

MINUTES OF THE MEETING MARCH 14, 2016

PRESIDENT PRO TEM MORRIS: (*Gavel falls*) Still can't get used to how fun that is hitting that thing on there. Uh, I'd like to welcome some students from Canton Central Catholic. I guess you're a Government class? (*Applause*) If you learn anything, please share it with me because I struggle along every week. With a quorum being present the Chair calls this meeting of Canton City Council to Order. Roll call please.

ROLL CALL TAKEN BY CLERK SHOWES:

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

TWELVE COUNCIL MEMBERS PRESENT. (PRESIDENT SCHULMAN ABSENT)

CLERK SHOWES: Twelve yeas, Sir.

EXCUSING MEMBERS

PRESIDENT PRO TEM MORRIS: Thank you. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to excuse President Schulman from tonight's meeting. Is there any remarks under this? Hearing none, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

PRESIDENT SCHULMAN: The motion carries and President Schulman is excused from tonight's meeting. Tonight's invocation will be given by my good friend, our Ward 5 Councilman, Kevin Fisher. Afterwards, remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on March 14, 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 Ward 5 Council Member, Kevin Fisher. The Pledge of Allegiance was led by President Pro Tem Morris.

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM MORRIS: Okay, we are under Agenda Corrections and Changes, Leader Smith.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #9 through and including #12.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to Suspend Rule 22A to add 2nd Reading

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Ordinances 9 through 12 to this evening's agenda. Are there any remarks? If not, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

PRESIDENT PRO TEM MORRIS: Thank you. Okay, Rule 22A is suspended and the Ordinances are now a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM MORRIS: We are under Public Hearings, and we have none scheduled this evening.

OLD BUSINESS

PRESIDENT PRO TEM MORRIS: We're now under Old Business, and I've been informed we have no Old Business.

PUBLIC SPEAKS

PRESIDENT PRO TEM MORRIS: So now we move on to Public Speaks. Tonight we have one speaker, Mr. Pete DiGiacomo.

PETE DIGIACOMO: Thank you. My name is Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. First, I'm gonna say that yes, the City of Canton does need parks. Parks and recreation are a part of every city or it should be, and it's... it's a good thing. That being said, I'm gonna read something that was in the Repository, an article. Goes like this. Spring House. In 19... in the 1920's the city's water department accidentally struck a well near Stadium Park. Today the faucets are at John Barker Spring House Run, and they run 24 hours a day drawing visitors armed with gallon jugs. The Spring House is named for the Reverend who pastored at Calvary Presbyterian Church. Gordon, who would... uh, is the head of the Parks Department, I believe, said that he'd like to see that the existing structure become more functional. I don't know how you're gonna do that, but it's okay. Considering the amount of use it gets, and to make it sandstone to fit in better with other elements at the park. They've already hired a architectural firm to design the new building. Uhh, and the design for the new building is expected to cost, the building we're talking about, between eighty and a hundred thousand dollars. You can hear the crickets. Gordon said, and the City has a budget... has budgeted forty thousand dollars for the improvements and hopes of finding a donor to pay the rest. I don't know how many people here use that spring house. Myself personally, we go there at least two times a month. Every time I've been down there, there have been people there getting water. How you would spend that much money... well, I know how you can spend that much money, but why would you spend that much money? I hope that somebody looks into this. I wasn't aware of it until somebody handed this to me, Parks and Recreation, who from the City Council, Councilman Morris, Smith, Hawk, Scaglione and Fisher. If somebody would look into that and find out what is this about. Well, obviously we know what it's about, but why, and why is the price at what it is when money is very tight. Thank you.

PRESIDENT PRO TEM MORRIS: Thank you, Mr. DiGiacomo. And as the chairman of that committee I will look in that... to that for you and I'll get back to you cause I have your cell. So, I will call you personally as soon as I look into it.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM MORRIS: Okay. We're now under Informal Resolutions, and we have none this

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evening.

COMMUNICATIONS

PRESIDENT PRO TEM MORRIS: Let the journal show that all Communications have been received and 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 MARCH 14, 2016.

111. ANNEXATION CHAIRMAN WEST: REQ STATEMENT OF SERVICES FOR PILOT ANNEXATION. - ANNEXATION COMMITTEE
112. CANTON MUNICIPAL COURT: ADVISING OF REVISED COURT COST SCHEDULE TO GO INTO EFFECT 4/1/16; DIVERSION OF PROCEEDS OF INCREASED COURT COSTS IN AMT OF \$635,000.00 TO BENEFIT CITY OF CANTON GENERAL REV FUND (GRF); REVISED GENERAL REV FUND BUDGET REQ FR JUDGES ADMIN AND CLERK OF COURT FOR REDUCTION OF \$176,909.00; ADDT'L DIVERSION OF \$56,000.00 FR GRF TO FORFEITURE BOND ENTERPRISE FUND UPON FUNDING STREAM BEING MADE AVAILABLE; AGREE TO EVALUATE FEASIBILITY OF RECEIPTING, COLLECTING AND DISTRIBUTING FEE FOR CITY'S LANDLORD REGISTRATION PROCESS AND CITY'S PARKING VIOLATIONS BUREAU. - RECEIVED & FILED
113. COUNCIL MEMBER HARMON: AMEND CITY ORD CHAPTER 361, RELATED TO MUNI PARKING ENFORCEMENT, TO ADOPT PROVISIONS IN O.R.C. 4521.02, "LOCAL, NONCRIMINAL PARKING INFRACTIONS". - JUDICIARY COMMITTEE
114. MAYOR BERNABEI: REQ. RE-APPT OF ROBERT THOMPSON TO FAIR EMPLOYMENT PRACTICES BOARD FOR 3-YR TERM COMMENCING 3/1/16 - 12/31/18. - PERSONNEL COMMITTEE
115. MAYOR BERNABEI: REQ. RE-APPT OF DEBORAH ROHRBACH TO FAIR EMPLOYMENT PRACTICES BOARD FOR 3-YR TERM COMMENCING 3/1/16 - 12/31/18. - PERSONNEL COMMITTEE
116. MAYOR BERNABEI: REQ ADOPT OF GENERAL FUND BUDGET. - FINANCE COMMITTEE
117. PLANNING COMMISSION: REQ REPLAT OF LOTS 23336, 23337, 23338, 23339, 23340, AND 23341, 2400 BLOCK OF 25TH NE (HABITAT FOR HUMANITY, WARD 9). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
118. PLANNING COMMISSION: AUTHORIZE ZONE CHANGE FOR P.A.L. MISSION FR R-2 (TWO FAMILY RESIDENTIAL) TO PB-1 (PLANNED OFFICE BUSINESS DISTRICT) AT 1316 3RD ST. SE, PARCEL #206330, WARD 4. - JUDICIARY COMMITTEE
119. PLANNING COMMISSION: AUTHORIZE ZONE CHANGE FOR HAMMER & NAILS FR R-1A (SINGLE FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS) AT 1101 SHORB AVE NW, PARCEL #232650, WARD 1. - JUDICIARY COMMITTEE

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120. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR THE FIRST TEE OF CANTON NO. 2 ANNEXATION (OS - OPEN SPACE, WARD 6). - ANNEXATION COMMITTEE
121. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO COOP AGMT WITH STARK CO. AND STARK CO. SHERIFF TO SHARE COSTS, MAINTENANCE AND USAGE OF 800 MEGAHERTZ MIXED MODE TRUNKED SIMULCAST SMARTZONE RADIO SYSTEM, RETRO TO 7/13/15 - 12/31/18; AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO VARIOUS AGMTS WITH VARIOUS OUTSIDE AGENCIES, PUBLIC ENTITIES, ETC, STARK CO. AND/OR STARK CO. SHERIFF TO LEASE SPACE ON THE SHARED CITY/COUNTY SHARED 800 MEGAHERTZ MIXED MODE TRUNKED SIMULCAST SMARTZONE RADIO SYSTEM; AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO VARIOUS AGMTS WITH STARK CO. AND/OR THIRD PARTIES FOR MAINTENANCE AND UPKEEP OF THE SHARED CITY/COUNTY SHARED 800 MEGAHERTZ MIXED MODE TRUNKED SIMULCAST SMARTZONE RADIO SYSTEM; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
122. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO APPROP UNAPPROP BAL OF \$69,709.00 INTO FUND 2770 ON BEHALF OF CANTON POLICE DEPART. HALF OF FUNDS (\$34,854.50) WILL BE SHARED WITH STARK CO. SHERIFF'S OFFICE AS AGREED UPON (DIRECTED PATROL OVERTIME). - FINANCE COMMITTEE
123. SAFETY DIRECTOR PERRY: AMEND O#9/2016 (\$1,798,815.33 SUPP APPROP FR UNAPPROP CASH BAL OF 7509 TO 7509 101501 CODE ENFORCEMENT ADMIN OTHER; INTRA-FUND TRFS OF \$30,000.00 FR 2160 202210 OTHER, \$41,493.00 FR 2160 505010 PERSONNEL, \$4,300.00 FR 2160 505010 OTHER TO 2160 101501 OTHER - \$75,793.00 (BOND FORECLOSURE REFUNDS AND BOARD UPS). - FINANCE COMMITTEE
124. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDERS NO. 4 THROUGH NO. 9 FOR THE FOR 12TH ST NORTH CORRIDOR PROJ, PID 85299, GP 1098 WITH CENTRAL-ALLIED ENTERPRISES , INC. FOR NET AMT OF \$93,355.27; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
125. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX ACCT FOR FEBRUARY 2016. - RECEIVED & FILED
126. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR FEBRUARY 2016. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM MORRIS: We are now under Ordinances for their First... Ordinances and Formal Resolutions for their First Reading. Mister Clerk, could you please begin with Ordinance #1.

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

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- #1. (1ST RDG) ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,500,000 FOR THE PURPOSE OF PAYING THE COST OF ACQUIRING, CONSTRUCTING, RECONSTRUCTING AND IMPROVING CITY BUILDINGS, INCLUDING, WITHOUT LIMITATION, THE REPLACEMENT OF THE CITY HALL ROOF, THE CIVIC CENTER ROOF AND IMPROVEMENTS TO OTHER CITY FACILITIES
Referred to Public Property Capital Improvement Committee
- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 4504 2015 CONSTRUC/RECONSTRUC NOTE FUND TO 4504 201001 - OTHER) (CITY HALL AND CIVIC CENTER ROOF BOND)
Referred to Public Property Capital Improvement Committee
- #3. (1ST RDG) ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$5,000,000 TO PROVIDE FUNDS TO PAY A PORTION OF THE COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING, FURNISHING OR EQUIPPING AN ECONOMIC DEVELOPMENT PROJECT IN THE CITY; AUTHORIZING RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY (HALL OF FAME VILLAGE)
Referred to Finance Committee
- #4. (1ST RDG) ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,200,000 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY A COURT-APPROVED SETTLEMENT OF A CLAIM AGAINST THE CITY
Referred to Finance Committee
- #5. (1ST RDG) ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,515,000 FOR THE PURPOSE OF PAYING THE COSTS OF REVITALIZATION WITHIN THE CITY AND ADDRESSING PROPERTY CONDITIONS THAT ARE DELETERIOUS TO THE PUBLIC HEALTH AND SAFETY THROUGH THE DEMOLITION OF DETERIORATING STRUCTURES AND THE IMPROVEMENT OF THOSE SITES, THEREBY ENABLING THE USE OR REUSE OF LANDS WITHIN THE CITY
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 259/2015; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,515,000.00 SUPP APPROP FR UNAPPROP BAL OF 1151 LAND REUTILIZATION & NOTE FUND TO 1151 801001 - OTHER) (HALL OF FAME VILLAGE)

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#7. (1ST RDG) AN ORDINANCE CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA AND ESTABLISHING REQUIREMENTS TO ENSURE PUBLIC HEALTH AND SAFETY WITHIN SUCH AREA; AND DECLARING THE SAME TO BE AN EMERGENCY (DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT)
Referred to Downtown Development & Judiciary Committees

#8. (1ST RDG) AN ORDINANCE AUTHORIZING THE ADOPTION OF THE COMPREHENSIVE PLAN FOR THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM MORRIS: We are now under Ordinances and Formal Resolutions for their Second Reading. #9, please.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK SHOWES TO READ ORDINANCE #9 THROUGH ORDINANCE #12 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #9. (2ND RDG) AN ORDINANCE AMENDING SECTION 1 (J) OF ORDINANCE NO. 177/2006; AND DECLARING THE SAME TO BE AN EMERGENCY (INCREASE CHANGE DRAWER FUNDS FR \$100.00 TO \$200.00)
- #10. (2ND RDG) AN ORDINANCE AUTHORIZING COUNCIL TO ADOPT THE DEPARTMENT OF DEVELOPMENT'S AFFIRMATIVE MARKETING POLICY; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF COMMUNITY DEVELOPMENT TO ADOPT, AMEND, AND DEFINE THE LIST OF LOW-INCOME OR MINORITY CONCENTRATIONS; AND DECLARING THE SAME TO BE AN EMERGENCY (FAIR HOUSING ACTION PLAN AS APPROVED BY HUD)
- #12. (2ND RDG) AN ORDINANCE REPEALING SECTION 107.05, USE OF COUNCIL CHAMBERS, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM MORRIS: We are now under Ordinances and Formal Resolutions for Third and Final Reading. Begin with #13 please.

NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK SHOWES TO READ ORDINANCE #13 THROUGH ORDINANCE #19 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#13. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 37/2016** AN ORDINANCE

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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)

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #13. Are there any remarks?

MEMBER SMITH: Mr. President, I move we amend Ordinance #13 per a copy that all Council Members have in front of them.

MEMBER BABCOCK: Second.

Amendment

Pursuant to Rule 36, I move to amend Agenda Item No. 13 by the substitution of the attached revised Exhibit A for the original proposed Exhibit A.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to amend Ordinance #13 per a copy before each Council Member. Are there any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MORRIS: They ayes have it. Leader Smith.

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

PRESIDENT PRO TEM MORRIS: The question you are voting on is now Ordinance #13, as amended. Are there any remarks under this Ordinance as amended? If not, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

#13 ADOPTED AS AMENDED AS ORDINANCE NO. 37/2016

PRESIDENT PRO TEM MORRIS: And Ordinance #13 is adopted as amended. Ordinance #14, please.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 38/2016** 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 (DALES JONES FOR PIN OAK TREE, 2702 CLEVELAND AVE. SW, WARD 4)

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PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #14. Is there any remarks under this Ordinance? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

#14 ADOPTED AS ORDINANCE NO. 38/2016

PRESIDENT PRO TEM MORRIS: Ordinance #14 has been adopted. Ordinance #15 please.

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 39/2016** 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 44TH ST NW & NORMAL AVE NW, WARD 8)

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #15. Is there any remarks under this?

MEMBER MACK: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Mack.

MEMBER MACK: Just be way of disclosure to this body, I do represent the applicants that are the subject of this Ordinance. They live in my ward, and while I'm doing the legal work relating to this pro bono I still have to disclose that and I will be abstaining.

PRESIDENT PRO TEM MORRIS: Thank you, Member Mack. Any other remarks? Hearing none, roll call please.

NO REMARKS

ROLL CALL 11 YEAS, 1 ABSTAIN
(MEMBER MACK ABSTAINED)

CLERK SHOWES: Eleven yeas, Sir, and one abstention.

#15 ADOPTED AS ORDINANCE NO. 39/2016

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PRESIDENT PRO TEM MORRIS: Ordinance #15 has been adopted. Ordinance #16, please.

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 40/2016** 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)

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #16. Are there any remarks under this Ordinance? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

#16 ADOPTED AS ORDINANCE NO. 40/2016

PRESIDENT PRO TEM MORRIS: Ordinance #16 has been adopted. Ordinance #17, please.

#17. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 41/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO RECEIVE AND APPROPRIATE A COMMUNITY GRANT FROM 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 103001 FIRE DONATION - COMMUNITY GRANT - OTHER)

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #17. Is there any remarks? Leader Smith.

MEMBER SMITH: Mr. President, I move we amend Ordinance #17 per copy that all Council Members have in front of them.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to amend Ordinance #17 per copy before

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each of you. Are there any remarks? If not, all those in favor signify by saying aye. Those opposed nay.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MORRIS: The ayes have it. Leader Smith.

LEADER SMITH: Mr. President, I move we adopt Ordinance #17, as amended.

MEMBER BABCOCK: Second.

Amendment

Pursuant to Rule 36, I move to amend Agenda Item No. 17 by the substitution of the attached revised ordinance for the original proposed ordinance.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #17, as amended. Are there any remarks under this Ordinance? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

#17 ADOPTED AS AMENDED AS ORDINANCE NO. 41/2016

PRESIDENT PRO TEM MORRIS: Ordinance #17 has been adopted, as amended. Ordinance #18, please.

#18. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 42/2016** 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

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #18. Is there any remarks under this? Leader Smith.

MEMBER SMITH: Mr. President, I move we amend Ordinance #18 per a copy that all Council Members have in front of them.

MEMBER BABCOCK: Second.

Amendment

Pursuant to Rule 36, I move to amend Agenda Item No. 18 by amending Section 1 to change the amount

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“6,400 feet” to “390 feet”.

PRESIDENT PRO TEM MORRIS: It’s been moved and seconded to amend Ordinance #18 per the copy before each of you. Any remarks under this? If not, by voice vote, all those in favor signify by saying aye. Those opposed.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MORRIS: They ayes have it. Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It’s been moved and seconded to adopt Ordinance #18, as amended. Is there any remarks under this? Hearing none, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

#18 ADOPTED AS AMENDED AS ORDINANCE NO. 42/2016

PRESIDENT PRO TEM MORRIS: Ordinance #18 has been adopted as amended. Ordinance #19, please.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 43/2016** 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)

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It’s been moved and seconded to adopt Ordinance #19. Are there any remarks under this? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

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PRESIDENT PRO TEM MORRIS: Ordinance #19 has been adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM MORRIS: We are now under Announcement of Committees.

MEMBER MARIOL: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Mariol.

MEMBER MARIOL: Finance will meet... let's see, it'll be March 21st at 6:30.

MEMBER SMITH: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Smith.

MEMBER SMITH: C&ED will also meet at the time at 6:30.

MEMBER WEST: Mr. President.

PRESIDENT PRO TEM MORRIS: Member West.

MEMBER WEST: Downtown Development will meet at the same time, same place.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Dougherty.

MEMBER DOUGHERTY: Public Property Capital Improvement, March 21st, 6:30.

PRESIDENT PRO TEM MORRIS: That would be March 21st?

UNIDENTIFIED VOICE: Yeah, that's what he just said.

PRESIDENT PRO TEM MORRIS: That's what he just said.

MEMBER MACK: Mr. President, Judiciary will meet on March 21st at 6:30.

PRESIDENT PRO TEM MORRIS: Thank you, Member Mack. Who said the wrong date? Was it Member Mariol? (*Inaudible voices*) Oh, okay, it was the Law Director who did not have his head in the game, but that's all good. See, cause I know Member Dougherty's over there just waiting to say hold on, you're wrong. (*Laughter*) So when they were bouncing around the 21st, ah, it's all good, Joe.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM MORRIS: We're under Miscellaneous Business.

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MEMBER HAWK: Mr. President, one...

PRESIDENT PRO TEM MORRIS: Member Hawk.

MEMBER HAWK: Thank you, good sir. I think we should all recognize our esteemed Mayor as being a scholar, making the Dean's List 50 years ago today at Brown University. (*Applause*)

PRESIDENT PRO TEM MORRIS: I would not appreciate somebody pointing out my age like that. (*Laughter*) I did not think you did...

MEMBER HAWK: Mr. President.

PRESIDENT PRO TEM MORRIS: Cause I'll be 50 next year. Go ahead... (*laughs*).

MEMBER HAWK: I can appreciate the age, trust me. We... when we let... you deserve it all after this long.

PRESIDENT PRO TEM MORRIS: Anybody else? Member Harmon.

MEMBER HARMON: Mr. President.

PRESIDENT PRO TEM MORRIS: Yes, sir.

MEMBER HARMON: I would like to call our attention to the Communication #112 submitted by the Canton Municipal Court. Uh, the Court and the Clerk of Court has certainly recognized the financial situation that we're in with our large deficit, and as a result, and I was fortunate to have a few meetings with both the Clerk and... and the Administrator as I know Mayor Bernabei has. As a result of their efforts they have increased their costs and fine schedule, and... and they estimate, and I think conservatively, that they will be able to provide the City with an additional \$635,000.00 this year. I think they're being... I think they're being very conservative, and I know our fine Auditor, Mr. Mallonn, will be paying attention to that number later in the year. And, of course, none of us have a crystal ball about income tax collection. But I just want to publicly thank the Judges and the Clerk of Court for recognizing our situation. They certainly didn't have to. And... and that's quite a chunk of change that they're gonna help us raise. Just wanted to express appreciation for it. Thank you.

PRESIDENT PRO TEM MORRIS: Thank you, Member Harmon. Anyone else?

MEMBER MACK: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Mack.

MEMBER MACK: We have a fairly important election tomorrow. Uh, with the parks levy, and since you're the Chairman and our Majority Leader I yield to you if you want to maybe express to all these voters why it's so important they vote for Issue 5.

PRESIDENT PRO TEM MORRIS: Of course I will, as soon as I sign my name up here. I'm multitasking. Anybody else before I do the Allen rant? (*Laughter*) Come on, this is where I get to throw the Governor under a bus and go on for twenty minutes. Okay. Well, as everybody knows, elections are tomorrow and this park levy is do or die for the City. Okay. In order to keep the parks alive you gotta vote for Issue 5. You have to. We

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lose this, our park system could virtually shut down. They will run on fumes to get them through till another campaign can be launched, and the chance of passing that would be... probably be dismal. I... I'd like to commend the Mayor and everybody in the parks, and every Council Member here that's worked hard on this park levy. I think this was something that we all were pretty invested in. I... I feel confident that it will go forward and we will pass this parks levy. Mr. DiGiacomo, I will reach out to Mr. Gordon to express my concern. I do get my water down there as well, and I couldn't possibly see spending eighty to hundred thousand dollars at the well house. It's... it's a water fountain. A very large water fountain, but it's a water fountain.

MR. DIGIACOMO: Spring water. Excellent.

PRESIDENT PRO TEM MORRIS: Right. So, with that being said I encourage everybody to go out, support the park levy, pound it on social media, call your friends, call your family, pick people up, take them to the polls. Call it unethical, call it wrong, but vote for Fish for Commission, West is the best. Leader Smith. *(Laughter)*

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: Roll call, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas.

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

ADJOURNMENT TIME: 7:55 P.M.

ATTEST:

APPROVED:

KELLEN SHOWES
CLERK OF COUNCIL

FRANK MORRIS
PRESIDENT PRO TEM
