

**MINUTES OF THE MEETING FEBRUARY 29, 2016**

PRESIDENT PRO TEM SMUCKLER: I'd like to call this meeting of Canton City Council to order. With a quorum present, roll call.

*ROLL CALL TAKEN BY CLERK SHOWES:*

11 COUNCIL MEMBERS PRESENT: (CHRIS SMITH, JAMES BABCOCK, TOM HARMON, WILLIAM SMUCKLER, GREG HAWK, THOMAS WEST, JASON SCAGLIONE, KEVIN FISHER, DAVID DOUGHERTY, JOHN MARIOL & EDMOND MACK)

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

CLERK SHOWES: We have eleven present, sir.

PRESIDENT PRO TEM SMUCKLER: With a quorum being present, the Chair calls this meeting of Canton City Council to order. Um, first I'd like to start off with just a moment of silence. There's a lot of tragedies that have befallen us in the last week. This last weekend Greg Hawk lost his stepson to one of these tragedies, Derek Jacobsen, and I'd like a moment of silence, please. *(Brief pause)* Member Smith, I think you've been dealing with something here too that we need a moment of silence for. Would you like to announce that, please, too.

MEMBER SMITH: *(Inaudible)* ... Tonya Johnson... *(Inaudible)*

PRESIDENT PRO TEM SMUCKLER: If we could have a moment of silence too for her, our firefighter. *(Brief pause)* Thank you. Could we please rise for the invocation and the Pledge of Allegiance.

MEMBER WEST: Yes.

PRESIDENT PRO TEM SMUCKLER: Member West.

MEMBER WEST: Member Smuckler, I'm going to defer to Pastor Dansby from St. Paul AME Church. Thank you.

PRESIDENT PRO TEM SMUCKLER: Pastor.

*The regular meeting of Canton City Council was held on February 29, 2016 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Kellen Showes. The invocation was given by Pastor Dansby from St. Paul AME Church. The Pledge of Allegiance was led by President Pro Tem Smuckler.*

**EXCUSING MEMBERS**

PRESIDENT PRO TEM SMUCKLER: I sort of jumped ahead, but I need a motion to excuse the members of Council that are not here this evening.

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

MEMBER BABCOCK: Second.

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PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to excuse President Schulman and Member Morris this evening. Any discussion? Uh, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

PRESIDENT PRO TEM SMUCKLER: Member Schulman and Member Morris are excused from this evening's meeting.

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT PRO TEM SMUCKLER: There are no Agenda Corrections and Changes. Um, Member Smith.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2<sup>nd</sup> Reading Ordinances #9 through and including #13.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM SMUCKLER: Any remarks? Roll call please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

PRESIDENT PRO TEM SMUCKLER: Ordinances 9 through 13 are now a legal part of the agenda.

**PUBLIC HEARINGS**

PRESIDENT PRO TEM SMUCKLER: We have no Public Hearings this evening.

**OLD BUSINESS**

PRESIDENT PRO TEM SMUCKLER: There is no Old Business according to the Administration.

**PUBLIC SPEAKS**

PRESIDENT PRO TEM SMUCKLER: We are now under Public Speaks. We have one person signed up for Public Speaks, Mr. DiGiacomo.

PETE DIGIACOMO: My name's Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. First I want to apologize for the last meeting. I spoke when I should have kept my mouth shut. Uh, certain things I get a little emotional about. I apologize to Council and everybody for it. That being said, I retire... I retired from Timken with just over thirty years, twenty-five was a shop steward, so when it comes to I'd say the Union and American jobs, I'm passionate as hell about it. Monday I was on the internet looking around and the... where it's showing about the Carrier Air Conditioning Company. It's made in the United States. Not for much longer. They announced that seven... one thousand four hundred of their employees, thanks to NAFTA, are moving to Mexico. Along with that United Technologies, who is a partner with them, they are also moving to Mexico in the next two to three years. Those jobs are gonna be lost, gone, you know. The next thing is that TPP, that's gonna go right down the same line as NAFTA. When they had NAFTA, it was like this is gonna be a great thing for Mexico and a great thing for us. We're gonna get all kinds of extra jobs and extra work because the

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Mexican economy's gonna be so good. Didn't really happen. Last week there was a group here for the can company, I'm not sure, they didn't say the name, but I also know that the Teamsters Union is getting their pensions cut, anybody that was in there. I guess the one thing that surprises me is how when the recession started our people down in Washington, they helped bail out the big banks, Wall Street. Here we come up to where the working American, and somebody somewhere was not doing their job to make sure these funds didn't end up the way they were. It's just a disgrace. And like I said, it can happen to anybody here that you work... wherever you work, nothing's guaranteed. The only thing that is guaranteed in life is death. Thank you.  
(Applause)

PRESIDENT PRO TEM SMUCKLER: Thank you, Mr. DiGiacomo. That's the only person signed up for Public Speaks.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM SMUCKLER: We're now under Informal Resolutions, and we have four this evening. Mister Clerk, will you please read Resolution #23.

#23. COUNCIL-AS-A-WHOLE: RECOGNIZING CONTRIBUTIONS MADE BY AMERICA'S SOCIAL WORKERS AND PROCLAIMING THE MONTH OF MARCH 2016 AS NATIONAL SOCIAL WORK MONTH. - ADOPTED

CLERK SHOWES: An Informal Resolution respectfully submitted by Council-as-a-Whole on the 29<sup>th</sup> day of February, 2016. **Whereas**, The primary mission of the Social Work profession is to enhance well-being and help meet the basic needs of all people, especially the most vulnerable in society; and **Whereas**, Social Work is one of the fastest growing careers in the United States with more than 640,000 members of the profession; and **Whereas**, Social Workers work in all areas of our society to improve happiness, health and prosperity, including in government, schools, universities, social service agencies, communities, the military and mental health and health care facilities; and **Whereas**, Social Workers daily embody this year's Social Work Month theme, "Forging Solutions Out of Challenges," by helping individuals, communities and the larger society tackle and solve issues that confront them; and **Whereas**, Social Workers have helped this nation live up to its ideals by successfully pushing for equal rights for all, including women, African Americans, Latinos, people who are LGBTQ and various ethnic, cultural and religious groups; and **Whereas**, Social Workers have helped people in this nation overcome racial strife and economic and health care uncertainty by successfully advocating for initiatives such as Medicaid, unemployment insurance, workplace safety, Social Security benefits, the Civil Rights Act, the Voting Rights Act, and the Affordable Care Act; and **Whereas**, Social Workers are the largest group of mental health care providers in the United States and work daily to help people overcome depression, anxiety, substance abuse and other disorders so they can lead more fulfilling lives; and **Whereas**, The U.S. Department of Veterans Affairs employs more than 12,000 professional Social Workers, and Social Workers help bolster our nation's security by providing support to active duty military personnel, veterans and their families; and **Whereas**, Thousands of child, family and school Social Workers across the country provide assistance to protect children and improve the social and psychological functioning of children and their families; and **Whereas**, Social Workers help children find loving homes and create new families through adoption; and **Whereas**, Social Workers in schools work with families and schools to foster future generations by ensuring students reach their full academic and personal potential; and **Whereas**, Social Workers work with older adults and their families to improve their quality of life and ability to live independently as long as possible and get access to quality mental health and health care; and **Whereas**, Social Workers have helped the United States and other nations overcome earthquakes, floods, wars and other disasters by helping survivors

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get services such as food, shelter, health care and mental health care to address stress and anxiety.

MEMBER WEST: Mr. President, that's right. Social workers do it all. I'm... I'm a fellow social worker, so we gotta pass this.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT PRO TEM SMUCKLER: Member Dougherty.

MEMBER DOUGHERTY: Yeah, I have family members that are social workers. My daughter is a social worker, and she used to work, her first job in Lancaster, Ohio. And she came back home, and because it was... it was too white. And she wanted to be in a diverse area to practice social work. And she works at Summit County Children's Services.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM SMUCKLER: Member West.

MEMBER WEST: Just real quick. If you see a social worker this month, pat them... pat them on their back. Social workers don't make a lot of money. They go out there and they serve everyday taking care of the social ills of this community, so please pat them on the back if you don't do anything else. Thank you.

PRESIDENT PRO TEM SMUCKLER: Any further discussion? I need a motion, Member Smith. We sorta skipped over that.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded. All those in favor, signify by saying aye. All those opposed.

NO REMARKS

RESOLUTION #23 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM SMUCKLER: Ayes have it. Resolution #24 by title only.

#24. COUNCIL-AS-A-WHOLE: URGING BOARD OF STARK CO. COMMISSIONERS TO ACT IN ANY MANNER AVAILABLE TO PROMOTE PROPOSED RT 30 EXPANSION. - ADOPTED

PRESIDENT PRO TEM SMUCKLER: Member Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #24.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and sec...

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MEMBER SMITH: I'm sorry, Informal Resolution. I said Ordinance.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Resolution #24. Is there any discussion?

MEMBER HARMON: Mr. President, as you know, this... this Resolution supports the County Commissioners' efforts to promote the expansion of US Route 30 to Route 11, a four lane highway. And I'm going to assume that many of you have followed this issue perhaps depending on your age for the last fifty years. I had the... and recently it's been reported in the Repository that there's a plan to create a regional transportation improvement district with that as a partnership between Stark County Board of Commissioners, the Columbiana County Board of Commissioners, and the Carroll County Board of Commissioners to form such a transportation district, and utilize taxes that will finance it to, what was that price tag? The price tag is eight hundred and fifty one million dollars. And it would shorten the route to... from Route 11 to Canton where Route 30 now ends as a freeway at Trump Road by 34 miles. I know Councilman West over there is very happy because he thinks that'll bring more Pittsburgh Steeler fans here. (*Laughter*) But, it's... it's a little bit more than that. Certainly more than that. This represents a major economic... if completed, and... and I think us sending this message today to the Boards of Commissioners means a great deal because we're the largest city in that three county district. And it's been widely recognized that... that this is a major financial enhancement for the trucking and shipping industry as it relates to our manufacturing, industrial base, in terms of opening up those markets to Ohio river ports, to the Pittsburgh and Western Pennsylvania markets. So I would hope that my... my colleagues would approve sending this on to the three boards of commissioners.

PRESIDENT PRO TEM SMUCKLER: Anyone else? By voice vote, all those in favor, signify by saying aye. All those opposed.

NO REMARKS

RESOLUTION #24 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM SMUCKLER: Ayes have it. Resolution #24 is carried. Resolution #25 by title only.

#25. PERSONNEL COMMITTEE: CONFIRMING APPT OF RONALD LEMMO TO THE CANTON RECREATION BOARD COMMENCING 1/1/16 THRU 12/31/17. - ADOPTED

PRESIDENT PRO TEM SMUCKLER: Member Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Resolution #25. Is there any discussion? If not, by voice vote all those in favor, signify by saying aye. All those opposed.

NO REMARKS

RESOLUTION #25 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM SMUCKLER: Resolution #25 is adopted. Resolution #26 by title only.

#26. PERSONNEL COMMITTEE: CONFIRMING APPT OF JOHN GIUA TO THE INCOME TAX REVIEW BOARD COMMENCING 1/1/16 THRU 12/31/17. - ADOPTED



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INCENTIVE REVIEW BOARD TO FILL UNEXPIRED TERM COMMENCING 1/1/16 - 12/31/17. -  
PERSONNEL COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT PRO TEM SMUCKLER: We are now under First Reading of Ordinances by title only. Mister Clerk, please begin with Ordinance #1.

***NOTE: PRESIDENT PRO TEM SMUCKLER CALLED UPON CLERK SHOWES TO READ ORDINANCE #1 THROUGH ORDINANCE #8 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY THE VENDORS LISTED ON EXHIBIT A; AND DECLARING THE SAME TO BE AN EMERGENCY (MORROW CONTROL & SUPPLY - \$786.37; S.A. COMUNALE - \$903.60; B& C COMMUNICATIONS - \$863.21; ARROW INTERNAT'L - \$1,568.00; PATRICK MARTINEZ - \$110.00)  
Referred to Finance Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 259/2015, AS AMENDED, BY MAKING THE FOLLOWING SUPPLEMENTAL APPROPRIATION AND INTER-FUND TRANSFER HEREIN DESCRIBED; AND DECLARING THE SAME TO BE AN EMERGENCY (\$27,600.00 SUPP APPROP FR UNAPPROP BAL 1001 GENERAL FUND - OTHER TO 1001 753020 LAW NON OPERATIONAL LEGAL EXPENSE - OTHER; \$27,600.0 INTER-FUND TRF FR 1001 GENERAL FUND TO 1105 POLICE SETTLEMENT FUND)  
Referred to Finance Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING AND RENUMBERING OF PART OF OUTLOT 487 AND PART OF LOT 13145; AND DECLARING THE SAME TO BE AN EMERGENCY (DALE JONES FOR PIN OAK TREE, 2702 CLEVELAND AVE SW, WARD 4)  
Referred to Public Safety & Thoroughfares Committee
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 36904 AND 36905 AND PART OF LOT 36930; AND DECLARING THE SAME TO BE AN EMERGENCY (MICHAEL & ANNA DRAKE AND DAVID & LUCINDA ASHLEY, CORNER OF 44<sup>TH</sup> ST NW & NORMAL AVE NW, WARD 8)  
Referred to Public Safety & Thoroughfares Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY AN AMOUNT NOT TO EXCEED \$1,005.25 TO HARRISON PAINT COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY (TRAFFIC SIGN & PAINT GRECO PAINTING MACHINE)  
Referred to Finance Committee
- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO RECEIVE AND APPROPRIATE A COMMUNITY GRANT FROM

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WALMART IN THE AMOUNT OF \$2,400.00 TO PURCHASE PORTABLE GAS DETECTORS AND MONITORS FOR THE FIRE DEPARTMENT; AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,400.00 FR UNAPPROP BAL OF 2783 FIRE DONATION FUND TO 2783 103002 FIRE DONATION - COMMUNITY GRANT - OTHER)

Referred to Finance Committee

- #7. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO LEXINGTON FARM NORTH NO. 1 IN PLAIN TOWNSHIP; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT(S) FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Environmental & Public Utilities Committee

- #8. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OR PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE FOR DESIGN AND CONSTRUCTION OVERSIGHT OF THE SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$325,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207042 SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ - OTHER)

Referred to Finance Committee

PRESIDENT PRO TEM SMUCKLER: They're all referred as per your agenda in the interest of consolidation by Member Fisher.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT PRO TEM SMUCKLER: Second Reading of Ordinances.

***NOTE: PRESIDENT PRO TEM SMUCKLER CALLED UPON CLERK SHOWES TO READ ORDINANCE #9 THROUGH ORDINANCE #13 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #13 ADOPTED ON 2<sup>ND</sup> RDG):***

- #9. (2<sup>ND</sup> 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 (907 - 11<sup>TH</sup> ST NW FOR DARLENE LEGHART, HAMMER & NAILS FR PB-4 PLANNED SPECIAL BUSINESS AND R-1A SINGLE-FAMILY RESIDENTIAL TO PB-4 PLANNED SPECIAL BUSINESS)

**PUB HRG 3/7/16 @ 7:30 PM**

- #10. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 38/2004; AND DECLARING THE SAME TO BE AN EMERGENCY (REDUCE THE PREMIUM RATE FOR COMPENSATED ABSENCES FROM 125% TO 105% FOR ALL PAYROLLS IN 2016)

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- #11. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT FOR THE 41<sup>ST</sup> STREET AND 49<sup>TH</sup> STREET AREA WATER IMPROVEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$143,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207041 41<sup>ST</sup> ST AND 49<sup>TH</sup> ST AREA WATER IMPROVEMENT PROJ - OTHER)
- #12. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT AND TO EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT FOR THE MONUMENT ROAD WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,200,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207039 MONUMENT ROAD WATER MAIN REPLACEMENT PROJ - OTHER)
- #13. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 21/2016** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE AND/OR PARK COMMISSION TO APPLY FOR, ENTER INTO AGREEMENT FOR, AND RECEIVE FUNDS FROM MULTIPLE POTENTIAL FUNDING SOURCES FOR VARIOUS CITY PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM SMUCKLER: We are now under Ordinance Number... We are now under Ordinance #13. Could I have a motion about...

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rule for Ordinance #13.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to suspense with the three readings of Ordinance #13. Any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas.

PRESIDENT PRO TEM SMUCKLER: Member Smith, you've heard the three readings.

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

MEMBER BABOCK: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #13. Is there any discussion? Roll call.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, Sir.

**#13 ADOPTED AS ORDINANCE NO. 21/2016**

PRESIDENT PRO TEM SMUCKLER: Ordinance #13 is adopted.

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

PRESIDENT PRO TEM SMUCKLER: Ordinances for Third and Final Reading. Ordinance #14.

***NOTE: PRESIDENT PRO TEM SMUCKLER CALLED UPON CLERK SHOWES TO READ ORDINANCE #14 THROUGH ORDINANCE #23 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

#14. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 22/2016** AN ORDINANCE PROVIDING FOR THE ISSUANCE OF A NOTE BY THE CITY OF CANTON IN ANTICIPATION OF THE COLLECTION AND PAYMENT OF CITY INCOME TAXES, GENERAL PROPERTY TAXES, AND OTHER REVENUE SOURCES TO THE CITY OF CANTON; DECLARING THE NECESSITY OF THE ISSUANCE OF SAID NOTE; PROVIDING FOR RE-AUTHORIZATION, AMENDING ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$400,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 801001 AUDITOR ADMIN - OTHER; \$600,000.00 SUPP APPROP FR UNAPPROP BAL OF 2120 INCOME TAX FUND TO 2120 852101 INCOME TAX ADMIN - OTHER)

PRESIDENT PRO TEM SMUCKLER: Member Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #14. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas.

**#14 ADOPTED AS ORDINANCE NO. 22/2016**

PRESIDENT PRO TEM SMUCKLER: Ordinance #14 is adopted. Ordinance #15.

#15. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 23/2016** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$2,400.00 TO KENT STATE UNIVERSITY; AND DECLARING THE SAME TO BE AN EMERGENCY (EXCEL TRAINING)

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PRESIDENT PRO TEM SMUCKLER: Member Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #15. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, Sir.

**#15 ADOPTED AS ORDINANCE NO. 23/2016**

PRESIDENT PRO TEM SMUCKLER: Ordinance #15 is adopted. Ordinance #16.

#16. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 24/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH FROST BROWN TODD LLC FOR LEGAL SERVICES RELATED TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY'S REGULATION OF THE CITY OF CANTON WATER RECLAMATION FACILITY; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM SMUCKLER: Member Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #16. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, Sir.

**#16 ADOPTED AS ORDINANCE NO. 24/2016**

PRESIDENT PRO TEM SMUCKLER: Ordinance #16 is adopted. Ordinance #17.

#17. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 25/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$725,340.00 SUPP APPROP FR UNAPPROP BAL OF THE 5231 53<sup>RD</sup> ST RESERVOIR ROOF REPLACEMENT PROJECT FUND TO 5231 207033 53<sup>RD</sup> ST RESERVOIR ROOF REPLACEMENT PROJECT - OTHER)

PRESIDENT PRO TEM SMUCKLER: Member Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #17. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, Sir.

**#17 ADOPTED AS ORDINANCE NO. 25/2016**

PRESIDENT PRO TEM SMUCKLER: Ordinance #17 is adopted. Ordinance #18.

#18. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 26/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) INTERNATIONAL TANDEM AXLE CAB/CHASSIS; OR TO ALTERNATIVELY PURCHASE SAID VEHICLE PURSUANT TO STATE COOPERATIVE PURCHASING AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER DEPT DUMP TRUCK)

PRESIDENT PRO TEM SMUCKLER: Member Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded that we adopt Ordinance #18. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, Sir.

**#18 ADOPTED AS ORDINANCE NO. 26/2016**

PRESIDENT PRO TEM SMUCKLER: Ordinance #18 is adopted. Ordinance #19.

#19. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 27/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE CHANGE ORDER NO. 2 IN AN AMOUNT NOT TO EXCEED \$37,291.10 WITH LOCKHART CONCRETE COMPANY FOR THE ALLENFORD SE SANITARY SEWER PROTECTION PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY (GP 1114, CONTRACT NO. 2015-27)

PRESIDENT PRO TEM SMUCKLER: Member Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #19. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, Sir.

**#19 ADOPTED AS ORDINANCE NO. 27/2016**

PRESIDENT PRO TEM SMUCKLER: Ordinance #19 is adopted. Ordinance #20.

#20. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 28/2016** AN ORDINANCE AUTHORIZING AND CONSENTING TO FINE GRADED POLYMER AC OVERLAY TO STA US 30 FROM 16.46 TO 18.35; AND DECLARING THE SAME TO BE AN EMERGENCY (PID NO. 100958, GP 1244)

PRESIDENT PRO TEM SMUCKLER: Member Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #20. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, Sir.

**#20 ADOPTED AS ORDINANCE NO. 28/2016**

PRESIDENT PRO TEM SMUCKLER: Ordinance #20 is adopted. Ordinance #21.

#21. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 29/2016** AN ORDINANCE AUTHORIZING AND CONSENTING TO REALIGNING AND RECONFIGURING THE INTERSECTIONS US-62, MIDDLEBRANCH, HARRISBURG, AND 30<sup>TH</sup> STREET IN PLAIN TOWNSHIP, STARK COUNTY, OHIO WITH THE CONSTRUCTION OF A ROUNDABOUT AT HARRISBURG AND 30<sup>TH</sup> STREET; AND DECLARING THE SAME TO BE AN EMERGENCY (PID 96346)

PRESIDENT PRO TEM SMUCKLER: Member Smith.

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

MEMBER BABCOCK: Second.

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PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #21. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, Sir.

**#21 ADOPTED AS ORDINANCE NO. 29/2016**

PRESIDENT PRO TEM SMUCKLER: Ordinance #21 is adopted. Ordinance #22.

#22. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 30/2016** AN ORDINANCE AUTHORIZING AND CONSENTING TO RESURFACING FROM 22.19 TO 24.06 AND BRIDGES, MISCELLANEOUS BRIDGE WORK TO NINE (9) STRUCTURES WITHIN CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (STA-US62-22.19, PID 84654)

PRESIDENT PRO TEM SMUCKLER: Member Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #22. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, Sir.

**#22 ADOPTED AS ORDINANCE NO. 30/2016**

PRESIDENT PRO TEM SMUCKLER: Ordinance #22 is adopted. Ordinance #23.

#23. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 31/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AN AMOUNT NOT TO EXCEED \$148,215.00 FOR PHASE 2 ENVIRONMENTAL ASSESSMENT WORK PERFORMED AT THE FORMER WEBER DENTAL FACILITY; AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$148,215.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 506001 COMM. DEV. ADMIN. - OTHER; \$148,215.00 SUPP APPROP FR UNAPPROP BAL OF 2817 JOBS OHIO FUND TO 2817 506001 COMM. DEV. ADMIN. - OTHER; \$148,215.00 INTERFUND ADVANCE/ADVANCE REPAYMENT FR 1001 506001 COMM. DEV. ADMIN. - ADV. OUT TO 2817 506001 COMM. DEV ADMIN.-ADV. IN; \$148,215.00 INTERFUND ADVANCE/ADVANCE REPAYMENT FR 2817 506001 COMM. DEV. ADMIN. - ADV. OUT TO 1001 506001 COMM. DEV. ADMIN. - ADV. IN)

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PRESIDENT PRO TEM SMUCKLER: Member Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #23.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adop...

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM SMUCKLER: To adopt Ordinance #23. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, Sir.

**#23 ADOPTED AS ORDINANCE NO. 31/2016**

PRESIDENT PRO TEM SMUCKLER: Ordinance #23 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT PRO TEM SMUCKLER: We are now under Announcement of Committee Meetings.

MEMBER MARIOL: Mr. President.

PRESIDENT PRO TEM SMUCKLER: Member Mariol.

MEMBER MARIOL: Finance will meet March 7<sup>th</sup> at 6:30.

MEMBER HAWK: Mr. President.

PRESIDENT PRO TEM SMUCKLER: Member Hawk.

MEMBER HAWK: Thank you, good sir. Public Safety & Thoroughfare will meet Monday, March 7<sup>th</sup> at 6:30 also.

PRESIDENT PRO TEM SMUCKLER: Anyone else? We are...

CLERK SHOWES: We got one more committee, Environmental.

PRESIDENT PRO TEM SMUCKLER: Who's Environmental? Member Harmon, are you Environmental?

MEMBER HARMON: Yes. Public Utilities and Environmental. I believe this...

PRESIDENT PRO TEM SMUCKLER: We have a...

MEMBER HARMON: I've been really busy with that. *(Laughter)*

PRESIDENT PRO TEM SMUCKLER: We... if you desire, we need a committee meeting scheduled for next Monday night.

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MEMBER HARMON: Really? *(Laughter)* Then we... then we shall. *(Laughter)*

PRESIDENT PRO TEM SMUCKLER: Same time, same place, I imagine.

MEMBER HARMON: Finance... the Finance Committee at 6:30, right? Well... well...

PRESIDENT PRO TEM SMUCKLER: Thank you, Member Harmon.

**MISCELLANEOUS BUSINESS**

PRESIDENT PRO TEM SMUCKLER: We are now under Miscellaneous Business. Is there any Miscellaneous Business?

MEMBER WEST: Mr. President. Mr. President.

PRESIDENT PRO TEM SMUCKLER: Member West.

MEMBER WEST: I just wanted to say, you know, I was really... uh, I was very proud this weekend of the City of Canton and the way that, from the Safety Director to the Mayor to Member Chris Smith... excuse me, Assistant Majority Leader, to the fire department who really did a wonderful job helping the family of Tonya Johnson who passed away. And I... I was just so proud of all of our... all of our workers and the fire people, everyone that got involved and helped that family throughout the weekend. The Mayor did a great job on the radio, did a great job this afternoon at the funeral. And I just... I just wanted people to know that, you know, we really do care about the people that work here, and I wanted to mention that. Thank you.

PRESIDENT PRO TEM SMUCKLER: Anyone else? Before I get to you, Member Smith, for the final act of the day, I had some research done, and I need the help of some attorneys here. Qualifications of members of legislative authorities. In the state statutes it's 731.02, and according to everyone I've known, it says in here you must be... the interpretation would be at least eighteen years old in order to qualify for this. And I think there ought to be an investigation at the Board of Elections for them allowing this to happen, and an investigation by the Law Department. But we have a leap year baby here who has a birthday who is exactly eleven years old today. Happy birthday... birthday, Member Scaglione. *(Applause)*

MEMBER SCAGLIONE: Mr. President.

PRESIDENT PRO TEM SMUCKLER: I tried not to call you all weekend.

MEMBER SCAGLIONE: I realize this, and I was waiting for your call. I... I figured it was coming, but you know, I did sneak that one in on you, but I was told that they needed more members here that had plenty of hair, so... *(OOHS)*.

PRESIDENT PRO TEM SMUCKLER: And at eleven years old, I don't know what that says about your wife, then. *(Laughter)* Member Smith.

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

MEMBER BABCOCK: Second.

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PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded that we adjourn tonight's meeting. Roll call. Roll call.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas.

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

ADJOURNMENT TIME: 8:09 P.M.

ATTEST:

APPROVED:

KELLEN SHOWES  
CLERK OF COUNCIL

WILLIAM SMUCKLER  
PRESIDENT PRO TEM

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