

MINUTES OF THE MEETING MAY 18, 2015

PRESIDENT SCHULMAN: Good evening, Ladies and Gentlemen. Welcome to Canton City Council. We appreciate all of you being here. 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, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, DAVID DOUGHERTY, JOHN MARIOL & EDMOND MACK)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER FISHER ABSENT).

CLERK TIMBERLAKE: Eleven present, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Leader.

MEMBER MORRIS: Mr. President, I move we excuse Member Fisher from tonight's meeting.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Fisher from this evening's meeting. I'd like the record to show that Member Fisher had to work late tonight for his company, so that is why he is not here. 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. Tonight's invocation will be given by my friend and Ward 6 Council Member, David Dougherty. If you'll all stand and remain standing please for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on May 18, 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 David Dougherty, Ward 6 Council Member. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

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

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Readings Ordinances O#12 through and include O#24.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 12 - 24 to this evening's agenda. Any remarks? Hearing none, Madame Clerk, roll call vote,

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please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Motion carries, and those Ordinances are a legal part of your Agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We now look to Public Hearings. We have none that's scheduled tonight.

OLD BUSINESS

PRESIDENT SCHULMAN: Under Old Business I've been advised by the Deputy Mayor, Fonda Williams, that he has one brief comment to make. Deputy Mayor.

DEPUTY MAYOR WILLIAMS: Thank you. Mr. President, Member of Council, at the May 11th meeting we were addressed by Mrs. Mary Bennett, who was having some issues related to her housing. Director Perry is working with her to see if we can come to some resolution with her issue. Thank you.

PRESIDENT SCHULMAN: Thank you very much, Deputy Mayor.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: Turning now to Public Speaks. We have nine speakers this evening. I would just again tell the speakers in the audience we do have a time, you'll see it in a moment, of three minutes. If you'll keep your remarks to three minutes, please. Any questions or further information you want to present to us after the meeting, we are always here and we're happy to hear what you have to say. We welcome as a matter of fact what you have to say. (*Someone sneezes*) Bless you. Our first speaker is Byron Williams, or I'm sorry, Byron Jenkins. Mr. Jenkins, good evening. If you'll step forward and give us your name and your residential address, please.

BYRON JENKINS: My name is Byron Jenkins, and my residential address is 1121 Deberg Court N.W.

PRESIDENT SCHULMAN: Welcome.

BYRON JENKINS: Hello. Um, I'm here to address a dog ordinance about pit bulls. Um, I believe that we should revisit this ordinance because not even a week ago we've... uh, me and my family have had issues with pit bulls trying to attack us on our property and across the street. We have already complied with the dog warden and written documents and messages to deal with this situation. All we ask is that we can... see if we can revisit the ordinance and maybe make new laws for the pit bulls because them being not on a vicious list does not make them not vicious at all. You know what I mean. We should... we... we should revisit the ordinance and maybe come to an agreement on if you have a vicious dog they should always be on a leash at all times or in a fenced in area. Uh, when... uh, when we... not even a week ago, I'll put it this way, not even a week ago, I have a five year old daughter, we were walking down the street from my grandmother's house and a black pit bull came out of a yard across the street and pinned us on the sidewalk. I had to push my five year old daughter behind a tree and get in front of the pit bull to stop the altercation. The owner of the dog didn't show

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up for about five minutes, and then after we had our standoff the owner came down and pulled the dog away. Once we started to walk away further, the dog came back again. And we come to them on twice, three times that we came to the owner of the dog and they have told us a bunch of stories about how it's not loose and things of that nature, but like I said, we have already filed complaints and grievances on said dog, but instead of just by making one dog the example, we should do it all instead of not putting them on that vicious list. They're up there with Rottweilers, German Shepherds. These are dogs that are capable of lock jaw, which means they can lock onto your body and not let go. To me I believe that this is a vicious animal, and if you can't control your animals, then I believe we shouldn't have them in the city at all. And further from... for me to further go on I also believe that we should revisit this ordinance and maybe come to a mutual understanding how to not bring it all the way back with the \$100,000.00 insurance and things like that. I know that's a bit much for basic civilians. But maybe we can come to an equal middle ground to keep everybody safe and everybody happy with their animals.

PRESIDENT SCHULMAN: Okay. Very good.

BYRON JENKINS: Thank you.

PRESIDENT SCHULMAN: Thank you very much, sir. Appreciate it. (*Applause*) Our next speaker is Kirby Jenkins, and I think, Mr. Jenkins, you'll probably pretty much reiterate what Byron said, but please step forward. If you'll give us your name, sir, and your residential address.

KIRBY JENKINS: Yes, my name's Kirby Jenkins, and my address is 509 Windamere Ave N.W. Uh, there's a website called dogbite.org which you can visit and give you statistics on the viciousness of these animals. In ten year... (*clears his throat*) Excuse me. In ten years there's been 326 deaths due to these dogs, and they rep... 74% of that... uh, they're just a vicious dog. Uh, there's Gaithersburg, I think there's Fairlawn, and they... these dogs are banned. They don't have pit bulls in their city, and I was wondering why Canton can't do the same thing. Like he was saying, \$100,000.00 is too much, but there has to be some kind of equal balance here, some kind of way to make everybody happy. And I think the Supreme Court dropped the ball when they made these dogs like the rest of them which I... I don't... I disagree with what they came up with. But, I mean, if you can visit the dogbite.org site you can see, and it gives you everything that you need to know about... Maybe you can do something with this ordinance, and find some kind of way to help us out here. That's... that's (*inaudible*).

PRESIDENT SCHULMAN: Thank you very much, Mr. Jenkins. Appreciate it. (*Applause*) Our next speaker is Patricia Kirk. As always, Ms. Kirk, welcome. If you'll give us, as always, your name and your residential address, please, Ms. Kirk.

PATRICIA KIRK: Thank you. Patricia Kirk, 131 5th Street N.E., and I'm President of Downtown Central Neighborhood Association. Canton needs the green space as is affectionately called downtown. As a landscaper said there's always somebody enjoying it when I drive by. It catches the eye, calms, invites, and lowers crime. It's a place to rest, eat, talk, hold hands, and let kids play. Someone always walks up when I'm weeding to say how much the park is appreciated. It can look good in every season. How will you use seeding in seven months of bad weather? Will people take wedding pictures by a stage? Are you public servants doing what people want and need, or are you following a plan? Just five hours ago I found out another working family is moving because the toddler needs a yard. This 248 person petition included people from eight neighborhoods and four people who worked for Stark Community Foundation. When ten people showed up to object to rezoning Kresge lot, we were shown out of the room when that was discussed. The Ohio Department of Development visited Kresge lot and found the 37 space parking lot met the conditions of the grant. You don't

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have to pay anything back. If it's okay with them, why isn't it okay with you? Two neighborhoods associations, DCNA and Can Do, adopted Kresge lot these past years and spent over \$12,000.00 on building, planting, bringing in soil, landscaping, mulch, pruning, and this doesn't even count the volunteer hours. Canton is not Cleveland, Columbus, or Mayberry RFD, nor can those cities be Canton. A city, like a person, has it's own personality. Thank you very much. (*Applause*)

PRESIDENT SCHULMAN: Ms. Kirk, before you sit down... before you sit down, I... I was not here last week either, and I don't think you were, but our Council Clerk indicated that the City of Canton was presented with an award, the 2014 Tree City Award, which I know it's a group effort, but without your incredible persistence in public service and dedication to this cause, we wouldn't be in the positions we're in. And for those in the audience that don't know Ms. Kirk, she was the leader in the struggle to have the City adopt a tree ordinance, to have a tree commission established, and we did that, and you are to be complimented always for what you've done. (*Applause*)

PATRICIA KIRK: Thank you.

PRESIDENT SCHULMAN: And by the way the award, Patricia, the award is right outside the door here, so when you have a chance you can take a look at it. Thank you again for your public service. Our next speaker is Brenda Kimbrough. (*In a whisper*) I hope I pronounced that right. Good evening. If you'll step forward and give us your name and your residential address, and I really like that hat.

BRENDA KIMBROUGH: Oh, thanks. I'm Brenda Kimbrough. I live at 902 Lippert Rd, northeast end of town right close to downtown Canton. That's an awesome spot to be. I just want to commend everybody for... thank you for this lovely weather we're having and we're enjoying it. Aren't you enjoying it?

PRESIDENT SCHULMAN: (*Laughs*)

BRENDA KIMBROUGH: It rained a little bit, but that's okay, the flowers will grow, right? And that's all we want to do over here. I'm gonna just come back with what this Patricia Kirk said. Yeah, we've had fun out there. I can remember when Kresge lot was a big old dusty hole of plain old mud, and we come in there in the sand and put some grass in there and those bean shaped planters and made it beautiful. And it's a place where people like to come and have lunch. Maybe you'll meet your next mate there. You never know what beauty could happen in that space, but it won't happen if it's gone. What will our kids have to see? Another piece of concrete? Oh, mom, what's that? Oh, that's a tree, honey. Don't you know what that looks like? We want them to be able to have some good memories downtown. I can remember when they had a nice TV. They... they showed a movie out on Kresge lot one day. They had the little sheet put up and all the kids sat down and watched a movie. It was a beautiful time. I understand that also we have a homeless shelter downtown. We have the women's shelter and the family shelter. All those people would like to use that little space, as well as when you need a break from downtown and you're in that air conditioning all the time, you need some Vitamin C. You need to come out in that Kresge lot and have a little lunch and enjoy yourself. So I'm just saying that I think we should keep Kresge lot. I'm hoping that that can stay. Can do. We can all do it if we work together. We can do a different thing in this city and make it a lovely place for everyone, right? Thank you.

PRESIDENT SCHULMAN: Thank you very much. (*Applause*) Our next speaker is Gregory Kimbrough. Oop.

CLERK TIMBERLAKE: Charles.

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PRESIDENT SCHULMAN: I've got Gregory, but that's alright. There you are. I didn't... I didn't think I had read that wrong, but... Welcome. If you'll give us your real name and your address, please.

GREGORY KIMBROUGH: My... my name is Gregory Kimbrough.

PRESIDENT SCHULMAN: Thank you.

GREGORY KIMBROUGH: And I live at 902 Lippert Rd N.E. And I came down because there's a property that's down the street from my house, and it's scheduled to get knocked down, demolition, and I looked at the property, and it's not in that bad a shape, and I was just wondering if there's anything that I can do in order to purchase that property at this late date. That's all.

PRESIDENT SCHULMAN: What's the address, sir. Do you know?

GREGORY KIMBROUGH: It's 707 Correll Ave N.E.

PRESIDENT SCHULMAN: Okay. You know about it? Okay. We got it. Yes, thank you very much, sir, and good luck. Our next speaker is Tom Schmidt. Mr. Schmidt, welcome. If you'll step forward, sir, and give us your name and your residential address, please.

TOM SCHMIDT: Uh, thank you. Tom Schmidt, 1338 5th Street N.W. What I'd like to talk about this evening is recreational fires within the City of Canton. I think this is a problem that needs to be addressed. Right now the only remedy is that if there is a recreational fire that has not been fully vented by the fire department, the only remedy is to call the fire department, mobilize the troops, send them down, and to tell the homeowners to abide by the regulations and not have a recreational fire. I think we need another... uh, another mechanism, maybe by having a phone number where we can call the fire department and have, during the normal course of the day, folks from the fire department, fire prevention bureau, come and talk to these residents and let them know the... that fire pits in your front yard are not acceptable. My concern for this is... is actually on a couple different levels. First of all fires in the city, folks aren't burning normal wood, they're burning whatever they can burn, and a lot of smoke, a lot of smoke damage goes to the other properties. Second, in my neighborhood in the last two or three years we've had four buildings burned down, three of them by arson, one of them by misadventure, so that's not a... not a good thing. Um, and the other what... what I wanted to mention is this is kind of a passionate thing for me. I was involved many years ago in an explosion. Um, I've suffered burns to a third of my body. I lost three of my colleagues to it, so fire is something I take very seriously and I would just like to see a better mechanism with the fire department so that we're not wasting our... our crew's times and possibly allocating them to a situation where they're just telling somebody to put out their fire and maybe we have a real emergency and we don't have the manpower to address it. So I'd just like to... any thoughts on this, all this group of people, you come up with some ideas, I would appreciate it. Thank you so much.

PRESIDENT SCHULMAN: Thank you very much, sir. We appreciate it. (*Applause*) Our next speaker is Harold Friedman. Mr. Friedman, welcome to Canton City Council. If you'll step forward, sir, to the microphone and give us your name and your residential address, please.

HAROLD FRIEDMAN: I'm Harold Friedman. I live at 1108 49th St. N.W. in Ward 8. Uh, I was gonna ask about the parks, but I got that question answered really from another councilman. I have two other things on the agenda, and I'll keep it short. Number one, we passed last park levy, we were told in exchange we were gonna

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have fire protection and police protection. In November, approximately about the middle of November till after New Year's Fire Station 10 was closed. Now, since two weeks ago this past Saturday Station 10 is closed again. I don't know when it's gonna be open. Our structures on our homes are in good shape, but it's the paramedics that we rely on because there's a lot of senior citizens besides myself getting up there and our health is going down. And now I have a questions for Councilman Mariol. Regarding Logan Ave. alongside the library from 25th St. all the way up behind the tennis courts, that street is so torn up it looks like somebody took a rototiller and just tore up the whole thing on both sides. You cannot hardly drive that thing. I know the city... we got our streets fixed, but come... when you come in there from either 25th St. or you come in from Harvard to go to the library, which I use occasionally, that section is torn up on both sides. Like I say, looks like somebody used a roto... had one of these rototillers and just went and tore that thing up on both sides. You can't hardly drive it. So, that's all I have to say. Thank you for letting me speak. (*Applause*)

PRESIDENT SCHULMAN: Thank you, Mr. Friedman. Thank you. Our next speaker is Charles Killins. Mr. Killins, good evening. If you'll give us your name and your residential address, please.

CHARLES KILLINS: Could you turn it up so they... I can't hear you.

PRESIDENT SCHULMAN: You couldn't... I actually spoke louder for you.

CHARLES KILLINS: My name is Charles Killins. I live at...

PRESIDENT SCHULMAN: Name and address, please.

CHARLES KILLINS: 1226 Market Ave.

PRESIDENT SCHULMAN: Thank you.

CHARLES KILLINS: The last time I was here the Mayor was here, and he's not here to address the action that I told him about that I filed in Federal Court. Mr. Martuccio and some of the other employees (*inaudible*) has falsified and not told the truth on what they put on letters they sent to me to enforce certain laws. And it is necessary for me to take all the time to send if I have to ask the President to help me with the NAACP file a report on all of the council members, all the council members who was here and heard and witnessed what he said. You understand what I'm saying?

PRESIDENT SCHULMAN: Not really. Sorry, I... I don't.

CHARLES KILLINS: Well, this is why I say, well then should I continue to file and go to the Federal Court and have the judge send the necessary information to all the councilmen in relation to the violation in the Constitution and the civil rights? Thank you.

PRESIDENT SCHULMAN: Thank you, sir. Thank you. Our next speaker is Pete DiGiacomo. Mr. DiGiacomo, good evening, welcome. If you'll step forward and give us your name and your residential address, please.

PETE DIGIACOMO: Good evening. My name is Pete DiGiacomo. I live at 600 Dent Pl S.W., Canton, Ohio. At the last council meeting I brought up about the Kresge lot/Market Place about having more of an eco-friendly

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since we're a tree city and that, and since I've been thinking it, and it sounds like it's pretty well funded at this point, but another way they could make a little bit of extra money, they're gonna have to put paths in there, or walking paths so to speak. If you were to use bricks, Mr. Hart would like that, of course you won't be driving on the bricks, (*laughter*) and sell them with individual families, their names on them. So if you'd use like a 1000 bricks, you sell them for about 30 bucks a piece or whatever, you could pick up an extra 30, 40, 50 thousand dollars. Just make sure you leave them in place and don't do like they did at the First Ladies Museum, sold them, tore them up and threw them away. Uh, thank you. That's all.

PRESIDENT SCHULMAN: Thank you, sir, very much. (*Applause*) Smart idea. Okay, thank you all for coming down for Public Speaks. We appreciate it. It's always good to hear your thoughts and your opinions.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: And now we're under Informal Resolutions and we have two this evening. Madame Clerk, would you please begin with Resolution #22.

#22 CNL-AT-LRG MBR HART: EXPLORE FEASIBILITY OF BUILDING & OPERATING YRLY ZOO ON CITY'S UNDEVELOPED LAND IN PIKE TWP. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #22.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 22. Are there any remarks? Member Hart.

MEMBER HART: Mr. President, you know, this community is kinda at a crossroads. We... we are going to hopefully be looking at developing the Football Hall of Fame and Village, and this community is a lot more than the Football Hall of Fame. We have property down in Pike Township and it would make an excellent site for a zoo. Now when I talk about a zoo, I'm not talking about a petting zoo. I'm not talking about just cages, but there's enough space down there that you could have safari type locations for the animals, and it... the opportunity when I say this, you know, we need jobs in this community and doing something first class. We have construction jobs, we have jobs... if you look at Columbus Zoo, 500... at least five to six hundred full time jobs during the tourist season, you know, you can almost double that. And who needs jobs more in this community but the youth that are going to college. And, you know, I know despite what some members have called me up on the phone and mentioned, this has nothing to do with retirement homes for my chickens either. (*Laughter*) But we want to have a place where people can go as a family, where people can go as individuals and enjoy and relax. And I really cannot think of a better place than a zoo. And I know at times, you know, years ago when I was pushing for recycling many people laughed, and that's okay, I've got broad shoulders, but the thing I can safely say is I was right years ago and I'm right now. (*Laughter*) So, I just ask for you guys to, if I want to say humor me, humor me, but go with me on this because this'll be the greatest thing that's happened to this community. It'll be even better than the Football Hall of Fame. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Hart. (*Applause*)

MEMBER WEST: Mr. President.

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PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Member Hart, are you asking that the city run the zoo, or are you looking for a private developer or a private entrepreneur to do this?

MEMBER HART: Well, at this point I would like to see it something run by, you know, the municipality, but that's right now up in the air. I'm just asking, you know, this is... this is kinda the thermometer, so to speak, and that we can start exploring something. You know, years ago somebody had the great idea of why don't we do a Football Hall of Fame here. And you know a temperature was taken then and you can see what's happened. I'm just asking for the same thing so when we're all sitting around in a nursing home in 40 years we can all say, you know what, we had a hand in that and we did it. So...

CLERK TIMBERLAKE: You got a hand.

MEMBER SMUCKLER: Eating chicken.

MEMBER HART: Yeah.

PRESIDENT SCHULMAN: Okay. Any other remarks or questions for Member Hart? Hearing none, by voice vote all those in favor of operating a yearly zoo signify by saying aye. No. *(Laughter)*

MEMBER HART: The ayes have it, Mr. President. *(Laughter)*

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: I think the problem was we weren't sure whether he was trying to sell us or not sell us on this thing for getting this through.

MEMBER HART: I... I'm trying to sell you on it.

PRESIDENT SCHULMAN: I'd say the motion carries and Informal Resolution 22 is adopted, and...

MEMBER HART: Thank you, members of City Council.

PRESIDENT SCHULMAN: You're very welcome.

NO REMARKS

RESOLUTION #22 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Turning now to Informal Resolution #23, Madame Clerk.

#23 COUNCIL-AS-A-WHOLE: REQ 5-YR, 5-MILL TAX LEVY FOR PARKS & RECREATIONAL PURPOSES. - ADOPTED

PRESIDENT SCHULMAN: Leader.

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MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #23.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that we adopt Informal Resolution 23. Are there any remarks, Leader?

MEMBER MORRIS: Yes, Mr. President. As I expressed on committee and I will do it on the record now. I think that a 5-mill levy is going to start us off in the hole. When we merge parks and rec together we are taking two levies, ultimately putting them together, which equals a \$5,000,000.00 levy, but what we're doing is we're actually reducing the tax base with the merge. You take the reduction of the tax base, you add that into the reduction in property values that are going to come out, we are going to end up with a reduction in services. I feel that a 5.5- mill levy would keep us at least even as to where we are now. Now, with the property values going down our constituents are virtually not going to see any type of increase. We're just going to keep everything pretty much even. So what we did when we came out, most members of this Council, we supported the park levy. What we said was we were going to be able to take 1.3 million dollars and move that into general fund dollars, okay, from the Parks Department, increasing police and fire which we've done. We've also were told by the Park Director that we're gonna have capital dollars which we have. Each council member has been given a budget of \$10,000.00 a year to use in their parks for their ward. Okay, now that's \$10,000.00 that we can use in capital projects. At a 5-mill levy all that goes away. We are now behind the eight ball. So, Mr. President, I would like to make a motion that we change this to request a five year, 5.5-mill tax levy for parks and recreation.

PRESIDENT SCHULMAN: Is there a second?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Is there a second?

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: Second. It's been moved and seconded to amend Informal Resolution 23 to make it a five year, 5.5-mill tax levy instead of a five year, 5-mill levy. Are there any remarks? Member West.

MEMBER WEST: Yes. Member Morris, could you give us the dollar amount of a 5-mill levy versus a 5.5-mill levy?

MEMBER MORRIS: Mr. West, if I could I'll defer that to Director Gordon from the Parks Department.

PRESIDENT SCHULMAN: Director Gordon, would you step forward and... just for the record, when you get up, Derek, if you'll give us your name and your residential address and your position with the city, please. Or the Park Department.

PARK DIRECTOR GORDON: Derek Gordon, live at 5001 Schuller Dr N.E. I'm the Park Director. The increase.. each mill is worth approximately \$600,000.00, so a half mill would be about a \$300,000.00 additional increase. We ran those figures based on the current millage that we have. Each household for each half mill would see about a \$12.00 increase based on the average household income at 70... or value at \$70,000.00.

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PRESIDENT SCHULMAN: You might want to just stay up there. Any other remarks, Member West?

MEMBER HAWK: Mis... Mister...

PRESIDENT SCHULMAN: One sec... I'm sorry. Member West.

MEMBER WEST: So if we increase the millage to 5.5-mill, that would then get us back to what we initially asked for, is that correct?

PARK DIRECTOR GORDON: The current 2 mills... the Rec District currently has a 1-mill levy. Their boundaries of their jurisdiction are slightly larger than our boundaries, so because of that we're going to one or the other. What we're recommending is the park district which is just the city limits. Our... our millage is not worth quite as much as what the Rec District's levy is. Correct. So, 5 mills of our levy does not go quite as far as 5 mills of the Rec District's levy, and with the factors that Council Member Morris mentioned, that millage would probably be worth slightly less in November.

MEMBER WEST: Then we will not have as much services to deliver because we would not have that extra...

PARK DIRECTOR GORDON: I... I can...

MEMBER WEST: ...land?

PARK DIRECTOR GORDON: I can redeliver those numbers again. We looked at it and based on the projections as... with the current budgets that we have, by the end of year two without some major reduction in some way, shape or form we would probably be in the red.

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Member Hawk, I'm sorry, Member Hawk was next, Leader.

MEMBER HAWK: The 4 mills that our voters graciously gave us to run the park was a brand new tax, folks, brand new. Alright? The park lev... or excuse me, the Rec Board levy's been on there for a good while, and that generated about 2.2 million dollars, depending on who you talk to, okay. So, by the math you've given us it should generate about \$3,000,000.00, so let's call it \$3,000,000.00, about \$6,000,000.00 per thing. Alright. That's a big chunk of money that they gave us new. The combination, I will not support a 5.5-mill levy. I will, however, support a 5-mill because a 5-mill's a combination of the 4-mill that was passed plus the 1-mill that's already been there for the park, or excuse me, for the Rec Board. I have questions on the Rec Board's spending anyway. They spent \$50,000.00 on a lawyer, and I heard they just allocated more money for another lawyer to research some other stuff. Irritates me to no end that they have no oversight, but I will support the 5... the 5-mill levy. I think the other thing you need to look at, as opposed to talking about a decrease in our property values, we as council members, and everybody else in the city, should work hard to increase our property value, thereby bringing about more dollars generated on the same level. To sit here and say that we need an extra additional half a mill because our property levels are dropping is not conducive to being even a good thought of good government. We should work hard to increase our property values, raise our neighborhoods' values, do everything we need to do and attract people who will spend money. I will not support a 5.5-mill. I will support a 5-mill levy.

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PRESIDENT SCHULMAN: Thank you. Leader Morris.

MEMBER MORRIS: Thank you, Mr. President. To clarify on the reduction in property value, the things that we tend to see bring people in is the investment into our neighborhoods, and I'm not sure about everybody else's wards, but my ward in particular, my neighborhood associations take a lot of pride in their small parks, okay, and investing in those parks is an investment in their neighborhood, and when we invest into their neighborhood so will they which then drives up the property value. So, to do my due diligence for my ward I feel that it's in the best interest to try to preserve our park system, to increase it like we've started, to continue the course that we still are. And to point out on something that Member West had asked, would it reduce services, the areas that are not going to be in... on that joint rec area, mainly speaking such as Meyers Lake, they're not really reaping the benefits of our park system as it is. I mean they may be coming over using it, but the parks that are lying in your ward that rely on these funds, they were contributing only for recreational purposes, which would be your tennis courts and things of that nature. So the day to day maintenance on our parks, we're losing that on the rec side on the merge so we have to make it up somewhere.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Looking at some of the people out here that just... like Brenda just bought her house a couple years ago. How much is she going to have to pay for a 5 point... 5 point... 5-mill levy versus a 5.5-mill?

PARK DIRECTOR GORDON: A 5-mill levy which is essentially what's being paid right now between the two levies is about \$120.00 a year for a \$70,000.00 home, so an increase each half mill above that would be about a \$12.00 increase annually. A hundred... \$120.00 so it would be \$132.00 if it was 5.5.

MEMBER WEST: But as Member Morris is saying that's gonna be reduced because property taxes is going to be reduced, so is that correct?

PARK DIRECTOR GORDON: I'd have to do the figures... the only numbers... the only numbers that we've been presented is by our levy treasurer, James Carmen, and the county auditor that they're projecting a potential 4% property value decrease in the cities. That's... that's what we're working our projections off.

PRESIDENT SCHULMAN: Uh, I'm sorry, Member Smuckler.

MEMBER SMUCKLER: This always bothers me when we go down this road. It's only another \$6.00, it's only another \$12.00, and it's only another whatever, because nobody here figures out what it's only with the sewer rate increase and with the park rate increase and with the water rate increase and with the garbage rate increase and with the... and the list goes on ad nauseam. And when we separate these out we just make it look like it's only a little bit more money, but when you combine the whole package and wrap it up together it's a lot more money. And I can't let this just go by this way. There's a whole lot more that's wrapped up into here and Mr. Hawk alluded to it. That's why I asked this question during committee meetings, what's this whole thing going to look like? You glossed over it, Councilman Hawk, it was \$50,000.00 for an attorney cause we couldn't decide, not we, but as a group we couldn't decide who was part of the Rec Board. Now, the president of the Rec Board has informed me that the Rec Board's hired another attorney because they don't like what we're gonna do here to do a make up of the Parks and Rec Board. And so we haven't even got this straight. I'm willing to go along with the 5-mill since it's the same 5-mill, even though those of us that live in the city, it will be... since that other mill, those other people aren't going to be on the millage, we're gonna have to make up for

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it, but I'm certainly not going for the 5 ½-mill even though it's another \$12.00 because this stuff all adds up to people on fixed incomes. And I don't understand where we draw the line here. Do we draw the line based on the whole total package? You know, when you're running a business you don't separate things out by saying well, it's only \$3.00 over here and \$2.00 over there. Those of us that run a business, we got a budget. And some of these households have a budget. And when we keep going back to them over and over and over again, and there's no increase but \$1.75 for social security, what do we just keep telling them other than well, we need it. I can't, I'm sorry, you're right, but the State of Ohio doesn't care. \$6,000,000.00 is gone. It's never coming back. So we've got to do other little creative things, and we're trying to do that. God knows I've been for combining parks and recreation over the years, but I'm certainly not in the position of telling these people just keep giving and giving and giving.

PRESIDENT SCHULMAN: Thank you, Member Smuckler. Any other remarks?

MEMBER WEST: Just one more question.

PRESIDENT SCHULMAN: Law Director... I'm sorry, Member West.

MEMBER WEST: Just one more question. Derek, by increasing it to 5.5-mill would that also hurt the park levy, or it's chances to pass?

PARK DIRECTOR GORDON: I mean, that would be a guess at best. Obviously, any of the decisions that are made here today that go to the ballot would have to be voted on. I really couldn't say. I mean, our hope would be that it... it passes obviously because if it does not pass, we think it's gonna be more challenging to pass it in November of '16 being it's a Presidential election. We think we get lost in the shuffle there if we're trying to campaign during that time. I... it would be really hard to say without putting it out there and see what the public decides.

PRESIDENT SCHULMAN: Member Hart.

MEMBER HART: Yeah, I agree with Member Smuckler in that, you know, we keep going back to the taxpayers, and I'm still amazed at how, you know, we have one entity in this city with the police department in the slot that comes... covers ten jurisdictions, and, you know, they're able to service quite a wide area across county lines, and I sure as heck don't want to start taking I.D. checks down at the park to see who's using our facilities in walking around the tracks and things like that. But, you know, rather than the taxpayers keep going back to them again and again, you know, this is just an excellent reason to look at consolidation of the Park Department, you know, because, you know, if it takes a whole village to raise a child, you know, we're all using the facilities, and again we shouldn't have to always bear that brunt of that cost. It can be shared equally among everybody if we can join forces.

PRESIDENT SCHULMAN: Any other remarks on the amendment? There is a motion to amend. Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. Members of Council, I just have to say Commissioner Gordon cause I like the sound of it. Commissioner Black and Director Gordon have had a series of meetings with the Canton Joint Recreational District and all of the parties and partners at the table for years, and again more recently. From our department we've devoted the resources of Kevin L'Hommedieu and Kris Bates to helping with the legal research, the labor issues and union issues, so those issues may come up later and

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certainly they'll be here again to help us out. What I wanted to say to Council at this point is what you're about to vote on is the first step of a three step process. What you're voting on tonight is an Informal Resolution. The Informal Resolution, if it's passed, goes to the County Auditor, and this Council says to the County Auditor we want you to certify back to us how much 5 mills means in property valuation to our people, and that would come back, and that would be attached to step two. Step two would be the ordinance authorizing the tax levy to go on the ballot in November, and the Board of Elections lawyer and the Secretary of State's lawyer and we would all look at that. And that then would... if it passed muster, would go to the voters this year. The money runs out in '16, but this would start the collections again in '17. The third step, of course, is the voters. They decide ultimately whether to pass it or not. So, what's before you on the floor right now is an amendment. The amendment is to change the written Informal Resolution to Auditor Harold to go from 5 to 5 ½, saying Auditor Harold, tell us what 5 ½ mills means in terms of valuation. If, according to Rule 35, this is a motion to amend, if the majority of you present... if the majority of you present say you want 5 ½ then it will be amended to 5 ½. If a majority of you don't say that, then your next vote the President will put before you is to pass it as written as a 5. Those 5 mills will go to the Auditor for valuation to come back to be attached to the Ordinance which will have it's three readings and committee discussions and the whole... whole procedural steps taken later. I hope I made that clear. Thank you.

PRESIDENT SCHULMAN: Thank you, Law Director. Because of the question on the zoo, I am going to ask for a roll call vote, Madame Clerk, on this amendment. Just so you're aware, the amendment as Law Director Martuccio stated is it has increased simply from 5 years, 5-mill to 5 years, 5.5. So, Madame Clerk, roll call vote, please on the amendment.

NO REMARKS

ROLL CALL 2 YEAS, 9 NAYS

CLERK TIMBERLAKE: Two yeas, nine nays, Mr. President. (MORRIS, MARIOL - 2 YEAS, SMITH, BABCOCK, HART, SMUCKLER, HAWK, WEST, GRIFFIN, DOUGHERTY, MACK - 9 NAYS)

MOTION TO AMEND RESOLUTION #23 DEFEATED

PRESIDENT SCHULMAN: Thank you. The motion is therefore defeated, so now we return as Law Director Martuccio said to the original Resolution as written which is a 5 year, 5-mill tax levy. Are there any remarks under this Ordinance? Or, not this Ordinance, this Resolution? Hearing none, Madame Clerk, again roll call vote, please.

CLERK TIMBERLAKE: One moment, please. We just got to set it up. We're good.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

RESOLUTION #23 ADOPTED

PRESIDENT SCHULMAN: Okay, thank you. The motion carries and Informal Resolution is adopted, 23 is adopted, and the Law Department will send that to Auditor Harold.

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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 MAY 18, 2015.

196. PLANNING COMMISSION: RECOMMEND APPROVAL OF REPLAT OF LOTS 41203 THRU 41211, LOTS 4172 THRU 4175, PART OF LOT 4176 AND OUT LOT 1337 STANDARD PRINTING CO., WARD 2). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
197. PLANNING COMMISSION: RECOMMEND APPROVAL OF ZONE CHANGE FOR 1115 CHERRY AVE NE FR B-4-SPECIAL BUSINESS, B-3-GENERAL BUSINESS, PB-4-SPECIAL BUSINESS, AND R-4-MULTI FAMILY RESIDENTIAL TO PB-4-SPECIAL BUSINESS (STANDARD PRINTING CO., WARD 2). - JUDICIARY COMMITTEE
198. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH TRANSYSTEMS REAL ESTATE CONSULTING, INC., TO COMPLETE RIGHT-OF-WAY ACQUISITION SERV FOR MAHONING RD. CORRIDOR PROJ, PHASE TWO, G.P. 1103, PID'S 90268, 90361, 90365, 91594; MAKE SUPP APPROP OF \$435,750.00 FR UNAPPROP BAL OF 4566 MAHONING RD. CORRIDOR PROJ, GP 1103 FUND TO 4566-202079 MAHONING RD. CORRIDOR PROJ, GP 1103 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
199. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH BOWMAN APPRAISAL SERVICE, INC., TO COMPLETE APPRAISAL REVIEW WORK FOR MAHONING RD. CORRIDOR PROJ, PHASE TWO, G.P. 1103, PID'S 90268, 90361, 90365, 91594; MAKE SUPP APPROP OF \$44,100.00 FR UNAPPROP BAL OF 4566 MAHONING RD. CORRIDOR PROJ, GP 1103 FUND TO 4566-202079 MAHONING RD. CORRIDOR PROJ, GP 1103 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
200. SERVICE DIRECTOR BARTOS: RATIFY ACTIONS PURSUANT TO SECTION 105.04 OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AUTHORIZE AUDITOR TO PAY MORAL OB TO PIER ASSOCIATES FOR AMT NOT TO EXCEED \$20,000.00; AUTHORIZE AUDITOR TO PAY MORAL OB TO ALLIED EQUIPMENT COMPANY FOR AMT NOT TO EXCEED \$10,000.00; AUTHORIZE AUDITOR TO PAY MORAL OB TO STANDARD PLUMBING & HEATING CO. FOR AMT NOT TO EXCEED \$11,200.05; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

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

- #1. (1ST RDG) AN ORDINANCE AMENDING PART FIVE - GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON BY THE AMENDMENT OF CHAPTER 505 ANIMALS AND FOWL (ANIMAL CRUELTY)
Referred to Judiciary Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE LESH-EVERETT ANNEXATION AREA CONTAINING APPROXIMATELY .4936 ACRES; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS R-2 (TWO FAMILY RESIDENTIAL); AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Annexation Committee **PUB HRG 6/15/15 @ 7:30 P.M.**
- #3 (1ST RDG) A RESOLUTION ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECENT RECOMMENDATIONS REGARDING ENTERPRISE ZONE AND COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #4 (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$90,000.00 SUPP APPROP FR UNAPPROP BAL OF 2111 STREET MAINTENANCE FUND TO 2111 202210 MAINTENANCE - OTHER; APPROP TRANS OF \$63,000.00 - \$40,000.00 FR 2111 104020 TRAFFIC SIGNAL - OTHER AND \$23,000.00 FR 2111 202020 ENGINEER URBAN FORESTRY - OTHER TO 2111 202210 MAINTENANCE - OTHER; APPROP TRANS OF \$48,000.00 FR 1001 200501 GENERAL GOVERNMENT SUPPORT - OTHER TO 1001 202210 MAINTENANCE - OTHER
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 501S - DEPT OF MANAGEMENT INFORMATION & SYSTEMS, NETWORK ENG. & ANALYST & ANALYST PROG.)
Referred to Personnel Committee
- #6 (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 20WP - SERVICE DIRECTOR'S WATER RECLAMATION FACILITY, TREATMENT OPR. 2 & 3)
Referred to Personnel Committee

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- #7. (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 20WT - SERVICE DIRECTOR'S PUBLIC WORKS - WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIVISION, APP. DEV. ADMINISTRATOR)
Referred to Personnel Committee
- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH MICHAEL BAKER JR., INC. FOR DESIGN SERVICES RELATED TO THE MONUMENT ROAD WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY; (\$65,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207039 MONUMENT ROAD WATER MAIN REPLACEMENT PROJECT - OTHER); AUDITOR AUTHORIZED TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS
Referred to Finance Committee
- #9. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS FOR DESIGN SERVICES RELATED TO THE 41ST STREET AND 49TH STREET AREA WATER IMPROVEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$22,200.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 DISTRIBUTION MAINTENANCE - OTHER); AUDITOR AUTHORIZED TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS
Referred to Finance Committee
- #10. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH ME/IBI GROUP FOR DESIGN SERVICES RELATED TO THE HARRISON AVENUE/44TH STREET N.W. WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$43,516.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207036 HARRISON AVENUE/44TH STREET WATER MAIN REPLACEMENT PROJECT - OTHER); AUDITOR AUTHORIZED TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS
Referred to Finance Committee

PRESIDENT SCHULMAN: This was a surprise ordinance tonight. This is to Finance. There was no Finance Committee.

CLERK TIMBERLAKE: (*Laughs*)

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- #11. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER NO. 1 IN AN AMOUNT NOT TO EXCEED \$233,629.00 WITH SHOOK CONSTRUCTION INC. FOR THE PHOSPHORUS/TOTAL NITROGEN PROJECT - CONTRACT NO. 26; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$233,629.00 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJECT (MEMBRANE) FUND TO 5442 206054 WRF PHOSPHORUS (CONSTRUCTION) - OTHER); AUDITOR AUTHORIZED TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Thank you, Madame Clerk. We now turn to Ordinances and Formal Resolutions for the Second Reading.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #12 THROUGH ORDINANCE #24 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE FOR DESIGN AND CONSTRUCTION ADMINISTRATION SERVICES FOR THE 53RD STREET RESERVOIRS REROOFING PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (89,000.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207033 - 53rd ST RESERVOIR ROOF - OTHER)
- #13 (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 (1604 HARRISBURG RD HOB NOB, WARD 9)
PUB HRG 6/1/15 @ 7:30 P.M.
- #14. (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 (1411 CHERRY AVE NE, FOP MCKINLEY #2, WARD 2)
PUB HRG 6/1/15 @ 7:31 P.M.
- #15. (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 (211 15TH ST NW, DR. JAMES JOHNS, WARD 9)
PUB HRG 6/1/15 @ 7:32 P.M.
- #16. (2ND RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF THREE PARCELS OF CITY-OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTIES; AND DECLARING THE SAME TO BE

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AN EMERGENCY (PARCEL #02-25379, PART OF LOT #1619; PARCEL #02-20767, PART OF LOT #1619 & 1577; PARCEL #02-14421, PART OF LOT #1576 LOCATED ON 2ND ST NW TO CANTON LABORERS' HOME CO)

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- #17. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION & CORRECTION FOR RECEIPT OF THE FY 2016 COMMUNITY CORRECTIONS ACT GRANT IN AN AMOUNT NOT TO EXCEED \$170,601.00; AND DECLARING THE SAME TO BE AN EMERGENCY (MUNICIPAL COURT PROBATION DEPT)
-
- #18. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$31,960.00 INTERFUND ADVANCE FR 1001 301001 82341 GEN FUND - OTHER TO 2335 301001 84341 EARLY HEAD START GRANT FUND - OTHER; \$31,960.00 SUPP APPROP FR UNAPPROP BAL OF 2335 EARLY HEAD START GRANT FUND TO 2335 301001 - OTHER)
-
- #19. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$1,519.60 TO SPRINT; AND DECLARING THE SAME TO BE AN EMERGENCY (POLICE DEPT AIR CARDS NOT TIMELY DEACTIVATED FROM AT&T)
-
- #20. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER 3 WITH CENTRAL ALLIED ENTERPRISES, INC. FOR THE 12TH ST NORTH CORRIDOR PROJECT, GP 1098, PID 85299; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$326,425.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 202077 12TH ST N CORRIDOR IMPROVEMENT - OTHER)
-
- #21 (2ND RDG) **ADOPTED AS ORDINANCE NO. 92/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS FOR DESIGN OF THE 40TH STREET/GRUNDER AVENUE AREA WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$88,500.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207038 40TH ST/GRUNDER AVE AREA - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President I move we suspend Statutory Rule for Ordinance #21.

MEMBER SMITH: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule for Ordinance 21. Any remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #21.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 21. 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.

#21 ADOPTED AS ORDINANCE NO. 92/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 21 is adopted. Ordinance 22, please.

#22 (2ND RDG) **ADOPTED AS ORDINANCE NO. 93/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH CT CONSULTANTS FOR DESIGN OF THE AVONDALE AREA WATER MAIN REPLACEMENT PROJECT (PHASE 1); AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$78,500.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207035 AVONDALE AREA WATER MAIN - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President I move we suspend Statutory Rules for Ordinance #22.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinance 22. Any remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. The motion carries. Leader, you've heard those three readings.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #22.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 22. Any remarks under this ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 93/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 22 is adopted. Ordinance 23, please.

#23 (2ND RDG) **ADOPTED AS ORDINANCE NO. 94/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ME/IBI GROUP FOR DESIGN OF THE 38TH STREET N.W. WATER MAIN REPLACEMENT & ROADWAY RECONSTRUCTION PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$40,000.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207037 38TH ST NW IMPROVEMENT PROJ - OTHER; \$50,000.00 FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 207037 38TH ST NW IMPROVEMENT PROJ - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President I move we suspend Statutory Rule for Ordinance #23.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule for Ordinance 23. Any remarks under this Motion? 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. Leader, you've heard those three readings.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 94/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 23 is adopted. Ordinance 24, please.

#24 (2ND RDG) **ADOPTED AS ORDINANCE NO. 95/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE WESTMORELAND AVENUE N.W. WATER MAIN REPLACEMENT PROJECT; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR THE CONSTRUCTION OVERSIGHT SERVICES AND TO PURCHASE THREE (3) EASEMENTS FOR THIS PROJECT; RECEIVE GRANT FUNDS IN THE AMOUNT OF \$750,000.00 AND A ZERO PERCENT LOAN IN THE AMOUNT OF \$750,000.00 FROM THE OPWC; AUTHORIZING THE AUDITOR TO ESTABLISH A SEPARATE FUND FOR THE PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500,000.00 FR UNAPPROP BAL OF 5230 WESTMORELAND WATER MAIN REPLACEMENT PROJ FUND TO 5230 207029 WESTMORELAND WATER MAIN REPLACEMENT - OTHER; \$1,322,000.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207029 WESTMORELAND WATER MAIN REPLACEMENT - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President I move we suspend the Statutory Rules for Ordinance #24.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule for Ordinance 24. Any remarks? Hearing none, again Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

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PRESIDENT SCHULMAN: Thank you. The Motion carries. Leader, you've heard those three readings.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #24.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 24. Any remarks under this ordinance? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 95/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Motion carries. Ordinance 24 is adopted.

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. Madame Clerk, would you please begin with Ordinance 25.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCE #25 THROUGH ORDINANCE #32 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#25. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 96/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A ONE (1) YEAR PROFESSIONAL SERVICES CONTRACT WITH COMPMANAGEMENT, INC. IN THE APPROXIMATE AMOUNT OF \$29,000.00 FOR WORKERS' COMPENSATION ADMINISTRATIVE SERVICES RETROACTIVE TO JANUARY 1, 2015; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 5. Any remar... 25. Any remarks? Leader.

MEMBER MORRIS: Mr. President, I move we amend Ordinance #25 per a copy that all Council Members have in front of them.

MEMBER SMITH: Second.

MINUTES OF THE MEETING MAY 18, 2015**AMENDMENT:**

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

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 25 by virtue of the amendment before each Member of Council. Any remarks on that Motion? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #25, as amended.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 25, as amended. Any remarks under this Ordinance as amended? Again hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#25 ADOPTED AS AMENDED AS ORDINANCE NO. 96/2015

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

#26 (3RD RDG) **ADOPTED AS ORDINANCE NO. 97/2015** AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH THE 2461 MARKET SQUARE DONATION FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #26.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#26 ADOPTED AS ORDINANCE NO. 97/2015

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PRESIDENT SCHULMAN: Ordinance 26 is adopted. Ordinance 27, please.

#27 (3RD RDG) **ADOPTED AS ORDINANCE NO. 98/2015** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOT 7855 AND PARTS OF LOTS 7854, 7851, 7865, 7856, 7857 AND THE VACATED PORTION OF A 15' ALLEY; AND DECLARING THE SAME TO BE AN EMERGENCY (1604 HARRISBURG NE - HOB NOB)

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #27.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 27. 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.

#27 ADOPTED AS ORDINANCE NO. 98/2015

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

#28 (3RD RDG) **ADOPTED AS ORDINANCE NO. 99/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$501.11 SUPP APPROP FR UNAPPROP BAL OF 2783 2014 FIRE DONATION FUND TO 2783 103001 2015 FIRE DONATION FUND - OTHER LINE 734.58 - MISCELLANEOUS SUPPLIES; \$7,868.79 SUPP APPROP FR UNAPPROP BAL 2812 2014 EMS TRAINING/EQUIPMENT TO 2812 103001 2015 EMS TRAINING/EQUIPMENT - OTHER LINE 734.58 - MISCELLANEOUS SUPPLIES - \$3,000.00, LINE 734.17 - EQUIPMENT (\$0-500) - \$3,000.00, LINE 722.20 - REGISTRATION - \$1,868.79)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #28.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 28. Any remarks under this Ordinance? Again hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Eleven yeas, Mr. President.

#28 ADOPTED AS ORDINANCE NO. 99/2015

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

#29 (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 100/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$4,524.16 SUPP APPROP FR UNAPPROP BAL OF 2769 2011 EDWARD BYRNE GRANT FUND TO 2769 102001 POLICE ADMIN - OTHER; \$62.09 SUPP APPROP FR UNAPPROP BAL OF 2771 2012 EDWARD BYRNE GRANT FUND TO 2771 102001 POLICE ADMIN - OTHER; \$18,285.49 FR UNAPPROP BAL 2772 2013 EDWARD BYRNE GRANT FUND TO 2772 102001 POLICE ADMIN - OTHER

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #29.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 29. Any remarks under this Ordinance? Leader.

MEMBER MORRIS: Mr. President, I move we amend Ordinance #29 per a copy all Council Members have in front of them.

MEMBER SMITH: Second.

AMENDMENT:

Pursuant to Rule 36, I move to amend Agenda Item No. 29 by amending Section 1 to add the following supplemental appropriation:

<i>FROM: Unappropriated balance of 2787 2014 Edward Byrne Grand Fund</i>	<i>\$38,805.00</i>
<i>TO: 2787 102001 Police Admin - Other</i>	<i>\$38,805.00</i>

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 29 by virtue of the copy before each Member of Council. Any remarks under this Motion? Hearing none, by voice vote, all those in favor of the amendment signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #29, as amended.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 29, as amended. 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.

#29 ADOPTED AS AMENDED AS ORDINANCE NO. 100/2015

PRESIDENT SCHULMAN: Ordinance 29 as amended has been adopted. Thank you, Madame Clerk. Ordinance 30, please.

#30 (3RD RDG) **ADOPTED AS ORDINANCE NO. 101/2015** AN ORDINANCE AUTHORIZING AND CONSENTING TO THE MISCELLANEOUS BRIDGE WORK TO THREE STRUCTURES; AND DECLARING THE SAME TO BE AN EMERGENCY (US 62)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #30.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 30. 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.

#30 ADOPTED AS ORDINANCE NO. 101/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 30 has been adopted. Ordinance 31, please.

O#31 (3RD RDG) **ADOPTED AS ORDINANCE NO. 102/2015** AN ORDINANCE AUTHORIZING AND CONSENTING TO THE REPAIR AND SEAL SPALLED ABUTMENT JOINT, INSTALL LATERAL RESTRAINT AT PIERS AND INSTALL ABUTMENT END DIAPHRAM WITHIN THE CORPORATE LIMITS OF THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY (US 30)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #31.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 31. 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.

#31 ADOPTED AS ORDINANCE NO. 102/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 31 is adopted. Ordinance 32, please.

O#32 (3RD RDG) **ADOPTED AS ORDINANCE NO. 103/2015** AN ORDINANCE AUTHORIZING AND CONSENTING TO DECK SEALING OF STRUCTURES STA-SR 43-12.39 AND STA-U.S. 62-18.82; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #32.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 32. 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.

#32 ADOPTED AS ORDINANCE NO. 103/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 32 is adopted. And we have a surprise. We have 17 more ordinances that we... (*Laughter*) Thank you, Madame Clerk, that was a lot of work for you and your staff and we appreciate that very much.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: Announcement of Committees Meetings.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you, good sir. Finance Committee will meet Monday, June 1st at 6:15 P.M.

PRESIDENT SCHULMAN: Thank you.

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MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Chairman West.

MEMBER WEST: Annexation will meet the same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER HART: Mr. President.

PRESIDENT SCHULMAN: Chairman Hart.

MEMBER HART: Personnel will also meet June 1st.

PRESIDENT SCHULMAN: Thank you.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Chairman Smith.

MEMBER SMITH: C.D. will also meet at the same time.

PRESIDENT SCHULMAN: Thank you.

MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Is that it?

CLERK TIMBERLAKE: No.

PRESIDENT SCHULMAN: Uh, Chairman Mack.

MEMBER MACK: Judiciary same time, same place.

PRESIDENT SCHULMAN: Thank you. Any other mis... any other meetings? And let the audience, you know, don't forget we... June 1st, not next week.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Now we're in Miscellaneous Business. Is there any? Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. Mr. Jenkins and Mr. Jenkins, about pit bulls and vicious dogs. You're correct, the State law has changed. We as a statutory city have some home rule, but when the State trumps us as they have... I came here in 1988 to the Law Department, and one of my first assignments was to research the death of a child by a family pit bull that shared an Oreo cookie in a very tragic unfortunate way. Not long after that the State put pit bulls on a list as vicious animals per se, and had all those requirements you mentioned, the pens, the chains, the insurance, all that kind of stuff. Over time their image got better,

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lobbyists grew stronger, and pit bulls were removed as vicious animals per se. Our Ordinance had to follow suit, and we were talking just today with the Clerk about that. What you can do is continue to report when those animals, any dogs, are at large. Running at large is a finable minor misdemeanor offense. Any dog that runs at large can be cited by a police officer, the dog warden can be notified. If they happen to bite somebody, which I hope doesn't happen, then they become a vicious animal with all sorts of extra restrictions, not to mention the lawsuits that can follow. So it's important for us as city police, as dog wardens, to track those animals' whereabouts if they do run at large or if they do hurt another dog or cat as well as a human being. If these things don't work, please come to our office, the Canton prosecutor's office here on the 7th floor of City Hall, any time during the day hours and you can file a complaint alleging that so and so has a... has a dog at large, and we'll follow up with a letter to those persons letting them know that's against the law and they could be cited and/or prosecuted. I'm sorry this can't go two ways, but I'll be here, Leader. With regard to Mr. Killins, I know a lot of you heard Health Commissioner Jim Adams kindly explain what happened with his property decades ago, and when Mr. Killins comes to our office and does file anything we do take a look at it to make sure that if it's something current we should be aware of it. Lastly, I wanted to throw a little comment out to Member Hart's direction. I know some of you read Jane Spears. I think their voluntary researches... research remarks in the Repository, 100 years ago today, 50 years ago today, 25 years ago today. It's amazing how many stories recycle over 100, 50, 25 years. It was either in yesterday's paper or today's paper it said Council voted to repave over the bricks of East Tuscarawas Street 100 years ago. Thank you.

PRESIDENT SCHULMAN: Thank you, Law Director Martuccio. Member Hart.

MEMBER HART: I just wanted to thank Deputy Mayor Williams and Service Director Bartos. I was at the swearing in ceremony at the new safety forces, and again, I just want to compliment them on a job well done on wel... welcoming the new employees to the family of Canton City. They... they did an excellent job. It was very, very touching. So again, thank you, gentlemen.

PRESIDENT SCHULMAN: Thank you, Member Hart.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes, Member West.

MEMBER WEST: I'd also like to thank Mr. Jenkins for coming down to speak to Council in reference to the dog... vicious dog that trapped him the other day. You know, this is something that continued to plague Ward 2 when it comes down to nuisance... animal nuisance, and that's why I've been advocating for an animal nuisance control officer. Now, hopefully we can continue to get that or to move that forward. Summer is here, and I'm sure this will not be the only person to come down here to this Council and speak on dogs that are loose. And there's a lot of people who are just irresponsible. And I think... I'm not blaming the dog, but their owners are irresponsible, and they let these dogs run loose and then of course people become victims of it. So we have to address this in some way, shape or form, and people need someone to go to. And hopefully we can look at our Ord... revisit the nuisance Ordinance and make it applicable to these situations. Thank you. And also, one more thing, Market Square, there is not a definite design yet, so that's still coming forward, and I'm certain that we'll have green space. That's not... I don't think you've heard anything other than that, so unless you guys heard something different, please by all means bring it to my attention, but I haven't heard that as of today. Thank you.

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PRESIDENT SCHULMAN: Thank you, Member West. Member Dougherty.

MEMBER DOUGHERTY: Thank you, Mr. President. To the Administration, I need some help. I've been trying for a long time to get our city flags up in some locations, and we got together about all our nice poles where we were gonna put an American flag, state flag, and then the city flag, and... and that worked, and then at Hall of Fame I asked them to put one up and they put one up at the entryway on Fulton Road. But we seem to be doing everything backwards cause I still don't have them up in the fire stations, I don't have them up at 30th Street at the service station. So all of our buildings that we have a flag pole, we should probably be flying the Canton flag. So if you could help me out with that, please.

PRESIDENT SCHULMAN: Thank you, Member Dougherty. Any other miscellaneous business?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: On a serious note, Director Bartos, if you don't know, if you can find out. Do we communicate with the gases and with the electric on ripping these streets up with... um, and making sure that all our departments are aware of this because I guess I was sort of stunned at committee meetings when it didn't sound like the Water Department knew what was going on on 38th Street with the gas lines. Are we discussing this? Is there a sign off process? If there isn't a sign off process similar to what we did two years ago with street paving, or last year with street paving, I'd like to create an ordinance that we have a sign off process with the outside public utilities so we don't go in and rip up the precious money it takes to pave these streets.

PRESIDENT SCHULMAN: Director Bartos, you want to respond to...

SERVICE DIRECTOR BARTOS: Yeah, anytime we open cut into any city street, obviously that has to go through, and any work by the gas or the... or the electric is reviewed by Engineering, so any open cutting has to be approved before it happens. But it is a good point, and, you know, often times, you know, from year to year we don't know what projects we're doing, I'm sure the same for the gas and the electric. But more coordination and... and better communication would be better, so perhaps we can have... I can look into speaking with AEP and the gas company and seeing about maybe doing like a yearly... we get together in January to see where they're planning on going, where we're planning on going and other ways we can coordinate, but that would be something I would be... you know, I think makes perfect sense and I'd be willing to set up, so...

MEMBER SMUCKLER: I would appreciate that. On a lighter note, those of you going out to eat tonight, Councilman Hart has already informed me that he forgot his wallet.

PRESIDENT SCHULMAN: Forgot his... his wallet?

MEMBER SMUCKLER: His wallet.

PRESIDENT SCHULMAN: Was it eaten by one of the zoo animals by any chance? *(Laughter)* Um, okay. Quick response to Member Smuckler who I think the world of and he knows that. State government is as it is now will not always be that way. We are not giving up that fight. Their day will come. Trust me. Leader.

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MEMBER MORRIS: Motion 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. (*Gavel falls*). Meeting is adjourned. Drive safely, everybody. Have a wonderful week. Thank you for coming.

ADJOURNMENT TIME: 8:45 P.M.

ATTEST:
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT