

**MINUTES OF THE MEETING SEPTEMBER 15, 2014**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. We appreciate all of you being here this evening. Leader, I think we need to come out of executive session.

MEMBER MORRIS: Mr. President, I move we come out of executive session.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to come out of executive session from the Caucus meeting. Any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President. Thank you. *(Inaudible)*.

PRESIDENT SCHULMAN: Thank you Madame Clerk, the motions carries and we are now out of executive session. Before we begin tonight's meeting, I note that we have some brilliant, attractive students from Jackson High School with us. It's a pleasure having you here. Thank you for being here. I think you'll enjoy tonight's meeting. Let's give them all a big round of applause. *(Applause)*. And 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, BILL SMUCKLER, GREG HAWK, THOMAS WEST, JAMES GRIFFIN, KEVIN FISHER, DAVID DOUGHERTY, JOHN MARIOL & EDMOND MACK)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK TIMBERLAKE: Twelve present, Mr. President.

**EXCUSING MEMBERS**

PRESIDENT SCHULMAN: Thank you Madame Clerk. We'll have our invocation tonight given by my good friend, Ward 4 Council Member and Assistant Majority Leader, Chris Smith, but I believe she will defer her invocation.

MEMBER SMITH: Yes I am. I have a resident and the Pastor of none other than Gethsemane Baptist Church here. The church is located also in the Fourth Ward, and I'm going to ask if he would come, ladies and gentleman, the Pastor of Gethsemane Baptist Church, none other than Pastor Tommy Brewer. *(Applause)*.

PRESIDENT SCHULMAN: Good evening Pastor.

*The regular meeting of Canton City Council was held on September 15, 2014 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 Pastor Tommy Brewer of the Gethsemane Baptist Church. The Pledge of Allegiance led by President Schulman.*

**MINUTES OF THE MEETING SEPTEMBER 15, 2014****AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: Pastor, thank you very much for that inspiring invocation. We move now to Agenda Corrections and Changes. Leader Morris.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2<sup>nd</sup> Readings Ordinances #11 through and include #27.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded to Suspend Rule 22A to add the 2<sup>nd</sup> Reading Ordinances 11 through 27 to this evening's agenda. Are there any remarks? Hearing none, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. The Motion carries 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 of this evening.

**OLD BUSINESS**

PRESIDENT SCHULMAN: Under Old Business and Deputy Mayor Williams informs me that we have no old business this evening.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We now move to Public Speaks. We have a number of speakers tonight. Some of whom came down. We do appreciate your coming down, but I believe that you'll be down again next week and some have withdrawn. But our first speaker is John Green. Mr. Green are you here? John Green. Okay, he's not here. Our next speaker is Pastor Carrie Brown. Pastor Brown, good evening. Welcome again to Canton City Council. If you'll give us your name and your residential address, please.

CARRIE BROWN: My name is Pastor Carrie Brown. My resident address is 1017 Garfield Avenue SW. Today I am representing a host of people here today. Once again, we are here on behalf of W.C. Henderson, the late W.C. Henderson, and standing with me is some of the pastors that he has impacted their lives and has been under his leadership, some 20, some 30 years. With me I have Pastor Kirby Brown, whose been with him...

MEMBER SMITH:...Freeman...

CARRIE BROWN:...Oh, I'm sorry, Pastor Kirby Freeman whose been with him...(Inaudible)...

MEMBER SMITH:...is that speaker on? Excuse me, is that mike on?

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PRESIDENT SCHULMAN: You'll have to speak a little closer to the...there you go. (*Inaudible*).

KIRBY FREEMAN: Good evening, how you doing? I'm glad to be here again, but I'm under the weather, but...I've been representing Henderson ever since 1966 in Waynesburg and he's been a good man. We all know him. And I'm out here tonight, I got up out of my bed, I'm sick, but I came just to look in you all's eyes to make sure you all do the right thing. May God bless you.

PRESIDENT SCHULMAN: Thank you.

CARRIE BROWN: Also, we have with us, Pastor Reverend Chavers and his wife. We have Pastor Tommy Brewer and his members, and with all this here...for Pastor W.C. Henderson, please stand with me tonight. (*Applause*)...If you give me a minute, I would like to speak on behalf of the people. Reverend Henderson was very active in the Northern Ohio District Association...Canton, Warren, Youngstown, Subdistrict. The State Association Congress of Christian Education, National Baptist Convention, and the (*Inaudible*) Foreign Mission. He was a prayer warrior for the Gospel of the City, Joy 1520, he was a veteran of World War II, having served in the U.S. Army. Dr. Henderson was the founder and the co-founder of three community organizations, UPCO, The United Parish Community Organization, which was established in 1969; the Guiding Light Community Organization which was established in 1979. Both of these programs were designed to provide counseling, employment for youth, and also to assist senior citizens. He was the joint venture of 7<sup>th</sup> Street, having day camp, members out of Antioch and Temple Israel. Its purpose was to provide a drug free environment for children during summer, teach youth worker skills, job skills, and to develop relationships with parents and the camp, and children. In 1989 he served as the President of Stark County Ministerial Alliance in the United Pastoral Organization. He served as the second Vice-Moderator for the Northern Ohio Baptist District Association. He was the ninth person to be inducted into the Stark County NAACP Black History Hall of Fame; he pastored three churches in the Stark County area; he started out at Macedonia, the church in Waynesburg, Ohio, and Union Baptist Church in Canton. Tonight we are requesting that the City of Canton will name a street after the late Reverend Dr. W.C. Henderson. Reverend Henderson truly deserves this high honor of recognition. Reverend Henderson served faithfully as a Pastor of the Antioch Baptist Church for over three decades. Over those years he helped revitalize the intercity of Canton; he created jobs for the unemployed; he was a voice for the poor, the disenfranchised, and most importantly, Dr. Henderson gave hope and inspiration to young people. Let me encourage the Mayor and the City Commissioners to support the resolution to the name...naming of the street where Antioch is located, after the legendary Reverend Dr. W.C. Henderson. I am of the humbled opinion that Reverend Henderson is by far one of the greatest, most outstanding ministers who ever lived and pastored in the great City of Canton. And as I said earlier, in our community today, almost every African American Church...that pastor has come from under Pastor W.C. Henderson. Tonight we would be honored if you would honor, give honor where honor is due. Thank you.

PRESIDENT SCHULMAN: Thank you very much. (*Applause*). Trying to keep this within some order of topic, our next speaker will be Richard Albano. Mr. Albano, I hope I've pronounced your name correctly. If you'll step forward sir and give us your name and your residential address. And welcome to Canton City Council. Good evening sir.

RICHARD ALBANO: Good evening Mr. Chairman. My name is Richard Albano. I live at 325 47<sup>th</sup> St. NW. Just around the corner from St. Marks Episcopal Church, and I'm here to talk on the proposed renovation of the recreation park...the playground at the church. I'm 73 years of age and have a bad back. My eldest grandchild has 3 children of his own and they live in Massachusetts, so I have nothing to gain from the

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improvement of the playground and the upgrading of the land at St. Marks, except the thought of beautifying the neighborhood and the possible rise in my property value and making the neighborhood safer for children. First, let's get some perspective on the area because of the misrepresentations that were made recently. This is not Disney World, nor is it the size of Monument Park. It's a run down and unsafe playground and a small, neglected, overgrown area below it. Facing the property from Yale, the overgrown, wooded area has a fat side on the right of about 80 by 40 feet, and a thinner tail to the left of 70 to 30 feet. Thus, the total area is about 5300 square feet, or 1/8th acre. To get perspective, my home lot is over an acre and all the house lots in the neighborhood are well over a half acre. Now, some of the left side tail area of that region is mowed, but the rest is wooded area that's overgrown with weeds and a few trees. Some dead and dying, lots of poison ivy on the ground and on the trees, goldenrod, brambles and chickweed, ground ivy and other lawn weeds. It's more like an unattended city lot. Not really a wildlife area as has been represented. Unless you count the occasional chipmunk, groundhog, and black squirrel, which we have on our front lawn. The thought that cleaning up that 1/8 acre lot will bring in homeless people, prostitutes, child molesters, traffic jams, and people knocking on your door to use your bathroom is pure nonsense. It's inane, it's insane. The people who claim it will do...will do these things, either need to find something productive to occupy their time or need to stop inhaling whatever they're smoking. (*Laughter*). So then, do I support replacing the playground equipment and cleaning up the unattended, wooded area? For reasons I've stated above, it's a no-brainer. That would be a big yes.

PRESIDENT SCHULMAN: Thank you sir, very much. Appreciate it. (*Applause*). Our next speaker is Dan Ablett. Mr. Ablett, welcome to Canton City Council. If you'll step forward sir and give us your name and your residential address.

DAN ABLETT: My name is Dan Ablett and I live at 325 47<sup>th</sup> St. NW, Canton, Ohio 44709. Good evening Council Members, Vice President, President, and Mayor. I first want to thank everyone here for giving me the opportunity to speak tonight. I find this to be a great example of democracy at work, where everyone has a chance to be heard and everyone's opinion counts, not just a few. A little information about me for those who do not already know. I'm retired from a very successful career in real estate for 21 years. I purchased and have lived in my home for approximately 22 years, and yes I am proud to live in my neighborhood and I do have pride in my ownership. With that being said, I am sorry to hear that there have some cowardly, bullying activities going on that have been brought to my attention. Not to mention scare tactics that are untrue, and here are some examples. A week ago, a neighbor stopped at my house and was very upset to find out that I am in support of upgrading the proposed playground at St. Marks. He tried to make a case to me that this is a bad idea by telling me if this goes forward, mothers with babies will be knocking on our doors to use our bathroom facilities, and if they do not accommodate them, they will be throwing their dirty diapers in our front yards. And who knows what the drunks and drug addicts will do, and when. I responded that I respected her opinion and concerns, but we would have to agree to disagree on this item, but we could still be friendly neighbors whatever the outcome. Approximately 2 weeks ago, a flier was spread throughout the neighborhood. I have to say that I'm embarrassed because it obviously came from one of my neighbors. Though I will never know who, because the author or authors did not put their name or names on it. It is completely over the top with untrue, hypothetical rhetoric that, this in my opinion, is shameful. I fault the Repository for quoting the people who attended last week's meeting with biased opinions without reaching out for interviews of the other neighbors with different opinions, and for putting this as a front page story. And giving it credibility. Come on, Rep, you can do better than this, or at least you should. Was it a slow news week or what? I have an idea, let's see some positive news stories about Canton, like this one for instance. I have spoken to many neighbors and they will echo my sentiments. Those few who oppose this

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project are trying to scare people for whatever their agenda may be, but most of my neighbors and myself are sick of it, and want it to stop now. They don't have any facts, they don't have any proof. Please Repository, print that. The truth needs to be told. From what I understand, the City of Canton is not planning on building a park similar to Cedar Point, so we can dispel the rumor of traffic jams, road rage, and speeding on dead-end streets and cul-de-sacs, which is what makes up the complexion of our neighborhood. We are talking about cleaning up an area that has been neglected, upgrading an existing playground for young children, and hopefully someday connecting a bike path or walking path to Stark Parks, which should be welcome with open arms. I have visited this area recently, several times, so that I can be as accurate as I can be with my facts and opinions. When one of my neighbors, who lives across the street from St. Marks, walked by my house today, and I said hello and what a great day it was, I was told by her to walk in other parts of the neighborhood and not in front of her house. Then her son told me not to speak to her again, it upsets her. This is not the way neighbors should treat each other. By the way, this is the same neighbor who stopped at my home, uninvited, last week and gave me the ridiculous story about mothers and diapers. Lastly, my neighbors...

PRESIDENT SCHULMAN: ...Well Mr. Ablett, that's all the time we have. I'm sorry, sir.

DAN ABLETT: Thank you.

PRESIDENT SCHULMAN: Thank you very much. (*Applause*). Our next speaker is John Tscholl. Mr. Tscholl, good evening. Welcome to Canton City Council. If you'll step forward and give us your name and your residential address.

JOHN TSCHOLL: Good evening. I'm here also to talk about the proposed playground at St. Marks. My name is John Tscholl. I live at 332 47<sup>th</sup> St. NW. I...my wife and I have lived in that neighborhood for 28 years. What we're talking about here is just a small playground. It's already there and we're talking about fixing it up. We're talking about putting new playground equipment in there and sprucing up the green space. That means getting rid of the brush and weeds and things like that. We have like 50 parks in the City of Canton. Parks and mini parks. Neighborhoods are clamoring to them. I'd like to have a place that I could take my grandchildren to play. I'd like to have a sandbox, a set of swings, a climbing place. Things like that in my neighborhood. The opposition to this playground is just trying to scare you. They're using fear and frightening tactics. We're talking about crime, increasing traffic in the neighborhood. Well, A...this little playground won't increase traffic, and B...and more importantly, studies show that parks and playgrounds create a safer neighborhood. I have this for anyone to look at it, and it's well researched. In addition to creating safer neighborhoods, there's an economic benefit to parks and playgrounds...property values go up, yes, revenues go up, good things like that happen. In my opinion, these people, this vocal minority, is coming at...is using these scare tactics, and talking to all of you last week at City Council, when the real spot should be at the neighborhood meeting. That's occurring on October 23<sup>rd</sup> at St. Marks. Everyone's invited to attend. The only reason I'm here is I'm going to be missing that meeting. My youngest son is getting married in Philadelphia that weekend and I won't be able to appear. So I just wanted my opinion to go on record as being in favor of good city planning versus fear. Thank you.

PRESIDENT SCHULMAN: Thank you Mr. Tscholl, very much. Our next speaker is James Parker. Mr. Parker, if you'll step forward. Welcome to Canton City Council, as always. If you'll give us your name and your residential address for the record, please.

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JAMES PARKER: Thank you. James Parker. 630 Penny Street S.E., city of North Canton. You know, last week we had Tom and Vicky Berbelis, Mrs. Golub, both dear friends of mine. I went to my first wrestling matches with Tom and his brother John at the Civic Center. To those of you who don't know Gerry Golub, he has a heart of gold. He's a fantastic person. I love the guy, personally. So they're entitled to their opinions. I give credit to Edmond for trying to do something. Sometimes you have to put pressure out there and see what leaks, what blows, and what holds. So, you know when you're going to make omelets, you have to break some eggs, he's going to get his come-upsmanship one way or another. But at least he's doing something. He's trying, he's putting ideas out there. And sometimes, like my ideas, they need to morph a little bit. I wish him the best on his St. Marks' project. But I'd like to bring up the Projects that are my project. The ones that Councilman West and Councilman Smith directed me to go to. Skyline Terrace Drive. Allen Page Dr. SE. See what you can do down there, they told me 2 years ago. I've met Pastor Cox. I work with that church. I do my volunteering there. I've met with Mike at the office. For 2 years I've asked Ms. Smith, Mr. West and others about that playground in Skyline Terrace. It's a catastrophe. It's broken to pieces, there's sharp edges where children are supposed to stick their head out, there's sharp edges on the metal swing sets. Those children deserve better. I invite everyone there to see what a ghetto playground looks like. It's shot. Whose property is it, was what I was told. I talked to Mike at the Projects, I talked to Reverend Arrington at the People Baptist Church. It's somewhere in between there. If Mr. Mack...if you could finally...if you could possibly, politely use your help to give Councilman...Councilwoman Smith guidance in working out something on that area, because that's what I'd like to see done. No one would be here to vilify you for that. I see the resignation move over those children's faces like clouds when they see no one cares about their playground. The Black children who become teenagers, and White, and all races, and minorities, are the most under served class in our society. Those families living there deserve a park. I don't want my kids playing blocks away. I want to look out and see them. And when I say suppertime, I want them to be able to hear me and come. So, those people in Highland Park, Skyline Terrace, the Projects, whatever you call them, they deserve a decent place to play, not a mine field. And Jimmy Babcock must not park in the red lettered, no parking anytime area unless he wants to change his license plates from Babby1 to the Elite1. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much. (*Applause*). Our next speaker is Henry Preston. Mr. Preston, good evening. If you'll step forward and give us your name and your residential address. (*Laughter*)... (*Gavel*)...

HENRY PRESTON: My name is Henry Preston, I live at 326 31<sup>st</sup> St. NW, Canton. Tuesday, September 9<sup>th</sup>, at approximately 7:10 a.m., a lawn service business stopped in my front yard with a truck and trailer full of lawn maintenance equipment. An operator of a powered riding lawnmower started up the motor and rolled down the trailer ramps and proceeding to ride his lawn cutting equipment to another work location. This motorized lawn equipment engine is very noisy. I informed the operator that I did not want him to park in my yard and operating his equipment before 8:00 a.m. in the morning. The operator of the equipment told me they do it all the time, and there's nothing that I can do about. I told him I was going to call the police to complain. The operator's response was, "The police are not going to do anything." Another lawn mowing service rolled up at 7:25 a.m. in their normally used parking spot, in the front of my house. I told them not to use that parking space, again, since they also use my yard as a maintenance space to maintain their lawn mowers. They fill gas, adjust things. I called 330-649-5800 and talked to Canton Police Dispatch. I told the dispatcher my problem. The dispatcher in turn transferred me...transferred my call to a Police Officer. I told the Police Officer my problem and he told me that he was not aware of any noise ordinance and to call the Law Department. I did email Mr. Martuccio and asked him for guidance and Mr. Martuccio responded later

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in the day. In the meantime, I called back to Police Dispatch and asked to talk to the supervisor on duty. I got an answering machine at 8:22 a.m. in the morning and left a message. Lt. Cole called back at 9:20 a.m. and I told him about the loud noise before 8:00 a.m. He told me the Loud Noise Ordinance did not cover lawnmowers. We finally got on the same page when I explained to him that the lawnmower making the loud noise was also used as a vehicle to transport a person to another work-site. After discussion about what constitutes a vehicle, Lt. Cole agreed that an Officer would respond to that particular noise complaint if there's not an ongoing emergency. According to Lt. Cole, the City Ordinance 509.11, pertaining to loud noise before 8:00 a.m. does not include lawnmowing equipment. So I ask Council, what is that? Why are lawnmowers not included in the Loud Noise Ordinance between 8:00 a.m. and 8:00 p.m....or 10:00 p.m. I think that's ridiculous. It's not spelled out. So, I would...yeah...I would like to ask Council to review the Loud Ordinance that specifies time to include lawnmowers and other motorized equipment such as jack hammers, powered saws, hammers, large compressors, and other mechanical, loud noise, generating sources. That way when complains about loud noises are generated from motorized equipment are called to Police Dispatch, and Officer can be dispatched without a long conversation with Police (*Inaudible*).

PRESIDENT SCHULMAN: Thank you. Thank you Mr. Preston, very much. We appreciate it. (*Applause*). Our next speaker is Chuck Schuster. Mr. Schuster.

CHUCK SCHUSTER: I withdraw.

PRESIDENT SCHULMAN: Alright. Our last speaker than tonight, is Barbara Abbott. Ms. Abbott, good evening. As always, welcome to Canton City Council. If you'll step forward and give us your name and your residential address, please.

BARBARA ABBOTT: Barbara Abbott. 900 53<sup>rd</sup> St. SW, Canton 44706. I own a business called Canton Food Tours. One of only 7 food tour operators in the State of Ohio. We offer a wide range of walking and van based tours that highlight our Hall of Fame City here. Food is the hook, yes, but we also, as we're walking around downtown here, point out historical buildings, architecture, points of interest, Lincoln Highway, birthplace of the NFL, etcetera. And one of those major focal points that if I don't point it out, I get asked about, is the Onesta Hotel. So, people...and so far as of today, we've brought over 2500 people down to Canton to take a Canton Food Tour. Most local, but also from other cities and states across the United States. But anyway, so if I don't point it out, it is brought up to me. It is on everyone's radar. They're curious. They want to know how it's coming along and when it's going to be completed. And I also take the opportunity as I'm in front of the Onesta Hotel, to point out that it's just not downtown Canton that's undergoing a revitalization, it's cities like Wooster, Kent, lots of little districts in Cleveland, Columbus, and cities across the United States. So, it's not just us but the way I look at it, our city here, Canton, the Arts have laid a foundation, downtown living is that next step to continue this revitalization process and the Onesta Project is very, very important to that. So I urge Council to approve, to move the funding forward to see this project through completion, and 5 specific reasons why I see it as very, very important. Number 1...it's preserving a beautiful historic building; Number 2...it's preserving a beautiful historic building that is a major focal point. I mean you can't miss it. It's one of the tallest buildings in town, it's on the Pro Football Hall of Fame Parade route, and it's right in the middle, so you can't miss it. As a residential space it will bring new life, much needed new life into downtown and the next reasons spurred from that is that it will increase more business and more growth down here in the City. And finally, Steve Coon is a local developer with a local invested interested in seeing this through. Me, personally, I have seen his projects in Cleveland, in Hamilton, Ohio, and recently, because we have expanded to Wooster, Wooster Food Tours, I was out there last week and folks around town are talking about developments that he is doing out in Wooster as well. His work speaks for

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itself and I urge Council to move forward to see this success happen. Thank you.

PRESIDENT SCHULMAN: Thank you very much, Mrs. Abbott. We appreciate it. (*Applause*). And we also appreciate your food tours. For those of you who don't know, Barb is terrific, takes people from the local community who have this fear of downtown and brings them in to show them that there is nothing to fear, and out of town, she brings people in to show them what downtown Canton has. She does a terrific job and you deserve a round of applause too, by the way. (*Applause*). So that concludes Public Speaks.; Thank you all very much for coming down and speaking with us.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We are now under Information Resolutions and we have none tonight.

**COMMUNICATIONS**

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

***NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED SEPTEMBER 15, 2014.***

399. AGENT FOR PETITIONERS SLIMAN: REQ WITHDRAW OF COMMUNICATION #378 FROM THE 9/8/14 AGENDA FOR GEORGE HALAS DR ANNEXATION. - RECEIVED & FILED
400. COUNCIL PRESIDENT SCHULMAN: AMEND O#88/2012 TO CREATE PRICE REDUCTION AT CORNERSTONE PARKING GARAGE FOR STARK STATE STUDENTS ON 100 SPACES TO \$15.00 PER MONTH. - FINANCE AND JUDICIARY COMMITTEES
401. MAYOR HEALY: AMEND CITY ORDINANCE 181.13 PARAGRAPH (b) TO WAIVE RESIDENCY REQUIREMENT OF ROBERT FAY TO THE INCOME TAX BOARD FOR HIS CURRENT TERM OF 3/1/12 - 2/28/16. - PERSONNEL AND JUDICIARY COMMITTEES
402. MAYOR HEALY: AUTHORIZE APPT OF CHRISTY SHONK TO FAIR HOUSING COMMISSION FOR 5 YR TERM OF 10/1/14 - 9/30/19. - PERSONNEL COMMITTEE
403. PLANNING COMMISSION: REQ FOR CITYWIDE ZONE CHANGE FOR 13 PROP; ALL HAVE BEEN RECOMMENDED FOR APPROVAL BY THE PLANNING COMM AT THE 9/9/14 MEETING. - JUDICIARY COMMITTEE
404. PLANNING COMMISSION: RECOMMEND APPROVAL OF ZONE CHG FROM B- 3 (GENERAL BUSINESS) FROM PB-4 (PLANNED SPECIAL BUSINESS) AT 915 WERTZ AVE NW (DENNIS R & CAROLYN J COPELAND). - JUDICIARY COMMITTEE
405. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR, SERV DIR AND/OR SAF DIR TO ENTER INTO CONTRACT WITH AULTCARE CORP AND UMR INC FOR MEDICAL CLAIMS ADMIN



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TO PPO NETWORKS; THAT LEGISLATIVE AUTHORITY TO ENTER INTO THESE CONTRACTS, PURSUANT TO O#9/2013 IS REENACTED, ADOPTED & RATIFIED WITH SAME BINDING LEGAL FORCE & VALIDITY; AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

406. SAFETY DIRECTOR PERRY: AUTHORIZE SERV DIR TO ADVERTISE, REC BIDS, AWARD & ENTER INTO CONTRACT FOR SALE OF LAND AND STRUCTURE AT 1840 MARKET AVE N (PARCEL #280824 - FORMER FIRE STATION). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
407. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO COOP AGMT WITH STARK COUNTY BOARD OF COMMISSIONERS FOR JOINT PROJ AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (WERNER CHURCH RD & BRIDGE REALIGNMENT PROJ). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
408. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER 2 IN AMT OF \$418,635.00 WITH ARCADIS US INC FOR 12<sup>TH</sup> ST NW, BRIDGE REPLACEMENT & STREETScape PROJ, PID 90671, GP 1160; AUTHORIZE MAYOR AND OR SERV DIR TO ENTER INTO COOP AGMT WITH OTHER PROJ STAKEHOLDERS INCLUDING BUT NOT LIMITED TO SARTA, COUNTY ENG & ADJACENT PROP OWNERS AND AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
409. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR MONTH OF AUGUST 2014. - RECEIVED & FILED
410. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF 8/31/14. - RECEIVED & FILED
411. TREASURER PEREZ: RPT FOR AMBULANCE LOCK BOX ACCT FOR AUGUST 2014. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: We're now turn 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 ORDINANCES #1 THROUGH #21 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$147,618.55 TO BROWNFIELD RESTORATION GROUP (RTI); AND DECLARING THE SAME TO BE AN EMERGENCY

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- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO A CONTRACT FOR THE LEASE OF APPROXIMATELY 382 SQUARE FEET OF COMMERCIAL SPACE LOCATED AT 204 WALNUT AVENUE S.E. IN ORDER TO PROVIDE A SNACK BAR/CONCESSION STAND; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$25,000.00 FROM UNAPPROP BAL OF 2323 PREP GRANT TO 2323 PREP GRANT - OTHER)  
Referred to Finance Committee
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, ENTER INTO AGREEMENT FOR AND ACCEPT THE 2014 RECYCLING MAKES SENSE GRANT FROM THE STARK-TUSCARAWAS-WAYNE JOINT SOLID WASTE MANAGEMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF TWO TANDEM VIBRATORY ROLLERS AND TWO TRAILERS FOR THE TRANSPORTATION OF SAID ROLLERS; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ALTERNATIVELY PURCHASE SAID EQUIPMENT PURSUANT TO STATE COOPERATIVE PURCHASING AGREEMENTS; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$44,000.00 FROM UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 202210 STREET MAINTENANCE - OTHER)  
Referred to Public Property Capital Improvement Committee
- 
- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE ALLENFORD DR. WEST SIDE SANITARY SEWER REPAIR AND STREAM BANK STABILIZATION PROJECT, G.P. 1114 AND TO ENTER INTO COOPERATIVE AGREEMENTS WITH THE STARK COUNTY COMMISSIONERS AND NORTH CANTON; AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,500,000.00 FROM UNAPPROP BAL 5410 SANITARY SEWER FUND TO 5410 206310 ALLENFORD DR SANITARY SEWER REPAIR, GP 1114 - OTHER)  
Referred to Public Property Capital Improvement Committee

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- #7. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF AN ALL WHEEL DRIVE SUV OR TO ENTER INTO CONTRACT FOR THE PURCHASE OF SAID VEHICLE IF IT CAN BE PURCHASED FOR LESS THAN THE \$20,000.00 THRESHHOLD WHICH REQUIRES COMPETITIVE BIDDING; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ALTERNATIVELY PURCHASE SAID VEHICLE PURSUANT TO STATE COOPERATIVE PURCHASING AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY (ENGINEERING DEPT)

Referred to Public Property Capital Improvement Committee

- #8. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING SECTION 181.08, DUTIES OF THE TREASURER AND INCOME TAX DIRECTOR AND SECTION 181.90, INVESTIGATIONS; INFORMATION CONFIDENTIAL; PENALTY FOR DIVULGENCE; RECORDS TO BE KEPT FOR FIVE YEARS OF THE CODIFIED ORDINANCES.

Referred to Judiciary Committee

***(COUNCIL RECESSED AT 8:01 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #9; RECONVENED AT 8:04 PM)***

- #9. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 179/2014** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$87,375.00 SUPP APPROP FROM UNAPPROP BAL OF 2216 FHAP FY 13 PARTNERSHIP PROJ GR FUND TO \$55,000.00 2216 505010 FAIR HOUSING DEPT - PERSONNEL & \$32,375.00 2216 505010 FAIR HOUSING DEPT - OTHER AND \$50,000.00 APPROP TRANS FROM 2215 505010 FAIR HOUSING DEPT - PERSONNEL TO UNAPPROP BAL 2215 FAIR HOUSING DEPT)

Referred to Finance Committee

***(COUNCIL RECESSED AT 8:04 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #10; RECONVENED AT 8:19 PM)***

- #10. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 180/2014** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$100,000.00 FROM UNAPPROP BAL 4501 CAPITAL FUND TO 4501 202260 STREET PAVING - OTHER)

Referred to Public Property Capital Improvement Committee

PRESIDENT SCHULMAN: At this time the Chair would declare an in-house recess for the Finance Committee and Public Property Capital Improvement Committee to meet in regard to Ordinances 9 & 10 on your agenda this evening. You're now in recess.

(RECESS)

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PRESIDENT SCHULMAN: Council will now reconvene after our recess. Leader.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinances 9 & 10 back on this evening's agenda.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend Rule 22A to place Ordinances 9 & 10 back on this evening's agenda. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: The motion carries and Ordinances 9 & 10 are a legal part of your agenda, Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #9.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinance #9. Any remarks? Hearing none, Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #9.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 9. 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.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #9 has been adopted. Leader, Ordinance 10.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules on Ordinance #10.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: There's a motion to suspend the Statutory Rules on Ordinance 10. Any remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

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

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

MEMBER SMITH: Second.

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

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Member Smuckler.

MEMBER SMUCKLER: Service Director, would you please send down, at the end of whatever time we have left and you pave, would you please send down to the Clerk, a list of street that get paved before the end of the year. Make sure that happens. Thank you.

PRESIDENT SCHULMAN: Thank you Member Smuckler. Any other remarks? Hearing none Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas Mr. President.

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance #10 has been adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We turn now to Ordinances and Formal Resolutions for their Second Reading. Would you please begin with Ordinance #11.

***(NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ ORDINANCES #11 THROUGH #27, FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS)***

#11. (2<sup>ND</sup> RDG) AN ORDINANCE REPEALING SECTION 133.051; CHARGE FOR PUBLIC

MINUTES OF THE MEETING SEPTEMBER 15, 2014SAFETY SERVICES AT SCENES OF MOTOR VEHICLE ACCIDENTS; APPEAL,  
OF THE CODIFIED ORDINANCES

- #12. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (CITY-WIDE ZONING) **PUB HRG 9/29/14 @ 7:30 PM**
- #13. (2<sup>ND</sup> RDG) AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF FOUR PARCELS OF CITY OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS #225695; #228723; #202030, AND #233228)
- #14. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 50CD DIV OF COMMUNITY & ECONOMIC DEVELOPMENT & PLANNING MANAGEMENT)
- #15. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$7,035.00 FR 2423 701001 COURT CAPITAL/SPECIAL PROJECTS - OTHER TO 2423 701001 COURT CAPITAL/SPECIAL PROJECTS - PERSONNEL - \$5,950.00; TO 2423 701001 COURT CAPITAL/SPECIAL PROJECTS - PERSONNEL - \$832.00; TO 2423 701001 COURT CAPITAL/SPECIAL - PERSONNEL - \$165.00; TO 2423 701001 COURT CAPITAL/SPECIAL - PERSONNEL - \$88.00); (\$8,275.00 FR 2766 701001 MUNICIPAL PROBATION SERVICE - OTHER TO 2766 701001 MUNICIPAL PROBATION SERVICE - PERSONNEL - \$7,000.00; TO 2766 701001 MUNICIPAL PROBATION - PERSONNEL - \$980.00; TO 2766 701001 MUNICIPAL PROBATION - PERSONNEL - \$193.00; TO 2766 701001 MUNICIPAL PROBATION - PERSONNEL - \$102.00).
- #16. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$250,000.00 FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 852002 TREAS. GROWTH INIT. SETTLEMENT - OTHER)
- #17. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH AMBAFLEX MANUFACTURING, INC. TO PROVIDE AN ECONOMIC DEVELOPMENT GRANT BASED ON JOB CREATION IN AN AMOUNT NOT TO EXCEED \$125,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
- #18. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH I<sup>2</sup>R POWER COMPANY TO PROVIDE AN ECONOMIC DEVELOPMENT GRANT BASED ON JOB CREATION IN AN AMOUNT NOT TO EXCEED \$125,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #19. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013, AS AMENDED, BY MAKING SUPPLEMENTAL APPROPRIATIONS, APPROPRIATION TRANSFER AND INTRAFUND TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,000.00 FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 201015 ANNEXATION; \$25,000.00 FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 852001 TREASURER - ADMIN; \$40,000.00 FR UNAPPROP BAL OF 6041 DMV FUND TO 6041 103001 FIRE-ADMINISTRATION; \$23,000.00 FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 753001 LAW-ADMINISTRATION; INTRAFUND TRANS OF \$40,000.00 FR 1001 GENERAL FUND TO 1105 POLICE SETTLEMENT FUND; APPROP TRANS OF \$17,000.00 FR 1001 801010 AUDITOR - LEGALLY BINDING EXP TO 1001 753001 LAW-ADMINISTRATION)
- #20. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE CANTON CITY BOARD OF HEALTH AND/OR THE HEALTH COMMISSIONER TO ENTER INTO PROFESSIONAL SERVICE CONTRACT IN AN AMOUNT NOT TO EXCEED \$40,000.00 WITH THE NATIONAL ORGANIZATION OF URBAN MATERNAL AND CHILD HEALTH LEADERS (CITYMATCH), OF THE UNIVERSITY OF NEBRASKA MEDICAL CENTER, FOR PURPOSES OF PROVIDING TRAINING, FACILITATION AND TECHNICAL ASSISTANCE FOR THE STARK COUNTY EQUITY INSTITUTE FOR INFANT MORTALITY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #21. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$9,000.00 FR UNAPPROP BAL OF 2323 PREP GRANT FUND TO 2323 PREP GRANT - OTHER; \$16,000.00 FR UNAPPROP BAL OF 2313 PREVENTATIVE HEALTH FUND TO 2313 PREVENTATIVE HEALTH - PERSONNEL; \$70,000.00 FR UNAPPROP BAL OF 2314 CHILD & FAMILY HEALTH FUND TO 2314 CHILD & FAMILY HEALTH - OTHER (\$50,000.00); - PERSONNEL (\$20,000.00)
- #22. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY. (1501 HENRY AVENUE SW., CANTON, OHIO FROM B-2 (NEIGHBORHOOD BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) **PUB HRG 10/6/14 @ 7:30 PM**
- #23. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE AN EMERGENCY (\$13.92 FR UNAPPROP BAL OF 2769 BYRNE GRANT FUND TO 2769 102001 POLICE ADMIN - OTHER; \$20.39 FR UNAPPROP BAL OF 2771 BYRNE GRANT FUND TO 2771 102001 POLICE ADMIN - OTHER)
- #24. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A THREE YEAR AGREEMENT WITH THE GREENTOWN VOLUNTEER FIRE DEPARTMENT TO LEASE AVAILABLE SPACE ON THE CITY'S COMMUNICATION SYSTEM; AND DECLARING THE SAME TO BE AN

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EMERGENCY.

- #25. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING SECTION 1(K) OF ORDINANCE NO. 177/2006; AND DECLARING THE SAME TO BE AN EMERGENCY (PETTY CASH - \$50.00; CHANGE DRAWER - \$3,000.00 - TREASURER'S OFFICE)
- #26. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 264/2013; AND DECLARING THE SAME TO BE EMERGENCY (\$125,000.00 FR UNAPPROP BAL OF 4501 CAPITAL IMPROVEMENT FUND TO 4501 85-21-01 TREAS - INCOME TAX - OTHER)
- #27. (2<sup>ND</sup> RDG) AN ORDINANCE RENAMING A PORTION OF GIBBS AVENUE N.E. IN THE CITY OF CANTON, W.C. HENDERSON AVENUE N.E. (FROM HIGHLAND AVENUE N.E. TO TUSCARAWAS STREET)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We now turn to, thank you Madame Clerk, Ordinances and Formal Resolutions for Third, Final Reading and Vote. Would you please read Ordinance.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK TIMBERLAKE TO READ THE FOLLOWING ORDINANCES #28 THROUGH #30 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.***

- #28. (3<sup>RD</sup> RDG) ADOPTED AS ORDINANCE NO. 181/2014 AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION TO PROVIDE A GRANT UTILIZING GENERAL FUND DOLLARS IN AN AMOUNT NOT TO EXCEED \$250,000.00 FOR GRANTS, LOANS AND ADMINISTRATIVE COSTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #28.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 28. Any remarks? Hearing none again, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

**#28 ADOPTED AS ORDINANCE NO. 181/2014**

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 28 is adopted. Ordinance #29, please.

- #29. (3<sup>RD</sup> RDG) ADOPTED AS ORDINANCE NO. 182/2014 AN ORDINANCE AUTHORIZING THE



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DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LOAN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$2,000,000.00 WITH HISTORIC ONESTO, LLC IN ORDER TO PROVIDE GAP FINANCING TO THE HISTORIC ONESTO, LLC REDEVELOPMENT PROJECT; AUTHORIZING THE ISSUANCE OF A REVENUE BOND ANTICIPATION NOTE; AMENDING CHAPTER 181.14(C); AND DECLARING THE SAME TO BE AN EMERGENCY.

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #29.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 29. Any remarks? Leader.

MEMBER MORRIS: Mr. President I move we amend Ordinance #29 per a copy that all Council Members have in front of them.

MEMBER SMITH: Second.

AMENDMENT

*Pursuant to Rule 36, I move to amend Section 1 of Agenda Item No. 29 to read as follows: Section 1. The Director of Public Service, on behalf of the City of Canton, is authorized and directed to enter into an interest bearing loan agreement in a principal amount not to exceed \$2,000,000.00 with Historic Onesto, LLC in order to provide gap financing for Phase One of the Historic Onesto, LLC Redevelopment Project. The execution of said loan agreement is contingent upon passage of pending supplemental legislation which shall provide for the initial designated capital funding, the creation of loan fund(s), with necessary appropriations, and the issuance of bond anticipation notes. The interest rate shall be determined based on what rate the city shall be obligated to pay plus costs, and basis points. The final interest rate shall be defined and will be included in all supplemental legislation.*

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 29 by virtue of the copy before each Member of Council. Any remarks on the Amendment? Hearing none then 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. Leader

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #29 as amended.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #29 as amended. Any remarks?

MEMBER DOUGHERTY: Mr. President:

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PRESIDENT SCHULMAN: Member Dougherty.

MEMBER DOUGHERTY: I've known Steve Coon for over 20 years. And um...I remember calling him and needing something donated to take care of what then was tennis courts in my Ward. And he didn't even bat an eye and donated the material and stuff to get that court fixed up. And he came to Aultman Hospital one day and didn't like the way the Sharon Lane Memorial statue looked, and he donated time and material to take the Statue out, have the bronze all redone. It's beautiful today. So, I never had a problem with Steve Coons integrity. We're lucky to have Steve Coon, so I will definitely be supporting this.

PRESIDENT SCHULMAN: Thank you Member Dougherty, very much.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: I agree...I support this Ordinance fully, 100%. And I would urge Council to get behind this. This is a game changer for Ward 2 and the City of Canton. Unlike Dave here, last winter when we had a storm that came through Nimisilla Park, the shelter was knocked down, many of the trees were knocked down, the first person who stepped up was Steve Coon. Steve supplied his materials, along with the Unions, and they rebuilt that shelter in just a couple months, but he didn't blink an eye. He just came to the rescue. I also serve on the Special Improvement District with Steve and time and time again, it's all about downtown. This guy never sleeps. He speaks and everybody comes down. He brings people downtown on a regular basis. This building and bringing people downtown is going to only flourish that whole area. You know they say...there's a saying that says, "Wherever people are, that's where businesses flourish". He's bringing people downtown and businesses will flourish as a result of it. So, I support this and urge my Council Members to support it as well. Thank you.

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

MEMBER SMUCKLER: You know, I have gone from the youngest to one of the oldest here and I remember first coming onto Council and downtown being boarded up. And the only one that would put any money into downtown was Steve Coon. And Steve was here when everybody else wrote off downtown. For the few Council people that didn't understand how this works, I just want to lay this out on the table. When I expanded my business, it didn't mean that I had \$2,000,000.00 to expand my business. What it meant was, there was enough cash flow coming in, there was enough in escrow, there was enough in future business that it was going to make good sense to do business. This is a good sense loan. To do business in the City of Canton. And we need to encourage more people like Steve to want to do business in the City of Canton. Thank you Mr. President.

PRESIDENT SCHULMAN: Thank you Member Smuckler. Member Hart.

MEMBER HART: When I came back from Columbus this past weekend, and I stated this during committee meetings, I can remember as a student down at Ohio State a long time ago, you saw the High Street area, Short North, it was run down, it was a shambles, and I look at it now. Driving around downtown Columbus, you see apartments for rent, condominiums, lofts for sale. You look at downtown Canton, there's a lot of opportunity in those old homes down there. And, you know, again, I remember talking to Member Babcock, he still remembers when the horses and buggies were going up and down High Street. You know, we look to see what Canton was when it was flourishing downtown. Where you could go Christmas shopping and people did live

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around downtown. Now we don't have that. This is the first opportunity and it's a domino. He said he's got quite a few of those rented, or already spoken for and when that comes, there'll be another domino that'll fall, and another domino that'll fall. And if Canton downtown is to flourish, we need people down there with money. When people are living in the downtown area, you're going to see more restaurants, you'll see the grocery stores, everything else that goes on. And again, this is really an investment in Canton's future, and as I stated, I think sometimes people look at buildings and they go, "Oh my God, what a lot of work, it's never going to work". And Steve is wild and crazy enough to look at an old building and see the possibilities in it. God bless him for being a risk taker. I think it's a good investment for downtown Canton.

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

MEMBER MARIOL: Mr. President. Yes. Saturday I was lucky enough to go on an architectural tour in Chicago. While I was on this tour, the person showing us all the different architecture in downtown said that in the early twentieth century, they had a city planner that came up with the idea that while downtown Chicago was successful 8 - 5 because of the businesses, at 5:00 it shut down. And that for real success in a downtown area, you need twenty-four hours of activity. As we're going through the tour, this gentleman is attributing most of the development that is not just businesses, to that mind set and to the moment that Chicago recognized that downtown living and having people in a downtown area twenty-four hours a day was the moment that the City really took off. Tonight for Canton, this is our moment, where we can realize that from 5:00 on, Monday through Friday, and all through the weekend, if we have people living downtown, our downtown area is going to flourish and our city will see a huge benefit from that. So this is probably the most exciting vote I've made on Council and I am very, very happy to support this.

PRESIDENT SCHULMAN: Thank you Member Mariol. Member Mack.

MEMBER MACK: Thank you Mr. President. If you care about reversing the brain drain in this city, then you should care about downtown. Steve, thank you for your confidence in our city and we have confidence in you.

PRESIDENT SCHULMAN: Thank you Member Mack. Any other remarks? I have one comment I'd like to make. We've heard Steve Coon this, Steve Coon that. You know I hate the term "behind every successful man is a woman", because I think it's very offensive. In this case, this is a team of Steve and Jenny Coon, and they both deserve enormous credit for being dynamos, for being visionaries. I mean, it takes a lot of hard work and a lot of guts, but having said that, I think the most important thing is, it used to be, and some of you can recall, where money was given out just like candy in this city. Without any recourse, without any responsibility. Deputy Mayor Williams negotiated this loan with Mr. Coon and I can tell you that was a tough negotiation. This is not a gift to Steve Coon, this is a loan and he is signing personally on this loan, and that was one of the pre-conditions for this money being given over to his company. He's not only signing personally, he's signing for costs, for points, and interest back to the City on this loan. This is not a gift and it's not free, so let the public understand very clearly, while we all think the world of Jenny and Steve Coon, and all the things...the enormous, great things they've done for our City, this is a business transaction. We're not here just to throw \$2,000,000.00 away on some pie in the sky business operation. Those days are gone, and I want to compliment Deputy Mayor Williams and the Administration for striking that kind of bargain. Because, that's the kind of bargain going forth, we're going to make. We sure hope we're going to get our money back. If there's anybody that can get it back for us, it'll be Steve Coon and Jenny. But if it doesn't come back, Steve Coon is on the hook here. He's on the hook for this money. That's how much confidence he has in this business development. Having said all that, it is a tremendous, tremendous, brilliant idea. And as Member West said, this is a game changer. Bringing people down to our urban area to live is an amazing accomplishment considering where this City was 30 years ago. So, having said that, any other remarks? Hearing none, Madame Clerk roll call vote

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please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#29 ADOPTED AS AMENDED AS ORDINANCE NO. 182/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk.. (*Applause*). And I am honored to say Ordinance 29 has been adopted. Kick ass, Steve. (*Laughter*) (*Applause*). Turning now to Ordinance #30.

#. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE # 183/2014** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE AGREEMENT WITH STONE CROSSING CARE CENTER PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY.

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #30.

MEMBER SMITH: Seconded.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 30. Any remarks? Hearing none again, Madame Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

#30 ADOPTED AS ORDINANCE NO. 183/2014

PRESIDENT SCHULMAN: Thank you Madame Clerk. Ordinance 30 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We're now under Announcement of Committee Meetings.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Chairman Hawk.

MEMBER HAWK: Thank you good sir. Finance Committee will meet next Monday evening at 6:30 p.m.

PRESIDENT SCHULMAN: Thank you.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Member Mariol.

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

PRESIDENT SCHULMAN: Thank you.

MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Member Mack:

MEMBER MACK: Judiciary, same time, same place.

CLERK TIMBERLAKE: Personnel Committee...

MEMBER HART: ...Personnel...

PRESIDENT SCHULMAN: Personnel...Member Hart...

MEMBER HART: Personnel Committee will meet at 6:00...6:30...

PRESIDENT SCHULMAN: ...6:30...You can meet at 6:00, but we'll all be here at 6:30. Any other announcements?

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: Turning now to Miscellaneous Business. Hearing...

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT SCHULMAN: Deputy Mayor Williams.

DEPUTY MAYOR WILLIAMS: I just wanted to remind Members of Council that on Wednesday morning, approximately 11:30, we're going to celebrate Canton's football history. There's going to be a special dedication for Ralph Hay here on Second Street. All Members of Council should have received special invitation by Dr. James King, who is his grandson. Thank you.

PRESIDENT SCHULMAN: Thank you Deputy Mayor.

MEMBER MACK: Mr. President....

PRESIDENT SCHULMAN: Are there any other remarks?

MEMBER SMITH: Mr. President...

PRESIDENT SCHULMAN: Mr. Mack...

MEMBER SMITH: ...Member who?

PRESIDENT SCHULMAN: I'm sorry, Member Smith.

MEMBER SMITH: ...I'm looking like Mack now? Okay, but it's okay. You know what, I usually don't

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comment when someone speaks about something in Public Speaks, but I really want to comment on this. I hate Mr. Parker is out in the hallway...can somebody get him for me, please.

CLERK TIMBERLAKE: Mr. Parker...

PRESIDENT SCHULMAN: Mr. Parker can you come back in. *(Inaudible)*...

MEMBER SMITH: ...Is that what he's doing? I thought maybe he was up in Skyline Terrace. Excuse me, Mr. Parker, I really want to refer this to you. I really don't like to speak out about certain that uh...at Public Speaks, but I think...I really...I regret the fact that you called Skyline Terrace area a ghetto park, which it is not. Skyline Terrace has been through 3 ownerships within 10 years. They are in the process of renovating their residential area first, and the playground is going to be next. But now, if there is anything...finances or anything that you would like to see donated to that particular park, please do so and let them know. And we will be working on it, thank you so much coming down and being so concerned. I hate that things can't get done when you want them done, but they will get done. Thank you so much.

JAMES PARKER: Thank you.

MEMBER SMITH: Okay.

MEMBER MORRIS: Member Mack.

MEMBER MACK: Yes, quickly. First of the Comprehensive Plan meetings, tomorrow at 6:00. Gervasi. Everybody join us. I know some people are going to be there for sure, and anyone else who'd like to be there, everyone is welcome.

MEMBER WEST: Mr. President.

MEMBER MORRIS: Member West.

MEMBER WEST: Yes, I would also like to mention that on the 18<sup>th</sup> at 6:00 p.m. we will also hold a Comprehensive Plan meeting at the Metropolitan Center, for those of you who are here, please attend. Again, we're talking a lot about planning, we're talking about a lot of vision. This is where it will start at this meeting. And then secondly, I would like to thank open, I'd like to thank Jesse Byrd...Jesse Byrd...I'd like to thank Jesse Byrd in open...thank you...for coming down tonight. It's real interesting to hear when a group of people...sometimes we do things and the community...we're doing studies with lights and things of that nature. They were very open and honest about not wanting that light changed. They came down with eighty-five signatures to say that they did not want that light removed and I thank him for the leg work that got that done. So therefore, we are advocating that the light not be changed on 9<sup>th</sup> and O'Jays, so I just wanted to thank you for your efforts. Also, I want to thank Carrie Brown, Pastor Carrie Brown for her efforts and going out and getting signatures and supporting the name change for W.C. Henderson. And I know his son was here and I know he's proud that that's occurring as well, so it's great to hear from voices of the people, so thank you. *(Inaudible)*.

MEMBER MORRIS: Member Hart.

MEMBER HART: Yes, just 2 quick things. You know, along Market Avenue and some of the areas where they're replacing the sidewalks...these sidewalks are not matching the Streetscape Project and I don't know when the Streetscape Projects are done, if the City is going to have to take up that concrete. It might be a good

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opportunity to have them do that because I don't see that being done, and also, in terms of the paving, there are still some funds from the Ohio Public Works for the roadbed repair and paving with bricks, according to Senator Oelslager's office. So, if you can check into that because the brick streets all over the City, many areas are in need and I think this year the Administration was talking about \$32 or \$35,000.00 for, I believe, it was in the report Brick Street Repairs, so, it might be a good opportunity to have a plan and get a lot more money for it. Thank you.

MEMBER MORRIS: Leader.

MEMBER SMITH: Motion to adjourn.

MEMBER BABCOCK: Second.

MEMBER MORRIS: It's been moved and seconded to adjourn. Madame Clerk roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK TIMBERLAKE: Twelve yeas, Mr. President.

MEMBER MORRIS: Meeting adjourned. *(Gavel falls)*

ADJOURNMENT TIME: 8:45 P.M.

ATTEST: SEPTEMBER 18, 2014  
CYNTHIA TIMBERLAKE  
CLERK OF COUNCIL

APPROVED: SEPTEMBER 18, 2014  
ALLEN SCHULMAN  
PRESIDENT