO BE AN EMERGENCY
- Referred to Environmental & Public Utilities Committee
- #11. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE FULTON RD. RESURFACING PROJECT, G.P. 1184; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION ENGINEERING SERVICES AND ENTER INTO AGREEMENT WITH AND/OR RECEIVE A GRANT FROM THE STARK COUNTY AREA TRANSPORTATION STUDY AND/OR OHIO DEPARTMENT OF TRANSPORTATION TOTALING \$1,258,000.00; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4577 FULTON RD. RESURFACING PROJECT, G.P. 1184 FUND; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,258,000.00 SUPP APPROP FR UNAPPROP BAL OF 4577 FULTON RD. RESURFACING PROJECT, G.P. 1184 FUND TO 4577 202042 FULTON RD. RESURFACING PROJECT, G.P. 1184 - OTHER; \$314,500.00 APPROP TRANSFER FROM 4501 601001 CAPITAL FUND - COUNCIL ADMINISTRATION - OTHER TO 4501 202042 CAPITAL FUND - FULTON RD.

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RESURFACING PROJECT, G.P. 1184 - OTHER)

Referred to Public Property Capital Improvement Committee

- #12. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A COOPERATIVE AGREEMENT WITH KUBOTA MEMBRANE USA CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

(COUNCIL RECESSED AT 7:49 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS RESOLUTION #13; RECONVENED AT 7:53 PM)

- #13. (1ST RDG) **ADOPTED AS RESOLUTION NO. 36/2015** A FINAL RESOLUTION ADOPTING PLANS, AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO COOPERATE WITH AND REQUEST THE DIRECTOR OF TRANSPORTATION TO PROCEED WITH THE RESURFACING FROM RAMP "B" TO US 30 TO RAMP "D" AT IR 77 ALONG SR 627, INCLUDING DECK OVERLAY ON THE BRIDGE OVER IR 77; AND DECLARING THE SAME TO BE AN EMERGENCY (\$151,080.00 SUPP APPROP FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202001 ENGINEERING ADMINISTRATION - OTHER)

Referred to Public Property Capital Improvement Committee

PRESIDENT SCHULMAN: At this time the Chair would declare an in-house recess for the Public Property Capital Improvement Committee to meet in regard to Ordinance 13. You're now in recess. Chairman Mariol.

(RECESS)

PRESIDENT SCHULMAN: Thank you Chairman Mariol. Council will now reconvene after it's recess. Leader.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinance #13 back on this evening's agenda.

MEMBER SMITH. Second.

PRESIDENT SCHULMAN: It's been moved and seconded, excuse me, to suspend Rule 22A to place Ordinance 13 back on this evening's agenda. Any remarks? Hearing none Madame Clerk, again roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The motion carries. Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules for Ordinance #13.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinance 13. Any remarks? Again, hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. Leader, you've heard the three readings.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

#13 ADOPTED AS ORDINANCE NO. 36/2015

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #13 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for the Second Reading. Would you please begin, Madame Clerk, with Ordinance 14.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #14 THROUGH #16 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #14. (2ND RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE GEORGE HALAS RD. NW ANNEXATION AREA CONTAINING APPROXIMATELY .967 ACRES; ASSIGNING SAID TERRITORY TO WARD 7 OF THE CITY; ZONING SAID TERRITORY AS CS (COMMUNITY SERVICE); AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 3/9/15 @ 7:30 PM**
- #15. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO DONATE ROAD SIGNS TO ARTSINSTARK (10 SIGNS)
- #16. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC

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SERVICE TO ENTER INTO A \$898,050.00 CONTRACT MODIFICATION #2 WITH ARCADIS US, INC. FOR THE NEXT PHASE OF THE SEWER MAPPING AND MODELING PROJECT, G.P. 1130; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$898,050.00 SUPP APPROP FROM UNAPPROP BAL OF THE 5410 SANITARY SEWER OPERATING FUND TO 5410 202081 SANITARY SEWER OPERATING - SEWER MAPPING/MODELING PROJ, G.P. 1130 - OTHER)

PRESIDENT SCHULMAN: Thank you, Madame Clerk.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for the Third Final Reading and Vote. Would you please begin, Madame Clerk, with Ordinance 17.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #17 THROUGH #20 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 37/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$30,000.00 SUPP APPROP FROM UNAPPROP BAL OF 4501 CAPITAL PROJ FUND TO 4501 753001 LAW DEPT - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 37/2015

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

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 38/2015** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A TOTAL AMOUNT NOT TO EXCEED \$7,775.00 TO C.R.S. CONTRACTING COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY (DEMO OF PROP AT 706 MCKINLEY AVE SW DUE TO FIRE)

PRESIDENT SCHULMAN: Leader Morris.

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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? Again hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 38/2015

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

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 39/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH T.A.C. COMPUTER, INC. FOR CAD/RMS/JMS/MDT/FBR SUPPORT AND MAINTENANCE FOR THE SAFETY FORCES IN AN AMOUNT NOT TO EXCEED \$28,000.00 AND TO ENTER INTO TWO (2) ADDITIONAL ONE-YEAR RENEWALS IN AN AMOUNT NOT TO EXCEED \$21,000.00 ANNUALLY IF MUTUALLY AGREED UPON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: 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? Again hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 39/2015

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

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 40/2015** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$277.50 TO CONLEY'S SERVICE FOR TOWING SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY (MONTH OF DEC 2014)

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PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #20.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 40/2015

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER BABCOCK: Mr. President.

PRESIDENT SCHULMAN: Chairman Babcock.

MEMBER BABCOCK: No. Finance 6:00, along with Environmental and Public Utilities also the same time, same place.

PRESIDENT SCHULMAN: Thank you. Chairman Smith.

MEMBER SMITH: Community and Economic Development, same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Chairman Mariol.

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

PRESIDENT SCHULMAN: Thank you.

MEMBER GRIFFIN: Mr. President, Parks and Recreation will meet 6:00 next week.

PRESIDENT SCHULMAN: Thank you, Chairman Griffin. Any other announcements? Turning... yes.

MEMBER HART: Mr. President, just kind of an FYI. I think everybody should have received in their E-mail the

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job description for the nuisance inspector. And...

CLERK TIMBERLAKE: Just the Personnel Committee.

MEMBER HART: Yeah. And we'll... we'll be having a Personnel Committee, but please read that and if you have any questions, concerns, comments, you know, please get back in touch with us.

PRESIDENT SCHULMAN: Alright, thank you. Thank you, Chairman Hart. Any other announcements?

MEMBER WEST: So is that a committee next week?

PRESIDENT SCHULMAN: Is that a committee next week, Chairman Hart?

MEMBER HART: Well, let me call and see what's gonna be convenient for everybody. So check E-mail because there will be a time for everybody.

PRESIDENT SCHULMAN: Alright. So there's not...

CLERK TIMBERLAKE: No, no.

PRESIDENT SCHULMAN: ...a specific meeting date or time?

MEMBER HART: Not yet.

CLERK TIMBERLAKE: No.

PRESIDENT SCHULMAN: Does that clarify, Member West? *(Laughter)* You're all on your own. Thank you, Chairman Hart, I'm sure you'll get it out to everyone in a timely fashion.

MEMBER HART: We will.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Now we turn to Miscellaneous Business. Is there any? Member West.

MEMBER WEST: *(Inaudible)*. Mr. President, after I left my 625 12th Street home and traveled up to Cleveland last night, Cleveland's potholes are six times bigger than ours, and, I mean, they are really in bad shape, so I'm, you know, I really want to applaud the street department for, you know, the work that they're doing in our roads. When I do call they respond. So, you know, I do want to commend the street department, the 26 workers that are out there, you know, working on our behalfs each and every day, especially in these frigid temperatures. I mean, I think that's something that we, you know, when I'm at home in the heat I'm looking out the window watching these people, you know, scrap the... you know, plowing and patching holes. So I... I'm just, you know, again I'm very happy that we have the force we have and that they respond to our complaints. So I wanted to say that, and I also wanted to say last week Member Morris, I wanted to commend him because we met with the Elderly Housing Corporation that's doing the project on Market and Walnut, and this guy knows his construction and, you know, I enjoyed partnering with him, and I wanted to say that publicly you did a great job, and I'd take you on any project and we can work together on it cause I appreciate you for coming with me at that meeting.

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PRESIDENT SCHULMAN: Thank you, Member West.

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: To chime in on Member West's remarks. I think we made one hell of a team with that. If you want to know anything about government agencies and public housing, Member West is the person to have with you. He did very well talking to the social workers, the health care workers, and the administration over there. And it was a real pleasure. I'd like to commend Rafael and the administration for working so diligently in putting this project together. I think it's gonna be a huge game changer for the neighborhood, and that is in Member West's ward, but it's adjacent to mine and we look forward to working on this one.

PRESIDENT SCHULMAN: Thank you, Leader. And, Mayor Healy.

MAYOR HEALY: Thank you. Just want to give an announcement. The State of the City this year is going to be on March 18th, 5:30 it will start, if you get there a little bit earlier, and the State of the City typically lasts about an hour. It will be at the Pro Football Hall of Fame, so every year we move around. This year we thought it was appropriate to hold there, so hope you all can join it. Yeah, there is no charge for the State of the City, so come on out. Thank you.

PRESIDENT SCHULMAN: Thank you, Mayor. Any other remarks? Just a follow up on what Member West said about the street department. They're doing an incredible job, and in horrible conditions, and 26 employees in a department responsible to maintain the roads that stretch, if you took them this way, from here to North Carolina. That's how much road they have to deal with, and what they do in the inclement weather that we've had is remarkable and amazing and we should be thanking them. And we should also be criticizing every chance we get the State Legislature for not providing emergency funding for our roadways in the urban areas. As Member West said this is not simply Canton, Ohio. It's every city in the State of Ohio, because every city in the State of Ohio has lost millions and millions of dollars because of the remarkably stupid legislators in Columbus who think for some reason that if you starve government you're doing people a service. It's unfair and it's so burdensome for our local communities. And, you know, that's why I look around at every one of you as a public servant of good will, and we had a flair up tonight, and again, these flair ups that we have, the agitation that we have among each other is absolutely connected with finances. If we had the amount of money that the State is deprive... deprived the cities of over the last three years or four years, we wouldn't be in this position. We simply would not be in this position. And I was really struck finally by the Repository editorial today talking about our roads. It's almost like a third world. You... it... there was an editorial in today's Repository, it's like driving down a third world road, and it's not acceptable. But I would really like to see the Repository spend a little time and effort on an editorial blasting the state government for not providing the necessary resources to our urban areas. I'm gonna repeat it one more time. They're sitting on two and a half billion dollars, and all this governor pothole can do is to give more tax breaks to the rich. That's all they do is tax breaks for the rich and the rest of us fend for ourselves. That's not acceptable, and it's in... eventually the public will learn of what... what this State Legislature is doing to our citizens. Again, that's why we get upset with one another. Leader.

MEMBER MORRIS: Mr. President, I'd like to chime in on the editorial today, and just for public record, we have been having weekly meetings, the administration, Capital, Street Department, Finance, as well as the City Engineer. We are looking at long term solutions to this problem. We... we know it's finance, but we are actually

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working towards this, so I don't want the perception out there that we're not looking down the road, we're not trying how to solve that problem. We're just not trying to fill potholes and pave roads. We're looking for the long term solution. Move to adjourn.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Thanks to the Cub...

CLERK TIMBERLAKE: Good night.

PRESIDENT SCHULMAN: Boy Scout Troop 127. Thank you for being here. Drive carefully. Stay warm. Meeting's adjourned. (*Gavel falls*).

ADJOURNMENT TIME: 8:09 P.M.

ATTEST:

APPROVED:

CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT