

MINUTES OF THE MEETING JUNE 6, 2016

PRESIDENT SCHULMAN: Good evening. Welcome to Canton City Council. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote, please.

ROLL CALL TAKEN BY CLERK SHOWES:

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT SCHULMAN: Thank you very much. Tonight's invocation will be given by our Ward 3 Council Member, Jason Scaglione. Will you all stand and remain standing please, for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on June 6, 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 3 Council Member, Jason Scaglione. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

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

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #7 through #15.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: Can everybody in the back hear me alright? Okay. It's been moved and seconded to Suspend Rule 22A to add 2nd Reading Ordinances 7 through 15 to this evening's agenda. Are there any remarks? Hearing none, Mister Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT SCHULMAN: Thank you. Motion carries. Rule 22A is suspended and the Ordinances are a legal part of your agenda. Before I continue, I know that some people who haven't seen me lately, or ever, and I don't usually wear a hat to City Council but I had some surgery recently, that's the reason I'm doing it, so forgive me. I'm not trying to be rude at all.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We are now under Public Hearings. We have no Public Hearings this evening.

OLD BUSINESS

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PRESIDENT SCHULMAN: We turn now to Old Business. Is there any Old Business? There is none.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: Turning now to Public Speaks. We have 3 speakers signed up this evening and the first is Bruce Nordman.

BRUCE NORDMAN: Good evening. I'm Bruce Nordman. I reside at 1623 Logan Avenue NW. I'm here this morning...er...boy oh boy, the days go, I don't know which time or what time it is today. *(Inaudible)* *(Laughter)*. That started it. I'm here this evening representing Vassar Park Neighborhood Association. I am current Vice President and have been nominated to be it's President. I've got good news for everyone here. I'm going to talk about Kings Landing that used to be called Ridgewood Castle, where the old Case Mansion used to be on 17th NW and Market. As you all know, this facility has been the number one address for police and fire calls over the last several years when it was owned by Ken Ippolito. December 10th last year, it was sold and we have new owners and we have much to be joyful for. The new owners have to date, evicted 29 of it's prior residents, 9 more are in process. They have had 16 leave and another 5 are packing their bags. They have cut out most of the problems with parking. I'm glad to say the City has profited about \$400 to \$500 a day because there's no parking at the facilities and they've been making sure that it has ceased. They have spent, already, \$140,000.00 on improving all of the electrical circuit boxes going into the apartments because there has been 5 electrical fires and they're going to spend \$190,000.00 on windows for the entire complex and it's got 176 units. On June 21st, which is a Tuesday, Vassar Park Neighborhood Association is going to hold a meeting in which the owners will be present. They will discuss all of the improvements that they've made and improvements that they anticipate going forward. We've already had a meeting with Mayor Bernabei and the owners on May 4th and it went very well. I'm inviting the Mayor, the staff, and all of the City Council people that can be there, to be there June 21st. Our meeting starts at 6:30 to 8:00 so that you can ask questions and make suggestions as to how the city can work with this facility to improve it. With that, I thank you all and in my absence, I applaud all of the great work that all of you have done in improving the City. Thank you for your efforts.

PRESIDENT SCHULMAN: Thank you Bruce, very much. Thank you for your efforts. *(Applause)*. Our next speaker is James parker. Mr. Parker, as always, welcome to Canton City Council. If you would give us your name and your residential address.

JAMES PARKER: Thank you, President Allen Schulman. James Parker, 630 Penny St. SE, city of North Canton. Before I speak on anything I wish to speak upon concerning our City Business, I think it only appropriate that during our prayers every week, we include Allen in our prayers, that we have a moment of silence now and direct our thoughts and our healing energies to Allen and his family, for our love and support for everything he does. He donates his money back to the city that he earns as a stipend here, so the least we can do is have a moment of silence for Allen's wellness.

PRESIDENT SCHULMAN: The questions is...am I still here? *(Laughter)*.

JAMES PARKER: I knew you'd break it up quite well. We wish the best and I hope you get well soon. In approving...I believe I've given my name and address...In approving the emergency resolution for the Downtown...#1 Resolution...approving the Downtown Master Plan, please realize that when you vote yes, approving this plan, you'll be hearing from the Refuge of Hope and all these mental health people downtown because that plan calls for the removal of the Refuge of Hope and the homeless shelter downtown, which I encourage. They used to have a county farm. Whatever it is you got to do, these guys are sex offenders, a lot

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of them are criminals or displaced persons. I realize they're down and out, I realize there's been a recession and that people don't have a good break these days, a lot of them, but you've got to make your break. They get out from down there early in the morning and they each pick a corner and they panhandle without a permit and they're a nuisance to society. You take a good place like Sante Fe, New Mexico that put millions of dollars into their downtown tourist area, and these bums won't accept \$5.00 to make them go away, they wanted \$20.00. Read the online comments about downtown Sante Fe. It cites many concerns of displaced persons in this downtown plan. From their mental illnesses to their visitor perceptions. We know that they're there and we know where they're going during the day, so by approving this plan, you do consent to the approval of these measures in order not to have an open air asylum during the times these men roam downtown. So, now I'm onto the Southeast end, the Spray Park. There's been 2 letters to the Editor that this is too little, too late. The kids are lined up...I mean for two million, our Church got a (*Inaudible*) event center built on it. For half a million dollars, you got a glorified lawn sprinkler. What is going to happen? You need a plan to accommodate these children. Can they at least bring their own slip and slides, their own hoses? Accommodate them. Put up more stuff, allow the water to saturate in the ground, let the children play. They shouldn't have to stand in line on a hot summer to wait for their time in a water sprinkler. They're undervalued as persons and when you undervalue them as a child, they don't...how do you say...they resign themselves. The cloud of resignation. You can see it moving over their faces as they age and grow up. Something needs to be done. Thank you. (*Applause*).

PRESIDENT SCHULMAN: Our last speaker is Lois Jacobson. As always, welcome Ms. Jacobson. Please give us your name now and your residential address.

LOIS JACOBSON: Lois Jacobson, 2327 Applegrove St. in North Canton. I've left some information at your places also. I'm going to give another report on Dialogues on Diversity. This is a diversity training program brought to Canton through funding by Temple Israel, Arts in Stark, and Kent State Stark. Kind of diverse right there. On March 1st, they were here in Canton. They were at McKinley High School, or McKinley Downtown Campus for a performance and at Kent State Stark Campus. And then they met with Stark County leaders from all the sectors of Stark County: Arts, Business, Education, Faith, Government, Media, and Arts. We met that day to combine best practices, form new partnerships, to speak to the issues of diversity. The goal is to make Stark County a place where we're known as a place when diversity comes together to make it a better place instead of a voting trend area. At the next meeting on April 13th, again we all met, coming together to focus our progress and to move ahead. At that meeting also, it was reported that we now have a Facebook account and it is called Diversity Speaks in Stark County, which will allow us to spread this work even further. That was put together by a very young man by the name of Kelly Williams and if you do not know who he is, I hope you soon find out because he's a very dynamic young man, doing some great work in downtown Canton. On June 9th we meet again. And there I have four points that our agenda will entail at that time. Added to this is...we're going to put together strategies to not only prevent diversity incidents, but also to react to any that happen. There have been a lot of proposals made and put forward by the different sectors on how this can be accomplished throughout the county, including all outlying areas working together. Taking people out of their silos, bringing out best practices together to speak to the issue of diversity in the county. I invite all of you, if you can, to be a part of what we are doing June 9th or to send a representative. All are welcome to attend and I can also be contacted for more information about this at any time. I really appreciate the opportunity to speak to you again about this very important project that we're very, very proud of. Thank you.

PRESIDENT SCHULMAN: Thank you Lois. (*Applause*). (*Inaudible*). We do appreciate it.

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PRESIDENT SCHULMAN: Okay. We are now under Informal Resolutions and we have 3 this evening. Mister Clerk, will you begin with Informal Resolution #41, please.

#41. COUNCIL-AS-A-WHOLE: COMMENDING JOE DIRUZZA FOR HIS DEDICATED SERVICE AS FINANCE DIRECTOR FOR CITY OF CANTON. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #41.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution #41. Are there any remarks?

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: Can we have that read, please, sir.

PRESIDENT SCHULMAN: Mister Clerk, would you please read Resolution 41.

CLERK SHOWES: **An Informal Resolution Respectfully Submitted by Council-As-A-Whole on this 6th day of June, 2016. Whereas**, Joe DiRuzza was hired on March 23, 2011 as Finance Director for the City of Canton; and **Whereas**, For five years until March 11, 2016 when he decided to move onto "bigger and better" things, Joe diligently and timely prepared the yearly budget; and **Whereas**, During his tenure with the City of Canton, Joe initiated the implementation of New World, the city's financial management software system, as responsible for the city gas card program, and conducted the AT & T phone line audit which resulted in saving the city nearly \$200,000.00 a year. **Now Therefore Be It Resolved:** that we, the Members of Council of the City of Canton, Ohio, do hereby recognize and commend **Joe DiRuzza** for his hard work and dedication as Finance Director. We thank you for sharing your talents for the benefit of our City.

PRESIDENT SCHULMAN: Thank you Mister Clerk. Any other remarks? Hearing none, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #41 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Congratulations.

JOE DIRUZZA: Thank you.

PRESIDENT SCHULMAN: You're welcome. (*Applause*).

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MEMBER MARIOL: It's been a...I know I can speak for everybody...

PRESIDENT SCHULMAN...I'm sorry...If anybody wants to take photographs, you're more than welcome. *(Laughter)*. *(Inaudible)*. If you want to move up here to take a photograph. Sorry Member Mariol. There you go. This is the happiest I've seen him look in 30 years! *(Laughter)* *(Inaudible)*.

MEMBER MARIOL: I think I can speak for everybody to say that it's been an absolute honor to get to work with you. Budget Directors have an incredibly difficult task. They don't get to vote on how we spend money but you have to make it balance at the end of the year. You have guided us through recession, local government fund cuts, and every...at the end of every year, even when it looks very thin, you somehow have made it work time and time again. Not only that, but you've made budgets *(Inaudible)*, and it's been incredible enjoyable to work with you. It's been an honor to learn from you, to work with you and I know you'll do great in your endeavor right now. So, congratulations, thank you Joe.

JOE DIRUZZA: Thank you. *(Applause)*.

MEMBER MARIOL: Thank you.

JOE DIRUZZA: Um...this was certainly unexpected. I didn't prepare a big speech. I know Bill was hoping I would, but thank you guys. It was pleasure working with all of you. I've learned a lot from you and nothing gets accomplished by yourself. I mean...I got a lot of this from discussions with Council, a lot of it from my support group on the 8th floor, mainly Bill, Fonda, Andrea, the Mayor's not here, and the other people; Katie Wise, Carly Skidmore, everybody up there provides a really good support group. I'm sure Mark realizes that in the short time he's been here. Working with the elected officials, you know, it was an honor to work for the city of Canton, and again, just like I said, I...I...I, it was unexpected. I certainly feel it pales in comparison to the guys that put their lives on the line everyday and the firemen that are being awarded tonight, but that's about all I can say is thank you very much. This is certainly a good thing. *(Applause)*.

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER FISHER: I worked with Joe before. We worked together here at the County Auditor's office. I've known him for some time, so I was wondering Joe, is it okay if I still call you and argue about the budget just for fun? *(Laughter)*. Because you know, we had quite a few go-rounds. I'll provide you all the numbers and then I can tell you why the numbers I gave you were wrong! Does that work for you?

JOE DIRUZZA: That works for me.

PRESIDENT SCHULMAN: Thanks Member Fisher. Are there any other remarks? Joe, thank you again for your dedicated service. We do appreciate it.

SAFETY DIRECTOR PERRY: Mr. President.

PRESIDENT SCHULMAN: Yes.

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SAFETY DIRECTOR PERRY: One more thing before Joe sneaks out of here. Today's Joe's birthday, so happy birthday, Joe. *(Applause)*. *(Laughter)*.

PRESIDENT SCHULMAN: Anything else, Joe? *(Laughter)*. Is it your anniversary...? *(Laughter)*. Thank you again Joe, we really do appreciate it. Moving on to Informal Resolution #42.

#42. COUNCIL-AS-A-WHOLE: COMMENDING 2016 CANTON FIREFIGHTERS/PARAMEDICS OF THE YEAR, BRIAN GARBER AND DEMETRIUS BUTLER - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #42.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution #42. Are there any remarks? Hearing none, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #42 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Leader. *(Inaudible)*.

MEMBER HARMON: I'd like to have Firefighters and Paramedics Brian Garber and Demetrius Butler come please *(Inaudible)*. You mentioned difficult jobs a while ago. You two gentleman...and I'm just going to read the bottom of the proclamation, the last line...**Now, Therefore Be It Resolved:** that we, the Members of the Canton City Council, do hereby go on public record commending and honoring the **2016 Canton Firefighter/Paramedics of the Year Brian Garber and Demetrius Butler** for their dedication to duty, professionalism, and loyalty for ensuring the safety of the citizens of Canton. Thanks you! Part of your job description is making people safe and saving lives but I don't think I've ever read an account that was so glaring that your professionalism, using your training, you guys saved somebody's life. You know, that's...and on behalf of...*(Applause)*...on behalf of Canton City Council and on behalf of a very grateful community, thank you. Any remarks?

FIREFIGHTERS/PARAMEDICS: No. *(Applause)*.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: For the record, can we have that Informal Resolution read?

PRESIDENT SCHULMAN: Yes. Mister Clerk, you can read that Resolution, please.

CLERK SHOWES: An Informal Resolution Respectfully submitted by Council-As-A-Whole, on this the 6th day of June, 2016, **WHEREAS**, Brian Garber became a Firefighter/Paramedic on April 16, 2007 and Demetrius Butler became a Firefighter/Paramedic on April 8, 2014. Together on July 24, 2015, these two

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firefighters who are Medic 4 partners, were called to the scene of the Marathon/Subway store located at 2535 Fulton Road NW; and **WHEREAS**, Upon entering the building, they found two civilians on the floor performing CPR on an unconscious 40-year old male who was blue in the face and had no pulse; and **WHEREAS**, Upon their initiation of Advanced Life Support procedures, including bagging of the patient, IV access and multiple defibrillations, spontaneous circulation (ROSC) was returned to the man and a life was spared. **Now, Therefore Be It Resolved:** that we, the Members of the Canton City Council, do hereby go on public record commending and honoring the **2016 Canton Firefighter/Paramedics of the Year Brian Garber and Demetrius Butler** for their dedication to duty, professionalism, and loyalty for ensuring the safety of the citizens of Canton. Thanks you! (*Applause*).

PRESIDENT SCHULMAN: Thank you very much, gentleman. We really appreciate your service. Thank you. You don't have to stick around if you don't want to. We now turn to Informal Resolution #43.

#43. PERSONNEL COMMITTEE: CONFIRMING APPT OF SEAN S. DURKIN TO SYSTEMS PLANNING BD COMMENCING 6/6/16 THRU 5/30/18. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #43.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution #43. Are there any remarks? Hearing none, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #43 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries and Informal Resolution 43 is adopted.

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JUNE 6, 2016.

218. AGENT FOR PETITIONER, SLIMAN: WITHDRAWAL OF PILOT ANNEXATION REQ FR STARK COUNTY COMMISSIONERS FILED 4/21/16. - RECEIVED & FILED

219. ANNEXATION CHAIRMAN WEST: REQ LEGISLATION AMENDING GEORGETOWN FORD CEDA AGMT WITH CANTON TWP TO INCLUDE 1400 GRACE AVE ANNEXATION. - ANNEXATION COMMITTEE

220. ANNEXATION CHAIRMAN WEST: REQ LEGISLATION AMENDING GEORGETOWN FORD CEDA AGMT WITH CANTON TWP TO INCLUDE TRUMP SCHOOL ANNEXATION. - ANNEXATION COMMITTEE

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221. ANNEXATION CHAIRMAN WEST: REQ LEGISLATION AMENDING I-77/FAIRCREST CEDA AGMT WITH CANTON TWP TO INCLUDE PILOT ANNEXATION. - ANNEXATION COMMITTEE
222. ASST LAW DIRECTOR REESE: APPROVE AMENDMENT TO 1-77 FAIRCREST CEDA TO INCLUDE LAND OWNED BY PILOT TRAVEL CENTERS. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
223. ASST LAW DIRECTOR REESE: APPROVE PUBLIC HRG DATE OF 8/9/16 AT 6:00 PM TO BE HELD AT JACKSON TOWNSHIP OFFICES TO DISCUSS JEDD CONTRACT AS REQUIRED BY ORC 715.75. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
224. ASST LAW DIRECTOR REESE: APPROVE PROPOSED AMENDMENTS TO BYLAWS OF BD OF DIRECTORS OF JACKSON/CANTON JOINT ECONOMIC DEV DISTRICT. - COMMUNITY & ECONOMIC DEVELOPMENT
225. ATTORNEY GREGORY A. BECK: REQ UTILITY EASEMENT ON BEHALF OF TOWERCO2013, LLC ACROSS PARCEL #9480001 ALONG THE WESTERN BOUNDARY OF RT 43 (MARKET AVE N) NEAR FIRST FRIENDS CHURCH. - JUDICIARY AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
226. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERTIFICATE DATED 5/31/16. - RECEIVED & FILED
227. AUDITOR MALLONN: MTHLY REPORT BY FUND FOR 5/1/16 THRU 5/31/16. - RECEIVED & FILED
228. AUDITOR MALLONN: YRLY REPORT BY FUND FOR 1/1/16 THRU 5/31/16. - RECEIVED & FILED
229. COURT ADMIN KOCHERA: REQ \$94,000.00 SUPP APPROP FR UNAPPROP BAL OF #2423-701001 COURT CAPITAL/SPECIAL PROJECTS FUND TO OTHER #2423-701001 COURT CAPITAL/SPECIAL PROJECTS FUND FOR CONTINUED COURT OPERATION. - FINANCE COMMITTEE
230. COURT ADMIN KOCHERA: REQ \$29,607.53 APPROP TRF FR PERSONNEL #2797-701001 SPECIALIZED DOCKET GRANT FUND TO OTHER #2797-701001 SPECIALIZED DOCKET GRANT FUND FOR CONTINUED COURT OPERATION. - FINANCE COMMITTEE
231. LIQUOR CONTROL DIVISION (OHIO): REQ TRANSFER OF D5 LIQ PERMIT FR MARK & FRANCES MILLS DBA FRIENDLY KORNER TAVERN, 1503 HARRISON AVE SW, 1ST FL, TO ACM SERENITY LLC DBA POOR HOUSE PUB, 1503 HARRISON AVE SW, 1ST FL. -

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RECEIVED & FILED

232. LIQUOR CONTROL DIVISION (OHIO): ORDER DENYING & REJECTING APPLICATION FOR NEW CLASS C-1 LIQ PERMIT FILED BY SHA B, INC. DBA B&B DRIVE THRU #3, 1225 RAFF RD SW. - RECEIVED & FILED
233. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C1, C2 LIQ PERMIT FOR J LALLY, INC., 3235 MAHONING RD NE. - RECEIVED & FILED
234. MAYOR BERNABEI: REQ AUTHORIZATION OF APPT OF ANGENITA DANIELS TO FAIR HOUSING COMMISSION FOR 5-YR TERM COMMENCING IMMEDIATELY THRU 5/31/21. - PERSONNEL COMMITTEE
235. MAYOR BERNABEI: DESIGNATION OF COMPREHENSIVE PLAN STEERING COMMITTEE. - RECEIVED & FILED
236. SAFETY DIRECTOR PERRY: REQ \$11,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJ FUND TO 4501 103501 CENTRAL COMMUNICATION - OTHER FOR REPAIR AND MAINTENANCE OF PORTABLE RADIOS FOR POLICE DEPT. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
237. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO NEGOTIATE AND ENTER INTO EASEMENT AGMTS WITH TIME WARNER CABLE, WINDSTREAM KDL, ZAYO BANDWIDTH, AND ALL COMMUNICATION AND/OR UTILITY PROVIDERS FOR PLACEMENT OF COMMUNICATION AND/OR UTILITY LINES ON, OVER AND/OR UNDER CITY OF CANTON PROPERTY LOCATED IN OR AROUND STADIUM PARK; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
238. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO AMEND PREVIOUS AND/OR ENTER INTO NEW AGMTS WITH AND SECURE RIGHT-OF-WAY FR AKRON METRO RELATED TO ENCROACHMENTS ONTO AKRON METRO PROPERTY BY WEST BRANCH TRAIL AND UPCOMING 12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJ, GP 1160; AUTHORIZE AUDITOR TO PAY \$2,918.76 MORAL OB TO AKRON METRO; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
239. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT MODIFICATION WITH GPD GROUP FOR MAHONING RD NE CORRIDOR PROJ, PHASE 2 (MIDDLEBRANCH TO GRACE), GP 1103, PIDs 90365 (ROADWAY) AND 91594 (UTILITIES), ENGINEERING DESIGN CONTRACT; REQ \$82,000.00 SUPP TRF FR 4501 202042 FULTON RD RESURFACING PROJ, GP 1184 TO 4501 202079 MAHONING RD NE CORRIDOR PROJ, GP 1103 - OTHER, AND \$57,845.00 SUPP TRF FR 4501 202001 ENGINEERING ADMIN

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TO 4501 202079 MAHONING RD NE CORRIDOR PROJ, GP 1103 - OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES

240. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR OVERBROOK AVE NW STORM SEWER REHAB PROJ, GP 1217; AUTHORIZE CITY TO ENTER INTO AGMTS FOR AND RECEIVE GRANT FUNDS IN AMT OF \$94,818.00 AND LOAN FUNDS IN AMT OF \$98,689.00 FR OH PUBLIC WORKS COMMISSION FOR THIS PROJ; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE 4580 OVERBROOK AVE NW STORM SEWER REHAB PROJ, GP 1217, FUND FOR PURPOSES OF TRACKING PROJ REVENUES AND EXPENDITURES; REQ \$193,507.00 SUPP APPROP FR UNAPPROP BAL OF 4580 OVERBROOK AVE NW STORM SEWER REHAB PROJ, GP 1217, FUND TO 4580 202046 OVERBROOK AVE NW STORM SEWER REHAB PROJ, GP 1217 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
241. SERVICE DIRECTOR BARTOS: REPORT INFORMING COUNCIL THAT CITY WILL NOT BE ENTERING INTO PROJ LABOR AGMT (PLA) FOR OVERBROOK AVE NW STORM SEWER REHAB PROJ, GP 1217. - RECEIVED & FILED
242. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCHASE OF (1) GMC SAVANA CARGO VAN; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR THESE PURCHASES IN ACCORDANCE WITH SEC 125.04 OF OH REVISED CODE (STATE COOP PURCHASING THRU DEPT OF ADMIN SRVS) OR SEC 5513.01 OF OH REVISED CODE (ODOT COOP PURCHASING) WHICH EXEMPTS SAID PURCHASES FR COMPETITIVE BIDDING REQUIREMENTS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We are now under Ordinances and Formal Resolutions for their First Reading. Mister Clerk will you please begin with Ordinance #1.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCES #1 THROUGH #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST 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 (MARATHON PETROLEUM, WARD 5)
Referred to Judiciary Committee

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- #2. (1ST RDG) AN ORDINANCE PROVIDING FOR THE RE-ISSUANCE OF A NOTE BY THE CITY OF CANTON IN ANTICIPATION OF THE COLLECTION AND PAYMENT OF CITY INCOME TAXES, GENERAL PROPERTY TAXES, AND MISCELLANEOUS OTHER SOURCES TO THE CITY OF CANTON; DECLARING THE NECESSITY OF THE RE-ISSUANCE OF SAID NOTE PROCEEDS OF WHICH WILL BE USED TO PAY OFF EXISTING NOTE IN SAME PRINCIPAL AMOUNT; PROVIDING FOR RE-AUTHORIZATION, AMENDMENT AND SUPPLEMENTAL APPROPRIATION OF ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,000,000 ANTICIPATORY NOTE)
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE ADOPTION OF THE 2013 DOWNTOWN MASTER PLAN FOR THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Downtown Development Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE APPROPRIATE OFFICIAL(S): TO PURCHASE AND/OR LEASE VARIOUS TITLED VEHICLES; TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THOSE PURCHASES DESCRIBED IN EXHIBIT A THAT EXCEED ANY APPLICABLE DOLLAR AMOUNT THRESHOLDS(S); AND TO ALTERNATIVELY ENTER INTO CONTRACT FOR THE PURCHASES PURSUANT TO STATE COOPERATIVE PURCHASING AGREEMENTS; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH THE CITY OF LOUISVILLE, OHIO FOR THE PURCHASE OF ONE USED LADDER TRUCK IN AN AMOUNT NOT TO EXCEED \$130,000.00 IN ACCORDANCE WITH SECTION 735.053 OF THE OHIO REVISED CODE; AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$314,427.48 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJ FUND TO 4501 102001 POLICE ADMIN - OTHER FOR \$87,000.00, TO 4501 103001 FIRE ADMIN - OTHER FOR \$56,318.48, TO 4501 202210 STREET MAINTENANCE - OTHER FOR \$46,000.00, TO 4501 204010 OTHER BUILDINGS - OTHER FOR \$29,000.00, TO 4501 301001 HEALTH ADMIN - OTHER FOR \$37,800.00, AND TO 4501 701001 JUDGES ADMIN - OTHER FOR \$58,309.00; \$126,181.52 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 103001 FIRE ADMIN - OTHER)
Referred to Public Property Capital Improvement and Finance Committees
- #5 (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$580,314.15 SUPP APPROP FR UNAPPROP BAL OF 2113 MUNICIPAL ROAD FUND TO 2113 MUNICIPAL ROAD FUND - OTHER)
Referred to Finance Committee

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- #6 (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT FOR THE PURCHASE OF REAL PROPERTY FROM STARK READY MIX & SUPPLY IN AN AMOUNT NOT TO EXCEED \$182,500.00; AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$182,500.00 APPROP TRF FR 4501 202042 FULTON ROAD RESURFACING PROJ, GP1184 - OTHER TO 4501 202045 PIONEER TRAIL PROJ, GP1204 - OTHER)
Referred to Public Property Capital Improvement & Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We are now under Ordinances and Formal Resolutions for their Second Reading. Mister Clerk would you please begin with #7.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCES #7 THROUGH #15 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#13, O#14, AND #015 ADOPTED ON 2ND RDG):

- #7. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 127 OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (COLLECTION OF UNPAID DEBTS)
- #8. (2ND RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE H.O.F. VILLAGE #1 ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
- #9. (2ND RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE FACTORY OF TERROR ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
- #10. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICES TO AMEND THE GRANT AGREEMENT BETWEEN THE OHIO DEVELOPMENT SERVICES AGENCY AND CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (PHASE II ENVIRONMENTAL ASSESSMENT @ "BROWNFIELD SITE", 2408 13TH ST NE)
- #11. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF LOTS 13337 AND 13338; AND DECLARING THE SAME TO BE AN EMERGENCY (1500 BLOCK OF ALDEN SW, HABITAT FOR HUMANITY, WARD 5)

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- #12. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS 7641 AND 7642; AND DECLARING THE SAME TO BE AN EMERGENCY (600 BLOCK OF MARION SW, HABITAT FOR HUMANITY, WARD 4)
- #13. (2ND RDG) **ADOPTED AS ORDINANCE NO. 97/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #1 WITH MICHAEL BAKER JR., INC. IN AN AMOUNT NOT TO EXCEED \$149,745.84 FOR THE MAHONING ROAD NE CORRIDOR PROJECT, PHASE 1, PID 90361, GP 1103, CONSTRUCTION ENGINEERING SERVICES, CONTRACT NO. 2014-68; AND DECLARING THE SAME TO BE AN EMERGENCY
- #14. (2ND RDG) **ADOPTED AS ORDINANCE NO. 98/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH BRICKER & ECKLER LLP FOR LEGAL SERVICES RELATED TO THE WATER RECLAMATION FACILITY CONSTRUCTION PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$75,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206005 OPERATIONS AND MAINTENANCE - OTHER)
- #15. (2ND RDG) **ADOPTED AS ORDINANCE NO. 99/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE 30TH STREET NW RESURFACING PROJECT, G.P. 1238; AUTHORIZE THE CITY TO ENTER INTO AGREEMENT(S) FOR AND RECEIVE GRANT FUNDS IN THE AMOUNT OF \$735,000.00 AND A LOAN IN THE AMOUNT OF \$765,000.00 FROM THE OHIO PUBLIC WORKS COMMISSION; AUTHORIZE THE AUDITOR TO ESTABLISH AND CREATE THE 4579 30TH STREET NW RESURFACING PROJECT G.P. 1238 FUND; AMENDING APPROPRIATION ORDINANCE 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader is there motion to Suspend the Statutory for Ordinances 13, 14, and 15, please?

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules for Ordinances #13, #14, and #15.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rule for Ordinance #13, #14, and #15. Are there any remarks? If not, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

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PRESIDENT SCHULMAN: Motion carries and the Statutory Rules are suspended for Ordinance 13, 14 and 15. Turning now to Ordinance 13, Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #13. Are there any remarks? Hearing none, Mister Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas Sir.

#13 ADOPTED AS ORDINANCE NO. 97/2016

PRESIDENT SCHULMAN: Motion carries, Leader you've heard the 3 readings.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: (*Inaudible*). It's been moved and seconded that you adopt Ordinance #14. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas Sir.

#14 ADOPTED AS ORDINANCE NO. 98/2016

PRESIDENT SCHULMAN: Thank you Mister Clerk, Motion carries and Ordinance 14 is adopted. Ordinance 15, please.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #15. Are there any remarks under this? Hearing none, Mister Clerk, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas Sir.

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PRESIDENT SCHULMAN: Thank you very much. The Ordinance passes.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Now we're under Ordinances and Formal Resolutions for the Third and Final Reading. Would you please begin with Ordinance #16, please.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ THE FOLLOWING ORDINANCES #16 THROUGH #18 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 100/2016** AN ORDINANCE ESTABLISHING THE FAIR REUSE VALUE OF ONE PARCEL OF CITY OWNED PROPERTY; AUTHORIZING THE SALE AND CONVEYANCE OF SAID PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #02-39460, 2ND ST SW, TO LOCKSHIN ENTERPRISES)

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#16 ADOPTED AS ORDINANCE NO. 100/2016

PRESIDENT SCHULMAN: Ordinance #16 has been adopted. Ordinance #17, please.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 101/2016** AN ORDINANCE AMENDING SECTION 303.07, ADMINISTRATIVE AND STORAGE FEES FOR IMPOUNDED VEHICLES, OF THE CODIFIED ORDINANCES (RAISE FEE FR \$30.00 TO \$50.00 PER VEHICLE; INCLUDE \$50.00 FEE IN AUCTION PURCH PRICE)

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #17. Are there any remarks? Hearing none, roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#17 ADOPTED AS ORDINANCE NO. 101/2016

PRESIDENT SCHULMAN: Motion carries. Ordinance #17 is adopted. Ordinance #18, please.

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 102/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A STATE COOPERATIVE PURCHASING/PROFESSIONAL SERVICES CONTRACT WITH FEDERAL SIGNAL FOR THE PURCHASE AND INSTALLATION OF ONE (1) WARNING SIREN; AND DECLARING THE SAME TO BE AN EMERGENCY (WRF)

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #18. Are there any remarks? Hearing none, (*Inaudible*) roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#18 ADOPTED AS ORDINANCE NO. 102/2016

PRESIDENT SCHULMAN: Thank you. Ordinance #18 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We are now under Announcements of Committee Meetings.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Leader Mariol.

MEMBER MARIOL: Finance will be meeting June 20th at 6:30.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER DOUGHERTY: Public Property Capital Improvement will meet at the same night, same time.

PRESIDENT SCHULMAN: Thank you, Leader Dougherty.

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MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: The Downtown Committee will meet same time, same place.

PRESIDENT SCHULMAN: Any other announcements?

MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Mack.

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

PRESIDENT SCHULMAN: Any other announcements?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We now turn to Miscellaneous Business. Is there any?

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER SMITH: I'd like to thank the following persons and assistants for their support of the Wayne Douglas Jamerson Spray Park. First of all, I'd like to thank the Healy Administration (*Inaudible*) Fonda Williams and Corey Minor Smith, Stephen Slesnick for all of the punch and the water, Bill Smuckler for those delicious hot dogs, Jimmy Babcock for the buns and the snacks, Taggerts Ice Cream, Brian Horner, (*Inaudible*) of course, and his son-in-law. Shearer's Snacks and Kim Davenport and Hall of Fame Mart for the condiments, ice and the paper goods, Councilman Thomas West for his appearance, Andrea Perry, our Safety Director, Mr. Jason Reese and the Repository (*Inaudible*). And also, the kids are not standing in line to get in. In fact, they're getting in collectively and they are having a great time. I'd like to thank all of the Council Members for your vote and thank you for building it because they are attending and having a great time. Thank you. (*Applause*).

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER WEST: I'd like to also thank Chris Smith for her endurance during that process and I'd like to concur. When I was down there that Sunday they did the opening, those kids had big smiles on their face, they enjoyed the water. It was hot. I wanted to get in the water but I had a suit on, but I've got to tell you, Chris, you did an excellent job that day as well as the whole few years that we've been waiting to get this thing developed. It's not the size. Sometimes we look at the size and everybody's talking about, "Well, it should be a big park, it should be a pool, it should be Jackson." You know, sometimes it just takes a little bit of water to have a kid smile and I really enjoyed it, seeing those children smile that day. Now, that's a start, not a finish. That park is not for the whole city, we've got to develop more, and I think that was a good start and Chris, I'm sure you're going to field on that, as well as the rest of our Council Members. I'm sure we're going to look at other (*Inaudible*) the city of Canton. (*Applause*).

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PRESIDENT SCHULMAN: Any other remarks? Leader.

MEMBER MORRIS: Motion to adjourn.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT SCHULMAN: Thank you. Meeting's adjourned everybody. Drive safely. Have a wonderful week. *(Gavel falls)*

ADJOURNMENT TIME: 8:18 P.M.

ATTEST:
KELLEN SHOWES
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT