

**MINUTES OF THE MEETING JANUARY 25, 2016**

PRESIDENT SCHULMAN: Good evening, ladies and gentlemen. Welcome to Canton City Council. Nice having all of you this evening. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please, Madame Clerk.

CLERK TIMBERLAKE: Mr. President, would it be okay if we came out of executive session first?

PRESIDENT SCHULMAN: I thought... I...

MEMBER SMITH: We came out (*inaudible*).

CLERK TIMBERLAKE: We did?

MEMBER MORRIS: We already came out.

CLERK TIMBERLAKE: You guys... you guys are on it!

*ROLL CALL TAKEN BY CLERK TIMBERLAKE:*

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Tonight's invocation will be given by my friend and Member at Large, James Babcock. If you'll all stand and remain standing please for our Pledge of Allegiance.

*The regular meeting of Canton City Council was held on January 25, 2016 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 Jim Babcock, At Large Council Member. The Pledge of Allegiance was led by President Schulman.*

**AGENDA CORRECTIONS & CHANGES**

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

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2<sup>nd</sup> Reading Ordinances #4 through and include #6.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2<sup>nd</sup> Reading Ordinances 4 to 6 to this evening's agenda. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

**PUBLIC HEARINGS**

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

**OLD BUSINESS**

PRESIDENT SCHULMAN: Turning to Old Business. We have no Old Business.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We're now under Public Speaks. We have three speakers this evening. Our first is Pete DiGiacomo. Mr. DiGiacomo is always welcome. If you'll step forward though and give us your name and your residential address, please.

PETE DIGIACOMO: My name is Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. Uh, there's a couple of things I want to speak on. The very first one, the memorial service for canine officer Jethro. I know some of the council folks, you were there. For the people that were not there I missed... and it's... I've never been to one. This was the first one for me myself, and it was a very very moving tribute to Jethro, to his trainer, and to all the canine officers that have their animals. Um, it... I... it... I guess one thing I was just amazed at how many officers attended from out of state, all the canines that were there, and the people from I would say Stark County and beyond that came to pay their respects to the office... officer and also for the canine Jethro. You missed a really really moving memorial. Okay. Next thing I want to talk on, this was in the Repository January 14<sup>th</sup>. I just found out tonight that some of the council folks are on the board, Canton Community Improvement Corporation. Um, the city's in a hole. Tonight we just heard that the hole got deeper, and I think, or I feel that the city should take care of the people here in the city of Canton. And what I mean by that is instead of giving money to different organizations, which if you have that money to give, that's great. It... you know, if you're five million dollars in the hole I don't think we got a whole lot of money to just give away. I think you should take a long look at that to see if you're gonna even send... send any money that way. And as I started to read the agenda for tonight, Ordinances, Formal Resolutions, First Reading, number two, authorize the Mayor or Service Director to enter into a professional services contract for the architectural services, engineering services, construction, oversight services, and all other professional services necessary for Market Square Enhancement Project not to exceed two hundred thousand dollars. There's another two hundred thousand dollars that... oh, they're shaking their head no. It's a donated... go ahead and spend the money. Okay. Never mind. *(Laughter)*  
*(Applause)*

PRESIDENT SCHULMAN: Thank you, Mr. DiGiacomo. We like donated funds. Our next speaker's Tim Porter. Mr. Porter, you'll step forward please. Give us your name and your residential address, and as always, welcome.

TIM PORTER: My name is Tim Porter, 1107 10<sup>th</sup> Street NW in Canton. Um, in the spirit of Jethro, you know, I attended that funeral as well, and one of the things that came out of that was one of the only things Officer Davis asked for was for Jethro not be forgotten. So, my recommendation is why don't we name a street. If you look around the State there's a lot of streets and highways named after fallen officers, and I think Jethro's entitled to that as well. Uh, maybe let Officer Davis pick a street. I think it should be a high traveled street so that it's remembered just like he wants. And that's all I have today. Thank you. *(Applause)*

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PRESIDENT SCHULMAN: It's a great idea. Thank you, sir, very much. Our last speaker is Lois Jacobson. Ms. Jacobson is always welcome. If you'll step forward and give us your name and your residential address, please.

LOIS JACOBSON: Lois Jacobson, 2327 Applegrove Street in North Canton. I'm here to give you an update on Dialogues on Diversity, Diversity Training Company. They will be here on March 1<sup>st</sup>. Today until they arrive here they will have gone through fourteen states and will have given forty-one presentations before they come here. This company was engaged by Coming Together Stark County. We have been preparing for them for over a year. Last Friday we had a county wide meeting held, and Fonda Williams and Joe Martuccio attended that meeting representing this Council and I thank them very much for that. We also had two mayors there, one from Alliance and one from Massillon along with their staff people and Sheriff Maier and his staff. Also people there from representing education, business, and the faith community. Dialogue on Diversity programs are tailored for the needs of each community. I've spoken to some of you about this program, but I would like to invite everyone to call me or meet with me to discuss any specific needs concerning diversity from your wards. I want to emphasize that this is not just planning for March the 1<sup>st</sup>. March is simply the launch for developing county wide responses to the issues of diversity. You can see by the second page that we are reaching out to the whole county. Our goal is diversity bringing Stark County together to make it a better place to live. Thank you very much.

PRESIDENT SCHULMAN: Thank you, and thank you for your public service. We very much appreciate it. That concludes public speaks. Thank you, speakers, for coming down. (*Applause*)

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We now turn to Informal Resolutions. Madame Clerk, we do have one. Will you please read Informal Resolution #6.

#6. PERSONNEL COMMITTEE: RECOMMENDATION OF APPOINTMENT OF KELLEN SHOWES AS CLERK OF COUNCIL. - ADOPTED

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #6.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution #6. Are there any remarks? Hearing none, by voice vote all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #6 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Where is Kellen? Congratulations. (*Applause*) We're looking forward to working with you, and you have giant shoes to fill is all I can tell you. But I know you'll do a great job. (*Inaudible voices*) Oh, (*chuckles*) the Mayor wanted me to put you to work right now, but that is the Mayor's quality. So, it's time to get to work. But thank you for accepting that. We do appreciate it, and we are looking very much forward to working with you as I'm sure you're looking forward to working with us.

**COMMUNICATIONS**

PRESIDENT SCHULMAN: We're now under Communications. Let the journal show that all Communications

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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 JANUARY 25, 2016.***

12. COUNCIL MEMBER HAWK: AMEND OFF-STREET PARKING ORDINANCE(S). - JUDICIARY COMMITTEE
13. COURT ADMIN KOCHERA: REQ APPROP TRF OF \$2,723.54 FR PERSONNEL SERVICES #2767-701001 JAIL DIVERSION GRANT FUND TO OTHER #2767-701001 JAIL DIVERSION GRANT FUND. - FINANCE COMMITTEE
14. ECONOMIC DEV DIR WILLIAMS: AUTHORIZE ACCEPTANCE OF JOBS OHIO FUNDING IN AMT OF \$148,215.00 FOR EXPENSES ASSOC WITH PHASE 2 ENVIRONMENTAL ASSESSMENT OF FMR WEBER DENTAL FACILITY. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
15. ECONOMIC DEV DIR WILLIAMS: AUTHORIZE MAYOR/SERV DIR TO ENTER INTO CONTRACT WITH BROWNFIELD RESTORATION GROUP INI AMT NOT TO EXCEED \$148,215.00 FOR PHASE 2 ENVIRONMENTAL ASSESSMENT WORK PERFORMED AT FMR WEBER DENTAL FACILITY (\$148,215.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS TO 4501 506001 COMM. DEV. ADMIN. - OTHER; \$148,215.00 SUPP APPROP FR UNAPPROP BAL OF 2817 JOBS OHIO FUND TO 2817 506001 COMM. DEV. ADMIN. - OTHER). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
16. FINANCE DIR DIRUZZA: AMEND O#259/2015 TO ALLOW VARIOUS MUNI BLDG ROOFING PROJ TO STAY ON TRACK AND TO PAY OFF DEBT ASSOC WITH ISSUANCE OF ORIGINAL BOND ANTICIPATION NOTE FOR 2015 CONSTRUCTION/RECONSTRUCTION NOTE FUND (\$2,638,999.64 SUPP APPROP FR UNAPPROP BAL OF 4504 2015 CONSTRUCTION/RECONSTRUCTION NOTE FUND TO 4504 201001 SERVICE DIRECTOR ADMIN - OTHER; \$73,334.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207003 BILLING AND RECORDS - OTHER; \$73,334.00 SUPP APPROP FR UNAPPROP BAL OF 5410 207003 BILLING AND RECORDS - OTHER; \$73,332.00 SUPP APPROP FR UNAPPROP BAL OF 5601 REFUSE FUND TO 5601 207003 BILLING AND RECORDS - OTHER). - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
17. LAW DIR MARTUCCIO: UPDATE AND AMEND CHAPTER 539 (EXISTING ORDINANCES AND REGULATIONS INTO NEW, ENFORCEABLE ORDINANCES FOR HEALTH, SAFETY AND WELFARE OF PUBLIC- PARK). - JUDICIARY COMMITTEE
18. LAW DIR MARTUCCIO: AUTHORIZE SERV DIR TO RENEW CONTRACT FOR GENERAL LIABILITY, AUTOMOBILE LIABILITY, PUBLIC OFFICIALS LIABILITY, LAW ENFORCEMENT LIABILITY, EMPLOYER'S LIABILITY, EMPLOYEE BENEFITS LIABILITY INSURANCE, AND CYBER LIABILITY INSURANCE WITH OHIO PLAN THRU HYLANT GROUP IN AMT NOT TO EXCEED \$164,769.00 RETRO TO 1/1/16 THRU 1/1/17. - FINANCE COMMITTEE

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19. LAW DIR MARTUCCIO: AUTHORIZE MAYOR OR SERV DIR TO EXECUTE NECESSARY DOCUMENTS TO RESOLVE 1936 DEED RESTRICTION ON STADIUM PARCEL (HOF VILLAGE PROJECT). - FINANCE COMMITTEE
20. LIQUOR CONTROL DIV (OHIO): REQ NEW D1 D3 PERMIT FOR FRONIMO LLC DBA FRONIMOS PUB @ 315 CLEVELAND AVE NW. - RECEIVED & FILED
21. MAYOR BERNABEI: AUTHORIZE RE-APPT OF RODNEY MEADOWS TO ARCHITECTURAL REVIEW BOARD FOR RETRO TERM FR 1/1/16 TO 12/31/19. - PERSONNEL COMMITTEE
22. MAYOR BERNABEI: AUTHORIZE RE-APPT OF KARL "BUTCH" KRAUS TO ZONING BOARD OF APPEALS FOR RETRO TERM FR 1/1/16 TO 12/31/18. - PERSONNEL COMMITTEE
23. MAYOR BERNABEI: AUTHORIZE RE-APPT OF STEVE LAMIEL TO ZONING BOARD OF APPEALS FOR RETRO TERM FR 1/1/16 TO 12/31/18. - PERSONNEL COMMITTEE
24. PLANNING COMMISSION: REQ REPLAT OF ALL OF OUTLOT 1071 & PART OF OUTLOT 1072 FOR DEDICATED PUBLIC RIGHT OF WAY AND FURTHER GROWTH OF SOUTHERN BORDER (DAN HERSHBERGER FOR NEW DAWN DEVELOPMENT). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
25. PLANNING COMMISSION: REQ ZONE CHANGE FR PB-4 - PLANNED SPECIAL BUSINESS DISTRICT AND R-1A - SINGLE FAMILY RESIDENTIAL TO PB-4 - PLANNED SPECIAL BUSINESS FOR 907 - 11<sup>TH</sup> ST NW (PARCEL 230614, 213860, 247996, AND 230355 FOR DARLENE LEGHART OF HAMMER & NAILS, WARD 1). - JUDICIARY COMMITTEE
26. PLANNING COMMISSION: REQ REPLAT OF CANTON CITY LOTS 34196 - 34207, PART OF LOT 34965, OUTLOT 704, AND PART OF OUT LOTS 536 AND 705 (HOF FOR CANTON CITY SCHOOLS, WARD 7). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
27. SERVICE DIR 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 SERVICE CENTER BUILDING B ROOF REPAIR/REPLACEMENT PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR SERVICE CENTER BUILDING B ROOF REPAIR/REPLACEMENT PROJ; 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 SERVICE CENTER BUILDING C ROOF REPAIR/REPLACEMENT PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR SERVICE CENTER BUILDING C ROOF REPAIR/REPLACEMENT PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
28. SERVICE DIR BARTOS: REQ LEGISLATION THAT ACTS AS FINAL PARTICIPATORY

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COOPERATIVE LEGISLATION WITH ODOT, STA-US30-13-10, PID 77887, GP 1166; MAKE \$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501-202001 ENGINEERING ADMINISTRATION - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

29. TREASURER PEREZ: RPT OF PARKING METER REV FOR DECEMBER 2015. - RECEIVED & FILED
30. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX FOR DECEMBER 2015. - RECEIVED & FILED
31. TREASURER PEREZ: AMEND O#259/2015 FOR INCOME TAX DIVISION TO MEET PENDING REFUND OBLIGATIONS (\$185,168.06 SUPP APPROP FR UNAPPROP BAL OF 7501 AUDITOR/TREASURER TRANSFER FUND TO 7501 852101 INCOME TAX ADMINISTRATION REFUNDS; \$1,000,000.00 SUPP APPROP FR UNAPPROP BAL OF 2120 INCOME TAX FUND TO 2120 852101 INCOME TAX ADMINISTRATION REFUNDS). - FINANCE COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

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

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #1 THROUGH ORDINANCE #3 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO CONTRACT WITH THE BELOW-NAMED CITIES AND VILLAGES TO PROVIDE LEGAL REPRESENTATION IN THE PROSECUTION OF CRIMINAL CASES AND RELATED MATTERS BY THE CITY PROSECUTOR'S OFFICE; 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 ONE OR MORE PROFESSIONAL SERVICES CONTRACTS FOR ARCHITECTURAL SERVICES, ENGINEERING SERVICES, CONSTRUCTION OVERSIGHT SERVICES, AND ALL OTHER PROFESSIONAL SERVICES NECESSARY FOR THE MARKET SQUARE ENHANCEMENT PROJECT FOR A TOTAL AMOUNT NOT TO EXCEED \$200,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

***(COUNCIL RECESSED AT 7:41 P.M. FOR THE PUBLIC SAFETY & THOROUGHFARES COMMITTEE TO DISCUSS ORDINANCE #3; RECONVENED AT 7:42 P.M.)***

- #3. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 4/2016** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 34196-34207, PART OF LOT 34965,

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OUT LOT 704, AND PART OF OUT LOT 536 AND 705; AND THE DISSOLUTION OF ROAD RESERVATIONS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares Committee

PRESIDENT SCHULMAN: At this time the chair will declare an in house recess for the Public Safety & Thoroughfares Committee to meet in regard to Ordinance #3 on your agenda this evening. You are now in recess. Chair... Chairman Hawk.

PRESIDENT SCHULMAN: Thank you, Chairman Hawk. I'll let you get your requisite signatures and then we'll reconvene. (*Brief pause*) Alright, Council will reconvene after its recess, Leader.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinance #3 back on this evening's agenda.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance 3 back on 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. Motion carries. Ordinance 3 is a legal part of your Agenda. Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rule on Ordinance 3.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule on Ordinance 3. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #3.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 3. 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.

**#3 ADOPTED AS ORDINANCE NO. 4/2016**

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 3 is adopted. Ordinance 4, please.

CLERK TIMBERLAKE: Second readings.

PRESIDENT SCHULMAN: Second read... oh, I'm sorry.

CLERK TIMBERLAKE: That's quite alright.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for their Second Reading. Would you please begin with Ordinance 4.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCE #4 THROUGH ORDINANCE #6 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#5 ADOPTED ON 2<sup>ND</sup> READING; O#6 ADOPTED AS AMENDED ON 2<sup>ND</sup> READING):***

- #4. (2<sup>ND</sup> RDG) 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 II); AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$84,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207040 AVONDALE AREA WATER MAIN REPLACEMENT PROJ PHASE II - OTHER)
- #5. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 5/2016** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTORS OF PUBLIC SERVICE AND SAFETY TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO VARIOUS CONTRACTS FOR SUPPLY EQUIPMENT, ITEMS, MATERIALS, SUPPLIES, AND SERVICES PURSUANT TO CODIFIED ORDINANCE SECTION 105.09; ENTER INTO PROFESSIONAL SERVICES CONTRACTS PURSUANT TO CODIFIED ORDINANCE SECTION 105.10; ENTER INTO AND UTILIZE COOPERATIVE PURCHASING AGREEMENTS PURSUANT TO CODIFIED ORDINANCE SECTION 105.11; ENTER INTO CONTRACTS PURSUANT TO O.R.C. SECTION 735.05 AND 737.03 WITH QUALIFIED NONPROFIT AGENCIES DURING THE 2016 CALENDER YEAR; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rule for Ordinance #5.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule for Ordinance 5. 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 #5.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 5. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#5 ADOPTED AS ORDINANCE NO. 5/2016**

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Motion carries. Ordinance 5 is adopted. Ordinance 6 please.

#6. (2<sup>ND</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 6/2016** AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE AND/OR DIRECTOR OF PUBLIC SAFETY TO COMPLETE THE CONTRACTING PROCESS FOR VARIOUS CONTRACTS PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY JANUARY 1, 2016; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rule for Ordinance #6.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule for Ordinance 6. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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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 #6.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 6. Any remarks? Leader.

MEMBER MORRIS: Mr. President, I move we amend Ordinance 6 per a copy that all Council Members have in front of them.

MEMBER SMITH: Second.

Amendment

*Pursuant to Rule 36, I move to amend Agenda Item No. 6 by the substitution of the attached revised Exhibit A for the original proposed Exhibit A.*

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance 6 by virtue of the copy before each Member of Council. Are there any remarks? Hearing none, by voice vote on the motion, 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. The motion carries. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #6, as amended.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #6, 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.

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**#6 ADOPTED AS AMENDED AS ORDINANCE NO. 6/2016**

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance 6 as amended has been adopted.

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

PRESIDENT SCHULMAN: There are no Ordinances and Formal Resolutions for the Third Reading.

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PRESIDENT SCHULMAN: So, we turn to Announcement of Committee Meetings. Chairman Mariol.

MEMBER MARIOL: Mr. President, Finance will meet February 1<sup>st</sup> at 6:45.

PRESIDENT SCHULMAN: Thank you. Any other announcements?

**MISCELLANEOUS BUSINESS**

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

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: Thank you. Just a couple things. First, for anyone who wasn't here during Committee Meetings today, just wanted to repeat this water meter replacement project done with a project labor agreement 1.1 million dollars under budget four months early with a one hundred percent completion rate. It's a reason that I hammer on these and many of us do. It's not only good for our local work force, this is good for the taxpayers and rate payers of the city, and I think that project is just yet another one in a long line that has saved the city money and done some excellent work. So I wanted to thank everybody, Tyler Converse and his employees and the people from the... the... the employees from Local 94 for the work on that. Number two, I just wanted to know if I could get an update from the Administration, whoever wants to handle it, on where we are on the Comprehensive Plan. If... where we may see this coming down the line to Council, if we have any updates on that. Thanks.

PRESIDENT SCHULMAN: Director Williams.

DEPUTY MAYOR WILLIAMS: Yes, Mr. President, Members of Council, currently we have tentative dates scheduled for two more work shops with the Planning Commission, one on February 9<sup>th</sup> at approximately 4:00 P.M. here at Council Chambers, one on February 23<sup>rd</sup> at 4:00 P.M. here in Council Chambers. On the tw... on the 9<sup>th</sup> of February, excuse me, we'll be discussing the actual Comprehensive Plan. On February 23<sup>rd</sup> we will be discussing the zoning aspect of the Comprehensive Plan. On February 29<sup>th</sup> at 4:00 P.M. there will be a presentation on the final draft of the Comprehensive Plan to the Planning Commission at 4:00 P.M. Uh, I still have to finalize the time with Leader Morris, but we plan on having another presentation on February 29<sup>th</sup> at 6:00 P.M. to Members of Council, and give you adequate time to answer questions and things of that nature. So currently that is the schedule for the Comprehensive Plan.

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Thank you, Director. Member Fisher.

MEMBER FISHER: I just want to say that, Director Williams, you've done a fantastic job on this going back for a couple years now, and I look forward to seeing this. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Fisher. Any other Miscellaneous Business? No other Miscellaneous Business? Yes, Law Director Martuccio.

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LAW DIRECTOR MARTUCCIO: Thank you, Mr. President, Member of Council, we all know that certain cultural aspects of our societies can help us break down barriers for one another and get to see each other in... in great qualities. Um, sports has done that. It's broken barriers for gender, race, and other groups, and the arts have done that. What Ms. DiGiacomo Jacobson is talking about with us tonight is a really cool program that's being brought to Kent State soon. And it's got some phenomenal actor-comedians, different races, talking to each other in very frank, sometimes funny, sometimes dramatic ways about their differences. And it... it opens the heart, and I just want to commend her. I've known her for decades. She's always been about trying to raise consciousness and increase our awareness of one another and all the great qualities we have. And this is yet another one of her many efforts to do so. I encourage everyone to be aware of it and to attend if you can, and keep going from there. Thank you, Ms. Jacobson.

PRESIDENT SCHULMAN: Thank you, Law Director. Um, Leader, just hold tight for one second. I just want to make one quick response to one of our speakers tonight. You know there is a point at which government cuts so much that it doesn't reinvest in its people, it's doesn't reinvest in its community, and it suffers because of that. And to a certain extent we're seeing that presently. Um, there are expenditures that we make which return to us ten, twenty fold. In addition we heard from Tyler Converse, our Water Superintendent, tonight talk about infrastructure repairs. You have no idea, or I think probably all of you do, that if you delay those kinds of repairs for years on end it is going to cost millions and millions of dollars more. Uh, that's what we're seeing in the country today. We're not spending enough on our infrastructure. We could actually take the money at a low interest rate, invest it back in our people, in our country, and reap the rewards. Instead, we use austerity, we don't spend our money, and then in five or ten years we wonder why are we spending a hundred billion dollars on something that could have cost ten million ten years ago. So, there are certain expenditures we do have to make. That does not suggest that we waste money as I think Member Fisher rightly applauded our Water Superintendent tonight and his staff for saving money, coming under bid, and a hundred percent rate of return is pretty good. And that's why I believe in government. That's why I think all of us are here. With that said, Leader.

MEMBER MORRIS: Move we adjourn.

MEMBER SMITH: Second.

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

CLERK TIMBERLAKE: Mr. President.

PRESIDENT SCHULMAN: My favorite Clerk.

CLERK TIMBERLAKE: As my last adjournment I would just like to thank everybody for allowing me to have the opportunity to serve as the Clerk of Council for this fine great City of Canton. It's been an honor and a pleasure serving Council Members and especially the citizens of Canton. I love you guys, and we're just gonna keep growing and good luck to everybody, and thank you for everything. God Bless. (*Applause*)

CLERK TIMBERLAKE: Thank you. Thank you.

MEMBER SMUCKLER: (*Inaudible*)...standing ovations...(inaudible). (*Laughter*)

UNIDENTIFIED VOICE: That's never gonna happen. (*Laughter*)

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Madame Clerk, and thank you for everything. (*Gavel falls*) Meeting is adjourned. Drive carefully everyone.

ADJOURNMENT TIME: 7:50 P.M.

ATTEST:  
CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

APPROVED:  
ALLEN SCHULMAN  
PRESIDENT

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