

**MINUTES OF THE MEETING APRIL 20, 2015**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. Before we begin tonight, I'd like to turn briefly to my good friend, Member West, for a comment.

MEMBER WEST: Yes, can we all bow our heads, or take a moment of silence. The City lost a great man last night...was it last night? Yeah. Pastor Dunwoody of Life Church. He was a great man in the community. A strong man, he was an educator, so if we could just bow our head and take a moment of silence.

*(MOMENT OF SILENCE TAKEN FOR PASTOR GEORGE DUNWOODY)*

MEMBER WEST: Thank you.

PRESIDENT SCHULMAN: Thank you, Member West, very much. Our heartfelt condolences to his family and the people that cared for him so much. 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 my good friend, Ward 1 Council Member, Greg Hawk. Will you all please stand and remain standing please, for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on April 20, 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 Greg Hawk, Ward 1 Council Member. The Pledge of Allegiance was led by President Schulman.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: Thank you Member Hawk. Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2<sup>nd</sup> Reading Ordinances 2 through 4 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 SHULMAN: Thank you Madame Clerk, the motion carries and Rule 22A is suspended and those Ordinances are a legal part of your Agenda.

**PUBLIC HEARINGS**

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

**OLD BUSINESS**

PRESIDENT SCHULMAN: Under Old Business. I'll turn this over to the Mayor's Chief of Staff, Deputy Mayor Fonda Williams.

DEPUTY MAYOR WILLIAMS: Thank you, Mr. President. At the April 13<sup>th</sup> meeting, Mr. Fred Johnson from the Tackle Neighborhood Group Association, discussed a service station that needed cleaned up on East Tusc. and Young. That is being addressed. That completes Old Business.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: Thank you, Deputy Mayor, we appreciate it. Tonight we have 4 speakers under Public Speaks. Our first is Pete DiGiacomo. Mr. DiGiacomo, as always, welcome to Canton City Council. If you'll please step forward and give us your name and your residential address, please, for our records.

PETE DIGIACOMO: My name is Pete DiGiacomo. I live at 600 Dent Pl. SW, Canton, Ohio. What I wanted to speak about again, is with the patching of the city streets. I feel that the City is doing a very good job and I really appreciate it. But, what I wanted to talk about was Central Allied. It's...sitting here listening to some commentary before the meeting, about how Central Allied has given out all this information. They're sounding like they're really trying to help us, they're the good guys. If I was sitting in one of them seats, I would not...I would not take anything, saying that they're the good guys. For I don't know how many years, have they, nice term, put it to us? Being the people of the City of Canton, we...we...I help pay for the patching work and all this and that, and I honestly believe had Superintendent Mike Rorar not investigated how else we could get the patch for the potholes, meaning like the hot patch, since Central Allied said April 15<sup>th</sup>, now we were not, we can't do it, we're not going to do it. But he found another company that would do it for us. Central Allied, all of a sudden, hey, they kind of woke up. Oh, maybe we got caught with our hand in the cookie jar once too often. And, you know, I'm just the type of person, that if you're going to do it to me, you're only going to do it to me once or until I find out and you will never, never do it again. So, I hope that the Council listens to me, whether you do, that's good. If you don't, then you don't. But what Central Allied has done to the City of Canton, and what I mean is how they gave us the cold patch, with some other stuff with it maybe, but no. It's not a good deal and if I could have my way, I'd cut them out big time. Thank you. *(Applause)*.

PRESIDENT SCHULMAN: Thank you, Mr. DiGiacomo. Our next speaker is Mr. Charles Killins. Mr. Killins, as always, welcome. If you'll step forward, Mr. Killins, and give us your name and your residential address.

CHARLES KILLINS: My name is Charles Killins. I'm glad you're here....

PRESIDENT SCHULMAN: Mr. Killins, we need your...

CHARLES KILLINS: Last time I was here, I gave you that law part from the Federal Court. Now, I've been in

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contact with the Federal Court in relation to the Law Director, relating to some of your employees violating civil rights and your constitutional rights. And I also wrote to the President in relation to something I haven't had replied...got a reply in relation to when you violate civil rights that were passed and also the civil laws, the court laws where an individual should be protected. And your employees, like Mr. Martuccio, when I gave him that letter, in relation to, about truth. Some of them are not giving the truth and I have to go to the Court and have these records made. And I have here a pamphlet from the Bar Association which I think every Councilman should get and read it because it's fact. Some facts here that they need to know because sometimes they violated individual's civil rights and their constitutional rights. And would you pass...I'm gonna pass this to you. The Bar Association would give you out, and I'm glad you're here because I have other individuals, we're contacting the Federal Court and we'll get back to you on that. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Killins. (*Applause*). Mr. Killins address is 1223 Market. Our next speaker may answer some questions our Leader had. Greg Coleridge. Mr. Coleridge, welcome. Thank you for attending. If you'll step forward, sir. Welcome again to Canton City Council. Give your name and your residential address, please.

GREG COLERIDGE: Good evening, my name Greg Coleridge. I'm the Director of the Northeast Ohio American Friends Service Committee and Coordinator of the Move to Amend Ohio Network. Address, 3016 Summerton Rd. in Cleveland Heights, Ohio. I'd like to respectfully call on Members of Council to endorse the Resolution that you will be dealing with, I believe it's number 17, that Mr. Mariol has put together and is bringing forth for your consideration. This is an effort underway. It is calling for a constitutional amendment, haven't been many of those in our Nation's history, but they have been put forth when there has been important reasons on the part of people to believe that fundamental change needs to happen and that our Democracy needs to fundamentally be improved. In this case, the call is for a constitutional amendment to end the legal notion of corporate personhood and the Constitutional doctrine that money equals free speech. This is not a demo...this is not a Democratic issue or a Republican issue, it is, we believe, a democracy issue. Hundreds of communities around the Country have endorsed this measure via either Council Resolution or by citizen initiative, hundreds of them. And the reason for that is, I think, pretty simple. There's an increasing believe in our Country that our Government is not broken, but rather that it's fixed, as in rigged, to benefit the wealthy few and corporate entities. And that the only way that the solution to this problem is going to happen, is if we change not simply faces in elections or changing mere laws or regulations, but change fundamental ground rules. And that calls for, in this case, amending the Constitution. There is a growing, many people believe, disconnect between, on issue after issue, what people want. The kind of policies they want and the sorts of public policies that happen or don't happen at the Federal level. But also, at the State level and even at the Local level. The only way this is going to change is if we amend the Constitution to try to restore what at one time, once was, which was, the right so that citizens and those they elected at the Legislative level, to define what corporations could do. And that happened via Charters, which are legal entities and legal ways that citizens and our elected representatives at one time defined corporate actions. The same with money and elections. That was defined historically, through legislation. So, what this constitutional amendment does is basically shifts back those questions from the constitutional area, back to the political area, where this once was and where it one time, and now, needs to be. And with your support, will happen here and across the country is happening more and more. Thank you.

PRESIDENT SCHULMAN: Thank you, very much, Mr. Coleridge, appreciate it. Our last speaker is Henry Preston. Mr. Preston, as always, welcome to Canton City Council. If you'll give us your name and your residential address, please.

HENRY PRESTON: Good evening. My name is Henry Preston. I live at 326 - 31<sup>st</sup> St. NW, Canton. This

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evening I want to...I'm very happy to be here and tell the Mayor that Northstar is doing a good job up in Market Heights with the patch hole patching. They did it as the representative from Allied Asphalt (*Inaudible*), nice and clean. Before they roll it, then they roll it, and it looks nice. I want to commend Councilman Mack. He is very concerned about his streets over there. My take on that is, if the equipment that's on that street there is causing a problem, then I would say there's a lack of construction in the quality of either material or the workmanship because I live in a neighborhood...we don't have...the only new streets we have, well a couple of them, but the newest ones, they just died right now. Seven months with no heavy traffic, no parking. I did see this one roller that's parked in the neighborhood, and it looks like it has depressed...so if the road isn't well made, you're absolutely right, it's all going to go away. Anyway, I congratulate you for paying attention and stay...close attention...and as all Council Members should. All of you Council Members need to take a special interest in the workmanship that being performed in your Ward and then get together and talk about it. So, that's my message tonight. Thank you.

PRESIDENT SCHULMAN: Great. Thank you, Mr. Preston. Appreciate it. I'd like to thank our speakers.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We now turn to Informal Resolutions. Madame Clerk, would you please begin with Informal Resolution 17.

#17. COUNCIL-AS-A-WHOLE: URGING FED AND STATE LEGISLATORS TO AMEND U.S. CONSTITUTION TO ABOLISH CORPORATE PERSONHOOD AND DOCTRINE OF MONEY AS SPEECH. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #17.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Resolution 17. Any remarks under this Resolution? Member Mariol.

MEMBER MARIOL: Mr. President. Thank you. When Greg from (*Inaudible*) contacted me and let me know that other cities, municipalities have been passing this, and I believe it's up to 400 now, that have done this, personally I have felt that there is a huge problem in our political processes. Especially on the Federal level. The amount of outside monies in Citizens United. When you talk about billion dollar campaigns, with a "b", for President, there is a real problem there. Our elected officials are supposed to be representatives of us. They're not supposed to be NASCAR drivers with corporate sponsors, and that's exactly what they've turned into since Citizens United. When you have people serving on a financial committee in Congress, writing financial regulations and being funded on their campaigns by financial institutions they're supposed to regulate, there is a big problem there. With Citizens United, and similar to what Greg said with the Government being fixed, I saw a quote that I thought summarized what Citizens United is ushering in, in this country. Basically, what's happened is, we are comforting the comfortable and we're afflicting the afflicted. Until we get money out of politics and get it back to where people are elected based on their...the work they do for their constituents and not how good they are at fund-raising, we're going to have a problem in this country. Thank you.

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PRESIDENT SCHULMAN: Thank you, Member Mariol. Any other remarks? Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. Members of Council and the audience, I just wanted to thank the gentleman from Cleveland Heights for driving South on 77 to share the message and distill the legal part of it for us. While everybody else seems to be driving North on 77, for rock and roll and football, you came bearing a good message. Thank you.

PRESIDENT SCHULMAN: Thank you, Law Director. Anyone else? I would just add that, you know, the problem with Citizens United is, it equates money with speech. For the first time in our history, not speech, but money, now is speech. And it enshrined that by a 5 to 4 decision in the U.S. Supreme Court, in the First Amendment to the Constitution of the United States, under the right of the people to have free speech. So, it's a disastrous decision and there's only two ways, unfortunately, that you can remedy it, if it's Constitutionally permissible. One is, the Court changes it's mind and overturns it's decision, which is potentially...they're unlikely; or the people and the states decide to amend the Constitution of the United States to prohibit it. So, I applaud Member Mariol and Mr Coleridge, thank you and your group for bringing this to us, and I certainly hope this is done sooner rather than later because what's happening is, if I'm a billionaire, I just buy myself candidates. Literally, buy myself candidates. I don't need anyone else. I'll just support a candidate and I'll buy them, I'll put them through the political process and I will own them once they are elected because I can do that if I have all the money in the world. So, it's an important Resolution and again, Member Mariol, thank you. Any other remarks? Hearing none, by voice vote all those in favor of Informal Resolution 17, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #17 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries. We turn now to Informal Resolution 18, please, Madame Clerk.

#18. PERSONNEL COMMITTEE: RE-APPOINT AMY LAKRITZ, MD TO THE CANTON CITY BOARD OF HEALTH COMMENCING MAY 3, 2015 - MAY 2, 2020. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #18.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 18. Any remarks under this Resolution? Again, hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #18 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries, and Informal Resolution 19 please, Madame Clerk.

#19. PERSONNEL COMMITTEE: APPOINT PATRICK WYATT TO THE CANTON CITY HEALTH

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DISTRICT LICENSING COUNCIL COMMENCING MAY 1, 2015 - APRIL 30, 2020. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #19.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 19. Any remarks? I will say that Mr. Wyatt was at another meeting and did arrive a little late from Caucus, but he is here. You want to stand up, Pat, and say hello? And thank you for your public service, we appreciate it.

PATRICK WYATT: (*Inaudible*). Thank you.

PRESIDENT SCHULMAN: Thank you. Any other remarks? All in favor of Mr. Wyatt and Resolution 19, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #19 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Motion carries, and Resolution 19 is adopted.

**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 APRIL 20, 2015.***

148. COUNCIL-AT-LARGE HART: URGING MAYOR TO REPLACE CIVIC CTR SCOREBOARD WITH MORE MODERN CAVALIER'S SCOREBOARD. - RECEIVED & FILED
149. PLANNING COMMISSION: AUTHORIZE REPLAT OF LOT 7855 AND PARTS OF LOTS 7854, 7851, 7865, 7856, 7857 AND VACATED PORTION OF 15' ALLEY (HOB NOB TAVERN, 1604 HARRISBURG RD NE, WARD 9). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
150. PLANNING COMMISSION: AUTHORIZE ZONE CHANGE FOR HOB NOB TAVERN FROM R-1A - SINGLE FAMILY RESIDENTIAL TO PB-2 - PLANNED NEIGHBORHOOD BUSINESS (1604 HARRISBURG RD NE, WARD 9). - JUDICIARY COMMITTEE
151. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR LESH-EVERETT ANNEXATION (ZONING CLASSIFICATION R-2 - TWO FAMILY RESIDENTIAL, WARD 6). - ANNEXATION COMMITTEE
152. PLANNING COMMISSION: AUTHORIZE ZONE CHANGE FOR FOP MCKINLEY #2 FROM PB-3 GENERAL BUSINESS TO PB-4 PLANNED SPECIAL BUSINESS (1411 CHERRY AVE NE, WARD

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## 2). - JUDICIARY COMMITTEE

153. PLANNING COMMISSION: AUTHORIZE ZONE CHANGE FOR DR. JAMES D. JOHNS FROM R-2 TWO FAMILY RESIDENTIAL TO PB-2 PLANNED NEIGHBORHOOD BUSINESS (211 15<sup>TH</sup> ST NW, WARD 9). - JUDICIARY COMMITTEE
154. P. OWNERS, TERRY & WILLIAM NOLAN: REQ AUTHORIZATION FOR ZONE CHANGE LOCATED AT 12<sup>TH</sup> ST AND CHERRY AVE NE, WARD 2 (STANDARD PRINTING) - PLANNING COMMITTEE
155. SAFETY DIRECTOR PERRY: REQ \$501.11 SUPP APPROP FR UNAPPROP BAL 2783 - 2014 FIRE DONATION FUND TO 2783 103001 - 2015 FIRE DONATION FUND - OTHER LINE 73.458 - MISC SUPPLIES, AND \$7,868.79 SUPP APPROP FR UNAPPROP BAL 2812 - 2014 EMS TRAINING/EQUIP TO 2812 103001 - 2015 EMS TRAINING/EQUIP - OTHER AS FOLLOWS: \$3,000.00, TO LINE 734.58 - MISC SUPPLIES, \$3,000.00 TO LINE 734.17 - EQUIPMENT (\$0-500), AND \$1,868.79 TO LINE 772.20 - REGISTRATION. - FINANCE COMMITTEE
156. SAFETY DIRECTOR PERRY: REQ \$4,524.16 SUPP APPROP FR UNAPPROP BAL 2769 - 2011 EDWARD BYRNE GRANT TO 2769 102001 POLICE ADMIN - OTHER, \$62.09 SUPP APPROP FR UNAPPROP BAL 2771 - 2012 EDWARD BYRNE GRANT TO 2771 102001 POLICE ADMIN - OTHER, AND \$18,825.49 SUPP APPROP FR UNAPPROP BAL 2772 - 2013 EDWARD BYRNE GRANT TO 2772 102001 POLICE ADMIN - OTHER. - FINANCE COMMITTEE
157. SERVICE DIRECTOR BARTOS: ADVISING THAT COOLING SYSTEM FOR SEARS BLDG IS NOT OPERATIONAL AND THE BLDG REQUIRES A NEW COOLING TOWER COIL AND 2 NEW HVAC CIRCULATING PUMPS, AND THAT PURSUANT TO SEC 105.04 OF CODIFIED ORDINANCES, REQUIRES USE OF CITY'S EMERGENCY CONTRACTUAL PROCEDURES. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
158. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS WITH DIR OF TRANSPORTATION TO PERFORM MISC BRIDGE WORK ON 3 STRUCTURES ON US62 FOR STA-US62-18.70, PID 88956, GP 1225 PROJ. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
159. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS WITH DIR OF TRANSPORTATION TO PERFORM MISC BRIDGE WORK ON REFERENCED BRIDGE ON US30 FOR STA-US30-14.89, PID 99566, GP 122 PROJ. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
160. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS WITH DIR OF TRANSPORTATION TO PERFORM DECK SEALING ON STA-SR43-12.39 AND STA-US62-18.82 BRIDGES FOR D04-BRIDGE SEALING, PID 100004, GP 1227 PROJ. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
161. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 3/31/15. - RECEIVED &

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FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

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

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

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A COOPERATIVE AGREEMENT WITH ODOT FOR STA-US30-18.35 EXTENSION, PID 20344, GP 1141 PROJECT; AUTHORIZING A \$50,000.00 CONTRIBUTION TO THE FINAL DESIGN PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY (EXT OF US 30 EAST OF CANTON FROM TRUMP RD TO SR 44)

Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for their Second Reading. Madame Clerk, would you please begin with Ordinance 2.

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

- #2. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE WATER RECLAMATION FACILITY ANNEXATION AREA CONTAINING APPROXIMATELY 184.450 ACRES; ASSIGNING SAID TERRITORY TO WARD 4 OF THE CITY; ZONING SAID TERRITORY AS I-2 (HEAVY INDUSTRIAL); AND DECLARING THE SAME TO BE AN EMERGENCY  
**PUB HRG 4/27/15 @ 7:30 PM**
- #3. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY(\$35,000.00 SUPP APPROP FR UNAPPROP BAL OF 2332 DENTAL SEALANT FUND TO 2322 DENTAL SEALANT - OTHER)
- #4. (2<sup>ND</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE 84/2015** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$150,000.00 TO NORTHSTAR ASPHALT, INC., AND DECLARING THE SAME TO BE AN EMERGENCY (EMERGENCY POTHOLE PATCHING)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rule for Ordinance #4.



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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: There's a move to suspend the Statutory Rule for Ordinance 4. Are there any remarks? Hearing none, 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 #4.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 4. Are there any remarks under this ordinance? Leader.

MEMBER MORRIS: Mr. President, I move we amend Ordinance #4 per the 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. 4 by the substitution of the attached revised ordinance for the original proposed ordinance.*

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 4 by virtue of the copy before each Member of Council. Any remarks under that Motion to Amend? 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 #4, as amended.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 4, as amended. Any remarks under this Ordinance as amended?

MEMBER SMUCKLER: Mr. President.

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PRESIDENT SCHULMAN: Yes, Member Smuckler.

MEMBER SMUCKLER: Could I get Mr. Rorar up here to make some remarks on the record, please?

PRESIDENT SCHULMAN: Mr. Rorar, can you step up, please, for a moment? And if you could just identify yourself for the record, please.

SUPERINTENDENT RORAR: Mike Rorar and I'm the Superintendent of Public Works.

PRESIDENT SCHULMAN: Thank you. Member Smuckler.

MEMBER SMUCKLER: Mr. Rorar, we'd just like to get you on record because we don't keep minutes of what was said at Committee Meetings and I understand and pay attention to a lot of people, what they have to say when they come up at Public Speaks. I appreciate what Mr. DiGiacomo has to say, but I would like you to repeat what you said to us during Committee Meetings. What are our options, based on the time, the money, and what we have to spend here, right now?

SUPERINTENDENT RORAR: Based on the information and where we're at as far as time, these are the only options we had to successfully move forward out of this pothole...

MEMBER SMUCKLER: And Northstar, is at their limit, is that correct?

SUPERINTENDENT RORAR: That is right. And we'll probably end up losing a crew off of them here soon because they also have their jobs of paving that they have to do. So...

MEMBER SMUCKLER: So, we plant...so, we're going to lose a crew from them very shortly, here?

SUPERINTENDENT RORAR: I imagine shortly, and I imagine the same goes for Central, as well. That window is shrinking down as we get closer in the summer months.

MEMBER SMUCKLER: And how far, time wise, are you from completing the disaster the weather's left us?

SUPERINTENDENT RORAR: June, if I'm lucky.

MEMBER SMUCKLER: Thank you, Mr. Rorar.

PRESIDENT SCHULMAN: Thank you, Superintendent Rorar. Any other questions for the Superintendent? Thank you sir, very much. We appreciate it. Thanks for all you do.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Mariol.

MEMBER MARIOL: I just want to say one thing. Superintendent Rorar, you are doing an amazing job. I've

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seen our City crews out and they're using the hot boxes, they're rolling. You really are doing a terrific job and we really appreciate it, and so do our residents of the city. Thank you very much.

SUPERINTENDENT RORAR: Thanks. And I...(Applause). I'd just like to state that the crews are doing the excellent job, so that who's doing the excellent job. So, thank you.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Just real quick, before he leaves. Yes, the crews are doing a great job, but one thing I want to compliment you on is getting back with me right away. I can say, last week I turned in some roads and he called me each time each road was completed. I want to thank you for that and thank you for all the work you're doing.

SUPERINTENDENT RORAR: Welcome.

PRESIDENT SCHULMAN: Thank you very much, Superintendent, we appreciate it. Any other remarks? We're now under Ordinance #4, that's been amended. No other remarks? Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#4 ADOPTED AS AMENDED AS ORDINANCE NO. 84/2015**

PRESIDENT SCHULMAN: Ordinance #4 has been adopted, as amended.

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

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for their Third and Final Reading and vote. Would you please begin, Madame Clerk, with Ordinance #5.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #5 THROUGH #6 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.***

- #5. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 85/2015** AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SAFETY OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF VARIOUS VEHICLES AND/OR EQUIPMENT; ALTERNATIVELY PURCHASE SAID VEHICLES AND/OR EQUIPMENT PURSUANT TO STATE COOPERATIVE PURCHASING AGREEMENTS; ENTER INTO CONTRACT FOR ONE LADDER TRUCK WITH PUMP IN ACCORDANCE WITH O.R.C. SECTION 125.04; ENTER INTO A FIVE-YEAR LEASE AGREEMENT FOR THE ABOVEMENTIONED LADDER TRUCK WITH PUMP FOR AN

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ESTIMATED AMOUNT OF \$252,000.00 PER YEAR; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (7 FORD POLICE INTERCEPTER SUV'S; 1 PUMPER TRUCK FOR FIRE DEPT; 1 HYDRAULIC COUPLER LOADER FOR STR DEPT; SUPP APPROP OF \$875,000.00 FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCH FUND TO 4502 102001 POLICE ADMIN - OTHER FOR \$307,000.00, TO 4502 103001 FIRE ADMIN - OTHER FOR \$408,000.00, AND TO 4502 202210 STR MAINT FOR \$160,000.00)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #5.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #5. Any remarks under this Ordinance? 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. 85/2015**

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

#6. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 86/2015** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER 3 IN THE AMOUNT OF \$324,248.00 WITH ARCADIS US INC. FOR THE 12<sup>TH</sup> ST. NW BRIDGE REPLACEMENT AND Streetscaped PROJECT, PID 90671, GP 1160; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO COOPERATIVE AGREEMENTS WITH OTHER PROJECT STAKEHOLDERS; AMENDING APPROPRIATION ORDINANCE NO. 266/2014; AND DECLARING THE SAME TO BE AN EMERGENCY (\$94,781.40 SUPP APPROP FR UNAPPROP BAL OF 4506 INFRASTRUCTURE BOND FUND TO 4506 202091 INFRASTRUCTURE BOND - 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETSCAPED PROJ, PID 90671, GP 1160 - OTHER; \$29,466.60 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 202091 CAPITAL FUND - 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETSCAPED PROJ, PID 90671, GP 1160 - OTHER; \$200,000.00 APPROP TRF FR 2113 202001 MUNICIPAL RD FUND ENG ADMIN - OTHER TO 2113 202091 MUNICIPAL RD FUND - 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETSCAPED PROJ, PID 90671, GP 1160 - OTHER)

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #6. Any remarks under this Ordinance? Hearing none, Madame Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#6 ADOPTED AS ORDINANCE NO. 86/2015**

PRESIDENT SCHULMAN: Thank you, Madame Clerk. Ordinance #6 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: We now turn to Announcement of Committees Meetings.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you, good sir. The Finance Committee will meet Monday, April 27<sup>th</sup> at 6:40 P.M. here in Council Chambers. I realize we only piece of legislation to work on, but Mr. Mariol will be supplying some additional information on the patching programs for the streets. That will be very informative for all of us.

PRESIDENT SCHULMAN: Great. Thank you, Member Hawk.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Mariol.

MEMBER MARIOL: We'll have a Public Property Capital Improvement Committee meeting, same time, same place to discuss the meeting with Central Allied and also the email that all members will be receiving.

PRESIDENT SCHULMAN: Very good, thank you. Any other announcements?

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: Hearing none, Miscellaneous Business.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: I will reserve comment on the Ordinance we passed to do the patching in regards to Central Allied, hoping that the information is very informative, but I tend to agree with Mr. DiGiacomo that all at once, when we couldn't get this hot patch mix until somebody else stepped up to the plate and said they were willing to do it, and all at once, Central Allied fell in line. Kind of disturbing to that fact, but we'll reserve further comment on that until next week when we hear the whole story. Thank you.

PRESIDENT SCHULMAN: I don't know the whole story about Central Allied, but it seems to me that it is a

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company within the city. It's a union shop, has employees that live in the city, I think they're deserving of some criticism, but I don't think it's fair to make them, every week, the whipping boy of...and I'm not saying that anyone is, but I think we should take a little time to find out exactly what has been going on and what the company is doing. They have been there for us in the past, I know that. I think the Superintendent would agree with that. In fact, they've been there when they really didn't have to be and they've had a lot of overtime with their employees, so, you know, let's just keep that in mind.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Member Mariol.

MEMBER MARIOL: Yes...and I...the issues that have come up in Public Speaks and also in Council, we brought that up to Central Allied. They do have answers. I was satisfied with their answers. You guys can decide on your own how you feel about it, but they definitely gave us answers to those questions and I think that most of it was...they gave a good reason, so we'll discuss that more next week, but they definitely addressed those issues.

PRESIDENT SCHULMAN: Thank you Member Mariol. Any other remarks? Law Director Martuccio. *(Inaudible)*. Wait, wait. *(Laughter)*. Wait, wait, don't tell me. Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. Members of Council. Member Smuckler, thank you for having Mr. Rorar put that information on the record during the official meeting. For those of you who... the point Member Smuckler was making was, during the work sessions, during Committee readings, we do take minutes, but they're simply very summary fashioned, they're not verbatim, they're not word for word. Getting Mr. Rorar's opinions on the record was good for the discussion. We also, because we were on the record, got the wonderful metaphors of Mr. Mariol, when he was discussing Citizens United. There were a couple I meant to write down and forgot. I've got to hear those again. *(Laughter)*. Excellent. But we did miss, because of the Committee work sessions, we did miss your beautiful metaphor on alchemy...the alchemy of asphalt blending, so we'll have get that into the record with this comment. Lastly, I wanted to follow up on Member West's request for a moment of silence for George Dunwoody. We really have lost a gentle giant to the community. So many people know and love him. His voice, his talents, his ministry, his spirituality, his coaching, his teaching. He was an awesome person that will be greatly missed. We are diminished by that.

PRESIDENT SCHULMAN: Thank you, Law Director Martuccio. Mayor Healy.

MAYOR HEALY: Thank you, Mr. President. Just in honor of Pastor Dunwoody, we did lower the City Flags today, and we'll keep them lowered through the week, until after his funeral. He will be missed. Thank you.

PRESIDENT SCHULMAN: Thank you Mayor. Chairman Hawk.

MEMBER HAWK: Mr. President, one other fast comment, please. I want to thank our Police Department, Summit United Neighbors, and Project Rebuild for the "Clean Up With a Cop" that happened Saturday, down in my Ward. It was very beneficial, it worked well. Our Sanitation Department put out several dumpsters. We did a pretty good job of getting a lot of trash gathered up and put into it. The Police were out there, on duty, in force, working in the neighborhood. It was pretty interesting to watch the results from the folks in the street. And then, for this afternoon, our Street Department, Mr. Rorar, and the Westbrook Park Neighborhood Association, they did a "Beautify the Neighborhood", a *(Inaudible)* program, this afternoon, and it worked out

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very well for everybody. Again, all the people deserve some praise. They were patching streets and did a fine job. I thank everybody who participated.

PRESIDENT SCHULMAN: Thank you Chairman. Any other remarks? Leader.

MEMBER MORRIS: Motion to adjourn.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

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

ADJOURNMENT TIME: 8:05 P.M.

ATTEST:  
CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

APPROVED:  
ALLEN SCHULMAN  
PRESIDENT