

MINUTES OF THE MEETING NOVEMBER 9, 2015

PRESIDENT SCHULMAN: Good evening ladies and gentlemen, and welcome to Canton City Council. I have no control up here for (*inaudible*). Good evening, welcome to Canton City Council. We have a reasonably short agenda this evening, but... but we actually have a... I'm very excited to hear the essay that we're awarding tonight. So, with a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please, Madame Clerk.

ROLL CALL TAKEN BY CLERK TIMBERLAKE:

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: All present, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Tonight's invocation will be given by Ward 4 Council Member, Chris Smith. If you'll all stand, please, and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on November 9, 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 4 Council Member, Chris Smith. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Uh, Leader, we're now under Agenda Corrections and Changes.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #3 through and include #9.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add 2nd Reading Ordinances 3 through 9 to this evening's agenda. Any remarks? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We have no Public Hearings this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: Turning to Old Business, I've been informed by the Deputy Mayor that we have no

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Old Business tonight. Before we move into Public Speaks though, a little girl perished in a fire over the weekend in Canton, and our hearts and our thoughts and our prayers go out to her family and the community. Her name was Asjernea Thomas, I hope I'm pronouncing your first name, and I'd like to just take a moment of silence to remember her and to think about her family at this time of loss. Thanks. (*Brief pause*) Thank you very much. We're now under Old Business as I said. There is no Old Business, and... according to our Deputy Mayor.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: Now we turn to Public Speaks. We have one speaker this evening. That's our friend, Pete DiGiacomo. Mr. DiGiacomo, if you'll step forward and give us your name and your residential address, please, and welcome as always.

PETE DIGIACOMO: Good evening. My name is Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. A couple weeks ago Channel 5 News came down to Canton, Ohio, interviewed Chief Lawver. I watched it on TV. It had to do with pursuits for any type of violation in an automobile, vehicle, and they emphasized the bit on the tragedy that happened in the southwest end in the... as they were doing the pursuit there was a very bad collision, and there was a person that was really injured really, really bad. Um, that's sad and it's tragic, but it wasn't the officer's fault as far as I'm concerned. If the person had not run it would not have happened. Um, there was another one that... it's right here, pretty much the same thing, traffic violation, officer went and stopped him, he was a convicted felon, they confiscated a 32 caliber handgun from him, many bags of marijuana and scales. So there's one criminal off the street. The person in that chase, the officer was... well they... they showed it on TV and they said Sheriff... I'm sorry, Chief Lawver said that he was not pursuing him, rather following him, and the individual that was being pursued or followed, whichever way, had a lengthy felony record. So, personally myself I'm in favor of if, you know, you have to stop them, they start to run, you go get them. If you don't, you know, then why bother with stop signs, traffic lights, cause you can run through them anytime. The other thing, there's a thing for the Kresge Market Place lot, and the Rotary Club is a great organization, it may a very nice contribution, but I also was here when they talking about possibly Rotary Park. It's in the City of Canton. Try to keep something with the City of Canton's name in the City of Canton as opposed to naming it whatever else. That's all. Thank you. (*Applause*)

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

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: And now we turn to the Informal Resolutions that I addressed at the beginning of the meeting, and we'll start with Informal Resolution 35, and I think we'll take 35 and vote on it, 36 and vote on it, then we'll have our Clerk read the Resolutions as a whole and then we'll have our guests come up and make the award presentations, if that's alright, Leader. So, Madame Clerk, Informal Resolution 35, please.

#35. COUNCIL-AS-A-WHOLE: COMMENDING SOPHIA RADOSEVIC ON WINNING 2015 4TH GRADE ESSAY CONTEST ON PREVENTING KITCHEN FIRES AT 50TH ANNUAL FIRE PREVENTION WEEK KICKOFF BREAKFAST. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #35.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 35. All those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION 35 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Now we'll turn to Informal Resolution 36, please.

#36. COUNCIL-AS-A-WHOLE: COMMENDING 2015 CANTON FIREFIGHTERS/PARAMEDICS OF THE YEAR, DANIEL GREER AND DAN KINZLER. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #36.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 36. Any remarks? Hearing none, Madame... or all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION 36 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. That motion also carries, so Madame Clerk, would you please read Resolution 35 and 36, please.

CLERK TIMBERLAKE: Sophia Radosevic, a fourth grade student at Mason Elementary School, was the Fourth Grade Essay Winner at the 50th Annual Fire Prevention Week Kickoff Breakfast held on Tuesday, October 6, 2105 at Skyland Pines; and **Whereas**, all fourth graders from Canton City Schools were offered the challenge of writing an essay regarding "Preventing Kitchen Fires", a theme selected by the State Fire Marshall; and **Whereas**, Sophia submitted a superbly written essay setting out explicit instructions on preventing kitchen fires, and **Now, Therefore Be It Resolved**, that we, the Members of Canton City Council along with her family do hereby go on public record commending and congratulating **SOPHIA RADOSEVIC** for being awarded the 2015 Fourth Grade Essay Contest Winner for the Fire Prevention Week Breakfast. (*Applause*)

PRESIDENT SCHULMAN: And Informal Resolution 36, please, Madame Clerk.

CLERK TIMBERLAKE: **Whereas**, Daniel Greer became a Firefighter/Paramedic on March 5, 2001 and Dan Kinzler became a Firefighter/Paramedic on August 15, 2008. Together on March 24, 2015, these two firefighters who are on the 1st Battalion, responded to a fire at a 3 story, multi-unit apartment complex; and **Whereas**, upon entering the building, Firefighter/Paramedics Greer and Kinzler were met with high heat and zero visibility smoke conditions but worked their way through the adverse conditions, locating a father, mother and their 3 children trapped in an apartment on the 3rd floor; and **Whereas**, after the father had lowered one child out of the window and jumped himself, Firefighter/Paramedics Greer and Kinzler lowered the remaining two children out of the window to Captain Dan Reed and assisted the mother out of the window to Captain Ohman on a fire ladder who then aided her descent; and **Whereas**, after the family was out of the building,

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Firefighter/Paramedics Greer and Kinzler continued to conduct primary search of the remaining apartments in the building. **NOW, THEREFORE BE IT RESOLVED:** that we, the Members of Canton City Council, do hereby go on public record commending and honoring the 2015 Canton Firefighter/Paramedics of the Year, Daniel Greer and Dan Kinzler, for their dedication, loyalty and for ensuring the safety of the citizens of Canton. Thank you! (*Applause*)

PRESIDENT SCHULMAN: So I think first what we'll do if... with the Leader's permission is we'll have Sophia come up and read her essay if you would, Sophia, for us, please. And the family is more than welcome to come on up, please. Thanks. And if you have a camera that you wish to record this, you're more than welcome to take a photo.

SOPHIA RADOSEVIC: Hi. My name is Sophia Judith Radosevic. I'm in fourth grade and I go to Mason Elementary School. I am writing this fire prevention essay because I have a family at home, my mom, my dad, my little sister and my two cats live in it. And I want to keep them safe just like you want to keep your family safe too. I can help you with this essay, so read this and have a happy home. A few ways you can prevent kitchen fires is make sure your oven is off before leaving the room, keep a fire extinguisher handy, and don't put paper or plastic in the oven and microwave. If you do have a fire in your kitchen, warn an adult immediately and call 9-1-1 if needed. Remember, do not use water on a kitchen fire. You might make it worse. Use a fire extinguisher or call 9-1-1. If you have an adult turn on the stove or oven, let them watch you cook or let them cook for you. Your home will be kitchen fire free. (*Applause*)

CLERK TIMBERLAKE: And one more thing, isn't Sophia's uncle a firefighter in Cincinnati? And he was very proud of her for that.

PRESIDENT SCHULMAN: Excellent job, Sophia. Really excellent. (*Applause*) And now we have our brave firefighters if they... Mr. Greer, I think, uh...

CLERK TIMBERLAKE: Yes. Please come up to the podium. Yes, his family, please come. Frank, he's gonna accept both of them.

MEMBER MORRIS: Okay.

CLERK TIMBERLAKE: Thank you.

MEMBER MORRIS: Well, sir, (*inaudible*) the young lady with the essay, but we are not gonna catch the place on fire. (*Laughter*) We truly appreciate (*inaudible*). (*Applause*)

DANIEL GREER: Again, like I said in the breakfast, I just want to thank everybody who supported me. I want to thank the department cause if... I mean, it's for these guys, the whole department who, you know, helped trained me, who have my back, you know, that I feel secure around, that I'm... I'm just, you know, doing my job. We all just do our job and, you know, we happen to be there, you know, at the right time and the right place, and, you know, sometimes amazing things happen. So, yeah, I appreciate this honor. Thank you. (*Applause*)

PRESIDENT SCHULMAN: Thank you. Well, thank you all to our recipients this evening. We appreciate your public service, and Sophia, again excellent job. Thank you very much. And by the way, you do not have to stay

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through the meeting, so if you wish to leave you're not offending any of us, and you're more than welcome to leave. And that includes firefighter Greer too.

COMMUNICATIONS

PRESIDENT SCHULMAN: We're now under 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 NOVEMBER 9, 2015.

373. ANNEXATION CHAIRMAN WEST: REQ STATEMENT OF SERVICES FOR FAIRCREST-SHAWNEE ANNEXATION. - ANNEXATION COMMITTEE
374. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 10/30/15. - RECEIVED & FILED
375. COMMUNITY DEV DIR MILLER: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH ALLIANCE FOR CHILDREN & FAMILIES TO PROVIDE A GRANT UTILIZING HOME FUNDS IN AN AMT NOT TO EXCEED \$325,000.00 FOR B-FIRST PROJ. (10-UNIT APT WITH 30-BED CAPACITY IN 500 BLOCK OF LINWOOD SW FOR HOMELESS FAMILIES). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
376. COMMUNITY DEV DIR MILLER: APPROVE DEPT. OF DEVELOPMENT'S AMENDED CITIZEN PARTICIPATION PLAN (PROVIDE INTERPRETATION SERVS FOR NON-ENGLISH SPEAKING & HEARING IMPAIRED INDIVIDUALS, ENSURING HANDICAP ACCESSIBILITY, AND INCLUDE LOW AND MODERATE INCOME RESIDENTS OF SLUM AND BLIGHTED AREAS). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
377. COUNCIL MEMBER WEST: ESTABLISH ORD DECLARING DEC. 7 - 11 AS AMNESTY WEEK FOR PERSONS WITH UNPAID PARKING TICKETS AND UNPAID REGISTRATION FEES. - FINANCE COMMITTEE
378. COUNCIL MEMBER WEST & COUNCIL MEMBER MARIOL: REQ LEGISLATION ACCEPTING DONATIONS FOR MARKET SQUARE (CANTON ROTARY CLUB AND STARK CTY COMMUNITY FOUNDATION). - FINANCE COMMITTEE
379. COURT ADMIN KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT. OF MENTAL HEALTH & ADDICTION SERV (ODMHAS) FOR RECEIPT OF FY2016 SPECIALIZED DOCKET SUBSIDY GRANT IN AMT OF \$42,700.70 COMMENCING 10/1/15 - 6/30/16; \$42,700.70 SUPP APPROP FR UNAPPROP BAL OF SPECIALIZED DOCKET GRANT FUND #2797 TO SPECIALIZED DOCKET GRANT FUND #2797 PERSONNEL (SUBSIDIZE 65% OF SALARY & FRINGE BENEFITS FOR PROBATION OFFICER ASSIGNED TO SPECIALIZED DOCKET). - FINANCE COMMITTEE
380. DEPUTY MAYOR WILLIAMS: REQ LEGISLATION AMENDING SECTION 1 OF O#179/2015

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(TO ALLOW DAY KETTERER FULL BENEFIT OF THE TAX INCENTIVE). - JUDICIARY COMMITTEE

381. FINANCE DIRECTOR DIRUZZA: AMEND APPROP O#266/2014 (SUPP APPROP OF \$48,850.00 FR UNAPPROP BAL OF GUARDRAIL/ATTENUATOR REPLACEMENT FD TO 2415 202210 STREET MAINT - OTHER; APPROP TRFS OF \$52,000.00 FR 1001 202210 STREET MAINT - OTHER, \$10,000.00 FR 1001 204010 BUILDING MAINT - PERSONNEL, \$4,350.00 FR 1001 204010 BUILDING MAINT - OTHER, \$70,150.00 FR 1001 808005 PIROLOZZI JUDGMENT NOTE - OTHER TO 1001 103501 CENTRAL COMMUNICATION ADMIN - PERSONNEL - \$60,000.00, 1001 104040 TRAFFIC ENG/PARKING METER - PERSONNEL - \$28,000.00, 1001 202210 STREET MAINT - PERSONNEL - \$32,000.00, 1001 501101 HUMAN RESOURCES - PERSONNEL - \$6,500.00, 1001 901001 CIVIL SERVICE ADMIN - PERSONNEL - \$10,000.00; APPROP TRFS FR 2111 104020 TRAFFIC SIGNAL - PERSONNEL - \$32,000.00, 2111 202020 URBAN FORESTRY - OTHER - \$926.00, 2111 202210 STREET MAINT - PERSONNEL - \$31,000.00 TO 2111 104001 TRAFFIC ENGINEER ADMIN - PERSONNEL - \$28,000.00, 2111 104010 TRAFFIC SIGN & PAINT - PERSONNEL - \$35,000.00, 2111 202020 URBAN FORESTRY - PERSONNEL - \$926.00; APPROP TRF OF \$ \$1000.00 FR 4501 202020 URBAN FORESTRY - OTHER TO 4501 202020 URBAN FORESTRY - PERSONNEL) TO MEET PAYROLL AND OTHER OB FOR REMAINDER OF YR. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
382. FINANCE DIRECTOR DIRUZZA: REQ COUNCIL EXERCISE SECOND ONE-YR EXTENSION OF FUEL CREDIT CARD PROGRAM WITH SPEEDWAY, LLC. FOR 2016. - FINANCE COMMITTEE
383. LAW DIRECTOR MARTUCCIO: AUTHORIZE SERV DIR TO ENTER INTO CONTRACT WITH STARK CO. PUBLIC DEFENDER COMMISSION FOR PERIOD 1/1/16 THRU 12/31/16 WITH OPTION TO RENEW ADDT'L 1-YR PERIOD COMMENCING 1/1/17 THRU 12/31/17 AT RATE OF \$195.00 PER CASE (LEGAL SERV FOR INDIGENTS CHARGED WITH JAILABLE CITY ORD OFFENSES) . - FINANCE COMMITTEE
384. LAW DIRECTOR MARTUCCIO: AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO IMMEDIATE CONTINUATION OF NATURAL GAS AGGREGATION PROG WITH CONSTELLATION ENERGY SERVICES. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
385. LIQUOR CONTROL DIV (OHIO): REQ TRF OF D2 D2X D3 PERMIT FROM EMMA JEAN KING DBA BE BOPS VULCAN CAFÉ TO RICHARD DONATO DBA VULCAN CAFÉ @ 1649 HARRISON AV SW 1ST FL & BSMT (WARD 5). - RECEIVED & FILED
386. SAFETY DIRECTOR PERRY: REQ TO WITHDRAW COM #363 FROM FR 10/19/15 AGENDA. - RECEIVED & FILED
387. SAFETY DIRECTOR PERRY: AMEND O#266/2014 (\$1,351,074.50 APPROP TRF FR 7509.505010 - FAIR HOUSING DEPARTMENT - OTHER TO 7509.101501 - CODE ENFORCEMENT ADMINISTRATION - OTHER). - FINANCE COMMITTEE

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388. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO 36 MONTH EXTENSION OF CURRENT CONTRACT WITH AT&T CORP FOR DS1, DS3, AND ISDN SERVS (PHONE CARRIER SERVS); AUTHORIZE MAYOR AND/OR SERV DIR TO NEGOTIATE AND ENTER INTO CONTRACT WITH AT&T CORP FOR IP FLEXIBLE SOLUTION TO REPLACE CITY'S CURRENT PHONE CARRIER SERVS AND LONG DISTANCE CONTRACTS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
389. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERVS AND/OR COOP PURCH CONTRACT PURSUANT TO CANTON CODIFIED ORD SEC 105.10 AND/OR SEC 105.11 WITH PRO ONCALL TECHNOLOGIES LLC FOR AMT NOT TO EXCEED \$44,000.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHER (UPGRADE TOSHIBA PHONE SYSTEM, REPLACE VM SERVER AND PROVIDE 5-YR SOFTWARE SUPPORT/UPGRADE SERV. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT
390. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT WITH PROFESSIONAL SERVICE INDUSTRIES, INC. FOR DESIGN, ENGINEERING, CONTRACT ADMIN, AND OTHER PROF SERVS FOR CITY HALL ROOF REPAIR/REPLACEMENT PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR CITY HALL ROOF REPAIR/REPLACEMENT PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROFESSIONAL SERVS CONTRACT WITH PROFESSIONAL SERVICE INDUSTRIES, INC. FOR DESIGN, ENGINEERING, CONTRACT ADMIN, AND OTHER PROF SERVS FOR CIRELLI BLDG ROOF REPAIR/REPLACEMENT PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR THE CIRELLI BLDG. ROOF REPAIR/REPLACEMENT PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
391. TREASURER PEREZ: REQ \$3,000.00 APPROP TRF FR 1001 852001 TREASURER - OTHER TO 1001 852001 TREASURER - PERSONAL SERVICES; \$51,014.21 FR 2120 852101 INCOME TAX - OTHER AND \$15,000.00 FR 2120 852101 INCOME TAX - INCOME TAX REFUND TO 2120 852101 TREASURER - PERSONAL SERVICES. - FINANCE COMMITTEE
392. TREASURER PEREZ: REQ FOR ADOPTION AND IMPLEMENTATION OF NEW MUNICIPAL INCOME TAX CODE IN COMPLIANCE WITH H.B. 5, EFFECTIVE 1/1/16. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

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

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- #1. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 6018 VEHICLE SELF INSURANCE FUND TO 6018 VEHICLE SELF INSURANCE FUND - OTHER)
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT FOR THE 53RD STREET RESERVOIRS REROOFING PROJECT; RECEIVE GRANT FUNDS IN THE AMOUNT OF \$355,417.00 AND A ZERO PERCENT INTEREST LOAN IN THE AMOUNT OF \$369,923.00; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5231 53RD ST. RESERVOIR ROOF REPLACEMENT PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$725,340.00 SUPP APPROP FR UNAPPROP BAL OF 5231 53RD ST. RESERVOIR ROOF REPLACEMENT PROJECT FUND TO 5231 207033 53RD ST. RESERVOIR ROOF REPLACEMENT PROJECT - OTHER)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:46 PM FOR THE JUDICIARY COMMITTEE TO DISCUSS ORDINANCE #2A; RECONVENED AT 7:48 PM)

- #2A (1ST RDG)) **ADOPTED AS ORDINANCE NO. 211/2015** AN ORDINANCE AMENDING ORDINANCE NO. 179/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (2 CONCURRENT 7 YR. PARTIAL TAX REIMBURSEMENT AGMTS WITH DAY KETTERER LAW FIRM)
Referred to Judiciary Committee

PRESIDENT SCHULMAN: At this time, the Chair will declare an in house recess for the Judiciary Committee to meet in regards to Ordinance 2A. You're now in recess. Chairman Mack.

CLERK TIMBERLAKE (*Inaudible*)

PRESIDENT SCHULMAN: Sure.

DANIEL GREER: Uh, I just want to say one more thing. On behalf of Dan Kinzler, he apologizes. He couldn't be here today. He's also very grateful for this honor as well. So...

PRESIDENT SCHULMAN: Thank you very much. Thanks. Council will reconvene after the recess. Leader.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinance #2A back on this evening's agenda.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance 2A back on this evening's agenda. Any remarks? Hearing none, Madame Clerk, roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk. The motion carries. Ordinance 2A is a legal part of your agenda. Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend Statutory Rules for Ordinance #2A.

PRESIDENT SCHULMAN: It's been...

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: ...moved and seconded, sorry, to suspend the Statutory Rules on Ordinance 2A. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #2A.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 2A. Any remarks under this Ordinance? Hearing none again, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#2A ADOPTED AS ORDINANCE NO. 211/2015

PRESIDENT SCHULMAN: Thank you, Madame Clerk. The motion carries, and Ordinance 2A has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for the Second Reading. Madame Clerk, will you please begin with Ordinance 3.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #3 THROUGH ORDINANCE #9 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

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- #3. (2ND RDG) AN ORDINANCE RENAMING BRUCE AVENUE S.E. IN THE CITY OF CANTON, FRED JOHNSON WAY S.E.
- #4. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$39.84 SUPP APPROP FR UNAPPROP BAL OF 2772 2013 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT - OTHER)
- #5. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) BACKHOE, PURSUANT TO O.R.C. SECTION 125.04 AND CANTON CODIFIED ORDINANCE SECTION 105.11; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER DEPT)
- #6. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB RETENTION TAX INCENTIVE AGREEMENT WITH CUSTOM UTILICOM, INC. PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #7. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AN AMOUNT NOT TO EXCEED \$148,215.00 FOR WORK TO BE PERFORMED AT THE FORMER WEBER DENTAL FACILITY; AUTHORIZING THE AUDITOR TO CREATE FUND 2817 THE JOBS OHIO FUND; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$148,215.00 SUPP APPROP FR UNAPPROP BAL OF 2817 JOBS OHIO FUND TO 2817 506001 COMM DEV ADMIN - OTHER)
- #8. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO RECEIVE THE BLUE RIBBON ARSON COMMITTEE (BRAC) GRANT FOR SUPPLIES WORTH UP TO \$1,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY (FIRE DEPT ARSON K-9 UNIT)
- #9. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO RECEIVE THE 2015 COPS HIRING PROGRAM GRANT IN THE ESTIMATED AMOUNT OF \$981,670.00; AUTHORIZING THE AUDITOR TO RENAME THE 2773 BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TO 2773 2015 COPS HIRING PROGRAM GRANT FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you, Madame Clerk. We now turn to Ordinances and Formal Resolutions for the Third Final Reading and Vote. Madame Clerk, will you please begin with the Ordinance 10.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCE #10 THROUGH ORDINANCE #12 FOR THE THIRD READING BY TITLE

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#10. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 212/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$8,350.00 SUPP APPROP FR UNAPPROP BAL OF 2215 FAIR HOUSING FUND TO 2215 505010 FAIR HOUSING DEPARTMENT - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 10. Any remarks? Leader.

MEMBER MORRIS: Mr. President, I move we amend Ordinance #10 per the copy all Council Members have in front of them.

MEMBER SMITH: Second.

Amendment

Pursuant to Rule 36, I move to amend Agenda Item No. 10 by amending Section 1 to read as follows:

Section 1. Appropriation Ordinance No. 266/2014, as amended, is amended by making the following supplemental appropriation:

<i>FROM:</i>	<i>Unappropriated Balance of 2215 Fair Housing Fund</i>	<i>\$8,350.00</i>
<i>TO:</i>	<i>2215 505010 Fair Housing Department - Other</i>	<i>\$7,350.00</i>
	<i>2215 505010 Fair Housing Department - Personnel</i>	<i>\$1,000.00</i>

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance 10 by virtue of the copy before each Member of Council. Are there any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no. The ayes have it. Leader.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #10, as amended.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #10, as amended. Are there any remarks under this Ordinance, as amended? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

MINUTES OF THE MEETING NOVEMBER 9, 2015**#10 ADOPTED AS AMENDED AS ORDINANCE NO. 212/2015**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #10 as amended has been adopted. Ordinance #11, please.

#11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 213/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$12,000.00 APPROP TRF FR 2314 301001 - OTHER TO 2314 301001 PERSONNEL)

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #11. Any remarks under this Ordinance? Again, hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 213/2015

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 11 is adopted. Ordinance 12, please.

#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 214/2015** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$6,883.33 SUPP APPROP FR UNAPPROP BAL OF 2181 GERVASI 1700 LLC TIF FUND TO 2181-202087 55TH ST PROJ, GP 1125; \$0.01 SUPP APPROP FR UNAPPROP BAL OF 4570 RAILROAD CROSSING/TRAFFIC SIGNAL UPGRADE PROJ, GP 1149, FUND TO 4570-202097 RAILROAD CROSSING/TRAFFIC SIGNAL UPGRADE PROJ, GP 1149 - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #12. Any remarks under this Ordinance? Again, hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#12 ADOPTED AS ORDINANCE NO. 214/2015

MINUTES OF THE MEETING NOVEMBER 9, 2015

PRESIDENT SCHULMAN: Thank you Madame Clerk. Motion carries, and Ordinance #12 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you, good sir. I understand that Mr. Babcock did an exceptional job two weeks ago. I appreciate it. Thank you, sir. The Finance Committee will meet Monday, November 16, 2015 at 6:15 P.M.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Turning now to Miscellaneous Business. Do we have any Miscellaneous Business? Yes, Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. I wanted to thank the President, the Members of Council and the Administration on the record for your support and consideration of the Supreme... United States Supreme Court case that's pending that's going to revisit the right to work aka fair share fees issues. I appreciate Member Mack's having read the brief, and I look forward to your vote next week. But thank you so much for your time and attention.

PRESIDENT SCHULMAN: Thank you, Law Director. Any other...

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: ...Miscellaneous Business? Member West.

MEMBER WEST: They say give honor where honor's due, and if you rode around Ward 2 lately you'll see all kinds of houses being dropped, and it just looks fantastic. So I want to give kudos to the Community Development Department, Building... Building Code Department for making that happen in our... in our neighborhoods. Thank you.

PRESIDENT SCHULMAN: Thank you, Member West.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: Yeah, I just want to wish all veterans happy Veterans Day Wednesday. Thanks for serving your country. If you know of any veterans, give them a call or if you see them out there give them a thank you. (*Applause*)

PRESIDENT SCHULMAN: Thank you, Member Dougherty. Before we adjourn I'd just like to say one thing. We just had an election last week, and this happens of course in our community every two years and every four years, and all the races, at least the contested ones, were hotly contested. I want to congratulate Mayor Elect Bernabei, he's in the room tonight, for a very good campaign. Congratulations. (*Applause*) I think I can speak

MINUTES OF THE MEETING NOVEMBER 9, 2015

for everybody. We all look forward to working with you. We trust in your vision and we know you'll do the best job that you possibly can for our citizens in the community. And to Mayor Healy and his Administration, I want to congratulate them. Um, President Theodore Roosevelt, I was trying to find a quote that would be appropriate, said, and of course he said a lot of things, that were quotable, but he said far better is it to dare mighty things to win glorious triumphs even though checkered by failure than to rank with those poor spirits who neither enjoy nor suffer much because they live in a gray twilight that knows not victory or defeat. For our audience who comes regularly, public service is a very difficult thing. It's a very difficult thing in this time and age. It's a difficult thing because of financial constraints, because of the polarization of our electorate, and people that run for office should be congratulated and should be commended. It's hard running for public office. You put yourself on the line. That's hard because your jobs are sometime dependent on what happens to the people that you work for and with. And this Administration I think has done an exceptional job for the City. Each of the Mayor's appointees I know personally, and I think everyone in the room knows this, gave a hundred and ten percent to the citizens of this community. Are they always right? No. Are we always right in our daily lives? No. Do they try and have they tried and have they really made progress for the City of Canton? Absolutely. And they're to be highly commended as is the Mayor. And for every person that ran in last week's election, congratulations to you. Member Hart, we're gonna miss you. You bring a fresh spirit to this body, and we are gonna miss you. But congratulations for running. It takes a lot of courage and guts to put yourself on the line and to run, and it's hard work and it can be very rewarding, very uplifting, and it can be crushing in defeat. So, to all those who ran and gave it their best, congratulations. And to our incoming Administration, we look forward to the best of... that you have to offer. So, with that, Leader.

MEMBER MORRIS: Move to adjourn.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: *(Gavel falls)* Meeting's adjourned. Be careful, everybody. Thanks for coming.

ADJOURNMENT TIME: 8:00 P.M.

ATTEST:
CYNTHIA TIMBERLAKE
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT