

MINUTES OF THE MEETING MAY 22, 2017

PRESIDENT SCHULMAN: Good evening, ladies and gentlemen. Welcome to Canton City Council. We're trying to warm this room up a little bit more. (*Inaudible*), not happy, including me. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote, please.

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 yeas, one absent, Mr. President.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you, Mr. Clerk. Member Morris, I'll recognize a meeting to...uh...to excuse Member Chester.

MEMBER MORRIS: Mr. President, I move that we excuse 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? Can we just say that Member Chester was indisposed tonight, and could not make it. He (*Inaudible*), and obviously sends his apologies, and he'll be back, uh, the next meeting. Anything else? Roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Motion carries and Member Chester is excused from this evening's meeting. Tonight's invocation will be given by my good friend and Council Member, Robert Fisher. If you'll all stand and remain standing, please, for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on May 22, 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 5 Council Member, Robert Fisher. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Member Fisher, thank you very much for those remarks. We appreciate it. Very heart-felt. We're now under Agenda Corrections and Changes. Leader.

MEMBER MORRIS: Mr. President, I move, uh, to sus...oh, geez, I move Rule 22 A be suspended to add 2nd Readings Ord.,...er...wait...to add Informal Resolution back to this evening's agenda. Sorry, I'm not

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(Inaudible). What is Rule 24...? *(Inaudible)*.

CLERK DOUGHERTY: We need to suspend Rule 24B.

MEMBER MORRIS: What...what the...

MEMBER SMITH: That' why I didn't second it, I was waiting for him to get it correct.

CLERK DOUGHERTY: Suspend Rule 24B to add Informal Resolution 24.

MEMBER MORRIS: Thank you for the curve ball. I have no idea what Rule 24B is, that's not good. Mr. President, I move Rule 24B be suspended to add Informal Resolution #24 back on this evening's agenda.

MEMBER SMITH: Second. No, did you finish the Ordinances?

MEMBER MORRIS: No, that's next.

PRESIDENT SCHULMAN: *(Inaudible)* 24B to add Informal Resolution, uh, 24B...*(Inaudible)*...to this evening's, uh, agenda. ..

CLERK DOUGHERTY: We also have to further, uh, do the other one...

PRESIDENT SCHULMAN: If we have to..

MEMBER MORRIS: After we vote on this.

CLERK DOUGHERTY: Suspend Rule 22A, please.

PRESIDENT SCHULMAN: Right.

MEMBER MORRIS: Mr. President, shouldn't we vote on, uh, moving rule 24B to be suspended, first?

PRESIDENT SCHULMAN: That's fine.

CLERK DOUGHERTY: Yes.

PRESIDENT SCHULMAN: It's been moved...

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: ...To suspend Rule 22B...

CLERK DOUGHERTY: 24B.

PRESIDENT SCHULMAN: 24B, sorry, to add Informal Resolution to this evening's agenda. Any remarks? Hearing none, roll call vote, please.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Rule 22B is suspended and is a legal part of your agenda. We now turn to...

CLERK DOUGHERTY: Now, we got to go...

MEMBER MORRIS: Yep. (*Inaudible*). That was a curve...I'm ready. Mr. President, I move Rule 22A be suspended to add 2nd Readings Ordinances #7 through 17.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add, um, 2nd Readings Ordinances. 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.

PUBLIC HEARINGS

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

OLD BUSINESS

PRESIDENT SCHULMAN: Any Old Business?

DEPUTY MAYOR WILLIAMS: Yes.

PRESIDENT SCHULMAN: Deputy Mayor Williams.

DEPUTY MAYOR WILLIAMS: Mr. President. Members of Council. At the meeting held on May 25th, our Council was address by Mr. Patrick Burns, in relationship to speeding on 23rd Street, near Malone College, where he resides. This was referred to...(coughs) excuse me...to Chief Lawver. Also, we have Commissioner Jim Adams, uh, who wanted to give an update on Republic Steel.

PRESIDENT SCHULMAN: Commissioner Adams.

HEALTH COMMISSIONER ADAMS: Thank you, Mr. President. Members of Council. I guess this is working for ya. Um, I wanted to provide just a very brief update on our investigation process that we've been doing...I've committed to doing that on a periodic basis. Uh. where we're at...we have four different areas that we're working on relative to these complaints. The first one was completing a cancer assessment according to a state protocol for doing that. We do have all the data for that. We've really kind of finalized most of the analysis for that and we'll be getting a report out to residents who provided surveys to us for that purpose,

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within the next week here. Uh, we do continue to receive complaints about emissions from the facility and we do investigate those. We are working with the Ohio EPA to determine the appropriate enforcement for that. As you recall, we are kind of like the police officers. We write the ticket; however, the Ohio EPA is more like the prosecutor's office, how are they going to enforce that? So, we are working with them and...for...and urging Ohio EPA to determine an enforcement...and appropriate enforcement process for that.

PRESIDENT SCHULMAN: So, if I could interrupt, if we written the ticket then?

HEALTH COMMISSIONER ADAMS: Yes sir. Yes. We can documented some violations. We've had emission violations and we've had some paperwork violations from in the facility. And those that we're drafting...what we call notices of violations, with Ohio EPA for that. Yeah.

PRESIDENT SCHULMAN: Thank you.

HEALTH COMMISSIONER ADAMS: So, we continue to monitor that. We're also planning on doing some dust wipe samples on homes and cars. We have...do have some samples. Been a little bit of difficulty reading the results from those samples that we've taken for technical reasons, but we are continuing to investigate any complaint that comes in. You look like you have a question. *(Laughs)*.

PRESIDENT SCHULMAN: When...you said you were having trouble reading them. When will you be able to read them so you can report?

HEALTH COMMISSIONER ADAMS: The problem we're having is getting a sufficient amount of samples so that the laboratory can analyze the sample correctly. So, we are trying to collect these samples so that we can get a good quality...a good quantitative reading on metals from the samples. So, when we...when we get a...when we get dust on a vehicle that has enough quantity of the material on there, then the lab can do the appropriate test for that.

PRESIDENT SCHULMAN: For members of the community, how long is that going to take?

HEALTH COMMISSIONER ADAMS: That depends on the amount of emissions, I suppose, that the facility has. If they have no emissions then there's nothing to sample, but if they have a particular problem, we would be able to get a better sample. So, I...I'm sorry but I don't have a good time frame for that.

PRESIDENT SCHULMAN: I'm sorry.

HEALTH COMMISSIONER ADAMS: I'm sorry, but I don't have a good time frame for when that might be done. It's very dependent upon the type of emission that might come out of the facility. Yeah. We are...have analyzed two reports, one from Ohio EPA and U.S. EPA, regarding the facility and it's past practices and we're trying to look, trying to gage the amount of risk that is within the community. I'm looking for a couple of other pieces of information. One is from the original developer of the community Evergreen, and the other is some information from Ohio EPA's...what they call their Air Toxin Unit, so...a couple little pieces of information to gather for that before that report is finalized. Uh, the last pieces is...there was questions about lead testing of lead in children. We have analyzed, uh, blood tests. We have analyzed surveillance samples that have come in already from people in the community. There are no elevated blood lead levels from

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children within that target census tract. We don't think that there's an issue there, but we're going to formulate a recommendation based upon the information we have from that, so, it should be another week or so. I have talked with Council Member Smith and a couple members from the community about doing a followup meeting for members of the community to update them on our status. Uh, I do want to schedule a time. We certainly want to have a representative from the Ohio EPA here. The compliance issue is a very big issue, we wanna...we want to have them present at that update meeting for the community, so, when we can get that scheduled, we'll work with Council Member Smith and other people of the community to get that scheduled.

PRESIDENT SCHULMAN: Do you have an idea as to how long...

HEALTH COMMISSIONER ADAMS: I would hope a couple of weeks. It really...in my mind, it depends upon the schedule of the Ohio EPA, so...

MEMBER HALL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER HALL: You said you were going to refer to Evergreen, the original developer. What are you looking to get from them that will change what's going on now?

HEALTH COMMISSIONER ADAMS: I'm looking for information from the original development because they would have done some soil testing and some Phase 1 and Phase 2 studies so that I can kind of tell what kind of risk was there, at the property.

MEMBER HALL: You're saying (*Inaudible*), so you're saying you have tested...you're going to test the soil and compare it to what they had?

HEALTH COMMISSIONER ADAMS: I haven't said that yet. I'm going to look at the risk...all that risk (*Inaudible*) there, and determine when and if it's appropriate to do soil testing.

MEMBER HALL: I'm concerned because we've been talking about this for about two months about testing the soil, and so that means we still haven't tested the soil.

HEALTH COMMISSIONER ADAMS: That is correct.

MEMBER HALL: That's something the residents have been wanting to know because they have their kids playing in the grass. I think that's real important, that we should have been done this.

HEALTH COMMISSIONER ADAMS: I certainly...

MEMBER HALL: It might not be safe for their kids to play in the grass.

HEALTH COMMISSIONER ADAMS: I certainly understand that. I can...I know from the reports that I've looked at now, I believe the risk there is minimal. There is no risk there; however, in order to do...soil testing

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is just not that easy. You just can take samples of soil and analyze them and figure out what's going on. You're going to have to give me another week or so until I get the last bits of these reports and then we can get a good recommendation for that.

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MORRIS: Director Adams.

HEALTH COMMISSIONER ADAMS: Sir.

MEMBER MORRIS: You used the phrase...you feel that the risk is minimal; therefore, not ruling out that there is a potential risk. But I'm also concerned about the soil samples. We want to go back to the original developer to see if they, by chance, did soil samples so we have something to compare to, but correct me if I'm wrong, but if they did initial soil samples and there was contaminants in the ground, we would not have let that project go forward in the first place. So, my thought process is the initial soil samples done back prior to the construction project, are at this point irrelevant.

HEALTH COMMISSIONER ADAMS: Other than...I think the Phase 1 and Phase 2 studies that were done as part of the original development of the property, would give us some indication of what they found there, during the original development. And if they found nothing there, that lends some credence to the fact that this is a safe neighborhood to be at. I can tell you, I can tell you from the two reports that I've looked at now from the U.S. and Ohio EPA, both...both environmental scientists have said that there is no pathway between that facility and human exposure outside of the facility. And those are still active sites that are being monitored and watched by both Federal and Ohio EPA. So there...I'm not saying there is not risk inside the facility, but there's no credible pathway from the facility, using water and soil...water and soil, into the neighborhood.

PRESIDENT SCHULMAN: What about air?

HEALTH COMMISSIONER ADAMS: We don't know about the air yet. That's why I'm waiting for that piece from the Ohio EPA about the air part.

PRESIDENT SCHULMAN: Ok. And they've indicated how long that will take?

HEALTH COMMISSIONER ADAMS: They have not. We have had conversations with them and I've asked for a written response from them, so, um, I'm a little frustrated too.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: I'm just curious...

PRESIDENT SCHULMAN: Member Mariol.

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MEMBER MARIOL: To err on the side of safety, because there must be a reason why you're not wanting to even soil test, is it just the probability is so incredibly low that there could be some....I...I guess I would just think hypothetically, if your...if we're, if we're erring on the side of caution, not to do the soil test, even though the chances are minimal that there could be some...a contaminant in there, why...why not do that just to rule that out. Just to...knowing that the residents have a problem with this, to be able to say, um, we did the soil test. Just to give them that little piece of mind. Hopefully it comes to that, that there isn't anything there. I think that's what we all want, and to give them that little bit of piece of mind that this portion's ok. That there's still the air, still the other things, but the soil portion we know without a doubt in heart, would satisfy.

HEALTH COMMISSIONER ADAMS: It...I agree with you totally. It's just a little bit difficult to come up with a sampling plan in order to get the laboratory protocol correct and how you're going to interpret the results when you get the results, so. I understand your frustration though.

MEMBER MARIOL: And so they...the original...the original soil samples, are those kind of controlled, so you know where you're starting at? Because if you take them now, are you wanting to compare that to what they were when the...

HEALTH COMMISSIONER ADAMS: No, not really a comparison, but more of what...what did they find during their initial investigation that would have lead you to believe that there was problems with industrial contamination at the site. So, and I don't really know what that is.

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MORRIS: I can't help but to go again. Director Adams.

HEALTH COMMISSIONER ADAMS: Sir.

MEMBER MORRIS: I don't know anything about science, actually I'm not even a real smart person, so I want you to tell...explain this to me like I'm three. We have air particles. We've already determined that we've wrote them a ticket, I guess. Okay, so we have dust collecting on cars. So, like I said, I'm no genius, I'm not real smart, I don't really understand science, but I kind of understand the fact that particles are floating through the air and they're landing on their cars and landing on their houses, and then of course, we have this national...natural phenomenon called rain, which washes all this stuff down onto the ground. How could this...how could air particles get them a citation from the EPA but we're not thinking, or we're reluctant to believe that there's any soil contamination? I think, and this is just me speaking out loud and you know, I'm not the nicest person in the world, but sometimes I feel like you're tap dancing on me.

HEALTH COMMISSIONER ADAMS: The regulatory scheme is like this...the..the...the limits that are placed on the operating permit are set to, and I've said this before, set to be protective of public health. And so they establish that level and then they go beyond that, five, ten, fifteen, twenty, times. So, um, as far we can...as far as we know, there are no emission that have toxic components to the emissions. So, we do see visible emissions, but we don't believe that they're containing any quantities of toxic material. Now, let me follow up with that just a little bit for Member Morris, right. So, we are very concerned about what's going on in the facility and what may cross the facility fence line into the neighborhood. So we know from our modeling

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studies that we expect no toxic contamination from the facility to cross their fence line. Okay, so that's high level modeling, scientific, all that scientific stuff, right? We have at, we have demanded on their operating permit, that they install an air monitor. So we are inline, we are...we are focused on getting that monitor up. We are planning on getting it operational around the first of June and we hope to have samples that we can look at by the middle to the end of June on that. That's going to be our proof that the modeling has worked.

MEMBER MORRIS: So, what was the charge on the ticket for?

HEALTH COMMISSIONER ADAMS: We saw, we did a full compliance inspection within their facility for their permit that does the alloy, which once a week or so, that alloy does contain lead material. They had some violations where they were not properly recording down some operational parameters of the facility during the operation...during the making of the steel. Right. So they had what is normally termed, I guess, paperwork violations, is what they call it. No evidence that there was any emissions, no evidence that there was any accedence of any lead standard or anything like that, but they still had some operational paperwork types of violations. The other violations that are actually much more concerning is there are visible emission violations. So, all the residents know that every once in a while they see orange stuff coming out of a hole in the ceiling that's about that big, right? And that'll generate enough visible emissions to violate their visible emission part of their permit.

MEMBER MORRIS: That's actually really scary considering they know we're watching them.

HEALTH COMMISSIONER ADAMS: Exactly. Yeah. Um hum.

PRESIDENT SCHULMAN: Well, I don't want to belabor this but if you ticketed them, correct?

HEALTH COMMISSIONER ADAMS: We have documented the violations and working with Ohio EPA to write the ticket, if you want to use that metaphor.

PRESIDENT SCHULMAN: How long do you think that will take?

HEALTH COMMISSIONER ADAMS: I don't know because it's not totally up to us. It's the Ohio EPA that issues the violation notice.

PRESIDENT SCHULMAN: And Commissioner, I can hear your frustration and I think you can also hear the frustration...

HEALTH COMMISSIONER ADAMS: Oh, absolutely.

PRESIDENT SCHULMAN: ...Of the people sitting before you. And the people in the audience who have to go through this. And this air, by the way, is not just confined to one spot, is it?

HEALTH COMMISSIONER ADAMS: No it is not. That...you know...you look at those emission models and their air...whatever...all of our facilities contribute to our overall air quality, so it's very important to us.

PRESIDENT SCHULMAN: So we can expect...ballpark for us...when are we going to hear something definitive?

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HEALTH COMMISSIONER ADAMS: As far as a report from my office?

PRESIDENT SCHULMAN: As far as a final report?

HEALTH COMMISSIONER ADAMS: Uh, I can commit to, you know, at our next public meeting, I will be...I will have strong recommendations for our...for whatever followup we need to do. So I will have the cancer assessment done by then, we'll have a risk...a good solid risk assessment done by then, we'll have recommendations for any blood lead followup, so we'll have all of those kind of concerns. The only thing that will probably remain outstanding for a long time is the compliance issue with the facility as they continue their operations. So, as long as the facility is operating and making steel, they have the potential to have violations. So, that is an issue that is going to be a long term kind of issue.

PRESIDENT SCHULMAN: I'm sorry, you said the next meeting. When will that be?

HEALTH COMMISSIONER ADAMS: That is going to be up to...I think...I've talked to Member Smith about this and I've talked to one of the residents about the timing. I think it'd be appropriate to have somebody from the Ohio EPA here at that time, because there is a lot of questions about compliance and they're a key factor in that compliance factor. So I think the State...the State Ohio EPA needs to hear the same frustrations that we have about their delays and enforcement.

PRESIDENT SCHULMAN: Thank you.

HEALTH COMMISSIONER ADAMS: So it's going to be dependent upon their schedule a little bit.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: I just have one, I'm sorry, one questions.

PRESIDENT SCHULMAN: Sure.

MEMBER MARIOL: Uh, the ticket that you issued, is there a fine associated?

HEALTH COMMISSIONER ADAMS: That is up to the Ohio EPA for that. So what we've done is document the violation, then we present it to the Ohio EPA for enforcement.

MEMBER MARIOL: And if they rule that there should be a fine and a fine is issued, who collects that fine? Does that go to the state, or does that go to...?

HEALTH COMMISSIONER ADAMS: The state collects the fine and we actually get a portion of the fine for our investigative work.

MEMBER MARIOL. Okay.

HEALTH COMMISSIONER ADAMS: Yeah, yeah, so some of that does come back to the local agency.

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MEMBER HALL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER HALL: So, this air monitor, is that what they're building in the parking lot?

HEALTH COMMISSIONER ADAMS: That is correct. That is correct. And I want to...actually I want to thank the Mayor and the city for their expediting the permits for building that, too. So, they've done a very nice job in speeding up, you know, making sure that all the approvals got in place and we have a final inspection, I think we expect later on this week, and so it's been very helpful in meeting that timeline. So, appreciate that.

PRESIDENT SCHULMAN: Thank you. Any other questions? Thank you sir, very much. Appreciate it, Commissioner.

HEALTH COMMISSIONER ADAMS: Uh, anytime. *(Laughs)*. Anytime. *(Laughs)*. I said anytime. *(Laughs)*.

PRESIDENT SCHULMAN: Thank you. We really do appreciate it.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now on Public Speaks. We have uh, four speakers signed up this evening. Our first speaker is uh, Mr. Zachary. Roger Zachary, please step forwards and give us your name and your residential address, and it's a pleasure to see you again, sir, thank you.

ROGER ZACHARY: Thank you. Uh, Honorable President, Mayor, Council Members.

PRESIDENT SCHULMAN: Just need your name and address...

ROGER ZACHARY:...Clerks, Audience. My name is Roger Zachary. I live at 2621 Wood Owl St. NE, Canton, Ohio. Uh, Evergreen was not the first developer. And, uh,...what's his name? *(Inaudible)*. John Gareaux, John Gareaux, first developer. So, Evergreen bought it after John Gareaux. Uh, I want to thank the Repository for printing the article from OSHA on Friday. Uh, I want to thank 'em but it also concerns me that it wasn't a...to me it was front page news and they buried it in, uh...in the second section. Normally they put a little caption on the side when there is something, something of importance. And I think, uh, if I live in this community and I think this article is...uh...was important to me and it's important to everybody else that lives in the community. Who would have thunk it, that they would have buried it? Maybe it was too many pictures on the front page they were afraid somebody might read it. *(Laughs)*. Uh, the other thing I want to say is that our Health Department and OSHA doesn't...uh...they're not on the same page. From what my...EPA is telling me is completely different from what OSHA say. And what the one newscaster say...has said on Friday, that this...this remittance of dust and particles is a direct, is a direct collect...correlation to the high cancer output that's in my neighborhood. My EPA man, Health Department, he hasn't spoken it yet. He's talking about lead poisoning. Lead...there's lead...there's a child over there that did have lead poisoning. I've had my grandkids tested and I've asked everybody else to have their's checked. But, EPA man, Health Department man hasn't spoke on cancer death, cancer rates yet, you know. There's a lot of things going on and I'm not going to get to it in thirty seconds. It's telling me to hurry. So, with that, thank you.

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PRESIDENT SCHULMAN: Thank you, Mr. Zachary. (*Applause*).

PRESIDENT SCHULMAN: Our next speaker is Patricia Kirk. Ms. Kirk, as always, welcome. If you'll step forward though, and give us your name and your residential address, please.

PATRICIA KIRK: Thank you. My name is Patricia Kirk. I'm president of the Downtown Central Neighborhood Association and you'll never guess what I'm going to speak about tonight. (*Laughs*). Air quality. (*Laughs*). Just happened to do this. Uh, last week I was taking a walk down Market Avenue on the side of the Palace Theater, towards Rite Aid and I noticed the man digging up the roots of the Skyline...uh...the tall trees right there along the...Market Avenue, ripping up the roots and laying the cable. I started to ask him a few questions and another man came up and explained that he was his boss. Um, it was very interesting conversation. And, uh, I found out why they are, uh, ripping up the roots of these Skyline Locust trees and some of them are marked with the orange paint from Dick Drake's expertise, saying these are going to be cut down. And the man explained, "they'll be replaced by trees", Redbuds and Dogwoods. Those are short little decorative trees. They have trouble living in the city. I've had experience with this. The Skyline Locust trees that are there are now, all in healthy condition, no rot, no dropping limbs, no wavy sidewalks, nothing was wrong with the trees, but there will be now. So I went home that night. It rained. The next morning I was out cleaning my balcony. I live at 131 5th St. NE, I was cleaning my balcony. When I first moved in there in '95, the only thing we had on our balcony was light gray dust. This is what we have now, after one day. It starts out white, it's black, it's heavy, and it's there everyday whether you clean every day, and it had just rained...just rained. It's that prevalent. So, what I did is, I just took a paper towel and I wiped it. I realized this is not that scientific. It's just a paper bag and a paper towel, but anyways, it's signed, it's dated. But this is what we have on our balconies now, black dust...heavy, black dust. I assume it's from the trees. Guess what...er...from the streets. Guess what the difference is? When I first moved in there in '95, all around Canton Towers there was no pavement. There was the parking lot that was in the South side, front. It was all park. The biggest trees in the city of downtown Canton were all cut down and more driveways were put in, more asphalt was put in, and this is the result. Now we're going to lose the only trees along Market Avenue. This is the result and I'm giving Mr. Martuccio, Al Key's number. I called him and told him, please ask Al Key about the BARF Project in New York City where they replaced big trees with small trees. Turned out to be a big mistake. Okay.

PRESIDENT SCHULMAN: Thank you very much, as always. Thank you.

PATRICIA KIRK: Thank you.

PRESIDENT SCHULMAN: Our next speaker is Pete DiGiacomo. As always, Mr. DiGiacomo, good evening, welcome. If you'll give us your name and residential address, please.

PETE DIGIACOMO: I dropped my notes.

PRESIDENT SCHULMAN: That's okay, (*Laughter*). Take your time.

PETE DIGIACOMO: My name's Pete DiGiacomo. I live at 600 Dent Pl. SW, Canton, Ohio. Um, had no intention on speaking tonight until I come up and heard about the marijuana legalization, which doesn't...that's fine. My concern is where are these going to be located in the city of Canton? I know that...okay...they're gonna...you're gonna make zoning changes to allow them to be placed in certain areas.

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And that's what concerns me. Where they're going to be placed? I know you're not going to answer me now, but maybe uh, Fonda Williams could look into that a little bit, maybe, for the next meeting. Uh, if it's going to be placed in whatever area, and the people that live in that area don't particularly want that in their residential area, or their area, wherever the heck...even if it's industrial, don't want it, what are the procedures? Are they stuck with it? I know we got enough...I...personally, I have enough drug dealing in my neighborhood that I don't...that is illegal, now legal ones are going to come in. And I don't care how legal you make it, it's not gonna...they're gonna figure out a way to slide a little bit off to the side. I guess that's pretty much about it. Nothing else. So, tell me if somebody could find out...even get a rough idea, where they're gonna be. The growers and the stores that are going to sell 'em. Like I said, the one lady who was showing it, looked really nice, but like I say, these...this much is going out the front door, something's going out the back door. I have to say, it's not going to happen, then why do we have the crisis with the prescription drugs. Not people, I'm not even talking about being addicted to them, it's the fact that they got them in the first place. After the prescription ran out, they still got more, or they...whatever. Thank you.

PRESIDENT SCHULMAN: Thank you, Mr. DiGiacomo. (*Applause*).

MEMBER MACK: Mr. President. The very important concerns that Mr. DiGiacomo raised, we'll talk about those during the Committee...er...before we pass the Ordinance. I'll make sure that we address those.

PRESIDENT SCHULMAN: Great, thank you. Our last speaker is Brenda Baylor. Ms. Baylor, as always, welcome. If you'll come forward though, and give us your name and your residential address, and thank you for coming tonight.

BRENDA BAYLOR: Thank you. I'm Brenda Baylor, 2722 Wood Owl St. NE, Canton, Ohio. Um, I was sitting back there thinking about what I wanted to say, and one of the things that I know for sure I want to say...I would like everybody here to imagine that you live on the Northeast side, surrounded...but...your house surrounds Republic Steel. What would you do? The article that was in the paper, for those of you that did not see it, is from OSHA. It was an important article. And if you didn't see it, it's probably because the Repository doesn't seem to recognize its own neighbors, in terms of putting things that have importance on the front page, or for that matter, in the first part of the paper. And I find this very, very, very disturbing because this is an important matter. I can't imagine how any of us could possibly, at this point, sell our houses and I truly don't know what the Health Department thinks that we want to just have information. We want things solved. We want to know that there's no lead, we want to know that it's not going to continue. We see the smoke and he said that the smoke was coming out of small pipe, I find that amazing. Because I have seen it take over the whole sky, okay, and I can see it because my house faces Republic Steel. And when it comes out, it comes out in great amount of red, whatever it is. Also, as far as our cars are concerned, he, himself said that it was slag and I don't know how to get slag off of anything. It is on our houses, it's stuck to our house. And you can scrub like crazy. Republic Steel is responsible, at this point, for the nervousness of everybody that I have spoken to, that lives around Republic Steel. Nobody knows what to do. What the heck is this? What's on my car? How is my health? Are the kids going to get lead poisoning? If we had concrete information that said no, there's no lead, no, there's no smoke...the smoke thing would be hard to prove because we see it. We have been living there and there were people that were there a long time before I came and maybe it's just now coming out, but these things are important. And when the information goes out for the media, I would like to think that the people that live all around Republic Steel, will get this information because it's not just Georgeview, ok. I have friends that live in other areas. I appreciate the support that is coming from all of you, but this is a scary, scary issue, okay. This is no joke, and OSHA, in my opinion, has

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said so. If you would like to see this article, if you haven't see it, I would be happy to get this article to you. Thank you.

PRESIDENT SCHULMAN: Thank you, very much, as always. That concludes our Public Speaks. I want to thank all of our speakers this evening.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: And we are now under Informal Resolutions, and Mr. Clerk, would you please read Informal Resolution 24, by title.

#24. COUNCIL MBR-AT-LG SMUCKLER, COUNCIL MBR -AT-LG HARMON, COUNCIL MBR HAWK, WARD 1, COUNCIL MBR FISHER, WARD 5, COUNCIL MBR MARIOL, WARD 7, COUNCIL MBR MACK, WARD 8, COUNCIL MBR MORRIS, WARD 9: SUPPORTING COUNTY WIDE CONSOLIDATION OF 911 SYSTEM. - ADOPTED

PRESIDENT SCHULMAN: Thank you. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #24.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 24. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. *(Inaudible)*.

MEMBER SMITH: No. *(Inaudible)*.

MEMBER MORRIS: Mr. President. Uh, Member Hall and a few others would like a roll call vote on this one, if we could please.

PRESIDENT SCHULMAN: Roll call, please.

NO REMARKS

ROLL CALL 7 YEAS, 4 NAYS
(MEMBERS SMITH, BABCOCK, SCAGLIONE, AND HALL VOTED NAY)

CLERK DOUGHERTY: Seven yeas, four nays, Mr. President.

PRESIDENT SCHULMAN: The motion carries. And Informal Resolution is passed.

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED MAY 22, 2017.

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198. ANNEXATION CHAIRMAN MORRIS: REQ LEGISLATION AMENDING O#137/2016, STATEMENT OF SRVS FOR TAMSAL FULTON-BLAKE ANNEX TO INCLUDE PARCEL #5208292. - ANNEXATION COMMITTEE
199. AUDITOR MALLONN: REQ RE-ISSUANCE AND SALE OF REVITALIZATION ANTICIPATORY NOTE IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,000,000.00 TO PAY OFF CURRENT NOTE APPROVED VIA O#118/2016. - FINANCE COMMITTEE
200. AUDITOR MALLONN: REQ RE-ISSUANCE OF \$2,000,000 ANTICIPATORY NOTE TO PAY OFF NOTE APPROVED VIA O#262/2016. - FINANCE COMMITTEE
201. DEPUTY MAYOR WILLIAMS: AUTHORIZE HIRING OF DON B. ANGUS AS DIRECTOR OF PLANNING AT ANNUAL SALARY OF \$110,000 WITH 10 DAYS VACATION PER YR BEGINNING 2017; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PERSONNEL COMMITTEE
202. FINANCE DIRECTOR CROUSE: REQ \$15,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 901001 CIVIL SERVICE - OTHER TO ADVERTISE FOR OPEN POSITIONS IN STREET DEPT, MAYOR'S OFFICE, POLICE AND FIRE DEPTS. - FINANCE COMMITTEE
203. FINANCE DIRECTOR CROUSE: REQ \$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 852002 TREASURER GROWTH INIT SETTLEMENT - OTHER FOR JOB CREATION INCENTIVE PAYMENTS TO STOLLE MACHINERY PER JEDD AGMT. - FINANCE COMMITTEE

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 #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO AGREEMENT FOR AND ACCEPT GRANT FUNDS IN AN AMOUNT NOT TO EXCEED \$30,000.00 FROM HUNTINGTON NATIONAL BANK FOR THE IMPLEMENTATION OF THE CITY OF CANTON COMPREHENSIVE PLAN; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$30,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER)
- Referred to Finace Committee

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- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE DISCHARGE OF A PORTION OF THE DEMOLITION LIENS, ASSESSMENTS, PENALTIES, AND INTEREST ON THE PROPERTY KNOWN AS PARCEL NO. 224899; AND DECLARING THE SAME TO BE AN EMERGENCY (AMT TO BE WAIVED - \$4,384.10)
Referred to Community & Economic Development Committee
- #3. (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (SERV DIR PUBLIC WORKS - WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIV, UTILITY OPERATOR 3 FR 10 TO 18, SEMI-SKILLED UTILITY WORKERS FR 14 TO 4)
Referred to Personnel Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND ENTER INTO A UTILITY EASEMENT AGREEMENT WITH THE EAST OHIO GAS COMPANY, DBA DOMINION EAST OHIO, RELATED TO THE RELOCATION OF A GAS LINE IN THE AREA OF MAHONING ROAD NE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities Committee
- #5. (1ST RDG) **ADOPTED AS ORDINANCE NO. 117/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A COOPERATIVE AGREEMENT WITH STARK COUNTY FOR THE HARMONT/TRUMP AVENUE AND GAMBRINUS AVENUE RESURFACING PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement Committee
- #6. (1ST RDG) **ADOPTED AS ORDINANCE NO/ 118/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BLACK MCCUSKEY SOUERS & ARBAUGH, LPA FOR LEGAL SERVICES RELATED TO HALL OF FAME VILLAGE; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$15,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 201001 SERVICE DIRECTOR ADMIN - OTHER; \$15,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING FUND TO 5201 201001 SERVICE DIRECTOR ADMIN - OTHER; \$15,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 201001 SERVICE DIRECTOR ADMIN - OTHER)
Referred to Public Property Capital Improvement and Finance Committees

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PRESIDENT SCHULMAN: At this time the Chair would declare an in-house recess for the Public Property Capital Improvement and the Finance Committees to meet. You're now in recess. Leader.

(COUNCIL RECESSED AT 8:11 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCES #5; RECONVENED AT 8:12 PM)

(COUNCIL RECESSED AT 8:13 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES TO DISCUSS ORDINANCES #6; RECONVENED AT 8:14 PM)

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

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 back 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: Thank you. Ordinances carried. Ordinances 5 and 6...Motion carries, and 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 on Ordinance 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: Motion carries. You've heard the three readings, Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #5. Any remarks

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under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#5 ADOPTED AS ORDINANCE NO. 117/2017

PRESIDENT SCHULMAN: Thank you. Motion carries. 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. Any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#6 ADOPTED AS ORDINANCE NO. 118/2017

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinance 6 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We now turn to Ordinances for their Second Reading. Formal Resolutions for their Second Reading. Mr. Clerk, would you please begin with Ordinance 7.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #7 THROUGH #17 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #7. (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 (SOUTH OF STATE ROUTE 30 AND NORTH OF 21ST ST SW, WEST OF BROOKS AVE SW, CANTON, OH) FR R-1A (SINGLE-FAMILY RESIDENTIAL) TO PI-2 (PLANNED HEAVY INDUSTRIAL, FOR MARATHON PETROLEUM)
- #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 (PARCEL #380067, LOCATED @ 515 - 48TH ST NW, CANTON) FR R-1C (SINGLE-FAMILY

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- RESIDENTIAL) TO PCS (PLANNED COMMUNITY SERVICE, FOR ST. MARK'S EPISCOPAL CHURCH)
- #9. (2ND RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE HOF VILLAGE #3 ANNEXATION AREA CONTAINING APPROXIMATELY .176 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
- #10. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$16,417.40 APPROP TRF FR 1001 701001 JUDGES ADMIN - OTHER TO 1001 701001 JUDGES ADMIN - PERSONNEL)
- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GRANT AGREEMENT WITH ICAN HOUSING SOLUTIONS IN AN AMOUNT NOT TO EXCEED \$570,000.00 FOR THE CONSTRUCTION OF THE ARBOR RIDGE PERMANENT SUPPORTIVE HOUSING PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GRANT AGREEMENT WITH COMMUNITY BUILDING PARTNERSHIP OF STARK COUNTY, INC. IN AN AMOUNT NOT TO EXCEED \$150,000.00 TO PROVIDE DOWN-PAYMENT ASSISTANCE TO INCOME QUALIFIED RESIDENTS OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION TO SD MYERS LLC, DBA GOOD PLACE PUBLISHING; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,168.00 FOR PRINTING SERV)
- #14. (2ND RDG) A RESOLUTION ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECENT RECOMMENDATIONS REGARDING ENTERPRISE ZONE AND COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #15. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$17,988.84 INTER-FUND TRF FR 1001 GENERAL FUND - OTHER TO 1151 LAND REUTILIZATION AND NOTE FUND - OTHER)
- #16. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 119/2017** AN ORDINANCE AMENDING PART SEVEN, BUSINESS REGULATIONS CODE

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OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON BY ENACTING CHAPTER 789 "MEDICAL MARIJUANA ENTITIES" TO CREATE A COMPREHENSIVE LICENSING SYSTEM FOR MEDICAL MARIJUANA ENTITIES IN THE CITY OF CANTON; AMENDING/SUPPLEMENTING PART ELEVEN, PLANNING AND ZONING CODE, CHAPTER 1169, CONDITIONAL USES, CHAPTER 1123, DEFINITIONS AND CHAPTER 1129 TO INCORPORATE A ZONING SYSTEM FOR MEDICAL MARIJUANA FACILITIES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President. I move we suspend the Statutory Rules for Ordinance #16.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinance #16. 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. Motion carries. You've heard the three readings.

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. Are there any remarks?

MEMBER MORRIS: Mr. President, I move we amend Ordinance #16 per the copy that all Council Members have in front of them.

MEMBER SMITH: Second.

PRESIDENT: It's been moved and seconded that you amend Ordinance 16 by virtue of the copy before each Member of Council. Any remarks on that? Hearing none...

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes.

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MEMBER SMUCKLER: I just want to make one comment about this. This is strictly on the amendment. I'm going to go along with this, but I guess I've been doing this all wrong for thirty-four years. Anytime one of my customers willing to pay twice as much and I say, "No, no, no, we'll cut it in half for you." I guess I've been doing something wrong. I disagree, I think we're leaving money on the table, and that's my own opinion. I guarantee the State of Ohio is leaving no money on the table. They're taking everything they can get. Again, I will vote for it but I want to be on the record of saying we are missing the boat here. Thank you.

PRESIDENT SCHULMAN: Thank you.

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Yes, Law Director.

LAW DIRECTOR MARTUCCIO: Mr. President, thank you. Members of Council. To address some of Mr. DiGiacomo's comments earlier, and some of the others. Again, this isn't soup yet. The State is allowing applicants to apply. They're only granting a limited number of people to grow, I think something like a dozen or twenty, (*Inaudible*), which are the bigger ones, and these will be...they have to be contained, enclosed grow facilities like greenhouses, and they have to have state of the art odor filtration systems on them. Um, and they have to be highly secure and our police officers can investigate them. So far, I can tell you, the applicants in other cities and particularly in Canton, have been mostly interested in formal, industrial properties, which are already currently zoned to accept grow...grow facilities. So, our zoning is already compatible with growing. As far as processing, again, industrial, certain commercial classifications already support them. As far as dispensaries, um, these will be smaller and they'll dispense, in many people's arguments, less dangerous drugs than the opiate ones, that the pharmacies now prescribe. And then there are research facilities, that's the fourth category. The State, as I mentioned earlier, has already said to the cities and political subdivisions that open this up, "you cannot place these within 500 feet of a school, church, or synagogue, temple, playground, library, a sorority...this is requirements by the State. Again, there are heavy fees, lots and lots of vetting at the state level. Our local Ordinance provides for some additional vetting as well and inspections by the police on an unannounced basis. So this is uh, a very regulated industry. I hope that answers some of those concerns. Thank you.

PETE DIGIACOMO: Then maybe I won't see as many drug deals.

PRESIDENT SCHULMAN: Sorry, sorry, you can't really talk to me...but I'll talk to you afterwards. (*Laughter*).

PETE DIGIACOMO: I'll forget by then. (*Laughter*).

PRESIDENT SCHULMAN: And...and I know...

LAW DIRECTOR MARTUCCIO: Initially some people said, "Well this can lead to that kind of thing." But, again, let me remind for those folks that didn't hear the presentation, only a certified physician, who signs up with the state, essentially, uh...can...can write prescriptions for medical marijuana...marijuana

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only for twenty-one listed conditions and again, this was highly motivated by the experiences of other states and medical facilities to alleviate pain and suffering. I don't know how many of you saw the specials on television where the children had thousands of seizures in a month and (*Inaudible*), so, it's medical. Now, recreational, maybe a different issue, if and when that comes along, but these are medical issues. Thank you for the time to try to explain that.

PRESIDENT SCHULMAN: Thank you, Law Director. Member Smuckler, did you have anything else to say?

MEMBER SMUCKLER: No, I just thought we were talking about the amendment, not about the whole ordinance! So, I guess...(*Laughter*).

PRESIDENT SCHULMAN: Well, there is an amendment here. By voice vote, all those in favor of the amendment signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The amend...amendment carries. Now we are at the ordinance # 16, as amended. Any remarks under that?

MEMBER MORRIS: Well, first off, I...Mr. President, I move we adopt Ordinance #16, as amended.

MEMBER SMITH: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend pages 5 and 6 of Section 1 to replace the figures of 250.00 and \$2,500.00 with \$500.00 and \$5,000.00 respectively.

PRESIDENT SCHULMAN: It's been moved and seconded (*Inaudible*)...It's been moved and seconded that you adopt Ordinance #16 as amended. Any remarks?

MEMBER MORRIS: Yes, Mr. President. I'd like to kind of...a...answer one of Mr. DiGiacomo's questions about these particular grow sites and these buildings. You will not, on the exterior, be able to see what's in these buildings. In many cases, these buildings will have security fences around them, surveillance, and from the outside, basically it's gonna be a block building or a pole building, or whatever the structure may be. They will not be using your typical greenhouse. Everything is done with grow lights, uh, a certain soil mixture. I thought it would be hydroponics because back when I was a kid, that was the good stuff, but apparently it's a soil mixture and lighting, so, uh, you won't be able to drive by and see. It's not until it gets to the pharmaceutical end where...where the recreational end, where you'll actually be able to tell, hey, that's where you can buy it.

PETE DIGIACOMO: (*Inaudible*).

PRESIDENT SCHULMAN: I'm sorry.

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MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MACK: I've two different, uh...

PRESIDENT SCHULMAN: Member Mack, I'm sorry.

MEMBER MACK: Thank you, Mr. President. ...Two observations, really. Number one, I'm really impressed and thankful to this body for what we just did during committee. We realized and we recognized the potential opportunity and we all worked together and (*Inaudible*) I may have been more towards Member Smuckler in thinking that we should have gone way, but that's how we get things done in this body. And it's really impressive the way this body works, the way this body gets things done. It should be an example for...for a lot of others. The second things is, that I want to make sure a point isn't lost on the audience here. While we're talking the economics, and the economics are important to us because that's one of the most important things to everybody in our community, but there's a reason why public polling for medical marijuana in the state of Ohio is at 90%. It's at 90%. I don't know if many other issues, uh...political issues that pole that high and it was just in 2016 it was reported in the Columbus Dispatch. And the reason why this body knows that and has considered that, and the reason why we're willing to move so quickly on this, is because this is medicine and we want to get this to the people of the city of Canton as soon as we can. This is used to treat cancer, this is used to...and I have hear something from the American Medical Association. It's used to treat Alzheimer's disease, aids, hepatitis, and it's one of the only issues that the American Medical Association was unanimously in support of...for...ad since it made an appearance at the State House. And so, while the economics are important for us here today, and that's (*Inaudible*), it's also for concerns of our residents. And so I'm really, kind of a really proud moment of what our body's about to do.

PRESIDENT SCHULMAN: Thank you Chairman Mack. Any other remarks? Okay, you're voting on Ordinance 16, as amended, (*Inaudible*). Roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#16 ADOPTED AS AMENDED AS ORDINANCE NO. 119/2017

PRESIDENT SCHULMAN: Thank you. Ordinance 16 is adopted, is amended.

MEMBER MORRIS: Fire one up! (*Laughter*).

PRESIDENT SCHULMAN: Turning now to Ordinances for their Third and Final Reading and Vote. Mr. Clerk, would you please begin with Ordinance 18.

CLERK DOUGHERTY: Matter of correction, you're on #17, Second Reading.

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- #17. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION TO AT&T NATIONAL COMPLIANCE CENTER; AND DECLARING THE SAME TO BE AN EMERGENCY (\$850.00 FOR LOCATION AND PINGING SERVS TO TRACK MISSING JUVENILE)

PRESIDENT SCHULMAN: Oh, I'm sorry. I did not see it there. Leader.

MEMBER MORRIS: No. Third and Final Readings now. Moving on down the line.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Ordinances and Formal Resolutions for their Third Final Reading and Vote. Mr. Clerk, would you please begin with Ordinance #18 .

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #18 THROUGH #21 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

- #18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 120/2017** 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

PRESIDENT SCHULMAN: Thank you. Leader.

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 this Ordinance?

MEMBER MORRIS: Mr. President. Question to Deputy Mayor Williams. Did the school board vote in favor or...to approve or not?

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DEPUTY MAYOR WILLIAMS: Mr. President. Leader Morris. We had to...we have an obligation to notify Canton City Schools fourteen days prior to Council taking action. We have not heard yea or nay from the school board, so we are poised to move forward with the adoption of this legislation.

MEMBER MORRIS: Do we know the financial impact on the school district?

DEPUTY MAYOR WILLIAMS: Mr. President. Leader Morris. At this point we do not because it just depends on what kind of...uh...deal or what kind of company will enter into the DRD, so that is always yet to be determined. It would depend on the nature of the financial investment, based on whatever company is going to move into the city.

MEMBER MORRIS: Mr. President. Okay...I'm not sure if anybody else has really thought this one out, but we're going to give up 70% with or without the school board's consent, but we don't even know what the financial impact on our school system is on this district. It could be significant, it could be minimal. Um...

DEPUTY MAYOR WILLIAMS: Mr. President. Again...Member...Leader Morris. Members of Council. This is TIF legislation. It gives us the ability as a Municipality to collect that assessment, if you will, put it into a special fund and use those dollars to attract a technology based company to the city of Canton.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: If I...

PRESIDENT SCHULMAN: Member Mariol.

MEMBER MARIOL: Yes. This would be a questions for, uh, the Deputy Mayor. TIF's are somewhat, they're easy to understand once you understand that they're complicated in their nature, but uh, how the TIF works, and correct me if I'm wrong, but my understanding is, uh, if you're collecting \$100.00...and the school district is collecting \$100.00 today in an area, and there's a TIF, and the value goes...the property tax would be \$200.00 and there's a 75% TIF. The school district still collects its original \$100.00. They also then collect an additional 25%, so they're actually getting 25% more money than what they were getting before, they're just not getting the full 100% value initially. Is that how they work? Is that...

DEPUTY MAYOR WILLIAMS: Mr. President. Member...uh...Mariol. In this case, it's 70, not 75%, but yes, you're correct.

MEMBER MARIOL: So, the school district, inevitably, and I understand what Member Morris is saying, but the one thing that we know for sure, is that the school district will get, if somebody comes, they're gonna get 30% more money than what they were getting originally, uh, depending on how the value is.

DEPUTY MAYOR WILLIAMS: That's correct.

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MEMBER MARIOL: Okay.

DEPUTY MAYOR WILLIAMS: That's correct.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Hawk.

MEMBER HAWK: I'm going to support this and I'm going to tell you why, it's very simple. We're in competition for businesses to come to our area and attract them to our area. Other cities are in the same field. They're trying to attract businesses new to their...to their cities. Without this, we won't have an opportunity to even be looked at. This is something we need to do in order to attract new business because if we don't do it, someone else will folks. So, something...a little bit something is whole lot better than all of nothing. So, that's why I'm in support of this. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Hawk.

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MORRIS: I'm going to support this but Member Mariol and his Canton South math skills would have got beat up at McKinley High School, uh, because if I make an investment and my tax revenue goes from 100 to 200, I'm up a 100, but if I give 70% away, and I only make 30, well now I'm at 130. I lost 70. So, you wouldn't have ate lunch at McKinley.

PRESIDENT SCHULMAN: Member Mariol.

MEMBER MARIOL: The point I would make to Majority Leader Morris...you can't lose money you don't already have. You've got to get the money first.

PRESIDENT SCHULMAN: Any other remarks in regard to, uh, 18?

DEPUTY MAYOR WILLIAMS: Mr. President. Just one last comment. Um, again this is, uh, brand new legislation sponsored by Representative Kirk Schuring. If Council adopts this legislation, I truly believe we'll be the first city in the state of Ohio that will have adopted this legislation.

MEMBER MORRIS: We gotta take care of our Republican friends in the State of Ohio.

DEPUTY MAYOR WILLIAMS: And one last comment, without the District, we wouldn't collect anything, so... Thank you.

PRESIDENT SCHULMAN: Any other 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.

#18 ADOPTED AS ORDINANCE NO. 120/2017

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

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 121/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$68,559.03 INTER-FUND TRF FR 1001 GENERAL FUND TO 1154 HOF VILLAGE PROJ FUND)

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? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAY

CLERK DOUGHERTY: Eleven yeas.

#19 ADOPTED AS ORDINANCE NO. 121/2017

PRESIDENT SCHULMAN: Motion carries. Ordinance 19 is adopted. Ordinance 20, please.

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 122/2017** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT AND RENUMBERING PLAT OF ALL OF LOTS 6141, 6142, PART OF LOT 13177 AND PART OF OUTLOT 241; AND DECLARING THE SAME TO BE AN EMERGENCY (1600 BLOCK OF CLEVELAND AVE NW FOR KEMPTHORN MOTORS)

PRESIDENT SCHULMAN: Thank you. 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? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

MINUTES OF THE MEETING MAY 22, 2017**#20 ADOPTED AS ORDINANCE NO. 122/2017**

PRESIDENT SCHULMAN: Thank you. Ordinance 20 is adopted. Ordinance 21, please.

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 123/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH SCHINDLER ELEVATOR CORPORATION FOR THE REPAIR OF THE CORNERSTONE PARKING DECK ELEVATOR PURSUANT TO THE NATIONAL JOINT POWERS ALLIANCE COOPERATIVE PURCHASING PROGRAM; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJ FUND TO 4501 104040 TRAFFIC ENG/PARKING METER - OTHER)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #21.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 21. 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.

#21 ADOPTED AS ORDINANCE NO. 123/2017

PRESIDENT SCHULMAN: Motion carries. Ordinance 21 has been adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: Finance will be meeting on June 5th at 6:45, here in Council Chambers.

PRESIDENT SCHULMAN: Thank you.

MEMBER BABCOCK: Mr. President.

PRESIDENT SCHULMAN: Yes.

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MEMBER BABCOCK: Personnel, same time, same place.

PRESIDENT SCHULMAN: Thank you.

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

MEMBER HARMON: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER HARMON: Mr. President. Environmental & Public Utilities, uh, Committee will meet at the same time, same place, same date.

PRESIDENT SCHULMAN: Anyone else? Hearing none...

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Miscellaneous Business. Is there any?

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Mariol.

MEMBER MARIOL: Yes, I, uh, um, I wanted to thank all of my colleagues and also, um, City Council's office for sending the arrangement of flowers and all the, all the, uh, text messages, phone calls I received, uh... Many of you know I wasn't know I wasn't here last week. My grandfather passed away on Monday from a battle with cancer, but I can tell you that, um, it was really nice to see those flowers. In that, you know, in that, in that situation that means a lot. I know a lot of you have lost a family members, it's nice to know that, that, that your colleagues are thinking of you. So, also I have strict instructions from my mother to make sure I said something. *(Laughter)*. Even at almost 30, I still get those instructions, so, but I wanted to say...thank everybody.

PRESIDENT SCHULMAN: Thank you and we're deep...our deepest condolences.

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT SCHULMAN: Yes.

DEPUTY MAYOR WILLIAMS: Speaking of...

PRESIDENT SCHULMAN: Deputy Mayor.

DEPUTY MAYOR WILLIAMS: Thank you. Speaking of instructions, there's a young man in the audience that I'll probably say mentored me, uh, as a young man and taught me little things about basketball, but more importantly about life. His name is Mayor Eddie Cole. He's a man a faith and he's the Mayor of Eatonville, Florida. He's formally of Canton. Would you please stand up and be recognized. *(Applause)*.

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PRESIDENT SCHULMAN: Welcome Mayor and thank you for coming. I hope you enjoyed it.

MAYOR EDDIE COLE: Yes, I did.

PRESIDENT SCHULMAN: And I would go back to where the weather's warmer, for sure. *(Laughs)*. Anyone else? Leader.

MEMBER MORRIS: Move to adjourn.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adjourn. Roll call vote please, Mr. Clerk.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAY

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: *(Gavel falls)* Motion carries, you're in adjournment and a wonderful, uh...

ADJOURNMENT TIME: 8:40 P.M.

ATTEST:
DAVID R. DOUGHERTY
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT