

**MOMENT OF SILENCE FOR LEROY LYNCH**

**ROLL CALL:** Eleven Members Present

**MOTION TO EXCUSE MEMBERS:** Member Mack Absent

**INVOCATION:** Pastor David Morgan

**PLEDGE OF ALLEGIANCE:** President Schulman

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>st</sup> Rdg O#14 - O#16; 2<sup>nd</sup> Rdg O#17 - O#22, O#24 & O#25; O#23 Retained in Committee; O#14, O#15, and O#16 Adopted on 1<sup>st</sup> Rdg )

**PUBLIC HEARINGS:** None

**OLD BUSINESS (PUBLIC SPEAKS):** None

**PUBLIC SPEAKS (CITY BUSINESS):** Henry Preston commended Members Morris and Fisher for their strong leadership in voting no on the 14<sup>th</sup> Amendment last week and also commended Member Morris for coming up with an alternate plan to help fund the Fire and Police Depts. and the Chamber of Commerce, although he didn't get a chance to bring his plan to the floor. He doesn't understand why the 5 Council Members who have businesses downtown voted for the Ordinance. He asked Law Dir. Martuccio if this was a conflict of interest. He believes it is impossible to keep the city safe if they're taking money away from the Police and Fire Depts.

**INFORMAL RESOLUTIONS:**

- 61. PERSONNEL COMMITTEE: CONFIRMING REAPPT OF CATHY WYATT TO ARCHITECTURAL REVIEW BOARD COMMENCING 1/1/17 THRU 12/31/20. - ADOPTED
- 62. COUNCIL-AS-A-WHOLE: WISHING MCKINLEY HIGH SCHOOL LUCK IN 127<sup>TH</sup> ANNUAL MASSILLON/MCKINLEY FOOTBALL GAME. - ADOPTED

**COMMUNICATIONS:**

- 391. ANNEXATION CHAIRMAN WEST: REQ INITIATION OF STATEMENT OF SERVICES FOR HOF VILLAGE #2 ANNEXATION LOCATED IN PLAIN TOWNSHIP . - ANNEXATION COMMITTEE
- 392. FINANCE DIRECTOR CROUSE: AMEND APPROP O#44/2016 TO ALLOW FIRE DEPT TO PURCH SUPPLIES FOR EMS, ALLOW DEPT TO PAY FOR BLDG MAINT, AND PURCH TURN-OUT GEAR FOR NEWLY HIRED FIRE CADET (\$33,500.00 APPROP TRF FR GENERAL FUND #1001 103001 - PERSONNEL TO GENERAL FUND #1001 103001 - OTHER. - FINANCE COMMITTEE
- 393. HEALTH COMM. ADAMS: AMEND APPROP O#44/2016 FOR PAYMENT OF GRANT EXPENSES FOR 2016 (\$20,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2316 WIC SUPPLEMENTAL HEALTH TO FUND 2316 301001 WIC SUPPLEMENTAL HEALTH - 700 OTHER). - FINANCE COMMITTEE
- 394. HEALTH COMM. ADAMS: AMEND APPROP O#44/2016 FOR PAYMENT OF GRANT EXPENSES (\$26,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2328 PUBLIC HEALTH INFRASTRUCTURE TO FUND 2328 301001 PUBLIC HEALTH INFRASTRUCTURE - 700 OTHER). - FINANCE COMMITTEE
- 395. HEALTH COMM. ADAMS: AMEND APPROP O#44/2016 FOR PAYMENT OF GRANT EXPENSES (\$1,129,322.00 FR UNAPPROP BAL OF FUND 2314 FAMILY HEALTH TO FUND 2314 301001 FAMILY HEALTH - 700 OTHER). - FINANCE COMMITTEE
- 396. LIQUOR CONTROL DIV. (OHIO): REQ TRF C1 C2 PERMIT FR DUEBER DRIVE THRU LLC DBA MAGGIORES DRIVE THRU TO DUEBER D T LLC DBA DUEBER DRIVE THRU LOCATED @ 1037 DUEBER AV SW. - RECEIVED & FILED
- 397. TREASURER PEREZ: MNTHLY RPT PARKING METER REVENUE FOR SEPTEMBER 2016. - RECEIVED & FILED
- 398. TREASURER PEREZ: MNTHLY RPT OF DEPOSITS AND PAY-INS FOR AMBULANCE LOCK BOX ACCT FOR MONTH OF SEPTEMBER 2016. - RECEIVED & FILED
- 399. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF OCTOBER 17, 2016. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

- 1<sup>ST</sup> RDG 1. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACTS WITH HABITAT FOR HUMANITY EAST CENTRAL OHIO IN AMT NOT TO EXCEED \$250,000.00 FOR CONSTRUCTION OF MINIMUM OF SIX SINGLE-FAMILY HOMES FOR LOW-TO-MODERATE INCOME FAMILIES FOR HOME PROG WITHIN CITY; EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- 1<sup>ST</sup> RDG 2. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$50,000.00 TO STARKMHAR (STARK MENTAL HEALTH AND ADDICTION RECOVERY) FOR CENTRALIZED INTAKE AND ASSESSMENT PROG; EMERGENCY  
Referred to Community & Economic Development and Finance Committees

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:**

- 1<sup>ST</sup> RDG 3. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO LOAN AGMT IN AMT NOT TO EXCEED \$2,000,000.00 WITH HISTORIC HERCULES, LLC TO PROVIDE GAP FINANCING TO HISTORIC HERCULES, LLC NKA BROADVIEW DEVELOP FOR PHASE ONE OF HERCULES REDEVELOP PROJ; AUTHORIZE AUDITOR TO CREATE 1156 HERCULES REDEVELOP PROJ FUND; AMEND APPROP O#44/2016; AMEND SEC 182.013(C) AND WAIVE SEC 1105.03(A) OF CODIFIED ORD; EMERGENCY (\$2,000,000.00 SUPP APPROP FR UNAPPROP BAL OF 1156 HERCULES REDEVELOPMENT PROJECT FUND TO 1156 501001 HERCULES REDEVELOPMENT PROJECT - OTHER)  
Referred to Finance and Judiciary Committees
- 1<sup>ST</sup> RDG 4. AMEND APPROP O#44/2016; EMERGENCY (\$68.54 SUPP APPROP FR UNAPPROP BAL OF 2778 CANTON AUXILIARY POLICE FUND TO 2778 201001 POLICE ADMIN. - OTHER; \$3,000.00 APPROP TRF FR 1001 101501 - OTHER TO 1001 204010 - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. AMEND APPROP O#44/2016; EMERGENCY (\$29,000.00 APPROP TRF FR 5410 206005 SEWER FUND - PERSONNEL TO 5410 206001 SEWER FUND - PERSONNEL)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 6. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$1,000.00 TO OHIO PEACE OFFICER TRAINING ACADEMY FOR FIREARMS INSTRUCTOR TRAINING; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 7. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$577.89 TO OHIO TREASURER OF STATE FOR VARIOUS CLASSES POLICE OFFICERS ATTENDED; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 8. AUTHORIZE SAF DIR TO RECEIVE 2016 COPS HIRING PROG GRANT IN ESTIMATED AMT OF \$1,125,000.00; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 9. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ONE OR MORE PROF SERVS CONTRACTS FOR DESIGN, ENGINEERING, CONTRACT ADMIN, AND OTHER PROF SERVS; TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ONE OR MORE CONTRACTS FOR SUBSEQUENT ROOF REPAIRS FOR VARIOUS BLDGS AT WATER RECLAMATION FACILITY; EMERGENCY  
Referred to Public Property Capital Improvement and Finance Committees
- 1<sup>ST</sup> RDG 10. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO SOLE SOURCE PURCH AGMT WITH CRAUN-LIEBING CO FOR PURCH OF ONE PUMPING STATION CONTROL PANEL; AMEND APPROP O#44/2016; EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206006 COLLECTION SYSTEMS DEPARTMENT - OTHER)  
Referred to Public Property Capital Improvement and Finance Committees
- 1<sup>ST</sup> RDG 11. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY TO PURCH SALT TRUCK FOR STREET DEPT; OR ALTERNATIVELY PURCH SAID VEHICLE PURSUANT TO ANY COOP PURCH AGMTS AUTHORIZED BY LAW; AMEND APPROP O#44/2016; EMERGENCY (\$38,335.00 SUPP APPROP FR UNAPPROP BAL OF 2111 STREET MAINTENANCE FUND TO 2111 202210 STREET MAINTENANCE - OTHER; \$33,750.00 APPROP TRF FR 2111 104010 TRAFFIC SIGN & PAINT - PERSONNEL, \$915.00 FR 2111 104020 TRAFFIC SIGNAL - OTHER, \$87,000.00 FR 2111 202210 STREET MAINTENANCE - PERSONNEL TO 2111 202210 STREET MAINTENANCE - OTHER - \$121,665.00)  
Referred to Public Property Capital Improvement and Finance Committees
- 1<sup>ST</sup> RDG 12. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE CONSTRUCTION CONTRACT; ENTER INTO PROF SERVS CONTRACT FOR CONSTRUCTION ENGINEERING SERVS; ENTER INTO CONTRACT MOD NUMBER 4 WITH ARCADIS FOR SHOP DRAWING REVIEW AND OTHER CONSTRUCTION RELATED SERVS; AMEND ANY EXISTING AND/OR ENTER INTO ONE OR MORE NEW AGMTS WITH STARK CO REGARDING CONSTRUCTION AND FUTURE MAINTENANCE OF 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETScape PROJ, G.P. 1160; AUTHORIZE CITY TO ENTER INTO VARIOUS AGMTS WITH STARK CO AREA TRANSPORTATION AND OHIO PUBLIC WORKS COMMISSION FOR AND TO RECEIVE GRANT FUNDS FOR PROJ; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE 4581 12<sup>TH</sup> NW BRIDGE REPLACEMENT AND STREETScape PROJECT, G.P. 1160; AMEND APPROP O#44/2016; EMERGENCY (\$6,853,850.00 SUPP APPROP FR UNAPPROP BAL OF 4581 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETScape PROJECT, GP 1160 FUND TO 4581 202091 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETScape PROJECT, G.P. 1160 - OTHER; \$1,500,00.00 SUPP APPROP FR UNAPPROP BAL OF 4581 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETScape PROJECT, G.P. 1160 FUND TO 4581 202091 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETScape PROJECT, G.P. 1160 FUND - OTHER; \$273,297.00 SUPP APPROP FR UNAPPROP BAL OF 2113 MUNICIPAL ROAD FUND TO 2113 MUNICIPAL ROAD FUND - OTHER)  
Referred to Public Property Capital Improvement and Finance Committees
- 1<sup>ST</sup> RDG 13. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR A LIST OF UNPAID AND DELINQUENT CHARGES FOR SERVS PERFORMED BY AND/OR ON BEHALF OF CITY OF CANTON ENGINEERING DEPT, URBAN FORESTRY DIVISION; EMERGENCY  
Referred to Finance Committee

**(COUNCIL RECESSED AT 8:01 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES TO DISCUSS ORDINANCES #14, #15, AND #16; RECONVENED AT 8:05 PM)**

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:**

- 192/2016** 14. AMEND APPROP O#44/2016; EMERGENCY (\$3,000.00 APPROP TRF FR 4501 202020 CAPITAL FUND - OTHER TO 4501 202020 CAPITAL FUND - PERSONNEL) (TO MEET 2016 BUDGET REQUIREMENTS)  
Referred to Public Property Capital Improvement Committee
- 193/2016** 15. AMEND EXHIBIT A OF O#168/2016; EMERGENCY (MAHONING RD NE CORRIDOR PROJ, PHASE 2, G.P. 1103)  
Referred to Public Property Capital Improvement Committee
- 194/2016** 16. AUTHORIZE AUDITOR, MAYOR AND/OR SERV DIR OR SAF DIR TO ENTER INTO ONE OR MORE PROF SERVS CONTRACTS AND/OR CONTRACT AMENDMENTS WITH NEW WORLD SYSTEMS, TYLER TECHNOLOGIES, AND/OR ANY ASSOCIATED ENTITY FOR COSTS AND ANNUAL MAINT FEES ASSOCIATED WITH NEW WORLD SYSTEMS WORKERS' COMP AND MYINSPECTION MODULES AND FOR TRAINING, SUPPORT, AND IMPLEMENTATION RELATED TO NEW WORLD SYSTEMS; AMEND APPROP O#44/2016; EMERGENCY (\$35,164.00 APPROP TR FR 5701 101501 CODE ENFORCEMENT ADMINISTRATION - PERSONNEL TO 5701 101501 CODE ENFORCEMENT ADMINISTRATION - OTHER)  
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:****(SUSPENDED RULE 22A TO ADD 2<sup>ND</sup> RDG O#17 - O#22, O#24 & O#25; O#23 RETAINED IN COMMITTEE)**

- 2<sup>ND</sup> RDG** 17. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (1811 20<sup>TH</sup> ST NE, BOSWELL) **PUB HRG 10/31/16 @ 7:30 PM**  
(JUD)
- 2<sup>ND</sup> RDG** 18. AMEND O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; EMERGENCY (CITY WIDE FOR HOF VILLAGE) **PUB HRG 10/31/16 @ 7:31 PM**  
(JUD)
- 2<sup>ND</sup> RDG** 19. ACCEPTING THE AMTS & RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR  
(FIN)
- 2<sup>ND</sup> RDG** 20. APPROVE STATEMENT OF SERVICES TO BE PROVIDED TO PROP OWNER IN 77 GULLIVERS - 2414 FAIRCREST ST SW ANNEX AREA, APPROX DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO CITY OF CANTON, OH; EMERGENCY  
(ANNEX)
- 2<sup>ND</sup> RDG** 21. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO NEGOTIATIONS TO FORM JOIN ECONOMIC DEVELOPMENT DISTRICT AGMT IN SPECIFIC AREAS IN PARTNERSHIP WITH JACKSON TWP; EMERGENCY  
(C&ED)
- 2<sup>ND</sup> RDG** 22. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO NEGOTIATIONS TO FORM A JOINT ECONOMIC DEVELOPMENT DISTRICT AGMT IN SPECIFIC AREAS IN PARTNERSHIP WITH PERRY TWP; EMERGENCY  
(C&ED)

**RETAINED IN COMMITTEE**

- 23.** DECLARE DESIGNATED AREA OF CITY OF CANTON AS TOURISM DEVELOPMENT DISTRICT FOR PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT; PURSUANT TO ORC SEC 715.014; EMERGENCY  
(C&ED)
- 2<sup>ND</sup> RDG** 24. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE PROF SRVS CONTRACT WITH MICHAEL BAKER INTERNATIONAL FOR DESIGN AND RELATED ENGINEERING SRVS FOR BURNHAM HILLS SANITARY SEWER REPLACEMENT PROJ, GP 1220; AMEND APPROP O#44/2016; EMERGENCY (\$30,029.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206318 BURNHAM HILLS SANITARY SEWER REPLACEMENT PROJ, GP 1220 - OTHER)  
(FIN)
- 2<sup>ND</sup> RDG** 25. AUTHORIZE CLERK OF COUNCIL TO CERTIFY TO COUNTY AUDITOR A LIST OF UNPAID AND DELINQUENT CHARGES FOR SRVS PERFORMED BY AND/OR ON BEHALF OF CANTON STREET DEPT; EMERGENCY  
(FIN)

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE:**

- 195/2016** 26. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE CONSTRUCTION CONTRACT FOR GEORGE VIEW ESTATES NO. 3 SIDEWALKS AND ADA CURB RAMPS PROJ, G.P. 1253; AMEND APPROP O#44/2016; EMERGENCY (\$39,225.00 SUPP APPROP FR UNAPPROP BAL OF 4506 INFRASTRUCTURE BOND FUND TO 4506 202001 ENGINEERING ADMINISTRATION - OTHER)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, October 31, 2016 in Council Caucus Room at 6:00 PM**

- 1) Finance Committee
- 2) Public Property Capital Improvement Committee
- 3) Community & Economic Development Committee
- 4) Judiciary Committee

**MISCELLANEOUS BUSINESS:** Asst. Majority Leader Smith presented a small trophy to Council-At-Large Smuckler from Jennelle Freeman as a token of her appreciation for his 20 years of hard work. Member Smuckler thanked Mrs. Freeman and then spoke about seeing things just go around and around. He asked Clerk Showes to find the Burnham Hills Ordinance, when it was passed, who recommended it, and who the engineer and others were that sold the bill of goods to Council. He also asked that he do the same thing for the Cirelli Bldg. He said Council depends on the people that come down and share their expertise and now they're finding out that Council is only as good as what they're given. He said in the 80's, Council was sold a sewer line in Burnham Hills and in the 90's they were sold the Cirelli Bldg. He said that he will turn a letter in to raise the rates of mower cutting because the same names seem to keep appearing on the list year after year, and let them sue for being too high. He believes it's time to start holding people accountable because it's costing the city a whole lot of money that it doesn't have to spend. Safety Dir. Perry announced that the city of Canton, in conjunction with the Canton Special Improvement District is having a meeting on Tuesday, November 1, 2016 at 10:00 a.m. in the Stark Community Foundation, First Floor Goldsmith Room. There will be a presentation by the Canton Police Dept. and Administration, with an opportunity for question and answers. The meeting will be to discuss the downtown safety issues and have a dialogue with the citizens. Law Dir. Martuccio responded to the issue raised by Mr. Preston, where he asked if it was conflict of interest for Council to vote on giving money to the Chamber of Commerce when some Council Members have businesses downtown. After making a comparison of a past Council Member who had a spouse who was the member of a union that worked for the City. That union contract would come before the city from time to time. The Law Dept. was asked if it was a conflict for Council to vote on a union contract through which their spouse would possibly get a raise or enhanced benefits. The Ohio Ethics Commission said it's a matter of concentration. If the spouse is a member of a union with 100 people, then the amount of the benefit is difficult to calculate and they don't have to abstain from voting. In this case, even if you may have a business or do business with the city of Canton, it's not necessarily tied directly to benefitting the Chamber of Commerce or vice versa, measurably benefitting the Council Member in some way by voting for an Ordinance that would help the Chamber develop commerce. Based on the opinions looked at in the past, and analyzing this situation, there is no issue or conflict. He also wanted to give a shout out to a Canton Repository worker for volunteering her time to put the article in the papers regarding "50 years ago, 100 years ago, and 25 years ago." She researches and donates the article for free. She recently did an article on Dee Rogers, a Code Enforcement officer, who stated 25 years ago, "*If I had 25 more code enforcement officers, I could clean up the city.*" Now they're talking about enhancing Code Enforcement with the addition of additional officers. Lastly, he gave his support to the McKinley Bulldogs and the Cleveland Indians. President Schulman mentioned that it was announced that AT&T has made a purchase offer to Time Warner for \$85 billion dollars. He said he can't think of anything worse that could happen to our community or communities across the United States in a merger of this magnitude. He asked Council and Administration to consider voicing their objections to these types of deals that are considered Informal Resolutions condemning this giant colossus that's going to crush people. He doesn't believe it will help the city.

**ADJOURNMENT:** 8:27 P.M.

**NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, OCTOBER 31, 2016 @ 7:30 PM**