

**MINUTES OF THE MEETING SEPTEMBER 28, 2015**

PRESIDENT SCHULMAN: Good evening, Ladies and Gentlemen. Welcome to Canton City Council. We have a couple of brief things to go over before we begin. First, I want to thank and recognize our students from Central and Jackson. Would you stand up? They're here attending. (*Applause*) Some of them came in later than others, however. (*Laughter*) But thank you for being here. Yeah, Member Babcock, you really need to organize the Central Catholic students, if you don't mind. (*Laughter*)

MEMBER BABCOCK: Must be on that other time.

PRESIDENT SCHULMAN: (*Laughs*) I think they're on Babby time.

MEMBER BABCOCK: (*Inaudible*)... which time.

PRESIDENT SCHULMAN: Uh, our next event is really something that is exciting and welcome, and it concerns a private public partnership for the betterment of our urban area. We're thrilled to have these people here tonight who represent the best of our private sector and who are willing to help our city grow and become a dynamic 21<sup>st</sup> century city. And so with that I will turn this over to Chairman Mariol to introduce our first speaker. John.

MEMBER MARIOL: It's... thank you, Mr. President. Um, many of you know, several months ago this body passed a resolution signaling its support of a investment in Market Square. Tonight, because of the excitement of the prospect of developing Market Square, we have a few guests from, like President Schulman said, the private sector. First, I'd like to introduce Mike Gill from the Chamber. He will introduce these gentlemen, and I will let Mike go from there. Thank you.

MIKE GILL: Thank you. Councilman...

PRESIDENT SCHULMAN: Good evening, Mr. Gill.

MIKE GILL: Councilman, President Schulman, thank you for this opportunity to make a few comments regarding the development of Market Square. As Councilman Mariol mentioned, a number of months ago the Council so disposed to give us a vote of confidence by supporting an informal resolution which would develop Market Square in the future. Tonight I'm pleased to advise City Council that we have received donations, contributions from local organizations towards this goal. With me tonight are Mr. Paul White, President of the Canton Rotary, Curt Werren, Chairman of the Canton Rotary Endowment, Tom Clevenger, the past Rotary President, Bob Pattison, a Rotary Member. And also we have Mark Samolczyk, Executive Director of the Stark Community Foundation. So the purpose... for the purposes of announcing donations, I'd like to have Paul White come forward. (*Applause*)

PAUL WHITE: You took most of my speech. (*Chuckles*) Uh, this happens to be the 100<sup>th</sup> year of the Canton Rotary Club, and in concert with the 100<sup>th</sup> year we were looking for a project that would benefit the City of Canton. And it came to our attention that we've been trying to... the City's been trying to develop the property known as I guess Market Square, is that correct?

PRESIDENT SCHULMAN: Yes.

PAUL WHITE: Which of course we would like to see renamed Canton Rotary Park. (*Chuckles from the audience*) Um, so the people with me this evening and are in concert, the Rotary Club's in concert, on a start up contribution to make sure that this project gets off with a flash. And we of course over the years have... have donated many funds

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to the City of Canton and to events in the City of Canton, the Library being one, and many others, and the list is just simply too long to... to speak of here. So, in keeping with our past desires to keep the City of Canton viable, and to keep the Canton Rotary Club viable, we would like to match our 100 year number with a \$100,000.00 start up check.

PRESIDENT SCHULMAN: Wow. (*Applause*)

MIKE GILL: And, we brought a \$100,000.00 check.

PRESIDENT SCHULMAN: (*Laughs*)

MIKE GILL: Well, you can't cash it at the bank, but it is our commitment to make sure this project gets started. We would in... in concert, as I said in the beginning, we'd love to see this property renamed the Canton Rotary Park. Um, and we would like to present this to Thomas.

MEMBER SMUCKLER: Hey, West, they said you couldn't cash it at the bank. Sit down. (*Laughter*)

MIKE GILL: It won't fit... well, it won't fit in his pocket for one thing. (*Applause*) The check will be later forthcoming in the next few days with some further issues or whatever in concert with the check. Okay. Um, let's get to building, guys. Okay?

PRESIDENT SCHULMAN: Thank you very much. Thank you. (*Applause*) Judge Werren.

CURT WERREN: Thank you, Mr. President. Your Honors, now for the strings. They had to bring me up to tell you the strings that are attached to that beautiful check, so I'll let you know quickly, I'm an endowment chair. As past President, Bob Pattison, past President, Tom Clevenger, past President, and many past presidents going back decades have been challenging each other to do something with this endowment, for probably fifty years old of... started with one gentleman. When he died he did not have children or heirs. He donated a sufficient sum to the Canton Rotary and we've struggled for years on how to sufficiently use that. We've invested with the Stark Community Foundation. Had to say that to get Mark here. And, we've been wondering what to do, and then Tom Clevenger said it is our 100<sup>th</sup> anniversary, 100 years of Rotarians being present and active and part of this community. Do something and do something big. If you knew the size of our endowment you would know this is tremendously big. And so it scares every single Rotarian to part with that check. Yet it excites every Rotarian because they all take part in it. And the only thing it means is we want to do it, we want to do it in Canton, and we want it lasting. So I know you want seed money and you want to develop it, and let's take that money. But the Rotarians are very worried that we'll see nothing for our efforts and so hence our challenge to you. \$100,000.00 is yours for safe keeping and for using for Rotary Park or whatever you name it. We'd love to have our name as part of it, the Stage, the Rotary Stage, the Rotary Amphitheater, wherever Robb Hankins wants to put us, we'll go. But this money's valuable and if it can't be used for this project, we want that money to be used for the good of the citizens of Canton. We know you need money to kick this off, but this does have strings, and that is your challenge. Get the project done and this money is fully available to you. Don't get the project done, and we're gonna ask to use our money in the way we think best for all citizens of Canton. So last thing I'll say is you mentioned these young students here, and I venture to say some of them, that if this is their first opportunity in our wonderful and beautiful City of Canton, let's not that... let's not let it be the last. Places to go. Spur of the moment places to set up and organize. Bringing in bands or concerts or activities for these children, these young adults to come back to. For them to say what a great place, I'm returning to Canton and raising my family. That's what that challenge is

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all about. Thank you.

PRESIDENT SCHULMAN: Thank you, Judge. (*Applause*) Mark, good evening.

MARK SAMOLCZYK: President Schulman, Council. My name is Mark Samolczyk, President of Stark Community Foundation. Here tonight I am actually representing several other private foundations. We happen to be the only public charity... charitable foundation in the local community, but there are several other private foundations that we have been working very closely with. They're very interested in matching the \$100,000.00, and I would echo Judge Werren't comments that this is very, very important for the City of Canton. We, as a community foundation, have been very supportive to development in downtown Canton, along with other private foundations, and we believe that this is a very, very positive step forward. So we encourage you to move forward very quickly, and we will provide a similar \$100,000,00 check. Thank you.

PRESIDENT SCHULMAN: Great. Thank you. (*Applause*) Member Mariol.

MEMBER MARIOL: Yes. Thank you, Mr. President. I also wanted to point out some other people that are here to signal their support and their excitement of this project. Robb Hankins from ArtsinStark, Eric Smer from the Chamber. Having a lot of different partners that have done amazing things in our city excited about this project and wanting to be a part of it, and seeing the vision of what the development of Market Square can do for our downtown area is very exciting I know for all of us, and we look forward to working with everybody to see this come to fruition. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Mariol.

MAYOR HEALY: Mr. President.

PRESIDENT SCHULMAN: Yes, Mayor.

MAYOR HEALY: Thank you. I'd like to first thank the Rotary. I appreciate you guys coming down here and also very much appreciate your investment in the City and your support and partnership. And the same thing with the foundations. Mark, thank you for... for your commitment. The Chamber, we got Mike Gill and others from the Chamber here, and ArtsinStark. I mean, there is really a core effort by these individuals and their organizations to make downtown even greater than we've seen. Downtown has come a long way in the last five or ten years, and we're very, very excited about the activities that are down here, the development, the businesses that'll come, housing that'll come. This is the next step in that evolution and that transformation, and I, as the Mayor, I want to personally thank all of you for your efforts and your support and your partnership for the City of Canton. Thank you.

PRESIDENT SCHULMAN: Thank you, Mayor.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I too would like to thank the Chamber of Commerce, Stark Community Foundation, the Rotary... Canton Rotary. Um, this project in downtown, it's... it's something that I've been waiting for for many years. I'd like to also thank John Mariol for his support and Edmond's support, and all the council members who... who each

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and every day support downtown. And I just want to say Ward 2 is on the move, and it's on the move because of individuals like yourself. So, thank you.

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

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Mariol.

MEMBER MARIOL: I am sorry. I forgot to point out also Denny Saunier, one of our favorite people to work with, is also here in support of this project. Thank you.

PRESIDENT SCHULMAN: Well, let me just finalize this by saying thank you to the foundations and thank you to the Rotary. I think this also is a time to thank Members of Council and the Administration. I think... I'm pretty confident that this... these kinds of public partner... public private partnerships don't occur in a vacuum, and you have been instrumental in taking taxpayer money and developing in part the Hall of Fame Village, the Onesto Hotel, now perhaps the Bliss Tower. Among other things you have spent millions of dollars in developing downtown and our urban setting. So you should also be congratulated, Members of Council and Administration, because I think without that commitment, these people from the Rotary and I know from the foundations and others say, you know, we... we'd like to help you but you have to show us that you're gonna help yourselves, and we've done that. And I think that's the commitment that we have made and similarly we genuinely appreciate the commitment back. So thank you very much for trusting us, and I... I'm pretty confident that we'll get this done. Thank you very much. And, with a quorum being present, the Chair calls this meeting of Canton City Council to order. And before I say roll call vote, you gentlemen do not have to sit through this meeting, so if you want... if you want to leave you're more than welcome to. You're more than welcome to stay. I'm not suggesting you don't want to hear this scintillating ordinances and legislation that may pass our desk tonight, but you're welcome to leave, and thank you again. 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, KEVIN FISHER, DAVID DOUGHERTY, JOHN MARIOL)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER MACK ABSENT)

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Mack from this evening's meeting. Any remarks? I would like to just remark that for the record Member Mack had a brief that he was working on, a legal brief, and sometimes those do take priority as I well know. Any other remarks? Hearing none, Madame Clerk,

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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. Member Mack is excused from this evening's meeting. And tonight we'll have our invocation given by my good friend, Ward 6 Council Member, David Dougherty. If you'll all stand please and remain standing for our Pledge of Allegiance.

*The regular meeting of Canton City Council was held on September 28, 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 Ward 6 Council Member, David Dougherty. The Pledge of Allegiance was led by President Schulman.*

PRESIDENT SCHULMAN: Thank you, Member Dougherty.

**AGENDA CORRECTIONS & CHANGES**

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

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2<sup>nd</sup> Reading Ordinances #6 through and include #19.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and second to Suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinances 6 through 19 to this evening's agenda. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Rule 22A is suspended and those Ordinances are a legal part of your agenda.

**PUBLIC HEARINGS**

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

**OLD BUSINESS**

PRESIDENT SCHULMAN: Under Old Business, I'm informed by the Deputy Mayor, Fonda Williams, that there is no Old Business to discuss.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We do turn now to Public Speaks. We do have three speakers tonight. Our first is Eugene Fete. Yes, sir.

EUGENE FETE: I got a question.

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PRESIDENT SCHULMAN: You wanna... you have to go up to the microphone, please. And if you'll give us your name for the record and your address, your home address, I would appreciate it.

EUGENE FETE: My name is Eugene Fete. I live at 2444 Pennington Street NW in Canton. And I attended a meeting here to find out what is going on with 38<sup>th</sup> Street, but I've had my question answered real quick by Mr. Mariol. So now I know what going on, so evidently it's not gonna be fixed this year, but it's in the process, so... the street's very bad.

PRESIDENT SCHULMAN: Yes, it is.

EUGENE FETE: Very bad. That's it. Thank you.

PRESIDENT SCHULMAN: Thank you, Mr. Fete, very much for coming down. (*Applause*) And speaking of poor roads, Henry Preston, if you'll step forward. That's what he's gonna... he's not a poor road, he's gonna talk about that. Uh, would you give us your name and your residential address, please.

HENRY PRESTON: My name is Henry Preston. I live at 326 31<sup>st</sup> Street NW, Canton. I guess...

PRESIDENT SCHULMAN: Welcome.

HENRY PRESTON: Thank you. I guess I'm here to speak about an ongoing subject. Um, two things I want to bring about... up about the roads. There was a man that talked about Logan Avenue between 25<sup>th</sup> and 26<sup>th</sup> by the park there, and he said it looked like a rototiller went through and tilled it. Well, it hasn't changed, except the City... it looks like they put an oil slick down. You know, those oil bobs at Myrtle Beach that come up? Well, that's what it looks like they put big ones there. Fill up part of the road. And it looks a mess. This has been going on for over six months. What are we gonna do this winter? And it's really a shame because that park, there's thousands of people in the summertime that use that park for a ball park, just a number... tennis, right now tennis is big, and we got a mess of a road. Now, why is that? That... that doesn't speak well. We talked about making the City a city of the future. That doesn't do much for it. The other thing I want to talk about is we continue to get poor construction of our roads. Between 34<sup>th</sup> and 38<sup>th</sup> Street I believe it is on Logan Avenue, they used chip and seal. Chip and seal is a fine product. You gotta do it right. Some of that is so thin the grass is coming through. I mean, if you... any of you had an asphalt driveway and the grass came up within two months, what would you think? It's very poor quality so that's what... I think the City needs to continue to look at the poor quality of construction of roads in Canton. Thank you.

PRESIDENT SCHULMAN: Thank you, Mr. Preston, very much. (*Applause*) Our next speaker is Jennifer Herning. Uh, good evening, welcome. I think you were here a couple weeks ago. Welcome. If you'll step forward and give us your name and your residential address, please.

JENNIFER HERNING: Uh, yes. My name's Jennifer Herning at 1731 3<sup>rd</sup> Street. I'm here to talk about strategic budgeting. First and foremost, it goes and coincides with resources and new laws and everything. What I was speaking about before. We end up coming in a courtroom, seeing all these things, you guys get prosecuted like crazy, judged like crazy, and so do we. But in... the simple fact of the matter is we are supposed to put our respect into the courts, but the courts don't respect us. People of authority don't respect us so why should we respect authority. Until authority seemed to be more favorable and be able to show mercy on one another and show mercy and not... so they can realize that everybody goes through everything everyday.

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Strategic budgeting has to happen with the people and authority, and if authority even knew anything about say, for instance, state acts. The state acts, State Constitutional acts, they end up doing them all the time. I hear about it, I see it, we hear it constantly because we're getting prosecuted under it. It's going on the news, it's going everywhere. It all coincides with our state audit system. Until authority can show mercy with the people of the city more in light, than why can't we show mercy to authority and work as a team. People are very intelligent. There's very multiple people out there willing and wanting a better system. I hear it every day. I am with several organizations learning and learning and learning. That's all I do, day and night. Day and night. But, like I said before, true knowledge is not knowing. So can we please have authority say we don't know anything, and know that the city needs to get better under the state audit and with state Constitutional acts, because we hear it all the time, pleas, judges, lawyers. I myself have dealt with it. Other people have dealt with it. Nobody likes going into a lawyer's room or courtroom, nothing. Nobody. But why can't they? So, therefore, I know it goes on in the state audit system. I learn it. I dealt with a person of authority, name will not be known, but I was intimidated. And also another one wouldn't impro... wouldn't go by what she was doing and say she was wrong when I was in fact talking about a proposal to the City, but she's like no, why don't you just do this, why don't you go down and make a proposal at City Council meeting. I'm like no, I can't cause I still have this going on, but when I coincide it with my judgment problem, my judgment disorder, she didn't want to hear anymore about it cause they want to go by what they want to go by. But the simple fact is please, show mercy on everybody and we can show mercy on you if you guys get prosecuted.

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

**INFORMAL RESOLUTIONS**

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

**COMMUNICATIONS**

PRESIDENT SCHULMAN: Turning now 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 SEPTEMBER 28, 2015.***

- 346. COUNCIL MEMBER MACK, WARD 8: REQ LEGISLATION EFFECTUATING ESTABLISHMENT OF SEPARATE ENTERPRISE FUND FOR CITY OF CANTON BLDG DEPT AND ALL REVENUES AND EXPENDITURES ASSOCIATED.- FINANCE COMMITTEE
- 347. COURT ADMIN KOCHERA: REQ SUPP APPROP OF \$11,104.23 FR UNAPPROP BAL OF #2767-701001 JAIL DIVERSION GRANT FUND TO PERSONNEL #2767-701001 JAIL DIVERSION GRANT FUND. - FINANCE COMMITTEE
- 348. COURT ADMIN KOCHERA: REQ APPROP TRANSFER OF \$11,104.23 FR SALARY #2766-701001 MUNICIPAL PROBATION SERVICES FUND TO OTHER #2766-701001 MUNICIPAL PROBATION SERVICES FUND. - FINANCE COMMITTEE
- 349. HEALTH COMMISSIONER ADAMS: AMEND O#266/2014 (APPROP TRANSFER OF \$10,000.00 FR 2328 301001 - PERSONNEL TO 2328 301001 - OTHER) (GRANT EXPENSES). - FINANCE COMMITTEE

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350. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO SOLE SOURCE CONTRACT WITH OHIO MACHINERY CO. DBA OHIO CAT FOR PURCH OF USED BACKHOE IN AMT NOT TO EXCEED \$76,000.00; AUTHORIZE MAYOR AND/OR SERV DIR TO SELL UNIT #4342, A USED EXCAVATOR NO LONGER NEEDED BY COLLECTIONS SYSTEMS DEPT, TO STREET DEPT; AUTHORIZE MAYOR AND/OR SERV DIR TO MAKE SEWER FUND WHOLE FOR THIS SALE BY PAYING AMT NOT TO EXCEED \$42,804.58 TO 5410 SEWER FUND FR 4502 202210 STREET MAINTENANCE - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for their First Reading. Madame Clerk, will you please begin with Ordinance #1.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #1 THROUGH #5 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION TO PROVIDE A GRANT UTILIZING GENERAL FUND DOLLARS IN AN AMOUNT NOT TO EXCEED \$75,000.00 FOR GRANTS, LOANS AND ADMINISTRATIVE COSTS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #2 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A COOPERATIVE AGREEMENT WITH STARK COUNTY FOR THE NIMISHILLEN CREEK WATERSHED USGS STREAM GAUGE AND HYDRAULIC STUDY PROJECT IN AN AMOUNT NOT TO EXCEED \$33,310.00; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee
- #3 (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE HIRING OF MARC A. MORGAN AS ASSISTANT SUPERINTENDENT OF THE WATER RECLAMATION FACILITY; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Personnel Committee
- #4 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR THE BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT. 10TE SAFETY DIRECTOR'S DEPT. OF TRAFFIC ENG AND SIGNAL ALARM - TRAFFIC ENG COORDINATOR, TRAFFIC ENG TECH 4, TRAFFIC ENG TECH 3, TRAFFIC ENG TECH 2; DEPT 20CE SERVICE DIRECTOR'S CITY ENG DIVISION - CIVIL ENG TECH V, CIVIL ENG TECH IV, CIVIL ENG TECH 111, CIVIL ENG TECH II, CIVIL ENG TECH 1)  
Referred to Personnel Committee

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- #5 (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 58/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (ESTABLISH ONE (1) ADDT'L \$6,500.00 ANNUAL STIPEND BE PAID TO ANY INDIVIDUAL WHO SIMULTANEOUSLY HOLDS ANY TWO (2) OF THE FOLLOWING THREE (3) POSITIONS: ASSIST. SUPERINTENDENT AT WRF, FACILITIES ENG AT WRF AND SANITARY SEWER ENG IN COLLECTIONS SYSTEMS DEPT.)  
Referred to Personnel and Finance Committees

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for their Second Reading. Madame Clerk, would you please begin with Ordinance 6.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #6 THROUGH ORDINANCE #19 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #6. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH HISTORIC BLISS LLC TO PROVIDE REAL PROPERTY TAX EXEMPTIONS FOR PARCEL NUMBERS 209886, 243353 AND 244732 IN THE CANTON CENTRAL NEIGHBORHOODS COMMUNITY REINVESTMENT AREA; AUTHORIZING THE GRANTING OF TEN YEAR REAL PROPERTY TAX EXEMPTIONS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #7 (2<sup>ND</sup> 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 (3660 GREENTREE AVENUE S.W. (NEW DAWN DEVELOPMENT) FROM B-3 (GENERAL BUSINESS) TO PCS (PLANNED COMMUNITY SERVICE), WARD 4) **PUB HRG 10/5/15 @ 7:30 PM**
- #8 (2<sup>ND</sup> RDG) AN ORDINANCE VACATING A PORTION OF FARWICK COURT NW; AND DECLARING THE SAME TO BE AN EMERGENCY (ROBERT KNIGHT) **PUB HRG 10/5/15 @ 7:31 PM**
- #9. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A REVISED PARKING LEASE AGREEMENT WITH DAY KETTERER LAW FIRM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #10. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO TAX INCENTIVE AGREEMENTS WITH PHOENIX RISING BHR INC. PURSUANT TO THE CITY'S ECONOMIC GROWTH INITIATIVE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND

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- #12. (2<sup>ND</sup> RDG) DECLARING THE SAME TO BE AN EMERGENCY (DEPT 80AU AUDITOR) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF ONE PARCEL OF CITY OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY PURSUANT TO THE CITY'S RESIDENTIAL LAND DISPOSITION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-48493, 208 WALKER CT NE, JAMES LEDFORD, JR)
- #13. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$437,000.00 SUPP APPROP FR UNAPPROP BAL OF 2211 COMMUNITY DEV FUND TO 2211 506001 COMMUNITY DEV - OTHER; \$214,860.00 SUPP APPROP FR UNAPPROP BAL OF 2219 EMERGENCY SHELTER GRANT FUND TO 2219 506001 EMERGENCY SHELTER GRANT - OTHER)
- #14. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,100,000.00 SUPP APPROP FR UNAPPROP BAL OF 1152 NIP ACQUISITION DEMO DEBT FUND TO 1152 506001 NIP ACQUISITION DEMO DEBT - OTHER)
- #15. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION & CORRECTION FOR THE RECEIPT OF THE FY 2016-2017 PROBATION IMPROVEMENT & INCENTIVE GRANT IN THE AMOUNT OF \$88,822.00; AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THE 2765 PROBATION & IMPROVEMENT GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$82,822.00 SUPP APPROP FR UNAPPROP BAL OF 2765 PROBATION IMPROVEMENT & INCENTIVE GRANT FUND TO 2765 701001 PROBATION IMPROVEMENT & INCENTIVE GRANT - OTHER)
- #16. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$36,000.00 APPROP TRF FR 2323 301001 - OTHER TO 2323 301001 - PERSONNEL; \$16,000.00 SUPP APPROP FR UNAPPROP BAL OF 2313 LOCAL HEALTH FUND TO 2313 301001 LOCAL HEALTH FUND - PERSONNEL)
- #17. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ACCEPT AN IMPAIRED DRIVING ENFORCEMENT PROGRAM FFY 2016 GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$23,815.92; AND DECLARING THE SAME TO BE AN EMERGENCY
- #18. (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 36904 AND 36905 AND PART OF LOT 36930; AND DECLARING THE SAME TO BE AN EMERGENCY (804 44<sup>TH</sup> ST NW, WARD 8, DRAKE & ASHLEY)

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- #19. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ACCEPT A SELECTIVE TRAFFIC ENFORCEMENT PROGRAM FFY 2016 GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$17,738.03; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Thank you, Madame Clerk. We have our work cut out for us next week it appears.

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for their Third, Final Reading and Vote. Madame Clerk, would you please begin with the Reconsideration of 180/2015.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCE #20 THROUGH ORDINANCE #25 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #20. (3<sup>RD</sup> RDG) **RECONSIDERED AS ORDINANCE NO 180/2015** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF PART OF LOTS 13830 AND 13831; AND DECLARING THE SAME TO BE AN EMERGENCY (JOHN & TRACY CROSBY @ 1701 EDWARDS AVE NE)

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we reconsider and adopt Ordinance 180/2015 from September 21, 2015.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to reconsider and adopt Ordinance 180/2015 from the September 21, 2015 Council meeting. Leader, the explanation for that reconsideration is...

MEMBER MORRIS: Mr. President, we all fell asleep and shot right past it, and never voted on it.

CLERK TIMBERLAKE: We, uh...

PRESIDENT SCHULMAN: You have a very bad President. If it's me...

MEMBER MORRIS: Sorry, sir, got to tell the truth.

PRESIDENT SCHULMAN: Well, I apologize to the Members of Council.

CLERK TIMBERLAKE: It slipped by all of us. We suspended the statutory, but just didn't adopt it, so it was all of us.

PRESIDENT SCHULMAN: Well, nevertheless, are there any other remarks?

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MEMBER MORRIS: Yeah, Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: As I told our Clerk, I am extremely shocked that Member Dougherty did not catch that.

MEMBER DOUGHERTY: Maybe I did on purpose. (*Laughter*)

CLERK TIMBERLAKE: Maybe I did on purpose. (*Laughs*)

PRESIDENT SCHULMAN: Any other remarks? Well, my apologies. Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

**#20 RECONSIDERED AS ORDINANCE NO. 180/2015**

PRESIDENT SCHULMAN: Thank you, Madame Clerk. The Ordinance is reconsidered and passed, and I was sort of hoping that Leader Morris had taken my spot that night, but nevertheless... uh, moving on to Ordinance 21, please.

#21 (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 183/2015** AN ORDINANCE AMENDING SECTION 917.05, TREES TO BE REMOVED AND/OR PRUNED ALONG PUBLIC WAYS, OF THE CODIFIED ORDINANCES.

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

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

**#21 ADOPTED AS ORDINANCE NO. 183/2015**

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

#22. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 184/2015** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH BALL METAL FOOD CONTAINER LLC TO PROVIDE A REAL PROPERTY TAX EXEMPTION; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE

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CANTON CITY SCHOOL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82(C) OF THE REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 22. 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.

**#22 ADOPTED AS ORDINANCE NO. 184/2015**

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

#23. (3<sup>RD</sup> RDG) **POSTPONED INDEFINITELY** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH LAKEBROOK PROPERTIES LLC TO PROVIDE A REAL PROPERTY TAX EXEMPTION; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON CITY SCHOOL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82(C) OF THE REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 23. Any remarks? Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been and seconded to postpone Ordinance 23 indefinitely. Any remarks under that motion? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

ORDINANCE 23 POSTPONED INDEFINITELY UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries, and Ordinance 23 is postponed indefinitely. Ordinance 24, please, Madame Clerk.

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#24. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 185/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE A GRANT IN AMOUNT NOT TO EXCEED \$175,000.00 FOR ECONOMIC AND CIVIC DEVELOPMENT OF THE CITY; AMENDING ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE EMERGENCY (APPROP TRANS OF \$175,000.00 FR 1001 506601 CIC EXPENSES - OTHER TO 1001 506001 COMMUNITY DEVELOPMENT ADMIN. - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 24. 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.

**#24 ADOPTED AS ORDINANCE NO. 185/2015**

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 24 is adopted. Ordinance... and deservedly so. And Ordinance 25.

#25. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 186/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FOUR YEAR PROFESSIONAL SERVICES CONTRACT WITH ACLARA TECHNOLOGIES FOR MAINTENANCE OF THE CITY OF CANTON'S AUTOMATED METER READING SYSTEM; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$17,353.80 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207003 WATER BILLING - OTHER; \$11,569.20 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 207003 SEWER BILLING - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS

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 25. Does anybody care to hear Service Bartos' explanation of this one more time? 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.

**#25 ADOPTED AS ORDINANCE NO. 186/2015**

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 25 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you, good sir. The Finance Committee will meet Monday, October 5TH, at 6:45 P.M. here in Council Chambers.

PRESIDENT SCHULMAN: Thank you. Chairman Hart.

MEMBER HART: Personnel will also meet 6:45 on October 5<sup>th</sup>.

PRESIDENT SCHULMAN: Thank you.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Chairman Mariol.

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

PRESIDENT SCHULMAN: Anyone else?

**MISCELLANEOUS BUSINESS**

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

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: I want to take this opportunity to commend Councilman Mack and Councilman Mariol. Very rarely do people show up here with \$200,000.00 to give this city. And I heard from a number of friends of mine there's no way on God's green Earth would we raise dollar one for this. You're batting a thousand today. I just think that this is fantastic news, and I know we received a little bit of criticism for taking the bull by the horns, what comes first, the resolution or the money, and I think that you two are helping make this a reality and I hope, because I think you two should chair this. Um, submit a resolution to name some part of this on behalf of the Rotary. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Smuckler. Very well deserved too. Thank you, Member Mariol and Member Mack. Deputy Mayor Williams.

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DEPUTY MAYOR WILLIAMS: Yes. Mr. President, Member of Council, just to piggyback on some comments made by Member Smuckler. And, Leader Morris, I'm gonna respectfully ask this of you. If it's okay, I'd like to submit legislation next week to be voted upon to actually accept the donation. Legally we haven't accepted the money, so that's okay, I'll ask Council publicly if we could get that passed first reading since we haven't got the communication. Thank you.

PRESIDENT SCHULMAN: Thank you, Deputy Mayor. Any other remarks?

MEMBER HART: Mr. President.

PRESIDENT SCHULMAN: Member Hart.

MEMBER HART: What Member Mariol and Member Mack have done, you know, and I look at Canton, I look at Stark County and what makes a community, and it's those people that do have a sense of community, finding a need and then responding to it whether they live outside, you know, Canton City. And, you know, I look among members here whether it was, you know, Member Dougherty over the last millennium (*inaudible*)... Feed the Needy and, you know, (*inaudible*). It's a long time, I know. (*Laughter*) (*Inaudible*)... just a week away, I think President Lincoln was still President. And, you know, Member Schulman who's... uh, I can't say enough about him, what he's done for the Stark County Hunger Task Force. And I can just remember as a teacher at Lathrop when we needed to put a playground in as handicap accessible, we were able to raise \$325,000.00 (*inaudible*) simply because we had a very generous community and foundations that were founded with (*inaudible*), and I think that is what makes Canton, Stark County, a great place to live. We have people that are willing to give. And whether it's volunteerism or, you know, it's out of the pocket. Thank you.

PRESIDENT SCHULMAN: Amen, Member Hart.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you, sir. Again, I'd like to commend Member Mariol and Member Mack for their diligence and hard work on downtown. They understand that it's going to be the life blood of the community when we hook up with the Hall of Fame and work in conjunction with them. The fact that they went out and worked so hard to get these donations and bring it about is very important, and I think it's a first step in revitalizing a city. We are going to face... we are going to have here with the new Hall of Fame and everything a real chance to make our city grow and expand. Uh, John, thank you very much, and I'll call Edmond and tell him the same thing.

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

MEMBER MARIOL: Mr. President, yes, two things. Um, on the Market Square project, being a young person and... and I... I don't want to say only young people enjoy downtown areas, but my generation is definitely moving back to an urban area, wanting to live downtown. Um, one of the things that wanted... made me want to get on Council is I saw some really exciting things happening in downtown. I got to point out... I think that we would be missing a bit piece to this if we don't point out Member West has been fighting for investing and getting things done in downtown, and I can tell you that before I got on Council I enjoyed things we worked on.

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I currently enjoy things that you are working on. I look forward to... to the new things that... that you're gonna work on bringing downtown. So I think what you've done down there has really made downtown Canton at the same level as a downtown Cleveland or a downtown Columbus, so you're work on that has been amazing and I want to thank you. And also the Administration. You don't get anything done in Canton without Deputy Mayor Williams working on it. You know, Mayor Healy, Deputy Direc... or Deputy Mayor Williams have been instrumental in this. It's an amaz... it's just amazing what you guys can get done. This is just a very, very exciting project. And then the second thing, Mr. Preston. You touched a little bit on Logan. I wanted to address a couple things. Logan around the park, what they're doing there is, and Director Bartos, correct me if I'm wrong, I was actually out with our Street Superintendent, we drove by that... that spot. I believe they're doing what's called a dig out. Rather than just putting asphalt down, the Street Superintendent has identified that there is a base issue, so what they're doing is they're... they're bringing up the road in that area, going down, rebuilding the base, and asphaltting over it. Now, it is taking a long time, and the reason it's taking a long time is he's also doing dig outs on a lot of different roads throughout the city. Logan being an access point to a park, a fairly low traveled road that leads specifically to that park, and it is a two lane road, when other dig outs come up that are a higher traffic area he's going to pull his guys off of that to... to knock out the heavy traffic areas. It will get done. He's working on it. We drove by, we looked at it, but I want to let you know that that's the plan. And this is actually a good thing long term. If you lay asphalt there, a couple months, winter comes, it's gonna be bad. He's permanently fixing it, so I think you'll be very happy with the results. Then on the chip and seal on Logan, actually when they did that chip and seal Street Superintendent Rorar was out there, I was out there, multiple supervisors from the Engineering Department and the company doing the chip and seal was out. It was done properly. Now the grass that you're noticing, when they sprayed the asphalt before they laid the... the top part, it probably got into the grass a little bit. That's why you're seeing some grass come up, but they laid that right over asphalt. But I can tell you that of all the roads Logan, I believe we're all saying, is probably the best quality, but I can tell you that Logan was definitely done correctly. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Mariol. Any other remarks? Hearing none, Leader.

MEMBER MORRIS: Motion to adjourn.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: *(Gavel falls)* Thank you. Meeting's adjourned. Hope... uh, welcome. Thank you, our students, and drive carefully everybody on the way home. Be careful.

ADJOURNMENT TIME: 8:18 P.M.

ATTEST:  
CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

APPROVED:  
ALLEN SCHULMAN  
PRESIDENT