

MINUTES OF THE MEETING APRIL 10, 2017

Recording begins as follows:

(INAUDIBLE) JOHNSON: Affairs of the Community, far northeast part of Canton. (*Applause*)

BRENDA BAYLOR: Brenda Baylor, Georgeview Estates Neighborhood Association. (*Applause*)

KEITH CONRAD: Keith Conrad, Logan Area Neighborhood Association. (*Applause*)

PRESIDENT PRO TEM MORRIS: And that's Bruce Brewer, Vassar Park, Ward 9. (*Applause*) Alright, before we get rolling, and I know we have seven public speaks tonight, I personally would like to thank you all for what you do, especially the folks in Ward 9. The neighborhood associations there (*laughter*) make my job so easy. And I do appreciate it, and I'm sure all Council Members do. So, with that being said, with a quorum being present... ooop, I'm sorry, I call this meeting of Canton City Council to order, and with a quorum being present, Mr. Clerk, roll call please.

ROLL CALL TAKEN BY CLERK DOUGHERTY:

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

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

CLERK DOUGHERTY: Eleven yeas, one absent.

EXCUSING MEMBERS

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to excuse President Schulman and Member Smuckler from this evening's meeting. Is there any remarks under this? Uh, I do know that it is Passover, and that is why the gentlemen are not here. So with that being said, roll call please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Okay. Motion carries.

CLERK DOUGHERTY: I'm sorry, eleven, Mr. President.

PRESIDENT PRO TEM MORRIS: Eleven. Motion carries, and President Schulman and Member Smuckler

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are excused from this evening's meeting. Tonight's invocation will be given to... given by our At-Large Member, Tom Harmon. Afterwards, please remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on April 10, 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 At-Large Council Member, Tom Harmon. The Pledge of Allegiance was led by President Pro Tem Morris.

AGENDA CORRECTIONS & CHANGES

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

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances 10 through Ordinance 12 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to suspend Rule 22A and add second readings Ordinances 10 through 12 to this evening's agenda. Are there any remarks? Hearing none, roll call please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Okay. Motion carries. Rule 22A is suspended and Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM MORRIS: Alright. We're now under Public Hearings and we have two this evening. The first one is scheduled for 7:30 and it's an ORDINANCE AUTHORIZING CANTON TO ANNEX TERRITORY KNOWN AS HALL OF FAME VILLAGE #2 ANNEX AREA CONTAINING APPROXIMATELY 13.078 ACRES, MORE OR LESS; ASSIGNING TERRITORY TO WARD 7 OF THE CITY; ZONING SAID TERRITORY AS HALL OF FAME VILLAGE DISTRICT. Is there anyone in the audience here to speak for or against this Annexation, please come forward now. Okay, I have to repeat this. Oh... Please speak, or please give us your... okay.

FRANK GERSTENSCHLAGER (*Unsure of spelling*): My name is Frank Gerstenschlager. My current... uh, I say... what I say my concerns are some of the people are not, or do not want to be into the city. Okay, at this time if they annex, and if we do not want to be into the city, are we gonna be forced? Well, who has the answers?

PRESIDENT PRO TEM MORRIS: Sir, could you clarify the question? And I'm sure Deputy Mayor can answer it. I... I was distracted, I apologize.

FRANK GERSTENSCHLAGER: Oh, okay. Well, I'm saying that you want to annex it into the city. There's

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some people that do not want to be annexed into the city. Are they gonna force us into the city? Or if we don't want to be, are we just gonna be left alone?

PRESIDENT PRO TEM MORRIS: Wow, that's a tough question on that one.

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT PRO TEM MORRIS: I'm gonna defer this to Deputy Mayor Williams.

DEPUTY MAYOR WILLIAMS: Sir, the only annexations that are taking place...

FRANK GERSTENSCHLAGER: Uh, slow down a little bit because your mic is...

DEPUTY MAYOR WILLIAMS: My apologies. The only annexations that are taking place are annexations where the Hall of Fame has purchased properties and petitioned the city of... city of Canton to be annexed into the city. Those are the only annexations that are coming before this body.

FRANK GERSTENSCHLAGER: Okay. But the border lines, I am in that border line. Okay? But presently I am in the Plain Local.

DEPUTY MAYOR WILLIAMS: Again, many of the properties that the Hall of Fame is purchasing is in Plain Local. They're pur...

FRANK GERSTENSCHLAGER: I do realize that, but my main question is if they annex it into the city, and I say hey, I do not want to be in the city, does that mean that I'm gonna be forced into the city?

DEPUTY MAYOR WILLIAMS: Mr. President.

FRANK GERSTENSCHLAGER: It's a very simple question.

DEPUTY MAYOR WILLIAMS: And I'm trying to give you a very simple answer. The Hall of Fame Village is petitioning different property owners to purchase their properties. Once they acquire those properties, then they've petitioned the city of Canton to be annexed into the city of Canton. The city of Canton is not engaging property owners to force them to come into the city of Canton.

FRANK GERSTENSCHLAGER: Okay. To just to clarify it, from what you said, if I say I don't want to be in the city, I'm not gonna be in the city, right?

PRESIDENT PRO TEM MORRIS: Correct. Don't sell your property to the Hall of Fame if you don't want to be in the city.

FRANK GERSTENSCHLAGER: I'm not planning on it, brother. I'm not. *(Chuckles)*

PRESIDENT PRO TEM MORRIS: Well, you may look out your back window and see part of the Village. You might look out your living room window and see part of the Village, but selling your property... the city of Canton is not going to force you, nor can we, to sell your property to anybody.

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FRANK GERSTENSCHLAGER: Oh, I know they can't. But I'm saying about forcing me into the city.

PRESIDENT PRO TEM MORRIS: Well, first off, we got some great property out in Ward 9 if you're interested. (*Laughter*) I mean, you come on out and see us. Uh, Market Heights has got some beautiful houses up there for sale. But no, you're right, we cannot force you, nor will we try to force anybody to become part of our city.

FRANK GERSTENSCHLAGER: Even after they start expanding further out?

PRESIDENT PRO TEM MORRIS: We cannot force you to sell your property.

FRANK GERSTENSCHLAGER: Uh, I.. I know that, but I'm saying the main thing is forcing me into the city. Say like if they move up towards Broad in the future, and I'm still in the Plain Township.

PRESIDENT PRO TEM MORRIS: Yeah, I'm gonna defer this to the Law Department because...

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. Sir, Members of Council, the laws on annexation have changed in Ohio. The kinds of annexations where people were brought in against their will were contested annexations, and occasionally if... if there was... if there was or there were holdouts, it would take a super majority. I'm not an expert in annexation law, but I do know we haven't been pursuing those kind. We've been going after the consensual ones, or the ones in which everybody unanimously wants in, as was explained by the Deputy Mayor. So, what... what I'm surmising is you're saying, what if I'm the only one left on the border.

FRANK GERSTENSCHLAGER: Oh, I.. I understand.

LAW DIRECTOR MARTUCCIO: You're... is that what you're saying? Like what if I'm the only one left on the border?

FRANK GERSTENSCHLAGER: Or in... inside. Inside.

LAW DIRECTOR MARTUCCIO: We... you can...

FRANK GERSTENSCHLAGER: What if they expand out and around? I might be on a border now, but later on I might be in the center of it.

LAW DIRECTOR MARTUCCIO: It... it's a theoretical possibility. If you want to, if you're gonna be here afterwards, I'll take your name and number and I'll be able to get a clearer answer on which part of the law might apply to you, and then get back to you with that part of the law.

FRANK GERSTENSCHLAGER: Okay. Wonder if they got 51%. Can they force somebody that doesn't want to be in, into it?

LAW DIRECTOR MARTUCCIO: Again, the laws have changed recently, and I'm not sure... I don't think that's the case anymore, but I don't want to go on the record...

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FRANK GERSTENSCHLAGER: (*Laughs*)

LAW DIRECTOR MARTUCCIO: ...in front of a lot of people giving you an incorrect answer. Or any one person. I don't want to give one person an incorrect answer. But for tonight, the hearing that you're discussing is the Hall of Fame Annexation #2, and the only properties are those that petitioned to come in, and they've all petitioned to come in cause they're all owned by the Hall of Fame Village.

FRANK GERSTENSCHLAGER: Yeah, I do realize that, but I'm looking towards the future at something might affect me. That is why I am asking these questions.

LAW DIRECTOR MARTUCCIO: Oh, it's a great question.

FRANK GERSTENSCHLAGER: You would too if it possibly in the future could affect you, right?

LAW DIRECTOR MARTUCCIO: It's a good question, and I like I said he wants to leave early, just motion to me and I'll come and get your name and phone number, and I'll get you the right answer out of the Revised Code. Or you can stick around and give it to me.

FRANK GERSTENSCHLAGER: Okay.

PRESIDENT PRO TEM MORRIS: That's as good as it gets.

FRANK GERSTENSCHLAGER: Oh, one other thing. (*Laughter*) About the streets, okay?

PRESIDENT PRO TEM MORRIS: Well, this... this is...

FRANK GERSTENSCHLAGER: Now, I live on 19th Street.

PRESIDENT PRO TEM MORRIS: This is strictly annexation.

FRANK GERSTENSCHLAGER: Yeah, okay. Are you gonna... gonna annex the streets into it too? I believe that you will.

LAW DIRECTOR MARTUCCIO: Thank you. Mr. President and Members of Council and ladies and gentlemen of the audience, any annexation has to have borders, and those borders have to be described. And yes, they would include the streets that the houses are upon. Sometimes it splits a street and one side's in and one side's not, so only half the street theoretically, if... if you work it out with the... the jurisdiction. We have to work something like that out with Plain Township in terms of taking care of the street and so on. Um, are you asking about this one in particular?

FRANK GERSTENSCHLAGER: Oh, yeah. Yeah, 19th Street. 19th and Lake.

LAW DIRECTOR MARTUCCIO: Look... we'll be looking at the map that's attached. Um...

FRANK GERSTENSCHLAGER: I already seen the map and so on that was presented.

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LAW DIRECTOR MARTUCCIO: Uh, the description has to be complete, and it has to be approved by the... by the Board of County Commissioners before it comes back here. So, by the time this hearing has reached all of you, the Ordinance has been presented for the Statement of Services, that goes to the County Commissioners, it comes back here as having been approved. Uh, tonight is Council's chance to hear from interested folks like you and your concerns. It's not being passed tonight... uh, well, it will be passed tonight.

FRANK GERSTENSCHLAGER: Well, this is the thing for information, and that's what I'm trying to get right now.

LAW DIRECTOR MARTUCCIO: And again, I'd be happy to get the precise information for you and share that. And with Council next week if they so desire.

FRANK GERSTENSCHLAGER: Oh, yeah, I thought, you know, you could have all the information and everything.

PRESIDENT PRO TEM MORRIS: Sir, I'm gonna point you in the right direction. I want you to turn around, there's a handsome gentleman standing behind you with glasses looking at you. That's our Annexation Director. You can feel free to drag him out in the hallway. *(Laughter)* He's got all the information. He knows where all the bodies are gonna be buried. *(Laughter)* He can help you.

FRANK GERSTENSCHLAGER: You have a lot of faith in him, I can tell. *(Laughter)*

PRESIDENT PRO TEM MORRIS: A lot of answers.

FRANK GERSTENSCHLAGER: Well, that's what I meant. It's pointing a finger at somebody else.

PRESIDENT PRO TEM MORRIS: He... he knows. He's our Annexation Director. Okay, so I have to repeat this. Is there anyone else in the audience wishing to speak for or against this Annexation, please come forward. Seeing no one, declare... declares this public hearing over in regards to this matter, and the matter now rests in the hands of Council. The Ordinance will be... will follow later this evening. Second is scheduled for 7:50 P.M. It's an ORDINANCE VACATING A PORTION OF MOSLEY COURT SW AND ACCEPTING THE REPLAT AND RENUMBERING PLAT OF LOTS 10181 THROUGH 10191, 10194 THROUGH 10208, 42226 THROUGH 42235 AND 42638 THROUGH 42642 PLUS THE VACATED PORTION OF MOSLEY COURT SW; AND DECLARING THE SAME TO BE AN EMERGENCY. Whew, Allen, heck of a night to take off. Is there anyone here speaking for or against this Annexation, please step forward. Have to repeat. Is anybody here to speak before... or for or against this Rezoning? Okay. The Planning Commission has recommended the approval of the same. Okay, with no one stepping forward, the Chair declares this public hearing over in regard to this matter. The matter now rests in the hands of Council. The Ordinance will follow later this evening.

OLD BUSINESS

PRESIDENT PRO TEM MORRIS: We're now under Old Business. Deputy Mayor says that we do not have any Old Business.

PUBLIC SPEAKS

PRESIDENT PRO TEM MORRIS: So we are now under Public Speaks. This evening we have seven speakers. When your name is called, please step to the mic, give us your name and your current residential

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address. Our first speaker is Mr. Pete DeGiacomo.

PETE DEGIACOMO: My name's Pete DeGiacomo. I live at 600 Dent Place SW, Canton, Ohio. The reason I'm looking behind me is what I see is very impressive. All the people here, coming down here tonight, express your opinions, listening to what's going on. City Council, there's one problem, you only come down here once a month. Some of you don't come down once a month. We need you people, you folks, to come down every Monday night and make a difference. That's how you're gonna make a difference, coming down here, listening to what's going on, holding their feet to the fire, and get an answer. But if you come down here once a month, you might as well go buy some ice cream and stay home.

BY UNIDENTIFIED VOICE: Good job. Good job. (*Applause*)

PRESIDENT PRO TEM MORRIS: Thank you, Pete. Next speaker is Linda L. Campbell. (*Background voices and laughter*)

LINDA CAMPBELL: Good evening, everyone. My name is Linda Campbell. My address is 1016 Struble Avenue NE, that's Canton 44705. It's so nice to meet our new council person, Chester, and all... well, I wasn't really sure about this, but my... what I want to bring up is I am very concerned about the curbs and trees, not only in the neighborhood I stay in, all the surrounding neighborhoods. They're fixing up everywhere else, so we want to make our city look very beautiful. And so this is what I'm very concerned about. I don't have a tree in my yard, but I have a neighbor that doesn't really stay at his place too often, and his limbs is falling down in the yard and stuff and carrying on, so I'm just wondering, is there anything that can be done in the neighborhoods, and I will speak to you later on too, Chester, concerning these matters, as far as getting the curbs, because I stay in a neighborhood where it used to be a whole lot of homes, but they tore down the homes and they're leaving vacant spots. So, we have maybe about a hand full of homes still available, and I'm just wondering how do we go about trying to get the curbs fixed so it'll look nice in the neighborhood, plus the old rotted trees is falling down. Hopefully they don't cause no harm and fall on nobody and hurt nobody. And the vacant places are still standing up. So those are my concerns, so... alright, and I will speak to you later on. (*Applause*)

PRESIDENT PRO TEM MORRIS: Thank you. And, I just want to say something as a reminder, and in case some of you are new to attending a Council meeting. If you ask a question, by Council Rule, nobody up here's allowed to actually answer that question at that present time, okay? Your three minutes is your opportunity to say what you think or point out issues, and if you'd like to stick around after the meeting, one of us or all of us would be more than glad to stick around and talk to you. Okay? So, our next speaker is Ms. Kathy Ramsey.

KATHY RAMSEY: Good evening. My name is Kathryn Ramsey, and I live at 2322 16th Street NE, Canton. First, I'd like to thank you for this opportunity to express my opinions. Secondly, Mr. Morris, thank you from the bottom of my heart for your efforts to make Canton clean again. It has been a disgrace. But my first question is how do you intend to enforce this? I have a lady across the street who puts her trash in cans in the front yard. No lids, no bags. Her trash the other day when the winds were blowing at 50 miles an hour, her trash was blowing over the entire neighborhood. I very politely, very politely, asked her if she could secure her trash because it was all in the streets, it's blowing in the storm drains and in my yard. She looked at me and asked me how did I know it was her trash. Duh! (*Laughter*) Again, how do you plan to enforce this new long overdue law? Thirdly, I'm on a thoroughfare from Mahoning Road to Harrisburg Road. It is used as a shortcut by drivers who think they're on the Autobahn. There are two stop signs which they blow through

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constantly. We need traffic enforcement officers in this area. At the four way stop at 19th and Superior, you know, you can't park right on top of a stop sign. Well, they park both sides under the stop signs. The police go through here and see it too. I'm not the only one. It's unsafe to try to get through because there... it... it's a one way street now. I'm quoting my neighbor, Mr. Mower Man Rex, he mows all the vacant lots. He says, "the more I'm around people, the better I like hogs." Thank you. (*Applause*)

PRESIDENT PRO TEM MORRIS: Well, Ms. Ramsey, you always make me smile. Next speaker is Chris Leach.

CHRIS LEACH: Chris Leach, 1368 Scoville Avenue SW. What I'd like to propose is, I've noticed a lot of people with snow plows that drive around, and I believe their vehicles to not be of safe nature. Uh, when my wife and I's out with the grandchildren in the cars, you never know when, you know, equipment failure may cause something to... maybe the blade to come down and... and throw debris into oncoming traffic. What I'd like to propose is that we have some kind of regulations where once a year you would have to have your plow certified, safety checked, and some kind of designation on the windshield so that the police department and those that enforce the codes would be able to recognize the fact that they were certified. Um, I'm just looking for safety for the community. Um, I know a lot of companies that have their own obviously take very good care of them, but anybody with a vehicle and a plow is suddenly an operator. I'd like to see something change with that, that's my proposal.

PRESIDENT PRO TEM MORRIS: Alright, thank you, sir. (*Applause*) Our next speaker is Brenda Baylor.

BRENDA BAYLOR: My name is Brenda Baylor, and I live at 2722 Wood Owl Street NE, and I do not expect answers tonight, but I do have a couple of questions on Republic Steel. Okay, one is... is when is the Health Department, the EPA, or whoever they choose to get going to do soil testing of the area that surrounds Republic Steel? Uh, it is of extreme importance that we find out for sure that there is nothing in the ground that is going to be harmful to us. The second thing is, is that I got a call today from someone who thought it was a good idea to find out if there have been any samples taken of the buildings at Republic Steel, because it kinda looks like their slag, who knows, it could be lead. Um, I hear all sorts of weird things of opening up roofs and burning and carrying on, so I'm just here to put that out there that these are things that we're gonna stand behind, and we're just not gonna stop until we get the answers. And then the last thing I want to say, that those people who are here from the neighborhood associations that surround Republic Steel, I will be calling you very quickly because I do have some information that hopefully will help us as we try to move forward with this problem that we're having over there. Thank you. (*Applause*)

PRESIDENT PRO TEM MORRIS: Alright, our next speaker, Pat Wesson.

PAT WESSON: Hello, everyone. Uh, I am here tonight as part of the Neighborhood Leadership Council, and I think we already made our presence known, and I'm very pleased and proud that you have heard from some of our members already. Uh, just to remind you of some of the facts about us. We are a network of citizens representing most of Canton's 50 neighborhood associations. The Neighborhood Leadership Council was organized 20 years ago by the Stark Community Foundation, and we continued to meet monthly for most of the year at the foundation. We continue to partner with them on behalf of Canton's neighborhoods, and also to acknowledge the leadership of Marilyn Thomas Jones. Uh, we represent neighbors, as you can see, all ages. We come from all socio-economic groups, and we are from every quadrant in this city. I'd like to ask everybody, not just the leaders, but everyone who is part of a neighborhood association in Canton to stand up.

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Excellent. Thank you, all. *(Applause)* This is an annual event for us. Uh, so we will be back before next year, speaker number one. *(Laughter)* Over the past year, one of the projects for the Neighborhood Leadership Council had been to compile a list of distress and problem properties that were a top priority to us. This was throughout our neighborhoods, and we are pleased that these concerns were received by the City Administration and also about the currently more adequately staffed Code Enforcement Department. We're very happy about that. Every October the Neighborhood Leadership Council sponsors a candidate's forum, panel, and neighborhood showcase, so we hope to see most of you there as part of our panel this year on October 9th, since this will be a good local election. Um, and we do invite all candidates who are on the ballot in Canton's precincts to participate in that. Uh, the Leadership Council is here tonight though, not just to bring up our concerns, but to educate ourselves, to watch our city government and our representatives in action, and we want to restate to you our commitment to Canton as a good place to start, and even better place to stay, and you know our rallying cry, it's on the back of our shirts, *(together with audience)* "You don't have to move to live in a better neighborhood." Thank you all. *(Applause)*

PRESIDENT PRO TEM MORRIS: Thank you. And our last speaker, Mr. Martin Zawacky.

MARTIN ZAWACKY: Good evening. Martin Zawacky, I live at 2831 Harrison Avenue NW. Um, I... I think one of the things I first want to do is to reiterate my thanks for the... for the litter concept, for the litter pickup, and I was... as I was reading the media that there seems to be more of a chance of having it enforced. That... that's really great. And I think the city of Canton needs to focus more on things like that, what I consider is quality of life. Um, and the other thing is that perhaps... I want to thank the neighborhoods. Uh, for about a month ago, a rescued greyhound had just gotten off the track, got loose, and the hunt was on for four days all the way from 35th and Market over to Harrison Avenue close to Route 77. The neighborhoods were just phenomenal with helping to track that animal, and... and get it rescued and back to its owner. You will find that the lady who is the foster parent of it is running a... a thank you at Nathan's Grill. And so anybody that sees that coming up, please... please support that. Now, one of the... the things that I want to speak about in the neighborhood is that, you know, many of us do things in the neighborhood, and maybe not to the degree we do, but, you know, in my neighborhood we've razed houses ourself. Took them down by hammer and crow bar and hauled them off by pickup truck loads. And in particular the last one was a bad house for the neighborhood. Um, if it weren't for Mr. Mariol, it still might be there. He really put the pressure on them, and this time the neighbors got involved and helped tear it down, and we purchased it. And Paragraphics, the printing place, because their workers were threatened by the individuals in this house, they were grateful to purchase four 20 yard open containers so my pickup truck isn't still working. *(Chuckles)* And I want to... I want to thank them for that. You know, we cleaned the drains on the street. The... the drain that goes down toward the railroad tracks stops about 50 feet from the tracks. All that stuff off the street needs to be cleaned up. And I also... we will go down and clean that so that the water isn't building up behind the tracks where it forms a swamp. Uh, we maintained the property, meaning we cut the grass and that all the way from the Route 62 bridge going north on property that doesn't belong to us, it belongs to the city, it belong to the state, and it belongs to the railroad. What I'm getting at here is that that's where AEP is coming through to put their poles in, and what I'm asking is that you ask AEP to put it back the way it was so we can continue what we've been doing for our neighborhood. And if you say they do, I'll show you the ruts from the last time they were there. Now God will fill in the ruts, but not before I bend two or three blades of my mower, so... so I'm asking you for your help because everybody here, all the neighbors do something like that. You've heard about the guy cleaning up all the lots, mowing, and stuff like that, so we could use your help too. Thank you very much. *(Applause)*

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PRESIDENT PRO TEM MORRIS: Okay. And as always, we appreciate everybody coming in.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM MORRIS: And now we're going to move on to Informal Resolutions. Mr. Clerk, could you begin with #21.

#21. COUNCIL-AS-A-WHOLE: RECOGNIZING THE MONTH OF APRIL AS DISTRACTED DRIVING AWARENESS MONTH. - ADOPTED

PRESIDENT PRO TEM MORRIS: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #21.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Informal Resolution #21. Are there any remarks? Hearing none, all by voice vote, all in favor say aye. Those opposed.

NO REMARKS

RESOLUTION #21 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MORRIS: The ayes have it. Member Fisher.

MEMBER FISHER: Stephanie Sweany, on behalf of Canton City Council and the city of Canton as a whole, we just want to say thank you for making people aware of distracted driving and the dangers it causes, and we hope you'll keep up the good work.

STEPHANIE SWEANY: Thank you. Can I say something real quick? Have a second?

PRESIDENT PRO TEM MORRIS: Yes, you can.

STEPHANIE SWEANY: Thank you. I'm Stephanie Sweany. I want to say on behalf of the Ohio Jaycees and the SAFE Program, a thank you to City Council for recognizing this important issue. Uh, the Ohio Jaycees are a network of young professionals, 18 to 40, who try to make a difference in their community, and we saw a very strong need for a program that focuses on distracted driving, so we have a program that's called SAFE, Stay Alert For Everyone, and we want to make young people and all people aware of this issue. So we want to thank City Council for increasing the footprint on this. Thank you.

PRESIDENT PRO TEM MORRIS: Thank you very much, Stephanie. (*Applause*) Informal Resolution #22, please.

#22. MAJORITY LEAD MORRIS: RE-APPT OF LEMUEL GREEN AS MUNICIPAL DIRECTOR OF STARK COUNTY LAND REUTILIZATION CORP. - ADOPTED

PRESIDENT PRO TEM MORRIS: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #22.

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MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Informal Resolution #22. Are there any remarks under this? Hearing none, all those in favor say aye. Those opposed.

NO REMARKS

RESOLUTION #22 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MORRIS: The ayes have it. Informal Resolution #22 has been adopted.

COMMUNICATIONS

PRESIDENT PRO TEM MORRIS: 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 APRIL 10, 2017.

138. COUNCIL MEMBER HALL: LETTER OF SUPPORT FOR ARBOR RIDGE DEVELOPMENT PROJ ON KASPER ST. NE IN WARD 6. - RECEIVED & FILED
139. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ACCEPT GRANT OF \$100,000.00 FR OHIO FACILITIES CONSTRUCTION COMMISSION FOR CITY OF CANTON CENTRAL PLAZA MEMORIAL"; AMEND APPROP O#41/2017 (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJ FUND TO 4501 201001 SERVICE DIRECTOR ADMIN - OTHER); AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR PROJ UTILIZING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENTS COMMITTEE
140. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER/CONTRACT AMENDMENT NO. 1 WITH MICHAEL BAKER INTERNATIONAL IN AMT NOT TO EXCEED \$18,432.00 FOR PROF ENGINEERING SERVS FOR BURNHAM HILLS SANITARY SEWER REPLACEMENT PROJ, GP 1220; MAKE \$18,432.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206314 BURNHAM HILLS SANITARY SEWER REPLACEMENT PROJ, GP 1220 - OTHER; RETRO AUTHORIZE AND RATIFY ANY ACTIONS TAKEN PRIOR TO THE EFFECTIVE DATE OF THIS LEGISLATION; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
141. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR 40TH ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT FOR CONSTRUCTION OVERSIGHT SERVS FOR 40TH STREET/GRUNDER AVE WATER MAIN REPLACEMENT PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT(S) FOR AND RECEIVE GRANT FUNDS IN AMT OF \$900,000.00 AND 0%INT LOAN FUNDS IN AMT OF

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\$600,000.00 FR OHIO PUBLIC WORKS COMMISSION FOR PROJ; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE 5233 40TH ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ FUND FOR PURPOSE OF TRACKING PROJ REVENUES AND EXPENDITURES; MAKE \$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5233 40TH ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ FUND TO 5233 207038 40TH ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ - OTHER; \$790,944.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207038 40TH ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY - FINANCE COMMITTEE

142. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT WITH ARCADIS IN AMT NOT TO EXCEED \$23,600.00 FOR MONTABELLA-FIRST FRIENDS DETENTION BASIN DRAINAGE STUDY; RETRO AUTHORIZE AND RATIFY ACTIONS TAKEN PRIOR TO EFFECTIVE DATE OF THIS LEGISLATION; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
143. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT(S) FOR AND RECEIVE GRANT FUNDS IN AMT OF \$750,000.00 AND 0% INT LOAN FUNDS IN AMT OF \$750,000.00 FR OHIO PUBLIC WORKS COMMISSION FOR PROJ; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE 5234 SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ FUND FOR PURPOSE OF TRACKING PROJ REVENUES AND EXPENDITURES; MAKE \$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5234 SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ TO 5234 207042 SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ - OTHER; \$407,081.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207042 SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
144. SERVICE DIRECTOR BARTOS: ADOPT AND APPROVE PROPOSED THREE (3) YR COLLECTIVE BARGAINING AGMT INCLUDING ALL PROPOSED AMENDMENTS, BETWEEN CITY OF CANTON AND LOCAL 2937 AND OHIO COUNCIL 8, BOTH OF AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, AFL-CIO; AUTHORIZE MAYOR TO EXECUTE PROPOSED COLLECTIVE BARGAINING AGMT, INCLUDING ALL PROPOSED AMENDMENTS AND ANY ADDT'L AMENDMENTS OR CORRECTIONS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PERSONNEL AND FINANCE COMMITTEES
145. SERVICE DIRECTOR BARTOS: ADOPT AND APPROVE PROPOSED THREE (3) YR COLLECTIVE BARGAINING AGMT INCLUDING ALL PROPOSED AMENDMENTS, BETWEEN CITY OF CANTON AND LOCAL 3449 AND OHIO COUNCIL 8, BOTH OF

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AMERICAN FEDERATION OF STATE, COUNTY, AND MUNICIPAL EMPLOYEES, AFL-CIO; AUTHORIZE MAYOR TO EXECUTE PROPOSED COLLECTIVE BARGAINING AGMT, INCLUDING ALL PROPOSED AMENDMENTS AND ANY ADDT'L AMENDMENTS OR CORRECTIONS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PERSONNEL AND FINANCE COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING.

PRESIDENT PRO TEM MORRIS: We are now under Ordinances and Formal Resolutions for their First Reading. Mr. Clerk, please begin with #6. Oh, 1. I missed a page, I'm sorry. I'm subbing for Allen. This is not my full time job, and he is much better at it than I am.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #9 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 92/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (CONTRACTS UTILIZING CDBG AND ESG FUNDS)
Referred to Community & Economic Development Committee
- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,514.44 SUPP APPROP FR UNAPPROP BAL OF 2763 LAW ENFORCEMENT TRUST TO 2763 102085 NOVFTF - OTHER)(PURCH EQUIP FOR POLICE DEPT TO AID IN APPREHENSION OF VIOLENT FUGITIVES)
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER/CONTRACT AMENDMENT NO. 2 WITH MICHAEL BAKER, JR., INC./MICHAEL BAKER INTERNATIONAL FOR CONSTRUCTION ENGINEERING SERVICES RELATED TO THE MAHONING ROAD NE CORRIDOR PROJECT, PHASE 1, PID 90361, GP 1103; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER NO. 4 WITH LOCKHART CONCRETE CO. FOR THE EAST SIDE INTERCEPTOR SEWER RELOCATION PROJECT, GP 1113; AND DECLARING THE SAME TO BE EMERGENCY
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO

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ONE OR MORE SIDEWALK, STREETScape, AND/OR ADA RAMP CONSTRUCTION CONTRACTS; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$320,621.52 SUPP APPROP FR UNAPPROP BAL OF 4579 30TH ST NW RESURFACING PROJ, GP 1238 FUND TO 4579 202044 30TH ST NW RESURFACING PROJ, GP 1238 - OTHER)

Referred to Public Property Capital Improvement Committee

- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: PURCHASE SANITARY SEWERS AND TO ENTER INTO AGREEMENT(S) WITH STARK COUNTY FOR THE OWNERSHIP, OPERATION, AND/OR MAINTENANCE OF SANITARY SEWERS AND SANITARY SEWER FACILITIES SERVICING THE AREA INCLUDED IN THE GENERAL DEVELOPMENT PLAN FOR THE JOHNSON CONTROLS HALL OF FAME VILLAGE; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$300,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 202010 ENGINEER DAILY OPERATIONS - OTHER)

Referred to Finance Committee

- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT AMENDMENT WITH BRICKER & ECKLER LLP FOR LEGAL SERVICES RELATED TO THE WATER RECLAMATION FACILITY CONSTRUCTION PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$75,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206005 OPERATIONS AND MAINTENANCE - OTHER)

Referred to Finance Committee

- #8. (1ST RDG) **ADOPTED AS ORDINANCE NO. 78/2017** AN ORDINANCE APPROVING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT, INCLUDING ALL PROPOSED AMENDMENTS, BETWEEN THE CITY OF CANTON AND LOCAL 2937 AND OHIO COUNCIL 8; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Personnel and Finance Committees

- #9. (1ST RDG) **ADOPTED AS ORDINANCE NO. 79/2017** AN ORDINANCE APPROVING A THREE-YEAR COLLECTIVE BARGAINING AGREEMENT, INCLUDING ALL PROPOSED AMENDMENTS, BETWEEN THE CITY OF CANTON AND LOCAL 3449 AND OHIO COUNCIL 8; AND DECLARING THE SAME TO AN EMERGENCY

Referred to Personnel and Finance Committees

PRESIDENT PRO TEM MORRIS: At this time the Chair would like to declare an in-house recess for Personnel and Finance Committees to meet regard... regarding Ordinances #8 and 9 on your agenda this

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evening. You're now in recess.

(COUNCIL RECESSED AT 8:15 P.M. FOR THE PERSONNEL AND FINANCE COMMITTEES TO DISCUSS ORDINANCES #8 AND #9; RECONVENED AT 8:17 P.M.)

PRESIDENT PRO TEM MORRIS: Council is reconvening after the recess. Leader.

MEMBER BABCOCK: It is now 8:17. That concludes Finance and Personnel.

PRESIDENT PRO TEM MORRIS: Alright, what I said. Go ahead, Leader.

MEMBER SMITH: Mr. President, I move we suspend Rule 22A to place Ordinance 8 and 9 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to suspend Rule 22A to place Ordinances #8 and 9 on... back on this evening's agenda. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Ordinances #8 and 9 are a part of your legal agenda. Member Smith.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rules on Ordinance 8 and 9.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to suspend Statutory Rules for Ordinances 8 and 9. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: You've heard your three readings, Leader.

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.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#8 ADOPTED AS ORDINANCE NO. 78/2017

PRESIDENT PRO TEM MORRIS: Ordinance #8 has been adopted. Leader.

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. 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.

#9 ADOPTED AS ORDINANCE NO. 79/2017

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

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM MORRIS: We are now under Ordinances and Formal Resolutions for their Second Reading. Begin with Ordinance #10, please.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #10 THROUGH #12 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS):

#10. (2ND RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE ONE RICHMOND AVENUE ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

#11. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,786,199.00 FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206057 OWDA WRF PHOSPHORUS PROJ (MEMBRANE) #6556 - OTHER - \$1,007,989.00, TO 5410 206058 OWDA WRF PHOSPHORUS (CONSTRUCTION) #6699 - OTHER - \$1,778,210.00)

#12. (2ND RDG) AN ORDINANCE AUTHORIZING THE ADOPTION OF THE GENERAL DEVELOPMENT PLAN FOR THE HALL OF FAME VILLAGE DEVELOPMENT PROJECT; AND DECLARING THE SAME TO BE AN

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EMERGENCY

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. Begin with Ordinance #13, please.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #13 THROUGH #19 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#13. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 80/2017** AN ORDINANCE AMENDING CHAPTER 551 OF THE GENERAL OFFENSES CODE (HIGH GRASS, NOXIOUS WEEDS & LITTER)

PRESIDENT PRO TEM MORRIS: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #13.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #13. Are there any remarks under this? Leader Smith.

MEMBER SMITH: Mr. President, I move we amend Ordinance #13 per a copy that all Council Members have in front of them.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to amend Ordinance #13 per a copy all Council Members have before them. Any remarks under this?

MEMBER SMITH: Could we have that summarized, please.

PRESIDENT PRO TEM MORRIS: Sure.

SERVICE DIRECTOR BARTOS: Mr. President, I actually don't have a copy in front of me, so if the Law Director does, just in case, but just a couple issue... uh, issues that we found as we were doing the final review. Um, clarifying that land, changing it to their land. Um, clarification in Subsection (a), 551.03, and then adding in Subsection (c) of 551.05 that the money will go back to the general fund or any appropriate fund, as we know that we've been using the foreclosure bond fund for some of the mowing costs, so when we receive that money back, it's only appropriate it goes back into the fund that we... we used for the initial expense. So, just some three... uh, three quick changes that we made here.

PRESIDENT PRO TEM MORRIS: Thank you, Director. Okay. It's been moved and seconded to amend Ordinance #13. Any remarks? All those in favor, say aye. Those opposed.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

MEMBER SMITH: Mr. President, I move we adopt Ordinance #13 as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 13 as follows:

The first sentence of Subsection (a) of Section 551.01 is amended to change the language "that land" to "their land."

The first sentence of Subsection (a) of Section 551.03 is amended to add the language "A property owner will receive notice by regular first-class mail" before the words "or certified mail."

The last sentence of Subsection (c) of Section 551.05 is amended to add the following language at the end of the sentence "or any other appropriate fund."

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #13 as amended. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#13 ADOPTED AS AMENDED AS ORDINANCE NO. 80/2017

PRESIDENT PRO TEM MORRIS: Ordinance #13 as amended has been adopted. Ordinance #14, please.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 81/2017** AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE HOF VILLAGE #2 ANNEXATION AREA CONTAINING APPROXIMATELY 13.078 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 7 OF THE CITY; ZONING SAID TERRITORY AS HALL OF FAME VILLAGE DISTRICT (HOFV); AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 4/10/17 @ 7:30 PM**

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #14. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK DOUGHERTY: Eleven yeas, Mr. President.

#14 ADOPTED AS ORDINANCE NO. 81/2017

PRESIDENT PRO TEM MORRIS: Ordinance 14 has been adopted. Congratulations, Member Mariol, your ward just grew by 13.078 acres, give or take.

MEMBER MARIOL: More or less.

PRESIDENT PRO TEM MORRIS: More or less, yeah. (*Laughter*) Ordinance #15.

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 82/2017** AN ORDINANCE VACATING A PORTION OF MOSLEY COURT S.W.; APPROVING AND ACCEPTING THE REPLAT AND RENUMBERING PLAT OF ALL OF LOTS 10181 THROUGH 10191, 10194 THROUGH 10208, 42226 THROUGH 42235 AND 42638 THROUGH 42642 PLUS THE VACATED PORTION OF MOSLEY COURT S.W.; AND DECLARING THE SAME TO BE AN EMERGENCY (FR NORTH LINE OF LOTS 42638 AND 42640 TO SOUTH LINE OF LOT 10193; FOR AULTMAN HEALTH FOUNDATION, WARD 3)

PUB HRG 4/10/17 @ 7:31 PM

PRESIDENT PRO TEM MORRIS: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #15.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #15. 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.

#15 ADOPTED AS ORDINANCE NO. 82/2017

PRESIDENT PRO TEM MORRIS: Ordinance #15 has been adopted. Ordinance #16.

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 83/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,812,000.00 APPROP TRF FR 1155 500601 COMMUNITY DEVELOPMENT - OTHER TO 1155 101501 CODE ENFORCEMENT - OTHER)

PRESIDENT PRO TEM MORRIS: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #16.

MEMBER BABCOCK: Second.

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PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #16. 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.

#16 ADOPTED AS ORDINANCE NO. 83/2017

PRESIDENT PRO TEM MORRIS: Ordinance #16 has been adopted. Ordinance 17.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 84/2017** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF LOTS 18439 AND 18440; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY, WARD 9)

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #17. 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.

#17 ADOPTED AS ORDINANCE NO. 84/2017

PRESIDENT PRO TEM MORRIS: Ordinance #17 has been adopted. Ordinance #18.

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 85/2017** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF LOTS 24467 AND 24466; AND DECLARING THE SAME TO BE AN EMERGENCY (DON BONIPHANT, WARD 5)

PRESIDENT PRO TEM MORRIS: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #18.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #18. 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.

MINUTES OF THE MEETING APRIL 10, 2017**#18 ADOPTED AS ORDINANCE NO. 85/2017**

PRESIDENT PRO TEM MORRIS: Ordinance #18 has been adopted. Ordinance #19, please.

#19. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 86/2017** AN ORDINANCE AUTHORIZING THE APPROPRIATE OFFICIAL(S): TO PURCHASE AND/OR LEASE VARIOUS TITLED VEHICLES; TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THOSE PURCHASES DESCRIBED IN EXHIBIT A THAT EXCEED ANY APPLICABLE DOLLAR AMOUNT THRESHHOLD(S); AND TO ALTERNATIVELY ENTER INTO CONTRACT FOR THE PURCHASES PURSUANT TO ANY COOPERATIVE PURCHASING AGREEMENTS AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,260,027.50 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 102001 POLICE ADMIN - OTHER - \$38,970.00, TO 4501 103001 FIRE ADMIN - OTHER - \$105,814.00, TO 4501 103501 CENTRAL COMMUNICATION ADMIN - OTHER - \$7,500.00 TO 4501 202210 STREET MAINTENANCE - OTHER - \$751,000.00, TO 4501 204010 OTHER BUILDINGS - OTHER - \$147,400.00, TO 4501 301001 HEALTH ADMIN - OTHER - \$26,428.50, TO 4501 504010 INFORMATIONAL TECHNOLOGY - OTHER - \$90,000.00, TO 4501 701001 JUDGES ADMIN - OTHER - \$34,220.00, TO 4501 753001 LAW ADMIN - OTHER - \$11,695.00, TO 4501 801001 AUDITOR ADMIN - OTHER - \$27,000.00, TO 4501 852001 TREASURER ADMIN - OTHER - \$10,000.00, TO 4501 901001 CIVIL SERVICE - OTHER - \$10,000.00; \$340,248.00 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 102001 POLICE ADMIN - OTHER - \$262,500.00, TO 4502 103001 FIRE ADMIN - OTHER - \$37,204.00, TO 4502 201201 PURCHASING ADMIN - OTHER - \$12,544.00, TO 4502 504010 INFORMATION TECHNOLOGY - OTHER - \$28,000.00; \$7,728.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING FUND TO 5201 201201 PURCHASING ADMIN - OTHER; \$7,728.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND OPERATING FUND TO 5410 201201 PURCHASING ADMIN - OTHER; \$10,000.00 SUPP APPROP FR UNAPPROP BAL OF 5701 BUILDING CODE FUND TO 5701 101501 CODE ENFORCEMENT ADMIN - OTHER)

PRESIDENT PRO TEM MORRIS: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #19.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #19. Are there any remarks under this Ordinance?

MEMBER SMITH: Yes. Mr. President, I move we amend Ordinance #19 per copy that all Council

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Members have in front of them.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to amend Ordinance #19. Are there any remarks under this?

MEMBER SMITH: Yes, could we have that summarized, please.

SERVICE DIRECTOR BARTOS: Mr. President, Ms. Majority Leader, this is just correcting language in Section 3, I believe it is, insuring we have the absolute flexibility to make purchases through local vendors and any... basically any procurement process or procedure authorized by law that allows, especially for local vendors who could beat state contract pricing for example, so it's just language we've come up with that we've used recently. But we accidentally used... or I accidentally used the old language that we've used in previous con... uh, previous ordinances when drafting this. So, my fault.

PRESIDENT PRO TEM MORRIS: It has been moved and... oops, sorry. I'm used to sitting over there pressing the button. It's been moved and seconded to amend Ordinance #19. All those in favor, signify by saying aye. Those opposed.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

MEMBER SMITH: Mr. President, I move we adopt Ordinance #19 as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend current Section 3 of Agenda Item No. 19 to read as follows:

Section 3. The appropriate official(s), on behalf of the city of Canton, is authorized to alternatively enter into contract for the purchases described in Section 2 in accordance with any cooperative purchasing program or procurement procedure authorized by law.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #19 as amended. 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.

#19 ADOPTED AS AMENDED AS ORDINANCE NO. 86/2017

PRESIDENT PRO TEM MORRIS: Ordinance #19 has been adopted as amended.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM MORRIS: We are now under Announcements of Committees.

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MEMBER MARIOL: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Mariol.

MEMBER MARIOL: Finance Committee will be meeting Monday, April 17th, at 6:30.

MEMBER SMITH: Mr. President, CD will also meet at the same time.

MEMBER MARIOL: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Mariol.

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

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM MORRIS: Okay. We are now under Public Speaks. Oh, Miscellaneous Business. (*Laughter*)

CLERK DOUGHERTY: Quote for the week.

PRESIDENT PRO TEM MORRIS: I'm not doing the quote for the week. I told you guys I'm a rookie. I don't make the big bucks that Allen does, and I'm not nearly as suave as he is. Does anybody have anything before we go to our quote of the week? Uh, something regarding the litter. Uh, it... it seems as if I got a lot of credit for not really doing too much. All we actually did was raise the fee an additional \$50.00. Why? To draw attention to it. Uh, Chief Lawver has promised that he is going to put some patrols on this. Our City Engineer is working on some signs, as well as myself and a few other Council members are going to work on a city wide cleanup. I think the more we draw attention to it, and shame people into picking up their garbage, maybe it'll work, maybe it won't, but I think after talking to Member Mariol and a few others, that we're gonna have to treat this like our children. We're gonna have to go in and clean up the house, and get the house nice and clean and get their room all nice in order, then threaten to kick their can if they mess it up again. So, it... it was merely to draw attention to it, and we have. It's wonderful that The Repository's sending that message out there. I can't wait to hear from our Chief of Police and our Safety Director as soon as some violations. Uh, Ms. Ramsey, if their trash is blowing all over the neighborhood, you can feel free to call me, and I will call the Health Department, and if I have to I can exaggerate and say that the can was laying upside down. (*Inaudible voice*) Whatever it takes, it's not beneath me to lie. I am an elected official. (*Laughter*)

UNIDENTIFIED VOICE: (*Inaudible*) a bag of poop too, an insurance card and a bunch of trash.

SERVICE DIRECTOR BARTOS: Along the... along the litter front, I think sometimes people forget or we fail to mention a lot of things that we do internally as well. You know, the Street Department is... is tasked with... you know, Mike Rorar called them the party planning committee when... when they... when he first started because they basically did everything but street maintenance. But along with doing street maintenance now, they also continue to do the band neighbor... uh, band neighborhood cleanups, the beautify neighborhood cleanups, which I think a lot of the neighborhood associations take advantage of. (*Applause*) So we have... we have many of those scheduled for this year. I think there's a couple dates still available, so if you haven't scheduled yet, call the Street Department and see if you can get on our schedule for those. Also, the... the community service and... and the clerk... or the... the courts have been

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very helpful with this. Not only have they picked up where we've had to do street work and they've taken over a lot of the... the vacant lot cleanups that the Street Department used to do, they've taken that off our hands, but they've also taken some of the regular mowing and litter cleanup in some of the right-of-way areas for us as well. Now that's something that they've picked up for us. And, also we've had the... uh, the Sheriff's Department was out on 77, I don't know if anybody saw them, but they had the... uh, the folks out in the... in the jumpsuits out on 77 last week both outside of the city and inside the city on 77. And we had our regional department head meeting, which is another thing we started lately, last week, and ODOT was at that meeting, and Mike Rorar got their commitment that they'd be on both 30 and 62 doing litter cleanup there as well. So, there is a lot already being done internally, and Deputy Mayor Williams has a new initiative that he's working on in the Department of Development that he's gonna talk about right now.

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT PRO TEM MORRIS: Deputy Mayor.

DEPUTY MAYOR WILLIAMS: Uh, Mr. President, Members of Council, members in the audience, as Member... uh, I'm sorry, as Director Bartos mentioned the band program, we want to kinda relaunch it and modify it a little bit. As you're aware, we give out grants to neighborhood association, as well as summer youth employment. So we'd like to make a proposal that the summer youth workers every Friday work with various neighborhood associations to teach them the importance of, you know, cleaning your neighborhood and improving the quality of your life. Um, we'll have these young folks hopefully on the payroll by the second week of May. Uh, the dates that the neighborhood associations are conducting some of the cleanups currently is every Monday at 10:00, and as Director Bartos mentioned, we have probably seven to nine dates filled, but we always have room for more. But what we'd like to do is at the beginning of the week have the Street Department and various department heads working with neighborhood associations on Monday, and then have the young people on Friday. Uh, we just think this is a shared responsibility for us all. Obviously, we're gonna continue to ask for your help, but by all means we can do more as well. We plan to do that, so you'll hear more about that in upcoming weeks. Thank... thank you.

MEMBER SMITH: Mr. President, over here.

PRESIDENT PRO TEM MORRIS: Oh.

MEMBER SMITH: I would just like to thank the neighborhood association for all that you do, especially the 4th Ward. We're represented tonight, I know. Marilyn Thomas Jones, I see you over there, but... (*chuckles*) I'd like to thank you all for all that you do. I'd really like to thank you for coming out on Saturday to the Town Hall meeting. That was just the first. We're gonna be doing many of those. I would like to thank Deputy... um, our Safety Director for coming out, which was good to see you, and I'd definitely like to thank our Deputy Mayor for staying there. He was put on the hot seat a couple times, but you know Fonda P, he can handle it, and I'd like to thank Bab... Member Babcock and Member Smuckler for all coming out. Thank you for your support.

UNIDENTIFIED VOICE: I just want to say (*inaudible*) partner with the fast food places, because a lot of the stuff (*inaudible*). All those fast food places (*inaudible*). If we partner with them, maybe we'll get (*inaudible*).

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PRESIDENT PRO TEM MORRIS: And you're right. And... and I'd also like to make one more comment about the article in the paper. Although The Repository's not a big fan of me, and I'm generally not a big fan of them, they neglected to put one heart... one comment that I made in that interview. They asked if the problem was city wide, and I said yes, it is a city wide problem, however as Member Smith has just said, hats off to you folks because most of your neighborhood associations are out there picking up other people's garbage, and we're all about sick of it. Nobody wants to clean up somebody else's McDonalds bag or their Taco Bell or their 40 ounce that you check... chose to throw in my front yard, cause if I ever see you go pack... past again, and it's the same person, I'm giving your 40 ounce back. (*Laughter*) Now, for the quote of the week.

CLERK DOUGHERTY: Thank you. "Hard times don't create heroes. It is during the hard times when the hero within us is revealed."

PRESIDENT PRO TEM MORRIS: Hero. Leader.

MEMBER SMITH: Move to adjourn.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: Move to adjourn. Roll call vote.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Meeting adjourned. (*Gavel falls*).

ADJOURNMENT TIME: 8:37 P.M.

ATTEST:

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

FRANK MORRIS
PRESIDENT PRO TEM