

MINUTES OF THE MEETING APRIL 24, 2017

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. We appreciate you all being here tonight. We do have some students from Jackson High School. If you'll stand up, give us a waive, please. (*Applause*) Welcome. It's good to have you here. We appreciate it. You are our future, as they say. And I... uh, when I look out, I... I think our future's in good hands. So, nice to have you here. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote, please, Mr. Clerk.

ROLL CALL TAKEN BY CLERK DOUGHERTY:

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER CHESTER ABSENT)

CLERK DOUGHERTY: Eleven present, one absent, Mr. President.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you. Leader.

MEMBER MORRIS: Mr. President, I move that we excuse Member Ma... Member Chester from tonight's meeting.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Chester from this evening's meeting. Any remarks? I would just say that he was unfortunately unable to attend this evening's... um, he did have a prior engagement, business, so with that said, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

PRESIDENT SCHULMAN: Motion carries and Member Chester is excused from this evening's meeting. Now we're gonna have our invocation tonight given by my good friend and Ward 1 Council Member, Greg Hawk. If you'll all stand and remain standing, please, for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on April 24, 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 1 Council Member, Greg Hawk. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you, Member Hawk. We're now under Agenda Corrections and Changes. Leader.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Readings Ordinances #7 through 14.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add 1st Reading Ordinances... to add 2nd Reading Ordinances 7 through 14 to this evening's agenda. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. The motion carries. Rule 22A is suspended and the Ordinances 7 through 14 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We now turn to Public Hearings. We have no public hearings this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: We're now under Old Business. Deputy Mayor, do we have any Old Business? Deputy Mayor.

DEPUTY MAYOR WILLIAMS: Mr. President, Members of Council, at the April 17th meeting Mr. DiGiacomo asked about the Market Avenue flower planter irrigation system project. Service Director Bartos addressed him afterwards. Long story short, we're gonna do this as an in-house project. Thank you.

PRESIDENT SCHULMAN: Okay. Nothing else? Thank you.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Hearings. We... oh, I guess we did that tonight. Uh, we're now under Public Speaks. We have three speakers this evening. The first is Patricia Kirk. Ms. Kirk, as always, welcome to Canton City Council. If you'll step forward, though, and give us your name and your residential add... address, please. Thank you.

PATRICIA KIRK: Yes, hello. Uh, my name's Patricia Kirk. I live at 131 5th Street NE, and I hardly know where to start. Can you hear me okay?

PRESIDENT SCHULMAN: Yeah. You can speak a little louder.

PATRICIA KIRK: Alright. Alright, okay. Tonight we've heard from students, agencies, how to handle violence, and drainage. Last Saturday, Malone University was honored by the Ohio Department of Natural Resources for their new title of Campus Tree City in Canton. I was told that part of the city bike trail will go through their campus. I hope they don't cut down good trees to do this, but anyway... Um, we need to develop the Kresge lot into a park that uses biodiversity to control flooding downtown, which is a problem for everyone. Walking to Council tonight, I heard two young people from the new apartments mention the park, pointing to the Kresge lot. The week before that I happened to see over thirty kids using Kresge lot. Nature is proven to reduce stress and tension within five minutes, and increase business. Trees are nature's drainage system without leftover jello. (*Chuckles*) But, this may not seem important to you, but it is our lives, our

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health, our business, our education, and our safety. And by the way, downtown was hopping in 1995 when I first moved downtown. There were stores, festivals, and public transportation that took you up to the doors of the business with packed streets. When are we going to be proud of Canton for itself, instead of making it like another city. We can address our problems and get smarter in the process. Thank you very much.

PRESIDENT SCHULMAN: Thank you as always, Ms. Kirk. (*Applause*) Our next speaker is Pete DiGiacomo. Mr. DiGiacomo, as always, welcome to Canton City Council. It's always a pleasure to have you here. If you'll step forward though and give us your name and your residential address, please.

PETE DIGIACOMO: My name's Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. I'm gonna talk kinda about the same thing as I did last week. Uh, Shotspotter. I kinda got chewed on a little bit after the meeting, and it goes around, whatever. And, I.. I still believe it's a good thing. Uh, could we buy... hire some police officers for that money? Yes. We could also hire police officers if you didn't give so much little, ten thousand, five thousand dollar, whatever you want to call it, gifts or grants to different organizations and different people. The folks over there on Market Avenue... Joe... oh, yeah, the Chamber folks, was a hundred and seventy-five thousand every year. You could buy some more police with that. That's all.

PRESIDENT SCHULMAN: Okay. Thank you, as always. Thank you. (*Applause*) The last speaker is Division Chief Bennett. Chief Bennett, welcome as always. It's great to have you here. We appreciate your public service. If you'll give us your name, though, and your residential address, please.

CHIEF BENNETT: Thank you, hi. Chief Bennet, Canton Fire Department, 1469 Shriver Avenue NE. Uh, thank you for your time. I know a lot of you here, Mayor, Safety Director, Deputy Mayor, afternoon. Um, I just come here today just to kinda give you guys a state of the union about the fire department, and the great work that our men and women are doing every day out there. Um, the metaphorical speaking of the tree falls in the forest and nobody's around, does it make a sound? While I'm here to make a sound for my men and women. Uh, March 2nd, we had National Read to Children Day. Uh, March 24th, we donated to the Heritage Christian School dinner. We had a firefighter dinner for six families at Station 4. Um, on April 7th, and I know you guys heard about that father/daughter dance we did. We had our firefighters come out there and volunteer for young ladies and men who didn't have fathers. They stepped up on their own time and on dime, and intervened, and really stepped up and I just want you guys to know that it was very much appreciated by the families. April 27th, American Electric Power is having a Take Your Child to Work Day, and our guys are gonna go out and participate and allow families to come in and see kinda what we do. Um, May 12th, McGregor School is having a Day for Kids and Crews, and we'll be sent out there. Also May 20th, Ohio CAN is having an awareness event downtown, our guys will be there. And also June 24th, the Health Department's having a Community Child Seat Installation Day at Station 4, and we will be hosting that event. Last, but certainly not least, today we had a smoke detector give away at the Canton City Schools, and I am proud to say that today we gave away on thousand two hundred and forty-two smoke detectors (*Applause*) to the students of the Canton City Schools. There's a ten year power lithium battery, doesn't have to be changed, and our goal is to keep the citizens as safe as possible. And we're gonna continue to do that. Anybody that knows me knows I'm all about Canton. I'm all about making sure my men and women go come safely to their families, and all about risk a little to save a little, risk a lot to save a lot. Uh, last but not least, I want to say that with the leadership and the support from our Safety Director who works hard everyday to make sure that we have what we need, I just want to say thank you, Safety Director, and we're gonna continue to try to make Canton one of safest cities in the United States of America. Thank you very much. Have a good day. (*Applause*)

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PRESIDENT SCHULMAN: Thank you very much, Deputy Chief, and I certainly concur with your opinion on the Safety Director.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We now turn to Informal Resolutions, and we do have one this evening. Mr. Clerk, will you please read Informal Resolution 23 by title.

#23. PERSONNEL COMMITTEE: REQ RE-APPT OF WILLIAM JONES TO FAIR HOUSING EMPLOYMENT PRACTICES BOARD FR 4/24/17 TO 4/30/20. - ADOPTED

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 23. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #23 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The Resolution is adopted.

COMMUNICATIONS

PRESIDENT SCHULMAN: We now turn to 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 APRIL 24, 2017.

156. COMM DEV DIRECTOR SEWARD: WITHDRAW ORIGINAL COM #146 FR 4/17/17 AGENDA, (CONTRACT WITH CANTON DEV PARTNERSHIP). - RECEIVED & FILED
157. COURT ADMINISTRATOR KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT WITH SUPREME COURT OF OH FOR RECEIPT AND APPROP OF FUNDS TO COURT TECHNOLOGY GRANT FUND (\$27,637.50 SUPP APPROP FR UNAPPROP BAL #2796-701001 COURT TECHNOLOGY GRANT FUND TO #2796-701001-OTHER-COURT TECHNOLOGY GRANT FUND). - FINANCE COMMITTEE
158. FINANCE DIRECTOR CROUSE: AMEND APPROP O#41/2017 (\$200,000.00 SUPP APPROP FR UNAPPROP BAL OF 7508 JACKSON-CANTON JEDD CLEARING FUND TO 7508 852101 INCOME TAX - ADMIN - OTHER) (INCOME TAX REIMBURSEMENT PAYMENTS). - FINANCE COMMITTEE

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159. FINANCE DIRECTOR CROUSE: REQ INTER-FUND TRF THAT COVERS DEBT EXPENSE ON HOF VILLAGE PROJ NOTE; EMERGENCY (\$68,559.03 INTER FUND TRF FR 1001 GENERAL FUND TO 1154 HOF VILLAGE PROJECT FUND). - FINANCE COMMITTEE
160. LIQUOR CONTROL DIV (OHIO): REQ TRAN OF D5 PERMIT FR LUIGI TOZZI LLC DBA PICCIANOS TO MICHAEL CAPOBIANCO DBA PICCIANOS @ 410 MARKET AVE N. - RECEIVED & FILED
161. LIQUOR CONTROL DIV (OHIO): REQ NEW C1 C2 PERMIT FOR A&E OF CANTON LLC DBA WELCOME FOOD AND PIZZA 2 @ 538 CLARENDON AVE NW. - RECEIVED & FILED
162. PLANNING COMMISSION: REQ ZONE CHG AT SOUTH OF STATE RT 30 AND NORTH OF 21ST ST SW, WEST OF BROOKS AVE SW, INCLUDING 4 DIFFERENT TAX PARCELS, WARD 5, FR R-1A - SINGLE FAMILY RESIDENTIAL TO PI-2 PLANNED HEAVY INDUSTRIAL (MARATHON PETROLEUM). - JUDICIARY COMMITTEE
163. PLANNING COMMISSION: REQ ZONE CHANGE AT 515 48TH ST NW, PARCEL #380067, WARD 8, FR R-1C SINGLE FAMILY RESIDENTIAL TO PCS - PLANNED COMMUNITY SERVICE (ST. MARK'S EPISCOPAL CHURCH). - JUDICIARY COMMITTEE
164. PLANNING COMMISSION: REQ REPLAT AND RENUMBERING PLAT FOR ALL OF LOTS 6141, 6142, PT LOT 13177 & PT OUTLOT 241 AKA PARCELS 200402, 200403, 209273, 219566, 219567, 219568, 222514, 223324, 223330, & 246343, WARD 9 (KEMPTHORN MOTORS). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
165. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR HOF VILLAGE #3 ANNEXATION (ZONING CLASSIFICATION - HOFV - HALL OF FAME VILLAGE DISTRICT, WARD 7). - ANNEXATION COMMITTEE
166. SERVICE DIRECTOR BARTOS: RETRO AUTHORIZE AND RATIFY ACTIONS TAKEN PURSUANT TO SECTION 105.04 OF CODIFIED ORDINANCES OF CITY OF CANTON; MAKE \$375,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206005 OPERATION AND MAINTENANCE - OTHER; AUTHORIZE AUDITOR TO PAY MORAL OB TO MSD ENVIRONMENTAL SERVS INC. IN AMT NOT TO EXCEED \$375,000.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
167. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH SCHINDLER ELEVATOR CORP FOR REPAIR OF CORNERSTONE PARKING DECK ELEVATOR PURSUANT TO NATIONAL JOINT POWERS ALLIANCE COOP PURCH PROG; MAKE \$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJ FUND TO 4501 104040 TRAFFIC ENG/PARKING METER - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

MINUTES OF THE MEETING APRIL 24, 2017**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING.**

PRESIDENT SCHULMAN: Turning now to First Reading Ordinances and Formal Resolutions for their First Reading. Mr. Clerk, would you please begin with Ordinance #1.

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

- #1. (1ST RDG) AN ORDINANCE DECLARING THE TRANSFER OF VARIOUS HOUSES/REAL PROPERTY OBTAINED BY THE CITY FOR THE FURTHERANCE OF DEPARTMENT OF DEVELOPMENT PROGRAMS TO QUALIFIED ENTITIES TO BE A PLAN FOR URBAN REDEVELOPMENT AND/OR RENEWAL PURSUANT TO ORC SECTION 721.28 EXEMPTING SAID TRANSFERS FROM THE REQUIREMENTS OF COMPETITIVE BIDDING; AUTHORIZES THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS NECESSARY TO TRANSFER THE HOUSES/REAL PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A ONE-YEAR PROFESSIONAL SERVICES CONTRACT RENEWAL WITH SHOTSPOTTER FLEX IN AN AMOUNT NOT TO EXCEED \$135,000; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) MEDIUM DUTY PICKUP TRUCK AND ONE (1) HEAVY DUTY CAB AND CHASSIS FOR THE COLLECTION SYSTEMS DEPARTMENT; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY PURCHASING PROCEDURE AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE EMERGENCY
Referred to Finance and Public Property Capital Improvement Committees **

*** Note: President Schulman said, "Referred to Finance Committee," however this Ordinance was referred to Finance and Public Property Capital Improvement Committees.*

- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO COOPERATIVE AGREEMENT MODIFICATION NO. 1 WITH STARK COUNTY IN AN AMOUNT NOT TO EXCEED \$23,231.31 FOR THE FAIRHOPE SANITARY SEWER LIFT STATION REHABILITATION PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING APRIL 24, 2017Referred to Finance Committee

- #5. (1ST RDG) **ADOPTED AS ORDINANCE NO. 91/2017** AN ORDINANCE AUTHORIZING AND CONSENTING TO REPLACING TYPE A GUARDRAIL END TERMINALS ON US 30 AT 15.18 AND SR 43D FROM 0.51 TO 0.60; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety & Thoroughfares Committee

- #6. (1ST RDG) **ADOPTED AS ORDINANCE NO. 92/2017** A RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT WINTER CONTRACT (018-18) FOR ROAD SALT; AND DECLARING THE SAME TO BE AN EMERGENCY (PID NO. 103678)
Referred to Finance Committee

PRESIDENT SCHULMAN: At this time the Chair would declare an in-house recess to allow 5 and 6 on your agenda to be discussed by its appropriate committees. You're now in recess.

(COUNCIL RECESSED AT 7:48 PM FOR THE PUBLIC SAFETY & THOROUGHFARES AND FINANCE COMMITTEES TO DISCUSS ORDINANCES #5 AND #6; RECONVENED AT 7:50 PM)

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

MEMBER MORRIS: Oh.

PRESIDENT SCHULMAN: Yes, Leader.

MEMBER MORRIS: Mr. President, I move we suspend Statutory Rules for Ordinance #5 and 6.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinances 5 and 6 on your agenda this evening. Any remarks? Hearing none...

CLERK DOUGHERTY: Suspend 22A first.

MEMBER MORRIS: Yeah, I'm sorry. Jumped the gun on you. My fault.

PRESIDENT SCHULMAN: Opp, yeah. Sorry. Suspend Rule 22A.

MEMBER MORRIS: Let me... let me...

PRESIDENT SCHULMAN: Start over.

MEMBER MORRIS: Yeah, let me have a mulligan on that.

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PRESIDENT SCHULMAN: Yes.

MEMBER BABCOCK: My bad.

UNIDENTIFIED VOICE: What did you say, Babby, my bad?

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinances #5 and 6 back on this evening's agenda.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinances 5 and 6 on this evening's agenda. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. Ordinances 5 and 6 are a legal part of your agenda. Leader.

MEMBER MORRIS: Mr. President, I move we suspend Statutory Rules for Ordinances #5 and 6.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinances 5 and 6. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. The motion carries. Leader, you've heard the three readings.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #5. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK DOUGHERTY: Eleven yeas, Mr. President.

#5 ADOPTED AS ORDINANCE NO. 91/2017

PRESIDENT SCHULMAN: Thank you. Motion carries, and Ordinance 5 is adopted. Ordinance 6, please.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #6 on your agenda. Any remarks? Again 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. 92/2017

PRESIDENT SCHULMAN: Motion carries, and Ordinance 6 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We now turn to Second Reading Ordinances and Formal Resolutions for their Second Reading. Mister Clerk.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #7 THROUGH #14 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #7. (2ND RDG) AN ORDINANCE ESTABLISHING AND DESIGNATING THE BOUNDARIES OF A PROPOSED DOWNTOWN REDEVELOPMENT DISTRICT (DRD); APPROVING THE ECONOMIC DEVELOPMENT PLAN FOR THE PROPOSED DRD; PURSUANT TO OHIO LAW; DECLARING AN "IMPROVEMENT" TO ONE OR MORE PARCELS OF REAL PROPERTY LOCATED IN THE DISTRICT TO BE A PUBLIC PURPOSE; FINDING AND DETERMINING THAT IMPROVEMENTS TO PARCELS WITHIN THE DRD BE EXEMPTED UP TO 70% FOR TEN YEARS WITHOUT SCHOOL DISTRICT APPROVAL; OR UP TO 70% FOR THIRTY YEARS WITH EITHER SCHOOL DISTRICT APPROVAL OR SERVICE PAYMENTS TO THE SCHOOL DISTRICT(S) EQUAL TO THE TAXES EXEMPTED; ESTABLISHING AND DESIGNATING THE BOUNDARIES OF THE PROPOSED INNOVATION DISTRICT; APPROVING THE ECONOMIC DEVELOPMENT PLAN FOR THE PROPOSED INNOVATION DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #8. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #9. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 1105, HISTORIC PRESERVATION CODE OF PART ELEVEN, PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF CANTON
- #10. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT A GRANT OF \$100,000.00 FROM THE OHIO FACILITIES CONSTRUCTION COMMISSION FOR THE CITY OF CANTON CENTRAL PLAZA MEMORIAL PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR SAID PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER/CONTRACT AMENDMENT NO. 1 WITH MICHAEL BAKER INTERNATIONAL IN AN AMOUNT NOT TO EXCEED \$18,432.00 FOR PROFESSIONAL ENGINEERING SERVICES FOR THE BURNHAM HILLS SANITARY SEWER REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT; ENTER INTO A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES AND ENTER INTO AGREEMENT(S) FOR AND RECEIVE GRANT FUNDS IN THE AMOUNT OF \$900,000.00 AND ZERO PERCENT INTEREST LOAN FUNDS IN THE AMOUNT OF \$600,000.00 FROM THE OHIO PUBLIC WORKS COMMISSION FOR THE 40TH STREET/GRUNDER AVENUE WATER MAIN REPLACEMENT PROJECT; AUTHORIZING THE AUDITOR TO CREATE THE 5233 40TH STREET/GRUNDER AVENUE AREA WATER MAIN REPLACEMENT PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ARCADES IN AN AMOUNT NOT TO EXCEED \$23,600.00 FOR THE MONTEBELLA-FIRST FRIENDS DETENTION BASIN DRAINAGE STUDY; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #14. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT AND TO ENTER INTO AGREEMENT(S) FOR AND RECEIVE GRANT FUNDS IN THE AMOUNT OF \$750,000.00 AND ZERO PERCENT INTEREST LOAN FUNDS IN THE AMOUNT OF \$750,000.00 FROM THE OHIO PUBLIC WORKS COMMISSION FOR THE SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJECT; AUTHORIZING THE AUDITOR TO CREATE THE 5234 SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Thank you very much. I think you deserve a medal for that tonight. Thank you, Mr. Clerk.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for their Third Final Reading and Vote. Would you please, Mr. Clerk, begin with Ordinance 15.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #15 THROUGH #20 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

- #15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 93/2017** AN ORDINANCE AMENDING ORDINANCE NO. 92/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (CONTRACTS UTILIZING CDBG AND E.S.G. FUNDS)

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #15. 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. 93/2017

PRESIDENT SCHULMAN: Thank you. Ordinance 15 is adopted. Ordinance 16, please.

- #16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 94/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME

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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)

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 16. Any remarks under this Ordinance? Again 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. 94/2017

PRESIDENT SCHULMAN: Thank you. Ordinance 16 is adopted. Ordinance 17, please.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 95/2017** 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

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 17. Any remarks under this Ordinance? Again 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. 95/2017

PRESIDENT SCHULMAN: Motion carries. Ordinance 17 is adopted. Ordinance 18, please.

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 96/2017** AN ORDINANCE AUTHORIZING

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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

PRESIDENT SCHULMAN: Leader Morris.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 18. Any remarks under? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 96/2017

PRESIDENT SCHULMAN: Thank you. Ordinance 18 is adopted. Ordinance 19, please.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 97/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO 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)

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 19. Any remarks under this Ordinance? Again hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 97/2017

PRESIDENT SCHULMAN: Thank you. Ordinance 19 is adopted. Ordinance 20, please.

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#20. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 98/2017** 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)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #20.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 20. Any remarks under this Ordinance?

MEMBER MORRIS: Mr. President, I move we amend Ordinance 20 per a copy that all Council Members have in front of them.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance #20 per a copy of each Member of Council. Any remarks?

MEMBER MORRIS: I would like that one summarized.

SERVICE DIRECTOR BARTOS: Mr. President, Members of Council, after Mr. Moeglin's presentation, I took a look at Section 1, and also the 14th Supplemental Agreement to the Canton, Stark County, Sewer Agreement. Which, if you look at Section 1, it refers to all applicable agreements between the city of Canton and Stark County, and the 14th Supplemental is the main one of those applicable agreements, and decided that not only do we need to reference sanitary sewers, but we also needed to make reference to some other buzz words, if you will, including sanitary sewer servicing rights, existing accounts, sanitary sewer facilities. So you'll see that there were certain terms added to Section 1, so it was just an expansion of the terms used based upon that 14th Supplemental Agreement. Thank you.

PRESIDENT SCHULMAN: Very good, Director. Thank you for that good work. Um, any other remarks?

MEMBER MORRIS: Yeah, Mr. President.

PRESIDENT SCHULMAN: Yes.

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MEMBER MORRIS: Director Bartos, did anybody contact the County to find out how charitable they were feeling towards the Hall of Fame Project, and ease some of the financial burden, and possibly make a three hundred thousand dollar donation to the Hall of Fame Village, as well as their county seat?

SERVICE DIRECTOR BARTOS: Mr. Majority Leader, I'm not sure if the Engineer had a chance to do that yet. I'll make sure if it hasn't been done, that we'll... we'll have those discussions.

MEMBER MORRIS: Mr. President, if I may.

PRESIDENT SCHULMAN: Yes.

MEMBER MORRIS: My gut tells me, Director Bartos, that once we pass this, I think there goes their charitable feelings.

PRESIDENT SCHULMAN: Director, any response? You don't have to have one, I'm just asking. Okay. Anything else, Leader? On the floor is the motion to amend #20. Any other remarks? Hearing none, by voice vote all those in favor, signify by saying aye to the amendment. Nays?

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Motion carries. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #20 as amended.

MEMBER SMITH: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 20 by the substitution of the attached revised ordinance for the original proposed ordinance.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #20 as amended. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 1 NAY
(MEMBER MORRIS VOTED NO)

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

#20 ADOPTED AS AMENDED AS ORDINANCE NO. 98/2017

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinance 20 is adopted is... is, uh passed.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We now turn to Announcement of Committees, which are going to be in a couple weeks, I believe, correct?

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CLERK DOUGHERTY: Yes.

PRESIDENT SCHULMAN: Okay.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: Finance Committee will be meeting May 8th, 6:15. At that time we will be having a budget presentation.

PRESIDENT SCHULMAN: Thank you, Chairman Mariol.

MEMBER MARIOL: Thank you.

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

PRESIDENT SCHULMAN: Thank you, Chairman Smith. Anyone else?

CLERK DOUGHERTY: PPCI.

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

PRESIDENT SCHULMAN: Thank you, Chairman. Anyone else?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We now turn to Miscellaneous Business. Is there any, Member Smuckler?

SAFETY DIRECTOR PERRY: Mr. President.

PRESIDENT SCHULMAN: I'm sorry. Let's go to...

SAFETY DIRECTOR PERRY: Me. Mr. President.

PRESIDENT SCHULMAN: Yes.

SAFETY DIRECTOR PERRY: Captain Paige is... uh, Division Chief Bennett was remiss in announcing... Captain Paige is in the back, and for any city of Canton residents, we have excess smoke detectors, and will be passing them out for anyone that would like one.

PRESIDENT SCHULMAN: Great. Thank you very much, Law Dir... or...

MEMBER SMITH: Does that include Council persons? (*Laughter*)

MEMBER MORRIS: Hey, I'm cheap.

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MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Safety Director, thank you. Yes. Yes, Mr. Smuckler.

MEMBER SMUCKLER: At the risk of Mr. Morris not getting his smoke detector, I passed a sample resolution out today to be put on the agenda for May 8th that, my understanding from the Majority Leader, will be sent to a committee to discuss the consolidation of dispatch centers with the County. If anybody would like to make any changes to that, I more than welcome your thoughts. I'm asking that all of you help sponsor this by May 8th, and the Clerk, if he would contact all the Council people, I will give you a copy of this to see who else would like to sponsor this with me. Thank you.

PRESIDENT SCHULMAN: Thank you very much. Any other remarks? Yes, Law Director.

LAW DIRECTOR MARTUCCIO: Thank you. Mister...

PRESIDENT SCHULMAN: Or, I'm... I keep calling everybody law director tonight. Joe.

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. Members of Council, members of the audience, we... most of us know Lois DiGiacomo who's been very active with her friends at the Stark County Coming Together Organization. Uh, she wanted to attend tonight, but couldn't, and asked that I remind you that all of you are invited to this coming Wednesday's continuation on meetings on diversity. It will take place this Wednesday, the 26th, beginning at 2:00 P.M. at the Stark Community Foundation Building here in downtown Canton at 400 Market Avenue North. The agenda will include a small group discussion at 2:00 P.M. on current diversity programs and initiatives, kind of a continuing item of business, but at 2:30 they want to come back to the full group to discuss actual tangible county wide objectives with future strateg- strat- start- strategies. Sorry, it's been a long day, thanks. It's hard for me... strategies. Um, and this will include folks from education, business, safety, health, government, art, faith and media. So if you're interested, this Wednesday. Thank you so much.

PRESIDENT SCHULMAN: Thank you. Yes.

DEPUTY MAYOR WILLIAMS: Mr. President, Member of Council, I want to thank all members of Council for supporting the summer youth program, so I don't have to tell you all who are in the trenches everyday the importance of having programs for our young people. So I appreciate you allowing us to spend this money and compliance. Secondly, I just wanted to go on record, the funding that you passed this evening will help us touch over four hundred families this summer, but we also have two other grants pending, both with the... uh, one with the Work Force Development Board and the Ohio Youth Works Program. Um, Rollin Seward in our CD Department and his staff submitted these grants in February and the first, or last week in March respectfully. We have not heard yet what are budget is gonna be. We were told that we are gonna get funded. We have the potential to engage an additional hundred and fifty youth. The reason I'm going on record is because we may need emergency legislation to accept these funds and enter into contract to create a proper fund account number for these funds and to hire these kids. So, we don't have a meeting next week. Hopefully within the next two weeks we'll know whether or not we're gonna get funded. I'm gonna go ahead and prepare a communication and send it down, I'm gonna work with the clerk on that. I just wanted to advise members of Council that we do have an opportunity to get two more grants, but we just haven't heard yet how much we're gonna get funded for. So, I just want to thank everyone in advance. Thank you.

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PRESIDENT SCHULMAN: That funding will be coming from the State?

DEPUTY MAYOR WILLIAMS: Uh, through the State, through the Ohio Means Jobs Department, correct.

PRESIDENT SCHULMAN: Anything else? Leader. Yes, I'm sorry. Oh, I'm sorry, I keep forgetting.

CLERK DOUGHERTY: You're always forgetting.

PRESIDENT SCHULMAN: Thought of the day.

QUOTE FOR THE WEEK

CLERK DOUGHERTY: Quote for the week. Directed to everyone, but especially you new Council members and old Council members and Fonda. (*Laughter*) "When you have nothing important or interesting to say, don't let anyone persuade you to say it." - H. Jackson Brown, Jr.

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: I feel as if that was directed right at me, and I'm not a young Council member, I'm not an old Council member.

MEMBER HAWK: Mr. President, you have proven it so.

MEMBER MORRIS: Yes. I mean, hey, I... I have a good time, and just wanted to wish everybody in the horseshoe good luck next Tuesday. Uh, it is election time, we do have a primary. Some folks are opposed, some aren't. Fortunately, either my job stinks that bad that nobody wants it, or I'm that good, nobody's running against me. I'm gonna go with the job isn't that great, nobody wants it. So, on that note, I move to adjourn.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: Thank you. I think. Roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Motion carries. (*Gavel falls*) You stand in adjournment. Be careful everybody. Have a wonderful week.

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ADJOURNMENT TIME: 8:09 P.M.

ATTEST:

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT