

MINUTES OF THE MEETING FEBRUARY 8, 2016

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. I know Cindy Timberlake is out there. I- I have to apologize. It's the first time in ten years that I have not worn a tie or a sport coat, and I- the reason is I just flew into Akron Canton Airport around six o'clock and didn't have a change to get home, so I did not mean to disrespect my favorite Clerk of Council. Uh, with a quorum being present the Chair does call this meeting of Canton City Council to order. Roll call vote please, Mr. Clerk.

ROLL CALL TAKEN BY CLERK SHOWES:

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 SHOWES: Twelve yeas, sir.

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

The regular meeting of Canton City Council was held on February 8, 2016 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Kellen Showes. The invocation was given by Bill Smuckler, At Large Council Member. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you, Member Smuckler, for those words. We're now under Agenda Corrections and Changes. Leader Morris.

MEMBER MORRIS: Mr. President, I move Rule 20... we... let me start this one other. Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances 15 through 22.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2nd Reading Ordinances 15 through 22 to this evening's agenda. Are there any remarks? Hearing none, Mister Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

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

PUBLIC HEARINGS

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

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PRESIDENT SCHULMAN: Turning to Old Business. We have none this evening.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under public speakers. We do have two speakers this evening. Our first is Pete DiGiacomo. Mr. DiGiacomo, as always, welcome to Canton City Council. If you'll... where are you? (*Inaudible voices and laughter*) Oh, there you are. If you'll step forward and give us your... I know you're trying to trick me tonight or something. If you'll step forward and give us your name and residential address, and as always, welcome.

PETE DIGIACOMO: It's called jet lag.

PRESIDENT SCHULMAN: (*Chuckles*) Yeah, probably.

PETE DIGIACOMO: My name's Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. Uh, wasn't gonna speak tonight, but after I got the agenda requesting U.S. Senate and the U.S. House of Representatives to oppose the Trans-Pacific Partnership Free Trade Agreement. I don't know how you could support it. Uh, they bragged about NAFTA being such a great thing, how it was gonna bring the standard of living up for the Mexican folks down there. All it did is it cost us jobs, went down south, way down south. This job... this... this thing here, I don't see how it's going to really do that much... it's... it may help a little bit, but how does United States compete with China, Vietnam, India, Pakistan, Afghanistan... They don't. They can't. It... it's a bad, bad deal, and I think to quote Bernie Sanders, the one percent, that's who it's gonna help. Vote it down, period. You want American made, try to keep it here, not over there. Only thing we make that they could use is Uncle Ben's rice.

PRESIDENT SCHULMAN: Thank you very much. Our next speaker is Dan Fonte. Mr. Fonte is always welcome to Canton City Council. If you'll step forward though and give us your name and your residential address, please.

DAN FONTE: Thank you, Mr. Chairman. My name is Dan Fonte. I reside at 4415 Dawnridge Circle NW in Canton. Uh, and I would... I'm here to speak on the Trans-Pacific Partnership also because I wrote the resolution up to get it here. Uh, it's very, very important that we send a message to our political leaders. In fact, we're at the time frame right now where it's critical, and I want to thank all those Council Members who have signed on as co-sponsors to this, and I would hope we'd get a unanimous vote. It's a no brainer. But, after I put this piece together I just went through in my own mind and just wrote some things up, and I'm just gonna read them to you to see if any of you can remember any of these things. Hoover Company, U.S. Steel, Truscon Steel, Canton Malleable Iron, Shanafelt Manufacturing, Union Drawn Steel, Enduro, Portech Foragings, Ford Motor, Diebold, Wilson Rubber, Perry Rubber, Weber Dental, Rieter Bell, Spun Steel, Pioneer Meats, Canton Provisions, Fleming Foods, Canton Pure Milk, Sterling Bakery, Bond Bread, 3-C Trucking, Lieber Meats, Echo Products, E.W. Bliss, Eaton Manufacturing, Melbourne Construction, A.C. Eynon and Company, Gibbons and Grable Construction, Schneider Lumber, McCain Lumber, Brown Lumber, Barium Steel, Hercules, Stark Ceramics, Aspro, Kroger's, Kobacher's, A&P, Loblaws, Stern & Manns, Vicary's, Montgomery Wards, Canton Electric, Republic Steel-Massillon Division, Morgan Engineering in Massillon, Buxbaum, Baker Highway Trucking, Lattavo Brothers, Canton Cold Storage, Huntsman Trucking, and the Timken Roller Bearing Company, which I don't even know if they make bearings there anymore. But they're a shell of a company, what they were. When I graduated from high school right down the street here at Timken Vocational High School, I majored in welding. I had seven job offers from these companies, right here, seven of these

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companies, which pretty much they're no longer here. So to me this is really a no brainer. Free trade is the wrong, wrong way to go. Fair trade is the way to go. You are never gonna compete cause they're gonna always find somewhere else to go. But the problem we're gonna have is they've already taken... uh, where the... where everything is manufactured. The rule of origin is out because the World Trade Organization controls that and (*inaudible*). They've already done it, just here. I was in California and I read it in the paper a month or two ago where now you can't have food labeling, where your food is grown, slaughtered, who processes it. It's all out the door. I mean, to me I don't understand how Congress could even think about this. Now, this trade agreement goes way back to 2002 or 2003. That's when they started working on this thing, okay. So, I'm asking everyone of you, this will be one of the best votes you could ever make, and I would hope it's a hundred percent unanimous, and I want to thank you for your time, and I certainly appreciate it. There's more I can talk to about it, but, you know, as the egg timer goes down... To me, I think it's a no brainer, so thank you very much for your support and I would hope you all vote against it. Thank you very much. (*Applause*)

PRESIDENT SCHULMAN: Thank you. Thank you, Mr. Fonte, as always.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now turning to Informal Resolutions. We have four this evening. Mister Clerk, would you please read Informal Resolution #10 by title.

#10. COUNCIL-AS-A-WHOLE: COMMENDING CYNTHIA TIMBERLAKE FOR HER SERVICE AS CLERK OF COUNCIL. - ADOPTED

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution. Any remarks?

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Could we have that read, please.

PRESIDENT SCHULMAN: Yes. Mr. Clerk, would you read that for us, please.

CLERK SHOWES: An Informal Resolution respectfully submitted by Council-as-a-Whole on the 8th day of February, 2016. **Whereas**, Cynthia Timberlake served as the Clerk of Canton City Council for 12 years; and **Whereas**, Cindy was instrumental in the coordination of the new Council Chamber addition and was responsible for the current upgrades in computer technology in the Council Office. **Whereas**, Many of us knew her as our "go to girl". You could always count on Cindy. If she didn't know the answer or couldn't help you, she would find a way or someone who could help you; and **Whereas**, We cannot begin to count the endless calls that Cindy took from constituents to get their roads plowed in the winter, potholes filled in the summer, lawns cut, or houses torn down. Not to mention the numerous calls from Council Members regarding some of those same issues; and **Whereas**, Cindy worked tirelessly with the Feed the Needy Program held every year in

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September to help those less fortunate making hundreds of calls and sending letters to area businesses to secure donations; making sure the roads were blocked, getting security, making sure there were enough workers, and picking up the donated items; and **Whereas**, Cindy's best interests were always with the City. She has served with dignity, integrity and worked many hard hours. She truly cared about the city of Canton and its citizens. **Now, Therefore, Be It Resolved That:** We, the Members of Council of the City of Canton do hereby go on record congratulating and commending **Cynthia Timberlake** for her hard work, years of service, and dedication to the City of Canton. Your commitment to the City is greatly appreciated. (*Applause*)

MEMBER MORRIS: Twelve years of service and you get a twelve dollar plaque. (*Laughter*)

CYNTHIA TIMBERLAKE: And a million dollar (*inaudible*).

MEMBER MORRIS: That's right. (*Inaudible*) ... but you took me under your wing... (*inaudible*). (*Applause*)

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes, I'm sorry. Member Dougherty.

MEMBER DOUGHERTY: Mr. President. Cindy, congratulations.

CYNTHIA TIMBERLAKE: Thank you.

MEMBER DOUGHERTY: Always appreciated your hard work and dedication. Um, you made our problems yours, and... and you took care of them without a problem and you... you have thirteen personalities to deal with everyday. That's... that takes a special kind of person, and Frank's right, you will be here for Feed the Needy...

CYNTHIA TIMBERLAKE: (*Chuckles*) Okay.

MEMBER DOUGHERTY: With all of your friends out there that I see sitting in the audience.

CYNTHIA TIMBERLAKE: (*Inaudible*)... my family (*inaudible*).

MEMBER DOUGHERTY: As they are every year. And the biggest thing was as department heads found out about this, there wasn't a one... but, number one they were disappointed and number two, they couldn't stop talking about how much they respected you.

CYNTHIA TIMBERLAKE: Thank you.

MEMBER DOUGHERTY: Thank you.

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

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Fisher.

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MEMBER FISHER: Cindy, you know, we all love you, and by the way thirteen personalities is putting it lightly I think.

BY UNIDENTIFIED VOICE: I got a fourth. (*Laughter*)

MEMBER FISHER: But, although I'm a little mad at my... uh, good friend, Dave Kirven, for stealing you away over there, I did give him this piece of advice. I said now that you have hired Cindy, the only words you need to learn are yes, ma'am, because within the next ninety days she's gonna be running Local 94 and you can put your feet up on the desk and just do what she says. And that's the way it worked down here, whatever Cindy said goes. That's how it's gonna be over at Local 94. So, best of luck and thank you for absolutely everything.

PRESIDENT SCHULMAN: Thank you, Member Fisher.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes, Assistant Majority Leader Smith.

MEMBER SMITH: Yes, uh, Cindy, you know... you know I'm going to miss you. I'm probably the only one that called (*inaudible*). I just want to thank you for all that you've done for me, personally and professionally, and everything. (*Inaudible*)... and good luck (*inaudible*).

PRESIDENT SCHULMAN: Thank you, Member Smith.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Cindy go to Timberlake, my partner. And I say that truly, my partner, because, you know, Ward 2 is better off with you and I together. And you and I, the girls, without you guys I couldn't do all that I do, so I thank you, and you will be missed.

CYNTHIA TIMBERLAKE: Thank you, Thomas.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Mariol.

MEMBER MARIOL: You know, during my time on Council, it doesn't take very long to figure out that if you're gonna be successful here, you were the person to... to call, to... um...

CYNTHIA TIMBERLAKE: Thank you, John.

MEMBER MARIOL: To walk you through the problems during the learning process on Council. Um, I don't know what I would have been able to do without you, so I... I really enjoyed our time working together and I just want to thank you for everything you did for me. Thank you.

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PRESIDENT SCHULMAN: Thank you, Member Mariol. Member Mack.

MEMBER MACK: Thank you, Mr. President. Cindy, you are one of the hardest working and most dedicated professionals that I have worked with.

CYNTHIA TIMBERLAKE: Thank you, Edmond.

MEMBER MACK: And... and I don't mean just here at the city of Canton. I mean, anywhere I've ever worked in my entire professional career. You are going to be so incredibly missed. Um, we have a great clerk to replace you, but, you know, your shoes can never be filled. I am so happy for you and the Building Trades, you know, and what's gonna become in the future. I wish you were coming to work at our law firm, but I... I understand. Um, Cindy, you've been fantastic. Nothing but the best of luck to you.

CYNTHIA TIMBERLAKE: Thank you.

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

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. Cindy.

CYNTHIA TIMBERLAKE: Joe.

LAW DIRECTOR MARTUCCIO: On behalf of the former and current members of the Law Department who worked so closely with you in serving so many Council Members and so many people in the Administration, thank you. You did it gracefully. Your service was with a smile. Excellent work ethic. Very diligent. And thank you for surviving all of these wallflowers (*chuckles*) who were so easy to work with in Council. Thank you again so much.

PRESIDENT SCHULMAN: Thank you, Law Director. Any other remarks? I was appointed ten years ago... ah, I gotta get through this. Ahh.

CYNTHIA TIMBERLAKE: I love you too, Allen. (*Laughter*)

PRESIDENT SCHULMAN: Okay. Any other remarks? Yes.

MEMBER HAWK: Two words.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: Thank you.

CYNTHIA TIMBERLAKE: You're welcome, Gregory.

PRESIDENT SCHULMAN: We haven't taken a vote yet though, so... (*laughter*) maybe we should... maybe we should do that. All those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #10 PASSED UNANIMOUSLY BY VOICE VOTE

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PRESIDENT SCHULMAN: The ayes have it. The motion carries.

CYNTHIA TIMBERLAKE: Thank you all very much. I'm not used to being on this side speaking over here, whatever, so I'd just all like to thank you, the Members of Council, for allowing me to serve you these last five terms. I appreciate the opportunity I've been given. It had been a privilege and an honor to work alongside all of you to watch this city grow. It has been a lot of fund. We've been through a lot of hard times, but it was all good. Fonda, Andrea, Joe and Bill, Law Director, and the department heads, first of all I just want to thank you guys for taking my phone calls. (*Laughter*) I really appreciate that. Some of them were pleasant and some were not so pleasant, but, you know, you guys were always there for me. We've got a lot of great department heads, and, you know, folks, this is a tough job what these guys and women do, and they're all very dedicated, and it's tough sometimes to... to do the job, but by working all together we really kicked some butt and got some work done and we worked very hard, and I appreciate everything that you guys have done for me. I mean, if it wasn't for the Administration and the department heads, we got some experts in the department heads or whatever, so I appreciate them all working with me and making the city a better place. But what I've really taken from this position is... is the friendships I... I've taken. Allen, you were there with my father many, many years ago, and I... and I appreciate your endless support and all that you've done for me. I could say a lot of individual things about all of you, and I just want to thank you for giving me the liberty to do the job that I needed to do. I love this job. I did work hard. But it was... it was made easier because of all of you and all the department heads that we have. To the majority leaders that I had, the things that I appreciate about all of you is you guys had enough faith and trust in me to let me run the office and I appreciate that very much, so thank you. And probably I made some good decisions, but, you know, I'm not gonna say I didn't make some mistakes, and that's the way life is, but, you know, you guys were there to have my back, and thank you very much. The most important thing, like I say, I took from here was the friendships. You know, I met some great people here, Gary Young, Michelle, Kevin Monroe, Don Heath. You know, you... you walk a journey with people that want to walk it with you and there's a lot of good people around here and I appreciate that very much. To my family and friends, I drug them along here. Will you all please stand up. You've been here with me, please (*inaudible*). (*Applause*). Come on, Marcia, Michelle. Thank you guys very much, and don't forget Feed the Needy, September 17th, this year. Thank you. While my position was not an elected position I felt humbled and honored to serve the citizens of Canton, Ohio. It was my pleasure to be a small part of the government of this great city. It's been a great ride, and I totally enjoyed it. I'd like to thank my parents for instilling in me a strong work ethic, the good morals and bios, and for them believing in me in knowing that I could do anything that I put my mind to. And I love them and I miss them and I thank them. But again, it's been a great ride. God bless you and thank you all very much. (*Applause*)

PRESIDENT SCHULMAN: So, Cindy, if you can come back in two weeks I'll try to finish what I was gonna start. You have no idea what you mean to me. Um, Informal Resolution 11, please, Mr. Clerk.

#11. COUNCIL-AS-A-WHOLE: COMMENDING OFFICER RYAN DAVIS FOR HIS DEVOTED SERVICE TO THE CITY OF CANTON AND THE K-9 UNIT. - ADOPTED

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution #11. Any remarks?

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MEMBER SCAGLIONE: Could we have that read in entirety.

PRESIDENT SCHULMAN: Absolutely, Member Scaglione. Mr. Clerk.

CLERK SHOWES: An Informal Resolution respectfully submitted by Council-as-a-Whole on the 8th day of February, 2016. **Whereas**, Officer Ryan Davis, upon graduating from Jackson High School in 1989, joined the United States Marine Corp. wherein he faithfully served his country until 1994. In September of 1993 Ryan became a member of the Canton City Police Department where for nearly 23 years his conduct has been nothing short of exemplary; and **Whereas**, During his career with the Department, Ryan has skillfully served in the patrol division and as a member of SWAT, Vice, FBI Task Force and DEA Task Force. Ryan became a K-9 officer in 2008; and **Whereas**, The tremendous tactical abilities, common sense and level of control that Ryan possessed during his tenure with the SWAT team is very well what prepared him for the fateful events of January 9th and 10th of this year when his partner and friend, K-9 Jethro, was shot in the line of duty. That night Ryan demonstrated conduct befitting the fine officer that he is; and **Whereas**, Since losing his beloved partner, Ryan has shown bravery and a strong will to continue protecting the citizens of this fine city. On January 26th, he arrived home from Houston, Texas with his new K-9 partner, Tuko, a 14 month old German Shepherd. Welcome, Tuko, to the City of Canton, and especially to the Davis family. **Now, Therefore Be It Resolved:** that we, the Members of Canton City Council, do hereby go on public record commending and honoring **Officer Ryan Davis** for his devoted service to the City of Canton and our community. Thank you, Officer Davis, for your strength of character and continued dedication. (*Applause*)

MEMBER SCAGLIONE: Through all this I've learned so much more about our community, a lot... a lot that I already knew about you. But the (*inaudible*) of this community has shown from your efforts and the work in our community is... is... you can't put it into (*inaudible*) words. What you do for our community, our kids, and our schools, the work you've done in the K-9 unit, we can't be grateful enough to you. I thought this was the very least we could do, and I appreciate everything you do for the city and our citizens. (*Applause*)

RYAN DAVIS: Sorry. I've had a lot of microphones and cameras in front of my face over the last month. Uh, I've spent a lot of time trying to hold myself together. It's been very difficult. Uh, I got hired in 1996. It was the first class hired after Brian was shot. I've spent the last almost twenty years considering my career success because everybody went home. I wasn't able to bring my own partner home this night, so I've hit... I hit an absolute low. Um, it... it was a very, very difficult month. Thanks to other members of the department, Council, the outpouring of support from the community. It's carried me through. I... I... I can't say thank you enough to the people that have shown the support. It's been amazing. And I... I thank you all for tonight. I've met some... I... I know most, probably over, well over half of the people in the room. Um, I've also met a lot of wonderful people over the last month. I met Joe for the first time the other day. Uh, wonderful man. Um, I... I like I said, there's so many people I've come in contact with. I... I can't say thank you enough. Uh, I... I had no clue what I was in for tonight, so I don't have anything prepared. There's a couple gentlemen standing back there, my canine trainer, Eric Stanbro. (*Applause*) Our chief standing beside him, Chief Lawver. (*Applause*) Any of you that don't know, this is Lieutenant Denny Pellegrino. Um, he was our SWAT commander. These three guys are probably three of the most influential people in my career. Eric and I came on very close together, have spent a lot of time together. He has went from being a patrolman to one of the top dog trainers around. Uh, I had the honor of going down to Prince George's County this sum... or this past weekend. Uh, there was a lot of people down there that... that know of him. And... and that's something amazing in the short time that he's been doing it. Um, the Chief, obviously we worked on the street together as patrolmen, so to see him come up through and do what he's done. You know, I've heard a lot of positive responses about the direction of the department. Uh, being behind the scenes there's a lot of different things, but it... it... seeing the

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community's response over the last month, it... it just... you can't say enough. Uh, Denny, my SWAT commander when I came on the team, kinda took me under his wing. I... I... he gave me most of my training in one way, shape or form. Can't say enough about him. So, I just want to thank them. It all comes back to why I'm standing here. Uh, obviously Jethro, I mean, I can't thank him enough. I'm standing here today because of him. But it was pointed out to me by a reporter, of all people, that we... we... like I said, we've done so many interviews, I... I kinda got lost. One of the reporters made a comment to me that he... she asked me if he saved... if I thought that he saved my life. I said absolutely. Uh, and then she made the comment about so, he probably saved two lives that night. Uh, it's a very good possibility, you know, that myself or the suspect or both of us would have ended up dead had we engaged in a gun fight. So, yeah, he... he not only saved my life, probably the suspect's. Um, he's the reason I'm standing here today. I... I don't feel that I've done anything outstanding. I'll take the honor for him. Uh, he's my hero and I owe him a debt I can never repay. So, thank you. Thank you all. I appreciate it. (*Applause*)

TREASURER PEREZ: Mr. Chairman. Mr. President.

PRESIDENT SCHULMAN: Treasurer.

TREASURER PEREZ: Ryan, before you walk out, I just want... I want Council and everybody to know that Ryan is pretty much the face of the canine cops today. Ryan was just in Washington D.C. over the weekend. He drove there. He was at a thousand dollar a plate fundraiser for the Canine Association. Was that... that who it was? (*Inaudible response*)

TREASURER PEREZ: So, Ryan is pretty much a face in the United States on the canines, and there's one important factor Ryan left out, and that would be his family. His wife works in the Treasurer's Office, and she went with him. They're a part of this, and if it wasn't for the other halves of the policeman's families, or public servant's, he could never survive this type of a lifestyle. So, there is a better half always at home that gives you that power to do that, Ryan. To you and your family, thank you. (*Applause*)

PRESIDENT SCHULMAN: Thank you, Treasurer. Any other... any other remarks? If we have to approve this by voice vote, then. All those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #11 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Officer, thank you for your dedication and your public service. We very much appreciate it. It's been a very tough night for me. This is probably the hardest night that I've had in... in the ten years that I've been privileged to sit here as President. We appreciate all of your service. Thank you so much. Thank you. Moving on to Informal Resolution #12, please.

#12. COUNCIL-AS-A-WHOLE: SALUTING K-9 OFFICER JETHRO FOR HIS LOYALTY AND DEVOTION IN PROTECTING HIS FELLOW OFFICERS AND THE CITY OF CANTON. - ADOPTED

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution #12. Any remarks?

MEMBER SCAGLIONE: Can we have that read in entirety too, please.

PRESIDENT SCHULMAN: Yes. Thank you, Member Scaglione. If you'll read that, Mr. Clerk.

CLERK SHOWES: An Informal Resolution respectfully submitted by Council-as-a-Whole on this 8th day of February, 2016. **Whereas**, In the early morning hours of Saturday, January 9, 2016 Officer Ryan Davis and his K-9 partner Jethro were dispatched to Fishers Foods on Harrison Ave SW in response to a burglary call. The perpetrator, when confronted by the K-9, shot the police dog several times severely wounding him; and, **Whereas**, Fighting for his life, Jethro was rushed to Stark County Veterinary Emergency Clinic where at 10:00 a.m. on Sunday, January 10, 2016 he passed away despite the tremendous efforts of the clinic staff to save him. Jethro would have been three years old on his upcoming birthday of January 14, 2016; and, **Whereas**, Jethro became part of the Davis family at two months old living in the home with Ryan, his wife Rachel, their son Joseph, their daughter Kayla, and Ryan's former K-9 partner Armin. Kayla named the new arrival Jethro and they became best friends. Jethro faithfully protected Kayla. Ryan recalls a time when his daughter screamed because he was tickling her. Jethro immediately ran up to check on Kayla. Assured she was okay, he started to walk away until Ryan again tickled her, she again screamed, and this time in Kayla's defense Jethro bit Ryan; and, **Whereas**, Mayor Bernabei at a vigil the morning of Jethro's passing declared him a hero. At an emotional Memorial Service on January 14, a day which has been named in Jethro's honor, Officer Davis was presented with a fallen officer medal in heartfelt remembrance of his devoted partner. A headstone will also honor Jethro at the K9 memorial field. **Now, Therefore Be It Resolved:** That we, the members of Canton City Council do hereby go on public record honoring and saluting **K-9 Officer Jethro** for his loyalty and devotion to duty in protecting not only his fellow officers, but also the citizens of the City of Canton. As an officer of the law, he gave the ultimate sacrifice. In the words of Chaplain George Lancaster, "Jethro was truly one of Canton's finest."

PRESIDENT SCHULMAN: Thank you. Uh, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #12 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Member Scaglione.

MEMBER SCAGLIONE: Ryan, Eric, thank you both for all the work you do. Obviously, the training we do with the officers and the dogs is exemplary. You do such a... such a fine job, I... I've heard your name eighty miles south of here. You mean the world to us, to our department. Ryan, as it says here, please thank the family, Kayla, Rachel, and Joseph for... for their part too because Jethro is truly a part of the family. And I know that he is sadly missed, he's sadly missed by all of us. We are all very thankful for what he did. And that's keeping you here with us today. (*Applause*)

RYAN DAVIS: Uh, real quick. Treasurer, thank you. I... I kinda omitted them intentionally in case I had to come back up here. Um, Jethro was a part of the family first. I bought him as a pet for my daughter. Um, brought him home, he was just shy of eight weeks old. He bonded very quickly. He was, like I said, a member of the family first, my partner second. So, that's... that's made it a little harder I guess. But yet my son came home from the Marine Corp and immediately bonded with him and would take him out in the back yard and try to wear him out, and lose. Um, he would throw the ball until his arm was tired and Jethro... so they had a bond. Everybody in the family had a bond to him. Everybody in the household. Uh, it... it's been very rough. Before

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I lose it I'm gonna turn it over to Officer Stanbro. Thank you. *(Applause)*

PRESIDENT SCHULMAN: Thank you.

ERIC STANBRO: Mr. President, Council, thank you. Uh, department heads, especially Chief Lawver. Thanks for having us here. This is really nice. The Resolutions are... uh, mean a lot to us. Jethro did exactly what we asked him to do, exactly what we trained him to do. Thankfully because of that, we're not here reading a Resolution because Officer Davis was killed in the line of duty. Um, it doesn't make it any easier for a lot of folks because of the... the bond that the guys and the canines have. Um, just so you know. A lot of you don't really have much dealings on a day to day basis with the canine unit. We are hands down easily the busiest unit in the State of Ohio. We are well known, thirty years in this business the... the police department has had a canine, thirty-one actually. Um, the... it... the handlers they put out for me, they do what I ask. They indulge some of my training stuff that I do that... that tires them out, tires out the dogs, but it produces the results that... that is the reason why we're here. Um, I want to take a special thank you to the Chief, who is easily our most important follower down there at the police department. He's our biggest supporter down there. Uh, he... he sees the value and... and knows what we're doing. So, again, we want to take a second thank you for recognizing Jethro. I wish we didn't have to do this, but that's just the way things go. Thank you very much. *(Applause)*

PRESIDENT SCHULMAN: Thank you. Thank you again very much for your service, your public service. We do appreciate it so much. We turn now to Informal Resolution 13. Mr. Clerk.

#13. COUNCIL MEMBERS: MEMBER MORRIS (WARD 9), MEMBER WEST (WARD 2), MEMBER SCAGLIONE (WARD 3), MEMBER SMITH (WARD 4), MEMBER FISHER (WARD 5), MEMBER DOUGHERTY (WARD 6), MEMBER MARIOL (WARD 7), MEMBER MACK (WARD 8):
REQUESTING U.S. SENATE AND U.S. HOUSE OR REPRESENTATIVES TO OPPOSE THE
TRANS-PACIFIC PARTNERSHIP FREE TRADE AGREEMENT. - ADOPTED

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 13. Any remarks under this Resolution?

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Member Fisher.

MEMBER FISHER: My friend, Dan Fonte, I think summed up why this is important better than I ever could, but just to... to the point, you know, that we here try with everything we have to improve the local economy and it's just... it's disheartening to see when Washington or Columbus continues to do things that may benefit the very, very few but to the detriment of working people all across the country. And so, you know, I will of course be voting yes. I urge everybody else to do as well.

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

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Uh, yes. I'd like to personally thank Mr. Fonte for contacting me and getting with our Clerk to make this Informal Resolution realistic and getting it on this evening's agenda. You know, it's one thing to stand up at the podium and tell us what we need to do, but when a taxpayer actually sits down and takes the time to draft an Informal Resolution and say here, that's what you call getting involved and motivating your elected officials to do what's in the best interest of the community. So thank you very much.

PRESIDENT SCHULMAN: Thank you, Leader. Thank you, Mr. Fonte, also. Any other remarks? Hearing none, by voice vote all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #13 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. *(Applause)*

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED FEBRUARY 8, 2016.

50. AUDITOR MALLONN: MTHLY RPT BY FUND FOR 1/1/16 - 1/29/16. - RECEIVED & FILED
51. DEPUTY MAYOR WILLIAMS: AMEND APPROP O#259/2015 (\$148,215.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 506001 COMM. DEV. ADMIN-OTHER; \$148,215.00 SUPP APPROP FR UNAPPROP BAL OF 2817 JOBS OHIO FUNDS TO 2817 506001 COMM. DEV-OTHER; \$148,215 INTERFUND ADVANCE/ADVANCE REPAYMENT FR 1001 506001 COMM. DEV. ADMIN-ADV OUT TO 2817 506001 COMM. DEV. ADMIN-ADV IN; \$148,215.00 COMM. DEV. ADMIN ADV OUT TO 1001 506001 COMM. DEV. ADMIN-ADV IN - WEBER DENTAL FACILITY). - FINANCE COMMITTEE
52. DEPUTY MAYOR WILLIAMS: REQ WITHDRAWAL OF COM #15 FR 1/25/16 AGENDA (WEBER DENTAL FACILITY). - RECEIVED & FILED
53. DEPUTY MAYOR WILLIAMS: REQ WITHDRAWAL OF 1ST RDG O#2 FR 2/1/16 AGENDA (WEBER DENTAL FACILITY). - RECEIVED & FILED
54. FINANCE DIRECTOR DIRUZZA: AMEND O#38/2004 TO REDUCE THE PREMIUM RATE FOR COMPENSATED ABSENCES FROM 125% TO 105% FOR ALL PAYROLLS IN 2016, RETRO TO THE FIRST PAYROLL OF YR TO EXTENT COMPENSATED ABSENCES FUND WILL RETURN EXCESS CHARGES FOR PAYROLLS THAT HAVE ALREADY OCCURRED DURING YR BACK

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TO THE ORIGINAL FUND. - FINANCE COMMITTEE

55. MAYOR BERNABEI: ADVISING OF APP'T OF SAMUEL J. SLIMAN TO CANTON PARK COMMISSIONER , FOR 3-YR TERM COMMENCING ON 1/1/14 THRU 12/31/16. - RECEIVED & FILED
56. MAYOR BERNABEI: REQ AUTHORIZATION OF REAPP'T OF R. CLINT ZOLLINGER TO FAIR EMPLOYMENT PRACTICES BOARD FOR 3-YR TERM COMMENCING UPON AUTHORIZATION THRU 12/31/18. - PERSONNEL COMMITTEE
57. MAYOR BERNABEI: REQ AUTHORIZATION OF REAPP'T OF AMY G. WEISBRD TO FAIR EMPLOYMENT PRACTICES BOARD FOR 3-YR TERM COMMENCING UPON AUTHORIZATION THRU 12/31/18. - PERSONNEL COMMITTEE
58. MAYOR BERNABEI: REQ AUTHORIZATION OF REAPP'T OF VALERIE J. WATSON TO FAIR EMPLOYMENT PRACTICES BOARD FOR 3-YR TERM COMMENCING UPON AUTHORIZATION THRU 12/31/18. - PERSONNEL COMMITTEE
59. MAYOR BERNABEI: REQ AUTHORIZATION OF REAPP'T OF DAWN M. DEVINE TO INVESTMENT BOARD FOR 2-YR TERM COMMENCING UPON AUTHORIZATION THRU 12/31/17. - PERSONNEL COMMITTEE
60. MAYOR BERNABEI: REQ AUTHORIZATION OF REAPP'T OF MR. PATRICK G. WYATT TO THE HEALTH BOARD FOR 5-YR TERM COMMENCING 4/1/16 THRU 3/31/21. - PERSONNEL COMMITTEE
61. MAYOR BERNABEI: REQ AUTHORIZATION OF REAPP'T OF JACK I. BOLENDER TO INVESTMENT BOARD COMMENCING UPON AUTHORIZATION THRU 12/31/17. - PERSONNEL COMMITTEE
62. MEMBER SCAGLIONE: REQ LEGISLATION REQUIRING REGISTRATION OF QUALIFYING VACANT NON-RESIDENTIAL COMMERCIAL PROPERTIES. - JUDICIARY COMMITTEE
63. PERSONNEL COMMITTEE: REQ AUTHORIZATION FOR REAPP'T OF WILLIAM SHERER II TO INCOME TAX REVIEW BOARD FOR 4-YR TERM EFFECTIVE 3/1/16 THRU 2/28/20. - PERSONNEL COMMITTEE
64. PROP OWNER DARLENE LEGHART: REQ AUTHORIZATION FOR ZONE CHANGE OF PARCEL #232650 LOCATED AT 1101 - SHORB AVE NW, WARD 1 (HAMMER & NAILS). - PLANNING COMMISSION
65. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR 41ST STREET AND 49TH STREET AREA WATER IMPROVEMENT PROJECT (\$143,000.00 SUPP APPROP FR UNAPPROP BAL OF THE 5201 WATER FUND TO 5201 207041 41ST STREET AND 49TH STREET AREA WATER IMPROVEMENT PROJECT - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

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66. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR MONUMENT ROAD WATER MAIN REPLACEMENT PROJ; AUTHORIZE THE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERV CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES FOR MONUMENT ROAD WATER MAIN REPLACEMENT PROJ (\$1,200,000.00 SUPP APPROP FR UNAPPROP BAL OF THE 5201 WATER FUND TO 5201 207039 MONUMENT ROAD WATER MAIN REPLACEMENT PROJECT - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
67. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR JANUARY 2016. - RECEIVED & FILED
68. TREASURER PEREZ: RPT OF DEPOSITS AND PAY-INS FOR AMBULANCE LOCK BOX FOR JANUARY 2016. - RECEIVED & FILED
69. TREASURER PEREZ: RPT OF 2015 BANK RECONCILIATIONS FROM JANUARY 2015 TO DECEMBER 2015; AND RPT OF CITY'S OUTSTANDING INVESTMENTS FROM 1/30/15 TO 12/30/15. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCE #1 THROUGH ORDINANCE #14 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) ***POSTPONED UNTIL 3/21/16*** AN ORDINANCE AMENDING AND UPDATING CHAPTER 539 OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (PARKS AND PLAYGROUNDS)
Referred to Judiciary Committee

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we postpone this piece of legislation till March 21st of 2016.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded postpone Ordinance #1 until March 21, 2016. Any remarks? Yes, Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President, thank you. We appreciate the motion. This is something that's been in the works for awhile. Chairman Mack and I and members of the police department and the Park Commission, and now the Administration, are reviewing it to make sure that laws that have been in effect for nearly fifty years in some case... in most cases are updated comprehensively. So we appreciate the extra time to compare and contrast with others in area communities as well. Thank you.

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PRESIDENT SCHULMAN: Thank you. All those in favor of the motion to postpone signify by saying aye. Those opposed no.

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries, and the Ordinance is postponed. Ordinance #2 please, Mr. Clerk.

- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$22,629.64 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 104020 TRAFFIC SIGNAL - PERSONNEL FOR \$11,649.61; TO 4502 104040 TRAFFIC ENGINEERING - PERSONNEL FOR \$4,980.03; TO 4502 202210 STREET MAINTENANCE - OTHER FOR \$6,000.00
Referred to Public Property Capital Improvement Committee
- #3. (1ST RDG) AN ORDINANCE PROVIDING FOR THE ISSUANCE OF A NOTE BY THE CITY OF CANTON IN ANTICIPATION OF THE COLLECTION AND PAYMENT OF CITY INCOME TAXES, GENERAL PROPERTY TAXES, AND OTHER REVENUE SOURCES TO THE CITY OF CANTON; DECLARING THE NECESSITY OF THE ISSUANCE OF SAID NOTE; PROVIDING FOR RE-AUTHORIZATION, AMENDING ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$4000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 801001 AUDITOR ADMIN - OTHER; \$600,000.00 SUPP APPROP FR UNAPPROP BAL OF 2120 INCOME TAX FUND TO 2120 852101 INCOME TAX ADMIN - OTHER)
Referred to Finance Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$2,400.00 TO KENT STATE UNIVERSITY; AND DECLARING THE SAME TO BE AN EMERGENCY (EXCEL TRAINING)
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH FROST BROWN TODD LLC FOR LEGAL SERVICES RELATED TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY'S REGULATION OF THE CITY OF CANTON WATER RECLAMATION FACILITY; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$725,340.00 SUPP APPROP FR UNAPPROP BAL OF THE 5231 53RD ST RESERVOIR ROOF REPLACEMENT PROJECT FUND TO 5231 207033 53RD ST RESERVOIR ROOF REPLACEMENT PROJECT - OTHER)

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- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) INTERNATIONAL TANDEM AXLE CAB/CHASSIS; OR TO ALTERNATIVELY PURCHASE SAID VEHICLE PURSUANT TO STATE COOPERATIVE PURCHASING AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER DEPT)
Referred to Public Property Capital Improvement Committee
- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE AND/OR PARK COMMISSION TO APPLY FOR, ENTER INTO AGREEMENT FOR, AND RECEIVE FUNDS FROM MULTIPLE POTENTIAL FUNDING SOURCES FOR VARIOUS CITY PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #9. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE CHANGE ORDER NO. 2 IN AN AMOUNT NOT TO EXCEED \$37,291.10 WITH LOCKHART CONCRETE COMPANY FOR THE ALLENFORD SE SANITARY SEWER PROTECTION PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #10. (1ST RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO FINE GRADED POLYMER AC OVERLAY TO STA US 30 FROM 16.46 TO 18.35; AND DECLARING THE SAME TO BE AN EMERGENCY (PID NO. 100958)
Referred to Public Safety & Thoroughfares Committee
- #11. (1ST RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO REALIGNING AND RECONFIGURING THE INTERSECTIONS US-62, MIDDLEBRANCH, HARRISBURG, AND 30TH STREET IN PLAIN TOWNSHIP, STARK COUNTY, OHIO WITH THE CONSTRUCTION OF A ROUNDABOUT AT HARRISBURG AND 30TH STREET; AND DECLARING THE SAME TO BE AN EMERGENCY (PID 96346)
Referred to Public Safety & Thoroughfares Committee
- #12. (1ST RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO RESURFACING FROM 22.19 TO 24.06 AND BRIDGES, MISCELLANEOUS BRIDGE WORK TO NINE (9) STRUCTURES WITHIN CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (STA-US62-22.19, PID 84654)
Referred to Public Safety & Thoroughfares Committee
- #13. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AN AMOUNT NOT TO EXCEED \$148,215.00 FOR PHASE 2

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ENVIRONMENTAL ASSESSMENT WORK PERFORMED AT THE FORMER WEBER DENTAL FACILITY; AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$148,215.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 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; \$148,215.00 INTERFUND ADVANCE/ADVANCE REPAYMENT FR 1001 506001 COMM. DEV. ADMIN. - ADV. OUT TO 2817 506001 COMM. DEV ADMIN.-ADV. IN; \$148,215.00 INTERFUND ADVANCE/ADVANCE REPAYMENT FR 2817 506001 COMM. DEV. ADMIN. - ADV. OUT TO 1001 506001 COMM. DEV. ADMIN. - ADV. IN)

Referred to Finance Committee

(COUNCIL RECESSED AT 8:16 PM FOR THE JUDICIARY COMMITTEE TO DISCUSS ORDINANCE #14; RECONVENED AT 8:26 PM)

#14. (1ST RDG) **ADOPTED AS ORDINANCE NO. 9/2016** AN ORDINANCE AMENDING ORDINANCE NO. 260/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (CODIFIED ORDINANCE CHAPTER 1353 "FORECLOSED PROPERTIES AND BUILDINGS")

Referred to Judiciary Committee

PRESIDENT SCHULMAN: Leader. Is this gonna be an in house recess?

MEMBER MORRIS: Uh, this is where you go into recess, please.

PRESIDENT SCHULMAN: Yes. We're gonna declare an in house recess for the Judiciary Committee in regard to Ordinance 14. You're now in recess.

PRESIDENT SCHULMAN: Council will reconvene after the recess. Leader.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinance #14 back on this evening's agenda.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance 14 back on this evening's agenda. Any remarks? Hearing none, Mister Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

PRESIDENT SCHULMAN: Thank you Mister Clerk. Ordinance 14 is a legal part of your agenda. Leader.

MEMBER MORRIS: Mr. President, I move we suspend Statutory Rules on Ordinance #14.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinance 14. Any remarks? Again hearing none, Mister Clerk, roll call vote please again.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

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

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #14.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 14. Any remarks? Hearing none, Mister Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinance 14 is adopted.

#14 ADOPTED AS ORDINANCE NO. 9/2016**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for the Second Reading. Mister Clerk, would you please begin and read through 15 through 22.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCE #15 THROUGH ORDINANCE #22 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #15. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT REIMBURSEMENT GRANT FUNDS FROM JOBS OHIO IN THE AMOUNT OF \$148,215.00 FOR EXPENSES ASSOCIATED WITH THE PHASE 2 ENVIRONMENTAL ASSESSMENT OF THE FORMER WEBER DENTAL FACILITY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,638,999.64 FR UNAPPROP BAL OF 4504 2015 CONSTR/RECONSTRUCTION NOTE FUND TO 4504 201001 SERVICE DIRECTOR ADMIN - OTHER; \$73,334.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207003 BILLING AND RECORDS - OTHER; \$73,334.00 FR UNAPPROPRIATED BALANCE OF 5410 SEWER FUND TO 5410

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207003 BILLING AND RECORDS - OTHER; \$73,332.00 FR UNAPPROP BAL OF 5601 REFUSE FUND TO 5601 207003 BILLING AND RECORDS - OTHER)

- #17. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO RENEW THE CITY'S CONTRACT WITH HYLANT ADMINISTRATIVE SERVICES, LLC IN AN AMOUNT NOT TO EXCEED \$164,769.00 FOR GENERAL LIABILITY, AUTOMOTIVE LIABILITY, PUBLIC OFFICIALS LIABILITY, LAW ENFORCEMENT LIABILITY, EMPLOYER'S LIABILITY, EMPLOYEE BENEFITS LIABILITY, AND CYBER LIABILITY INSURANCE AND DECLARING THE SAME TO BE AN EMERGENCY
- #18. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE RECORD PLAT OF NEW DAWN DEVELOPMENT NO. 2, REPLATTING ALL OF OUTLOT 1071 AND PART OF OUTLOT 1072 AND DEDICATION OF A PUBLIC STREET; AND DECLARING THE SAME TO BE AN EMERGENCY (GREENTREE AVE SW, WARD 4)
- #19. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO PROFESSIONAL SERVICES CONTRACTS WITH PROFESSIONAL SERVICE INDUSTRIES, INC. FOR DESIGN, ENGINEERING, CONTRACT ADMINISTRATION, AND OTHER PROFESSIONAL SERVICES FOR THE SERVICE CENTER BUILDINGS B & C ROOF REPAIR/REPLACEMENT PROJECTS AND TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACTS FOR SAID PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #20. (2ND RDG) A FINAL RESOLUTION ADOPTING PLANS, AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO COOPERATE WITH AND REQUEST THE DIRECTOR OF TRANSPORTATION TO PROCEED WITH THE MINOR REHABILITATION ON US 30 FROM CANTON'S WEST CORPORATE LINE TO SR 43 (WAYNESBURG DRIVE); AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$60, 000.00 FR UNAPPROPRIATED BAL OF 4501 CAPITAL FUND TO 4501 202001 ENGINEERING ADMINISTRATION - OTHER)
- #21. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$185,168.06 SUPP APPROP FR UNAPPROP BAL OF 7501 AUDITOR/TREASURER TRANSFER FUND TO 7501 852101 INCOME TAX ADMINI REFUNDS; \$1,000,000.00 FR UNAPPROP BAL OF 2120 INCOME TAX FUND TO 2120 852101 INCOME TAX ADMIN REFUNDS)
- #22. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,723.54 APPROP TR FROM 2767 701001 JAIL DIVERSION GRANT FUND - PERSONNEL TO 2767 701001 JAIL DIVERSION GRANT FUND - OTHER)

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PRESIDENT SCHULMAN: Thank you Mr. Clerk. We now turn to Ordinances and Formal Resolutions for Third, Final Reading and Vote. Would you please begin with Ordinance 40... 40... 23 please. Geez.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCE #23 THROUGH ORDINANCE #24 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 10/2016** 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

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Seconded.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

#23 ADOPTED AS ORDINANCE NO. 10/2016

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

#24. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 11/2016** 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

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Seconded.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 24. Any remarks? Leader.

MEMBER MORRIS: Mr. President, I move we amend Ordinance 24 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. 24 by substituting the attached amended ordinance for the version currently pending before Council.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance 24 by virtue of the copy before each Member of Council. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #24, as amended. Any remarks? Hearing none, again Mister Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

#24 ADOPTED AS AMENDED AS ORDINANCE NO. 11/2016

PRESIDENT SCHULMAN: Thank you, Mister Clerk. Ordinance 24, as amended, has been adopted. That concludes the Ordinances.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We now move to Announcement of Committee Meetings.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member... Chairman Smuckler.

MEMBER SMUCKLER: There will be a Rules Committee meeting next Monday night with the rules on the agenda.

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PRESIDENT SCHULMAN: Next Monday night?

MEMBER SMUCKLER: I'm sorry. Two weeks from today.

PRESIDENT SCHULMAN: Thank you.

MEMBER SMUCKLER: And with the rules on the agenda, I just want to make sure that everybody realizes that it'll be the form of resolution like we've had in the past. It will also have the changes before them. Most of you were all at the meeting that the changes took place. There was discussion about the Council Chambers on using... use on Mondays and food and etcetera that we're... Councilman Mack and myself met about this weekend, and we will have that to you in plenty of time. So two weeks from today we will meet and you'll also be asked to pass rules the first time in a couple terms. Thank you.

PRESIDENT SCHULMAN: Thank you, Chairman Smuckler. Another announcement, Chairman Mariol?

MEMBER MARIOL: Yes. Finance will meet February 22... I'm sorry, Mr. President, what time was the Rules meeting? Doesn't mat... okay. We'll do... uh, we'll do Finance at 6:15.

PRESIDENT SCHULMAN: Thank you.

MEMBER MARIOL: Also, we will have another Finance Committee work session tomorrow night. Um, we'll be having those on Tuesday nights from here on out. Thank you.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Chairman Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet that Monday night, 6:15.

PRESIDENT SCHULMAN: Thank you. Any other...

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you, good sir. Public Safety and Thoroughfares will meet Monday, the 22nd.

PRESIDENT SCHULMAN: Thank you. Any other announcements?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Turning now to Miscellaneous Business. Is there any? I do want to put this on the record because I was not able to get through it. Uh, and I... Cindy's not here so it's easy now for me to get through it. But I was appointed ten years ago to this position, and I knew absolutely nothing. Nothing. And she took me under her wing and brought me along and I think I've done a pretty good job. And I've done a pretty

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good job thanks to Cindy Timberlake. When our new clerk, who will do an exceptional job, I know, read the Resolution and said that she performed with dignity and integrity. Yes, she did. Yes, she did. And it wasn't just the love of her job, it was also the love of our city. And for that she is to be greatly commended. And that's the reason I want this on the record. And I couldn't get through it before. I apologize. It's unlike me not to be able to talk, but... um... (*Laughter*) I could not... I... I did not want to get... I did not want this moment to go by without having this on the record. And I also want to commend our new clerk. I know he's gonna do an exceptional job. He's doing it already. And it's... it's a tough job. I mean, it's hard to walk into any position that you're not, you know, trained to do and do it as well as Kellen has done in the last two weeks. I don't know about you, I'm very impressed, so... any other miscellaneous business? Leader.

MEMBER MORRIS: Move to adjourn.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

PRESIDENT SCHULMAN: (*Gavel falls*) Meeting is adjourned. Drive carefully, everybody. Thank you for coming down.

ADJOURNMENT TIME: 8:38 P.M.

ATTEST:
KELLEN SHOWES
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT
