

MINUTES OF THE MEETING FEBRUARY 27, 2017

PRESIDENT PRO TEM MORRIS: Good evening. With a quorum being present, the Chair now calls this meeting of Canton City Council to order. Roll call, please.

ROLL CALL TAKEN BY CLERK DOUGHERTY:

11 COUNCIL MEMBERS PRESENT: (FRANK MORRIS, CHRIS SMITH, JAMES BABCOCK, TOM HARMON, BILL SMUCKLER, GREG HAWK, NATHANIEL CHESTER, JASON SCAGLIONE, ROBERT FISHER, KEVIN HALL, & JOHN MARIOL)

ELEVEN COUNCIL MEMBERS PRESENT. (PRESIDENT SCHULMAN AND MEMBER MACK ABSENT)

CLERK DOUGHERTY: Eleven yeas, one nay.

EXCUSING MEMBERS

PRESIDENT PRO TEM MORRIS: Leader.

MEMBER SMITH: Mr. President, I move we excuse President Schulman and Member Mack from tonight's meeting.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to excuse President Schulman and Member Mack from this evening's meeting. Any remarks? Hearing none, roll call please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

PRESIDENT PRO TEM MORRIS: Motion carries. President Schulman and Member Mack are excused from tonight's meeting. Tonight's invocation will be given by our Ward 6 Council Member, Kevin Hall, and afterwards please remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on February 27, 2017 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, David R. Dougherty. The invocation was given by Ward 6 Council Member, Kevin Hall. The Pledge of Allegiance was led by President Pro Tem Morris.

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM MORRIS: Alright. We are now under Agenda Corrections and Changes. Leader Smith.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add Second Reading Ordinance 1 through 5.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to suspend Rule 22A to add second readings Ordinances #1 through 5. Any remarks? Hearing none, roll call please.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas.

PRESIDENT PRO TEM MORRIS: Rule 22A is susp... suspended, and the Ordinances are now a legal part of your agenda... agenda. Bluh... easy... easy. I'm in a hurry, we're running late.

PUBLIC HEARINGS

PRESIDENT PRO TEM MORRIS: Okay. We're now under Public Hearings, and we have none.

OLD BUSINESS

PRESIDENT PRO TEM MORRIS: We're now under Old Business. Deputy Mayor says we have none.

PUBLIC SPEAKS

PRESIDENT PRO TEM MORRIS: We are now under Public Speaks, and tonight we have three speakers. First speaker is Mr. Jim Chaney. Please give your name and your residential address for the record, and welcome to City Council.

JIM CHANEY: Thank you. Good eve... good evening, everyone. My name is Jim Chaney. I'm with the Pro Football Hall of Fame Marathon, and we're located downtown at 201 Market Avenue North. Uh, just wanted to give everyone an update on where we're at. Um, we are entering our fourth year with the Pro Football Hall of Fame Marathon. We're scheduled to run on Sunday, April 30th. We're at an all time record high with our participation. We're very, very close to selling out our events across the board. Uh, just short of nine thousand people, coming from forty-eight states and twelve countries. Um, we're really on our trajectory of our six year game plan, coming into year four, and all forecasts and indicators... um, the forecast shows that we'll probably be around twelve thousand participants next year and seventeen thousand participants in 2019. So, we... we appreciate the cooperation that we've had with the city of Canton. We've reconfigured our event to be solely in the city of Canton. Our race course is 13.1 miles, and for those during the marathon, they'll just do it twice, double back. Um, we are staging our race out of McKinley Downtown Campus, formerly Timken High School, this particular year until the pieces of the village are in place where we can move back into the village for the start finish line. Uh, we're gonna be meeting with the... some of the Council folks over the next couple weeks where we touch their wards, where we're running through. We work with Cutler Real Estate. Um, we're going to be contacting all the neighbors, the streets that we're running through, to let them know we're taking... uh, occupying your space and we would love for you to come out and cheer or volunteer, potentially run the race this year. So, I just wanted to give everyone... everyone an update, and it's all good news. Uh, hopefully next year we'll engage in an economic impact to see, you know, really the difference that I think we're making in the city. So, that's it.

PRESIDENT PRO TEM MORRIS: Thank you very much.

JIM CHANEY: Thank you. Appreciate it. (*Applause*)

PRESIDENT PRO TEM MORRIS: Have a good evening. Our next speaker is Allon Jacoby.

ALLON JOCOBY: Yes, sir. Uh, I live on Rosewood, 2814 Rosewood Place NW. My house keeps getting broken into. I told Jason about it. I told everybody in Canton about it. This guy acts like he don't know me.

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He's playing... he keeps getting in, so I don't know how he's getting in half the time. Then he took all my clothes out of my house. I was afr... afraid I'm gonna wake up one day and ain't gonna have no clothes. And that's what I wanted to say.

PRESIDENT PRO TEM MORRIS: Okay.

ALLON JOCOBY: Thank you.

PRESIDENT PRO TEM MORRIS: Thank you. Our next speaker is Mr. Pete DiGiacomo.

PETE DIGIACOMO: My name's Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. Um, they had it in the... in the Repository, and you spoke on it quite a bit this evening, about the budget, how much money... well, how bad it's gonna be at the end of the year. I need a new roof on my house. I needed it last year. I needed it the year before. I'm gonna need it next year. I don't have the money right now to do it, so I can't do it. It all ties together. First thing would be stop spending money on projects that can wait. Roof, don't have money, kinda goes together. Alright, never mind. Stop giving out money to everybody that comes up here, whatever the organization is, can you give me this money, can you give me that money. And it seems like they always get the money regardless of who they are or how good they are, things like that. Right now the city of Canton needs all that money and more. I got... the other day I was... I was driving up quite a few... I... I... I'm on 77 a lot. Does anybody here know that Fawcett... oh, I'm sorry, that Jim Benson Stadium, who pays the light bill over there? Wow. I'm not gonna stand up for your... I know you're not gonna answer me, so I'm not gonna stand up here for another minute or so and waste time. But I'm just curious because the lights are on, and I realize why they're on, but sometimes nine o'clock in the morning, ten o'clock, they're still on. And I'm just curious who pays the bill. I hope it's not the city. Bill says no. Okay. Thank you.

PRESIDENT PRO TEM MORRIS: Thank you, Mr. DiGiacomo. (*Applause*)

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM MORRIS: Okay. We are now under Informal Resolutions. Mister Clerk, could you read #17, please. (*Brief pause*) #17.

#17. COUNCIL AS A WHOLE: COMMENDING AND HONORING OFFICER MIKE MCKAY AS 2016 CANTON POLICE OFFICER OF THE YEAR. - ADOPTED

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Informal Resolution #17. Are there any remarks under this?

MEMBER SMITH: Yes. Mr. President, could we have that read in it's entirety, please.

PRESIDENT PRO TEM MORRIS: Yes, we can.

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CLERK DOUGHERTY: **An Informal Resolution Respectfully Submitted By Council-as-a-Whole on this 27th day of February, 2017. Whereas,** Officer Mike McKay has served Canton since 1998. He worked on various shifts in the Patrol Division for almost 13 years and built a reputation as an intelligent decision-maker and a strong communicator; and **Whereas,** In 2011, Officer McKay was assigned to the Vice Bureau and it was in that capacity that he truly excelled. Officer McKay was involved in over three hundred narcotics investigations and he showed equal dedication to the largest cases and the most minor complaints; and **Whereas,** Statistics do not tell the story of Officer McKay, for even with an impressive list of accomplishments, it is his compassion which most clearly sets him apart. In his humility, Officer McKay has never advertised those things he has made a regular part of his work; and **Whereas,** Officer McKay's accomplishments in case work and investigations are obvious, but more importantly, he has changed lives by excelling at those things which are often unseen and difficult to measure. **Now Therefore Be It Resolved:** that we, the Members of Canton City Council do hereby go on public record commending and honoring the **2017 Canton Police Officer of the Year, Officer Mike McKay,** for his professional competence and his consideration for others, in serving the citizens of Canton. Congratulations. (*Applause*)

MEMBER SMITH: Yes, Officer McKay. On behalf of the Canton City Council for your professional competence and your consideration for others, we appreciate you serving our citizens. Thank you.

OFFICER MIKE MCKAY: Thank you. I just wanted to thank everybody, the city of Canton, Chief Lawver, this is my wife Tanya. Uh, I want to thank everybody and let everybody know that this award is deeply appreciated. Um, I'm not really much at giving speeches, but I feel very honored with this award. So, thank you very much. (*Applause*)

PRESIDENT PRO TEM MORRIS: Alright, let's make that official then. All those in favor say aye. Those opposed.

NO REMARKS

RESOLUTION #17 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MORRIS: The ayes have it, and Informal Resolution #17 has been adopted.

COMMUNICATIONS

PRESIDENT PRO TEM MORRIS: We're now under Communications. Let the journal show that all Communications have been received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED FEBRUARY 27, 2017.

67. AUDITOR MALLONN: REQ RE-ISSUANCE AND SALE OF REVITALIZATION ANTICIPATORY NOTE IN MAXIMUM AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,300,000.00 TO PAY CURRENT NOTE APPROVED VIA O#56/2016; EXPIRING NOTE DUE WITH PMT ON 4/21/17; FUND UTILIZED FOR RECEIPT AND PAY OFF WILL BE 1151. - FINANCE COMMITTEE
68. AUDITOR MALLONN: REQ RE-ISSUANCE AND SALE OF GENERAL OBLIGATION JUDGEMENT BOND ANTICIPATION NOTE IN MAXIMUM AGGREGATE PRINCIPAL AMT

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NOT TO EXCEED \$1,100,000.00 TO PAY CURRENT NOTE APPROVED VIA O#55/2016; EXPIRING NOTE DUE WITH PMT ON 4/19/17; FUND UTILIZED FOR RECEIPT AND PAY OFF WILL BE 1105. - FINANCE COMMITTEE

69. AUDITOR MALLONN: REQ RE-ISSUANCE AND SALE OF ECONOMIC DEVELOPMENT REVENUE BOND ANTICIPATION NOTE IN MAXIMUM AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$5,000,000.00 TO PAY CURRENT NOTE APPROVED VIA O#54/2016; EXPIRING NOTE DUE WITH PMT ON 4/19/17; FUND UTILIZED FOR RECEIPT AND PAY OFF WILL BE 1154. - FINANCE COMMITTEE
70. AUDITOR MALLONN: REQ RE-ISSUANCE AND SALE OF GENERAL OBLIGATION BUILDING IMPROVEMENT BOND ANTICIPATION NOTE IN MAXIMUM AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$3,500,000.00 TO PAY OFF CURRENT NOTE APPROVED VIA O#53/2016; EXPIRING NOTE DUE WITH PMT ON 4/19/17; FUND UTILIZED FOR RECEIPT AND PAY OFF WILL BE 4504. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
71. AUDITOR MALLONN: REQ WITHDRAWAL OF COMMUNICATION #59 FR 2/13/17 AGENDA. - RECEIVED & FILED.
72. COUNCIL MBR SMITH, WARD 4: REQ STREET NAME CHANGE FR GONDER AVE SE TO HATTIE REE AVE. SE (LOCATED FR SHERRICK RD SE TO PULLEY AVE SE) IN HONOR OF HATTIE REE JONES. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
73. COURT ADMIN. KOCHERA: REQ \$38,500.00 SUPP APPROP FR UNENCUMBERED BALANCE #2766-701001 MUNICIPAL PROBATION SERVICES FUND TO OTHER #2766-701001 MUNICIPAL PROBATION SERVICES FUND FOR CONTINUED PROPER OPERATION OF THE COURT. - FINANCE COMMITTEE
74. FINANCE DIRECTOR CROUSE: AUTHORIZE AUDITOR TO PAY CANTON TOWNSHIP, AS MORAL OB, AMT NOT TO EXCEED \$46,844.80 TO BE PAID OUT OF ACCT 1001.753020.747.13 (FIRE LEVY RELATED REAL ESTATE TAXES - O#47/2007). - FINANCE COMMITTEE
75. LIQUOR CONTROL DIV (OHIO): REQ TRAN OF CI C2 PERMIT SHA B INC DBA B 2 B DRIVE THRU 2 TO SAMMY 636 LLC DBA B & B DRIVE THRU 2 @ 636 CHERRY AVE NE (WARD 2). - RECEIVED & FILED
76. LIQUOR CONTROL DIV (OHIO): NOTICE OF HEARING REGARDING TRF OF OWNERSHIP APP (MILLS TAVERN - WARD 5). - RECEIVED & FILED
77. LIQUOR CONTROL DIV (OHIO): LTR TO DISREGARD TRFL B5 PERMIT FOR L A DICK IMPORTS LLC DBA LA DICK IMPORTS @ 935 MCKINLEY AVE NW, SENT IN ERROR (WARD 2). - RECEIVED & FILED

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78. LIQUOR CONTROL DIV (OHIO): REQ TRAN OF D1 D2 D3 PERMIT FR CHARLES D SHAHEEN ESTATE MOSES SHAHEEN EXECUTOR DBA WHEEL CAFÉ TO MOSES D SHAHEEN DBA WHEEL CARE @ 227 3RD ST NE 1ST FL ONLY (WARD 2). - RECEIVED & FILED
79. MAYOR BERNABEI: REQ AUTHORIZATION FOR RE-APPT OF MR. IVAN REDINGER, JR. TO FAIR HOUSING COMMISSION FOR 5-YR TERM COMMENCING RETRO FR 2/1/17 UNTIL 1/31/22. - PERSONNEL COMMITTEE
80. MAYOR BERNABEI: REQ AUTHORIZATION FOR APPT OF MS. KATELYN S. REINHART TO TAX INCENTIVE REVIEW BOARD TO REPLACE MR. WILLIAM JEFFRIES, FOR TERM COMMENCING 3/6/17 THROUGH 12/31/17. - PERSONNEL COMMITTEE
81. PLANNING COMMISSION: REQ REPLAT OF PART OF LOTS 1616 & 1617, AKA TAX PARCEL NOS. 201690, 201691, 206059, 224056, 229993, 234704, 237754, 237755, 245982, 246868, & 285550, WARD 1 (SRO RESTAURANT CO.). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
82. PLANNING COMMISSION: REQ REPLAT & RENUMBERING PLAT OF ALL OF LOTS 42872, 42873, & 42874, AKA TAX PARCELS 248077, 248078, & 248079, WARD 4 (HABITAT FOR HUMANITY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
83. PLANNING COMMISSION: REQ VACATION OF MOSLEY CT SW FR THE NORTH LINE OF LOTS 42638 AND 42640 TO THE SOUTH LINE OF LOT 10193 AND REPLAT AND RENUMBERING PLAT OF ALL OF LOTS 10181 THROUGH 10191, 10194 THROUGH 10208, 42226 THROUGH 42235, AND 42638 THROUGH 42642 PLUS THE PORTION OF MOSLEY CT SW VACATED HEREIN, WARD 3 (AULTMAN HEALTH FOUNDATION). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
84. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR HOF #2 ANNEXATION (ZONING CLASSIFICATION IS HOFV - HALL OF FAME VILLAGE DISTRICT, WARD 7). - ANNEXATION COMMITTEE
85. SAFETY DIRECTOR PERRY: AMEND CLASSIFICATION PLAN TO INCLUDE POSITION OF ADMIN ASST III IN DEPARTMENT OF HUMAN RESOURCES; EMERGENCY. - PERSONNEL COMMITTEE
86. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROFESSIONAL SERVS CONTRACT WITH ARCADIS; \$109,100.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207044 44TH ST NW WATER MAIN REPLACEMENT PROJECT - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
87. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROFESSIONAL SERVS CONTRACT WITH CT CONSULTANTS, INC; \$96,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207045 FAIRMONT AREA WATER MAIN REPLACEMENT PROJECT, PHASE 1 - OTHER; AUTHORIZE AUDITOR TO

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DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE

88. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROFESSIONAL SERVS CONTRACT WITH IBI GROUP; \$68,980.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207046 RIDGEWOOD EAST WATER MAIN REPLACEMENT PROJECT, PHASE II - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING.

PRESIDENT PRO TEM MORRIS: We are now under Ordinances and Formal Resolutions for their First Reading. We have none.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM MORRIS: We're now under Ordinances and Resolutions for their Second Reading. Mr. Clerk, could you please begin with #1.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #5 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCES #3, #4 AND #5 ADOPTED ON FIRST READING):

- #1. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 1352, REGISTRATION AND MAINTENANCE STANDARDS OF VACANT NON-RESIDENTIAL COMMERCIAL AND INDUSTRIAL PROPERTY
- #2. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO RENAME THE 2774 BYRNE MEM JUSTICE ASSIST GR 09 59 FUND 2774 2016 COPS HIRING PROG GRANT FUND; AND DECLARING THE SAME TO BE AN EMERGENCY
- #3. (2ND RDG) **ADOPTED AS ORDINANCE NO. 39/2017** AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO A SETTLEMENT AGREEMENT WITH SHOOK CONSTRUCTION CO.; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDERS NOS. 3 & 4 TO THE WRF PHOSPHOROUS/NITROGEN PROJECT - CONTRACT NO. 26; AMENDING APPROPRIATION ORDINANCE NO. 257/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$255,651.77 INTRO-FUND TRF FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJ FUND; \$637,673.23 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJ FUND TO 5442 206054 WRF PHOSPHORUS PROJ (CONSTRUCTION) - OTHER; \$255,651.77 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJ FUND TO 5442 206055 SHOOK CONSTRUCTION CO. INDEMNIFICATION - OTHER)
- #4. (2ND RDG) **ADOPTED AS ORDINANCE NO. 40/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT AMENDMENT WITH CT CONSULTANTS, INC. IN AN AMOUNT NOT TO EXCEED

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\$384,000.00; AMENDING APPROPRIATION ORDINANCE NO. 257/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$384,000.00 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJ FUND TO 5442 206054 WRF PHOSPHORUS (CONSTRUCTION) - OTHER)

#5. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 41/2017** AN ORDINANCE ADOPTING THE 2017 ANNUAL APPROPRIATIONS FOR THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (BUDGET)

PRESIDENT PRO TEM MORRIS: Leader Smith.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rule for Ordinances #3, 4 and 5.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to suspend Statutory Rules for Ordinances #3, 4 and 5. Roll call, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS, 1 ABSTENTION
(MEMBER HALL ABSTAINED)

CLERK DOUGHERTY: Ten yeas, one abstention.

PRESIDENT PRO TEM MORRIS: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #3, 4 and 5. Or just 3?

PRESIDENT PRO TEM MORRIS: No, we gotta do one at a time.

CLERK DOUGHERTY: One at a time.

MEMBER SMITH: You're doing it one at a time? Just 3?

PRESIDENT PRO TEM MORRIS: One at a time. Yep.

MEMBER SMITH: Second it.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #3. Is there any remarks under this? Hearing none, roll call please.

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NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS, 1 ABSTENTION
(MEMBER HALL ABSTAINED)

CLERK DOUGHERTY: Ten yeas, one abstention.

#3 ADOPTED AS ORDINANCE NO. 39/2017

PRESIDENT PRO TEM MORRIS: Ordinance #3 has been adopted. Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #4.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #4. Are there any remarks under this? Hearing none, roll call please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS, 1 ABSTENTION
(MEMBER HALL ABSTAINED)

CLERK DOUGHERTY: Ten yeas, one abstention, Mr. President.

#4 ADOPTED AS ORDINANCE NO. 40/2017

PRESIDENT PRO TEM MORRIS: Ordinance #4 has been adopted. Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #5. Are there any remarks under this Ordinance? Hearing none, roll call please.

MEMBER MARIOL: Uh, point...

PRESIDENT PRO TEM MORRIS: Oh, I'm sorry. No roll call. Leader Smith.

MEMBER SMITH: Mr. President, I move that we adopt Ordinance #5 as amended.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to amend Ordinance #5. (*Inaudible voices*) Oh, no, no, no, no. Back up.

MEMBER SMITH: Back up. What we doing?

PRESIDENT PRO TEM MORRIS: Alright.

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MEMBER SMITH: We're adopting Ordinance num...

PRESIDENT PRO TEM MORRIS: No, no. We have to... we have to... gimme a...

MEMBER SMITH: Okay. Mr. President, I move that we amend Ordinance #5.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to amend Ordinance #5. Are there any remarks under this Ordinance? By voice vote, all those in favor say aye. Opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MORRIS: The ayes have it. Leader Smith.

MEMBER SMITH: Mr. President, I move that we adopt Ordinance #5, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 5 by the substitution of the attached revised exhibits for the original proposed exhibits.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #5, as amended. Are there any remarks? Hearing none, roll call please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#5 ADOPTED AS AMENDED AS ORDINANCE #41/2017

PRESIDENT PRO TEM MORRIS: Ordinance #5, as amended, has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM MORRIS: We are now under Ordinances and Formal Resolutions for their Third and Final Reading. Mr. Clerk, could you please begin with #6.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #6 THROUGH #10 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#6. (3RD RDG) **ADOPTED AS ORDINANCE NO. 42/2017** AN ORDINANCE AUTHORIZING THE AUDITOR TO ENTER INTO A THREE YEAR PROFESSIONAL SERVICES AGREEMENT WITH JULIAN & GRUBE, INC. IN AN AMOUNT

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NOT TO EXCEED \$25,400.00 ANNUALLY; AND DECLARING THE SAME TO BE AN EMERGENCY (COVER 2016, 2017, 2018 AUDIT PERIODS)

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #6. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#6 ADOPTED AS ORDINANCE NO. 42/2017

PRESIDENT PRO TEM MORRIS: Ordinance #6 has been adopted. Ordinance #7, please.

#7. (3RD RDG) **ADOPTED AS ORDINANCE NO. 43/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 257/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$27,600.00 INTER-FUND TRF FR 1001 GENERAL FUND TO 1205 POLICE SETTLEMENT FUND) (BOBBY JO WRIGHT SETTLEMENT)

PRESIDENT PRO TEM MORRIS: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #7.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #7. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#7 ADOPTED AS ORDINANCE NO. 43/2017

PRESIDENT PRO TEM MORRIS: Ordinance #7 has been adopted. Ordinance #8, please.

#8. (3RD RDG) **ADOPTED AS ORDINANCE NO. 44/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT AND ENTER INTO THE FITZPATRICK-JOINT ECONOMIC DEVELOPMENT DISTRICT AGREEMENT AREA IN JACKSON TOWNSHIP; AND

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DECLARING THE SAME TO BE AN EMERGENCY (JEDD)

PRESIDENT PRO TEM MORRIS: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #8.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It’s been moved and seconded to adopt Ordinance #8. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#8 ADOPTED AS ORDINANCE NO. 44/2017

PRESIDENT PRO TEM MORRIS: Ordinance #8 has been adopted. Ordinance #9, please.

#9. (3RD RDG) **ADOPTED AS ORDINANCE NO. 45/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEE, TO NEGOTIATE AND ENTER INTO AGREEMENTS FOR THE SALE OR DONATION OF CITY-OWNED PROPERTY FOR PERMANENT ROAD RIGHT-OF-WAY AND TEMPORARY CONSTRUCTION EASEMENTS AS PART OF THE MIDDLEBRANCH AND 30TH ST. RECONFIGURATION; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It’s been moved and seconded to adopt Ordinance #9. Any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 45/2017

PRESIDENT PRO TEM MORRIS: Ordinance #9 has been adopted. Ordinance #10, please.

#10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 46/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH DUBLIN TECHNOLOGIES, INC. FOR THE UPGRADE OF THE WATER DEPARTMENTS SUPERVISORY

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CONTROL AND DATA ACQUISITION SYSTEM AND TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF COMPUTERS, LAPTOPS, SOFTWARE LICENSES, AND MISCELLANEOUS ASSOCIATED ITEMS REQUIRED FOR THE UPGRADE; ALTERNATIVELY AUTHORIZES THE FOREGOING PURCHASE IN ACCORDANCE WITH ANY COOPERATIVE PURCHASING PROGRAM OR PROCUREMENT PROCEDURE AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 257/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207012 WATER PUMPING MAINTENANCE - OTHER)

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #10. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 46/2017

PRESIDENT PRO TEM MORRIS: Ordinance #10 has been adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM MORRIS: We are now under the Announcements of Committees. Of course, we have none. Uh, we do have one presentation next Monday, the Fire Department, and that'll be at 6:45.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM MORRIS: We are now under Miscellaneous Business.

MEMBER SMITH: Mr. President. You know, there are many people that come down to City Council, and when there are certain ones that be missing for awhile... I'd just like to welcome Mr. Zachary back. We missed him, and we're praying for you and your family. But welcome back. *(Applause)*

PRESIDENT PRO TEM MORRIS: Anyone else? Well, I was thinking I was gonna make this remark from on that side of the room, but since I'm up here tonight, I'm not gonna go Allen on you, but I'm gonna be short and brief. You know, as you... as you drive into the city limits of Canton, and... and we like to pride ourself in saying we're the Hall of Fame city, and you know, we're all about promoting this... this Hall of Fame Village and the Comprehensive Plan and downtown. Has anybody ever noticed that everyplace you look there's garbage all along the sides of the street. So, let's say you're going south on 77, and I missed the Fulton Road exit. There's nothing but trash all over. But I'll tell you one thing

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that maybe our city engineer can help us out with. There's not one sign anywhere that says \$500.00 fine for litter. We don't even have it posted anywhere in the city limits that it's illegal to litter. Now, I don't know what kind of streets most of my colleagues live on, but I live on 19th Street, and if I got a dollar for every forty ounce that was thrown in my front yard, I... uh, I could buy a Cadillac like Babby. (*Laughter*). I mean... I mean, you know, I mean, well, you got a nice Cadillac. You know, I mean, if it was every bag of chips that I picked up, I could buy a couple suits like Babby. But, I mean... (*Laughter*) I think we really need to... not only do we need to enforce littering, but I really think that some signage to actually say that we really care would be kinda helpful. Uh, we kinda posted that on Facebook, and it seems like people in the city are getting pretty frustrated with it. And you go to other municipalities, you travel around, you go on vacation, as a smoker I'm very reluctant to throw my cigarette butt out the window because wow, it's so clean around here. But, I... I throw my cigarette butts in my own front yard because nobody else cares if they throw garbage in my front yard. (*Laughter*)

MEMBER MARIOL: Uh, Mr. President, I think it's a \$500.00 fine.

PRESIDENT PRO TEM MORRIS: Uh, Mr. Mariol... Member Mariol, if you could put a sign in my front yard that says no littering, I'll gladly pay that \$500.00. So, our... nobody else has anything. I... I guess we're starting something new here where we do the thought of the week. The Clerk refused to let me come up with my own, (*laughter*) because if somebody come up with this thing of decorum and it has to be G rated, so I'll just read what the Clerk was so generous to pull up for us. "Never doubt that a small, a group of thoughtful committed citizens can change the world. Indeed, it's only the thing that ever has." So, you know what that means? Get involved. Bring a friend. Date night, Canton City Council. Leader Smith.

MEMBER SMITH: Mr. President, I move we adjourn.

MEMBER BABCOCK: I second it, Jimmy Kimmel. (*Laughter*)

PRESIDENT PRO TEM MORRIS: Nice shot at humor. It's been moved and seconded. Roll call, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: (*Gavel falls*)

ADJOURNMENT TIME: 8:03 P.M.

ATTEST:

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

FRANK MORRIS
PRESIDENT PRO TEM