

**MINUTES OF THE MEETING SEPTEMBER 11, 2017**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. Uh, before we begin, let...let us take a moment of silence to remember those fallen, lost, in 9/11. It's hard to believe that it's been that long, but...let's have a moment of silence in remembrance.

*(MOMENT OF SILENCE)*

PRESIDENT SCHULMAN: Thank you. 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: (CHRIS SMITH, JAMES BABCOCK, TOM HARMON, BILL SMUCKLER, GREG HAWK, NATHANIEL CHESTER, JASON SCAGLIONE, ROBERT FISHER, KEVIN HALL, JOHN MARIOL & EDMOND MACK)

ELEVEN COUNCIL MEMBERS PRESENT (MEMBER MORRIS ABSENT)

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

PRESIDENT SCHULMAN: Thank you.

**EXCUSING MEMBERS**

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr...Mr. President. I move we excuse Member Morris from tonight's meeting.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Morris from this evening's meeting. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: The motion carries and the Member is excused from this evening's meeting. We're going to have our invocation tonight, given by my good friend, Bill Smuckler. If you'll stand and remain standing for our Pledge of Allegiance.

*The regular meeting of Canton City Council was held on September 11, 2017 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council David Dougherty. The invocation was given by At-Large Council Member Bill Smuckler. The Pledge of Allegiance was led by President Schulman.*

PRESIDENT SCHULMAN: Thank you very much.

**AGENDA CORRECTIONS & CHANGES**

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PRESIDENT SCHULMAN: We're now under Agenda Corrections and Changes. Leader.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2<sup>nd</sup> Reading Ordinances #16 through #24, to this evening's agenda.

MEMBER BABCOCK : Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinances...uh...12 through.....16 through...sorry....16 through 20...30...24. I'll get this right. 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, Rule is suspended and the Ordinances are a legal part of your agenda.

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**PUBLIC HEARINGS**

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

**OLD BUSINESS**

PRESIDENT SCHULMAN: We turn to Old Business. We have no Old Business according to our Deputy Mayor.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We now turn to Public Speaks. We do have one Public Speaker this evening, and that is...I hope I'm pronouncing this...if I don't, I apologize...Tyree Grimes? Did I pronounce that correctly, I'm sorry? You want...if you'll step forward, Ms. Grimes. Welcome to Canton City Council. If you'll step forward and around, and you'll have to come way up here. If you'll step right up to the microphone and would you give us your name and your residential address, please. And welcome to Canton City Council.

TYREIA GRIMES: Well, thank you. Hi, my name is Tyreia Grimes. As you know, the day is 9/11. I live at 716 30<sup>th</sup> St. NW, that's here in Canton, Ohio, Apt. 111. I am here to uh, let you know first of all, I'm a director of a non-profit, Clean Foundation, which is "changing lives eternally and now." And that's consistent to changing lives of all those in Stark County, prayerfully, further, that has (*Inaudible*) in their lives of being an ex-felon. And, I'm Assistant Director to We're Free, and Assistant Director to Stark Humana, and a volunteer at the Drop-In Center. We have dez...decided to put an organization together for those who are coming home, out of prison, and that need help from our community and from our City Council because many of them are not getting the love and the treatment that they truly, truly deserve. And we do have agencies that say they can help the felons, but they really don't give their hearts to the felons. And as me being an ex-felon, I'm starting an agency so that they can see that they can succeed and they can change their lives. And I'm also asking that I get the City Council...some members to participate on the 28<sup>th</sup> of September, at the Drop-In Center on Cherry Avenue. The address is 1492 Cherry St. SE, that's here in Canton, Ohio 44707. I just ask that you help support our...support our community, basically, if y'all understand what I'm saying. And that's all. Thank you.

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PRESIDENT SCHULMAN: Thank you so much. Thank you for all you do and what you're doing. Thank you. Have a wonderful week. (*Applause*).

MEMBER SMITH: Excuse me, Mr. President, I think uh...Councilman Hall...you had a question?

MEMBER HALL: I just want to know the time.

TYREIA GRIMES: Oh, I'm sorry. We start at 1 p.m.

PRESIDENT SCHULMAN: Thank you. Any other questions? Thank you very much.

TYREIA GRIMES: Thank you.

PRESIDENT SCHULMAN. We really appreciate it, and all that you're doing.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: Uh, we're now under Informal Resolutions and we have one this evening. Mr. Clerk, would you please read, (*coughs*) excuse me, Informal Resolution 34.

34. COUNCIL-AS-A-WHOLE: HONORARY NAMING OF 12<sup>TH</sup> STREET BRIDGE "THE MICHAEL J. REHFUS, SR. MEMORIAL BRIDGE". - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #34.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 34. Any remarks?

MEMBER SMITH: Yes, Mr. President. Could you have that read in its entirety...

PRESIDENT SCHULMAN: Yes.

MEMBER SMITH: ...And voted on please.

PRESIDENT SCHULMAN: Yes. Would you please read that, Mr. Clerk.

CLERK DOUGHERTY: An Informal Resolution Respectfully Submitted By Council-As-A-Whole on this 11<sup>th</sup> day of September, 2017. **Whereas**, Stark County and the City of Canton have collaborated on the 12<sup>th</sup> Street North Corridor Replacement Project, which included the reconstruction of the 12<sup>th</sup> Street Bridge (No. CA-5-15); and **Whereas**, Former Stark County Engineer, Michael J. Rehfus, Sr., who sadly passed away in office in 2009, was highly respected for his nearly thirty years of service to Stark County. He was a Canton native, a McKinley High School graduate, and passionate about the improvements of both Stark County and the City of Canton; and **Whereas**, Stark County Engineer, Keith Bennett, and Canton City Engineer, Dan

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Moeglin, have proposed that the reconstructed 12<sup>th</sup> Street Bridge be dedicated to former Stark County Engineer, Michael J. Rehfus, Sr., by the honorary naming of the bridge, "The Michael J. Rehfus, Sr., Memorial Bridge." ***Now Therefore Be It Resolved:*** that we, the Members of Canton City Council, do hereby go on public record acknowledging and commemorating the accomplishments and service of ***Michael J. Rehfus, Sr. by the honorary naming of Bridge CA-5-15 "The Michael J. Rehfus, Sr. Memorial Bridge."***

PRESIDENT SCHULMAN: Any other...any other remarks?

MEMBER SMITH: Yes, could we...uh...vote on that please?

PRESIDENT SCHULMAN: Yeah, oh, absolutely. Yes. All those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #34 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion unanimously carries as it should.

MEMBER SMITH: Thank you so much. Could we ask that someone come and receive it and would the family members please stand. (*Applause*).

CLERK DOUGHERTY: Mr. Moeglin. Member Smith.

MEMBER SMITH: Yes.

CLERK DOUGHERTY: Mr. Moeglin, Mr. Bennet would like to say a few words.

MEMBER SMITH: Oh yes, definitely.

MRS. REHFUS: Thank you so much.

KEITH BENNETT: Thank you Mr. President and Mayor, Council. It's an honor to be here. I'm representing Stark County tonight. Um, they passed, on August 30<sup>th</sup>, a similar resolution in support of the city naming the bridge after Mike. As many of you know, Mike grew up in Canton. He was a graduate of McKinley, he went to Akron U, and spent basically his entire career in the Stark County Engineer's Office. And was the Stark County Engineer from 2003 to 2009, until his untimely passing. Uh...for...since that time, we 've been looking for a fitting way to honor Mike's memory and we couldn't think of a better place to do it than in the city, and on a county maintained bridge. So, this project worked out ideally for that. So, once again, I want to thank you...uh...for passing this resolution. It will be a great honor to Mike. We do have his family members here. Uh, Debbie, his wife, his five children. Uh, we have Jen, Mike Jr., Katie, Matt, and Chrissy. Mike's mom and Mike's mother-in-law are also in attendance, Judy and Diane. So, uh, they've got a good showing. They're very honored to have this. So thank you very much. (*Applause*).

ENGINEER MOEGLIN: Ok, so I usually don't write things out but I didn't want to screw this up. This one's important. Engineers, by our nature, we're problem solvers and we like to build things, projects particularly. Linda Patterson, former HR Director of Canton City, for those of you that don't know, gave me some sage

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words of advice when I first began here at Canton. She told me, she says, “Dan, projects don’t make you a successful engineer, people do.” Those are some words to live by and I’ve tried to do that, but more importantly, Mike Rehfus, Sr. exemplified these words. Sure, he built many great projects but what he is remembered for and mostly by, are the relationships he developed and by the people he influenced. For example, Mike was truly a lifelong public servant. He spent his career working to improve our community. Another example, Mike became an elected official, but held firmly to his believe in public service. He did things for the right reasons, not for the political reasons. Mike was a Stark...Stark County’s first elected County Engineer and County Sanitary Engineer. That’s another testament to his work ethic and the respect he earned. Mike was a humble man. He always treated people with respect and dignity. He didn’t make things about himself, but about using his talents to build a better community. Number five, probably the most important example of Mike placing his priority in people, is how he, his wife, Debbie (*Laughter*), and his uh, his mother and mother-in-law raised their family. Over the span of this project, I have come to know his sons, Mike Jr. and Matt, who are actually both working on this project. Mike Jr. helped with the design. He was with the design from Arcadis. They’re now both with Omni Pro, who...a Canton company working on the construction of it. They are both outstanding young engineers, but more importantly, they embody all the positive qualities that their dad, and of course, their mom possessed and passed on to them. So, in summary, what more could any of us ask for but to be remembered as truly a people person that will still...and is still respected, appreciated, and loved by those around him. That is why it’s such a privilege for me to work on this project for Mike, with his other friends, like Keith and some of the other engineers and the contractors, as well as his family. This is truly a fitting tribute to Mike and I’m sure he’s smiling on us as he looks down on the project, although I wish he’d help us with a few change orders! (*Laughter*). So, lastly I’d like to say, Debbie and family, thank you for sharing him with our community. It’s a real privilege. And number two, Mike, thanks for the example you set for all of us and the lessons you taught, and crag..., congratulations on your new bridge. (*Applause*).

MEMBER SMITH: Okay, mine will be brief. As you’ve already heard all of the kind words that was said about Mr. Rehfus, we’re just honored as Canton City Council, to present to you this Resolution, on this day, as a whole. May God continue to bless you and he’ll always be remembered when we cross that bridge. Thank you. (*Applause*).

MRS. REHFUS: Thank you. You know, this is just, uh, such an honor and I know the five kids and my mother and mother-in-law, Mike’s cousin down at the end there, Susan, we all are so grateful to all of you. We’ve had so much support, love, compassion, since the untimely passing of Mike. Um, Mike loved Canton and this is just such an unbelievably beautiful tribute to him and words really just can’t describe how much it means to all of us. So, thank you so much...um...from the bottom of all of our hearts. Uh...as I say, words cannot describe, but um, the tribute just couldn’t be more beautiful. Thank you. (*Applause*).

PRESIDENT SCHULMAN: Thank you so much.

**COMMUNICATIONS**

PRESIDENT SCHULMAN: We now turn to Communications. Let the journal show that all Communications are received as read.

***NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED SEPTEMBER 11, 2017.***

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337. AGENT FOR PETITIONER SLIMAN: COPY OF ANNEX PETITION DOCS FILED WITH STARK CTY COMMISSIONERS ON 8/30/17 FOR 4111 LOUISVILLE ST NE/MAHONING INDUSTRIAL PARK ANNEX. - RECEIVED & FILED
338. APPLICANTS, ANTHONY & SUSAN CAMPITELLI: REQ VACATION OF GROSSE PL SW BETWEEN HENRY AVE SW AND CLEVELAND AVE SW (WARD 5). - PLANNING COMMISSION
339. APPLICANT, DAVID BAKER (HOF): REQ VACATION OF GEORGE HALAS DR NW FR SOUTH LINE OF LOT 43078 TO NORTH LINE OF LOT 43041 (WARD 7). - PLANNING COMMISSION
340. AUDITOR MALLONN: MTHLY REPORT BY FUND FOR 8/1/17 THRU 8/31/17. - RECEIVED & FILED
341. AUDITOR MALLONN: YRLY REPORT BY FUND FOR 1/1/17 THRU 8/31/17. - RECEIVED & FILED
342. COUNCIL MEMBER MORRIS, COUNCIL MEMBER SCAGLIONE: REQ LEGISLATION DECLARING DEC 11-15, 2017 AMNESTY WEEK FOR UNPAID PARKING TICKETS AND REGISTRATION FEES. - FINANCE COMMITTEE
343. FINANCE DIRECTOR CROUSE: REQ \$30,000.00 APPROP TRF FR 1001 506001 - COMMUNITY DEVELOPMENT ADMIN - OTHER TO 1001 501001 MAYOR ADMIN - PAYROLL FOR EXPENSES FOR PLANNING DEPT. - FINANCE COMMITTEE
344. FINANCE DIRECTOR CROUSE: REQ \$2,475.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE - ADMIN - OTHER FOR POLICE AND FIRE PROTECTION @ HOF MARATHON. - FINANCE COMMITTEE
345. FINANCE DIRECTOR CROUSE: REQ \$190,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 801010 AUDITOR - LEGALLY BINDING EXP - OTHER FOR \$155,000.00 AND TO 1001 102090 POLICE - CANTON CRIME LAB - PERSONNEL SERVICES FOR \$35,000.00. - FINANCE COMMITTEE
346. FINANCE DIRECTOR CROUSE: REQ \$21,223.44 SUPP APPROP FR UNAPPROP BAL OF 2185 URBAN TIF FUND TO 2185 501001 MAYOR ADMIN - OTHER FOR PAYMENT ON HISTORIC ONESTO TIF. - FINANCE COMMITTEE
347. FINANCE DIRECTOR CROUSE: REQ \$148,215.00 SUPP APPROP FR UNAPPROP BAL OF 2817 JOBS OHIO FUND TO 2817 506001 COMM DEV ADMIN - OTHER, AND \$148,215.00 INTER-FUND TRF FR 2817 506001 COMM DEV ADMIN - ADV OUT TO 1001 506001 COMM DEV ADMIN - ADV IN FOR WEBER DENTAL FACILITY. - FINANCE COMMITTEE

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348. FINANCE DIRECTOR CROUSE: REQ \$1,190,000.00 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PRJ FUND TO 4566 202079 MAHONING ROAD CORRIDOR PROJECT - OTHER FOR COMPLETION OF MAHONING RD PROJ PHASE II. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
349. LIQUOR CONTROL DIV (OHIO): REQ NEW C1, C2 PERMIT FOR FAMILY DOLLAR STORES OF OHIO, INC., DBA FAMILY DOLLAR 5497 LOCATED @ 1207 12<sup>TH</sup> St NW. - RECEIVED & FILED
350. PLANNING COMMISSION: AUTHORIZE VACATION OF GEORGE HALAS DR NW FR SOUTH LINE OF LOT 43078 TO NORTH LINE OF LOT 43041, REPLATTING VACATED STREET AND LOTS 43041-43051, 43067-43076, 43078, 43102, 43240 & 43241 (WARD 7). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
351. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH OF TABLETS AND RELATED WARRANTIES AND ACCESSORIES FOR POLICE DEPT; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCH OF SAID ITEMS IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
352. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO PROF SRVS CONTRACT FOR EMS BILLING SERVICES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
353. STARK CTY COMMISSIONERS: REQ ANNEX OF 3.950 ACRES IN PLAIN TOWNSHIP TO CITY OF CANTON (TAMSAL-FULTON DR ANNEX). - PLANNING COMMISSION
354. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX FOR AUGUST 2017. - RECEIVED & FILED
355. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR AUGUST 2017. - RECEIVED & FILED
356. TREASURER PEREZ: RPT OF 8/31/17 BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 5/31/17 THRU 8/31/17. - RECEIVED & FILED

**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.

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***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #15 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$16,277.56 SUPP APPROP FR UNAPPROP BAL 2797 701001 SPECIALIZED DOCKET FUND - PERSONNEL TO 2797 701001 SPECIALIZED DOCKET FUND - OTHER)  
Referred to Finance Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$80,000.00 SUPP APPROP FR UNAPPROP BAL OF 2797 SPECIALIZED DOCKET GRANT FUND TO 2797 701001 SPECIALIZED DOCKET GRANT - OTHER)  
Referred to Finance Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$83,000.00 SUPP APPROP FR UNAPPROP BAL OF 2762 INDIGENT TREATMENT FUND TO 2762 701001 INDIGENT TREATMENT - OTHER)  
Referred to Finance Committee
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- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON REGIONAL CHAMBER OF COMMERCE FOR A GRANT OF CITY FUNDS IN AN AMOUNT NOT TO EXCEED \$175,000.00 FOR ECONOMIC AND CIVIC DEVELOPMENT OF THE COMMUNITY; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,789,092.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206057 OWDA WRF PHOSPHORUS PROJ (MEMBRANE) #6556 - OTHER - \$1,009,053.00, TO 5410 206058 OWDA WRF PHOSPHORUS (CONSTRUCTION) #6699 - OTHER - \$1,780,039.00)  
Referred to Finance Committee
- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$130,000.00 SUPP APPROP FR UNAPPROP BAL OF 2773 2015 COPS HIRING PROG GRANT FUND TO 2773 102001 POLICE ADMIN - OTHER)  
Referred to Finance Committee
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- #7. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN ENVIRONMENTAL COVENANT WITH THE OHIO EPA; AND DECLARING THE SAME TO BE AN EMERGENCY (HOFV RACEWAY STREAM)  
Referred to Environmental & Public Utilities Committee
- #8. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION OF PLAIN TOWNSHIP; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT(S) FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY (SARATOGA HILLS NO. 4)  
Referred to Environmental & Public Utilities Committee
- #9. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PLAIN TOWNSHIP; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT(S) FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY (WICKER CREEK NO. 2)  
Referred to Environmental & Public Utilities Committee
- #10. (1<sup>ST</sup> 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 PASSENGER VAN; OR TO ALTERNATIVELY PURCHASE SAID VEHICLE PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (SANITATION DEPARTMENT)  
Referred to Public Property Capital Improvement Committee
- #11. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN ADMINISTRATIVE ORDER ON CONSENT (AOC) WITH THE USEPA AND/OR TAKE ANY OTHER ACTIONS NECESSARY TO ENSURE THE AOC IS FULLY EXECUTED AND TAKES FULL EFFECT; AND DECLARING THE SAME TO BE AN EMERGENCY (SANITARY SEWER SYSTEM)  
Referred to Environmental & Public Utilities Committee
- #12. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING SECTIONS 187.02 THROUGH 187.33 AND 187.99 OF CHAPTER 187 ADMISSIONS TAX, PART ONE, TITLE NINE OF THE TAXATION CODE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Judiciary Committee
- #13. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 190/2017** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL

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EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (CUSTOMER SERVICE CLERK/ADMINISTRATIVE CLERK FR 6 TO 8 IN CODE ENFORCEMENT)

Referred to Personnel Committee

- #14. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 191/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,200.00 APPROP TRF FR 2312 301001 V.D. - 103 GONORRHEA (VD) - PERSONNEL TO 2312 301001 V.D. - 103 GONORRHEA (VD) - OTHER; \$26,500.00 APPROP TRF FR 2316 301001 WIC SUPPLEMENTAL HEALTH FY 77 - PERSONNEL TO 2316 301001 WIC SUPPLEMENTAL HEALTH - FY 77 - OTHER)

Referred to Finance Committee

- #15. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 192/2017** AN ORDINANCE AUTHORIZING DEBORAH J. HOUDSHELL, P.E. (MS. HOUDSHELL), TO BE PAID AT 97% OF THE CURRENT SALARY RANGE FOR THE POSITION OF FACILITIES ENGINEER AT THE WATER RECLAMATION FACILITY, RETROACTIVE TO HER DATE OF HIRE, AND TO IMMEDIATELY RECEIVE FIVE DAYS OF VACATION; AUTHORIZING, BEGINNING ON JANUARY 1, 2018, MS. HOUDSHELL TO BE PAID AT 100% OF THE SALARY RANGE FOR SAID POSITION AS SAID RANGE EXISTS AT THAT TIME, AND TO RECEIVE TEN DAYS OF VACATION PER YEAR; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Personnel Committee

PRESIDENT SCHULMAN: At this time the Chair will declare an in-house recess for the Personnel and Finance Committees to meet in regards to Ordinances 13, 14, and 15 on your Agenda. You're now in recess. Thank you.

***(COUNCIL RECESSED AT 7:21 PM FOR THE PERSONNEL COMMITTEE TO DISCUSS ORDINANCES #13 AND #15; RECONVENED AT 7:30 PM)***

***(COUNCIL RECESSED AT 7:30 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #14; RECONVENED AT 7:31 PM)***

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

MEMBER SMITH: Mr. President, I move we suspend Rule 22A to place Ordinances #13, 14, and 15 back on this evening's agenda.

MEMBER BABCOCK: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add reading Ordinances 11...I'm sorry...13, 14, 15 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. Motion carries and the Ordinances are a legal part of your agenda.

MEMBER SMITH: Mr. President, I move we suspend Statutory Rules on Ordinances #13, 14, and 15.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinances 13, 14, 15 on this evening's...on the agenda this evening. 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, Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 13. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#13 ADOPTED AS ORDINANCE NO. 190/2017**

PRESIDENT SCHULMAN: Ordinance 13 is adopted. Ordinance 14, please.

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

MEMBER BABCOCK: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 14. 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.

**#14 ADOPTED AS ORDINANCE NO. 191/2017**

PRESIDENT SCHULMAN: Ordinance #14...thank you. Ordinance 14 is adopted. Leader.

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

MEMBER BABCOCK: 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. 192/2017**

PRESIDENT SCHULMAN: Thank you. Ordinance, uh...15 is adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: Turning now to Second Reading Ordinances and Formal Resolutions for their Second Reading. Mr. Clerk, would you please begin with Ordinance #16.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #16 THROUGH #24 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#21 ADOPTED ON 2<sup>ND</sup> RDG):***

#16. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING CHAPTER 1158, HALL OF FAME VILLAGE DISTRICT OF PART ELEVEN, PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES BY THE ADDITION OF SECTION 1158.19 - SIGNS PERMITTED IN HOFV ZONING DISTRICT REQUIRING A PERMIT

**PUB HRG 8/28/17 @ 7:33 PM**

#17. (2<sup>ND</sup> RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNERS IN THE 4229 4<sup>TH</sup> ST NW ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES

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UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND  
DECLARING THE SAME TO BE AN EMERGENCY

- #18. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION TO ZENITH; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,332.00 FOR INSTALLATION OF NEW MICROPHONES IN CLERK OF COURT'S OFFICE)
- #19. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$15,000.00 SUPP APPROP FR UNAPPROP BAL OF 2155 CITY PARKING DECK/LOT FUND TO 2155 104040 TRAFFIC ENG/PARKING METER - PERSONNEL)
- #20. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$32,900.00 APPROP TRF FR 2111 104010 TRAFFIC SIGN AND PAINT - PERSONNEL TO 2111 104020 TRAFFIC SIGNAL - PERSONNEL; \$2,800.00 APPROP TRF FR 4501 202001 ENGINEERING ADMIN - PERSONNEL TO 4501 202020 ENGINEER - URBAN FORESTRY - PERSONNEL; \$5,000.00 APPROP TRF FR 1001 201201 PURCHASING ADMIN - PERSONNEL TO 1001 200501 GEN GOV'T SUPPORT - OTHER; \$16,500.00 APPROP TRF FR 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER TO 1001 102075 POLICE - CONT PROFESS TRAINING - OTHER - \$15,000.00, TO 1001 501001 MAYOR ADMIN - OTHER - \$500.00, TO 1001 501101 HUMAN RESOURCES ADMIN - OTHER - \$1000.00)
- #21. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 193/2017** AN ORDINANCE AUTHORIZING THE SETTLEMENT OF CARPENTER V. CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (CASE NO. 2016CV1232)
- #22. (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF OUT LOT 1336; AND DECLARING THE SAME TO BE AN EMERGENCY (1115 CHERRY AVE NE FOR TERRY NOLAN, STANDARD PRINTING CO IN WARD 2)
- #23. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO A CONSTRUCTION CONTRACT FOR THE BURNHAM HILLS SANITARY SEWER REALIGNMENT PROJECT, GP 1220; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$182,500.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206318 BURNHAM HILLS SANITARY SEWER REALIGNMENT PROJECT, GP 1220 - OTHER)

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#24. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO MAKE ALL NECESSARY PURCHASE ORDER ADJUSTMENTS AND TO PAY A MORAL OBLIGATION TO MICHAEL BAKER JR., INC.; AND DECLARING THE SAME TO BE AN EMERGENCY (UP TO AMT OF CHANGE ORDER #2 TO MAHONING RD NE CORRIDOR PROJ, PHASE 1, GP 1103, CONSTRUCTION ENGINEERING CONTRACT)

CLERK DOUGHERTY: Mr....uh...President. We need to go back and adopt Ordinance 21, please.

PRESIDENT SCHULMAN: Yes.

MEMBER SMITH: Mr. President. I move that we suspend the Statutory Rules for Ordinance #21.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinances 21. 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. Thank...Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 20.....21, I'm sorry. Any remarks? 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. 193/2017**

PRESIDENT SCHULMAN: Motion carries. Ordinance 21 is adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SCHULMAN: We now turn to Ordinances and Informal (\* Note: President Schulman said Informal; should be Formal) Resolutions for their Third/Final Reading and Vote. Mr. Clerk, would you please begin with Ordinance #25.

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**NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #25 THROUGH #27 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:**

#25. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 194/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$14,500.00 APPROP TRF FR 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER TO 1001 201001 SERVICE DIRECTOR ADMIN - OTHER FOR \$7,000.00 AND TO 1001 501001 HUMAN RESOURCES ADMIN - OTHER FOR \$7,500.00)

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #25.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 25. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

*(Clerk Dougherty should have read vote count: Eleven yeas)*

**#25 ADOPTED AS ORDINANCE NO. 194/2017**

PRESIDENT SCHULMAN: Motion carries. Ordinance 25 is adopted. Ordinance 26, please.

#26. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 195/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$200,000.00 SUPP APPROP FR UNAPPROP BAL OF 6041 MOTOR VEHICLE DEPT DMV FUND TO 6041 208010 SERVICE AND REPAIR - OTHER)

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #26.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 26. Any remarks under this Ordinance? Hearing none again, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

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PRESIDENT SCHULMAN: Motion carries. Ordinance 26 is adopted. Ordinance 27, please.

#27. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 196/2017** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PARKS AND RECREATION TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE ANY AND ALL NECESSARY CONTRACTS FOR THE KING PARK RENOVATION PROJECT; OR TO ALTERNATIVELY ENTER INTO ANY AND ALL NECESSARY CONTRACTS FOR SAID PROJECT USING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #27.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 27. 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.

**#27 ADOPTED AS ORDINANCE NO. 196/2017**

PRESIDENT SCHULMAN: Motion carries and Ordinance 27 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: We now go to Announcement of Committee Meetings. Yes.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: The Finance Committee and Public Property Capital Improvement Committee will be meeting September 18<sup>th</sup> at 5:45 p.m. here in Council Chambers.

PRESIDENT SCHULMAN: What's the time again?

MEMBER MARIOL: 5:45.

PRESIDENT SCHULMAN: Thank you.

MEMBER HARMON: Mr. President.



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PRESIDENT SCHULMAN: Yes.

MEMBER HARMON: Environmental & Public Utilities Committee will be meeting, the same time, at 5:45.

PRESIDENT SCHULMAN: Thank you.

MEMBER SMITH: Judiciary.

MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MACK: Judiciary will meet at the same time and the same place.

PRESIDENT SCHULMAN: Anyone else? Personnel?

MEMBER SMITH: Personnel ain't on there. (*Inaudible*).

PRESIDENT SCHULMAN: Anyone else?

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: We now turn to announcements.....no, no, Miscellaneous Business, I'm sorry. Is there any Miscellaneous Business?

CLERK DOUGHERTY: I do.

PRESIDENT SCHULMAN: Yes. Oh...

**QUOTE FOR THE WEEK**

CLERK DOUGHERTY: Quote of the week. For 9/11 - "September 11 is one of our worst days but it brought out the best of us...(sic) in us. It unified us as a country and showed our charitable instincts and reminded us of what we stood for and stand for." "What separates us from the animals, what separates us from the chaos, is our ability to mourn people we've never met." Thank you, Mr. President.

PRESIDENT SCHULMAN: Thank you. Any other remarks?

MEMBER SMITH: Uh...Mr. President. I thought maybe our, uh, Clerk would mention about Feed the Needy.

CLERK DOUGHERTY: Thank you. The annual Feed the Needy, the 25<sup>th</sup> meeting of this event, will be held this Saturday. Start unloading things at 8 in the morning and at 11:00, start feeding people. So, we...that'll go from 11 to 1 and then cleanup. Thanks you for reminding me.

MEMBER SMITH: Thank you.

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PRESIDENT SCHULMAN: Anyone else?

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adjourn. 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 are in adjournment. Thank you everyone. Have a wonderful weekend...week, sorry. Rushing the weekend.

ADJOURNMENT TIME: 7:40 PM

ATTEST: SEPTEMBER 13, 2017  
DAVID R. DOUGHERTY  
CLERK OF COUNCIL

APPROVED:  
ALLEN SCHULMAN  
PRESIDENT