

MINUTES OF THE MEETING AUGUST 8, 2016

PRESIDENT PRO TEM SMUCKLER: 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:

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER MACK & PRESIDENT SCHULMAN ABSENT)

CLERK SHOWES: Eleven yeas, sir, one absent. (MEMBER MACK WAS ABSENT DURING ROLL CALL BUT LATER APPEARED FOR COUNCIL MEETING)

EXCUSING MEMBERS

PRESIDENT PRO TEM SMUCKLER: Member Morris, I will recognize a motion to excuse President Schulman and Councilman Mack from tonight's meeting.

MEMBER MORRIS: Mr. President, I move we excuse President Schulman from this evening's meeting, and Member Mack is in the lobby. (*Laughter*).

PRESIDENT PRO TEM SMUCKLER: Well, since Elvis is almost in the building...it's been moved and seconded, and we'll come back when Member Mack enters the Council Chambers here, to excuse...never mind. Would you amend that very quickly.

MEMBER MORRIS: No pressure. (*Inaudible, Laughter*).

PRESIDENT PRO TEM SMUCKLER: Did you just excuse Member Schulman?

MEMBER MORRIS: Mr. President, I move we excuse President Schulman from this evening's meeting because Member Mack just wondered in.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to excuse President Schulman. Are there any remarks? If not, roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT PRO TEM SMUCKLER: President Schulman is excused from tonight's meeting. Before I give the invocation and a few brief remarks, I know Councilman Mack wanted to make a few remarks that I think would be appropriate at this time.

MEMBER MACK: Thank you, Member Smuckler. I do have the invocation tonight and I will (*Inaudible*). We've lost a significant member of our community, a very vocal, important member that joined us every Monday night, and uh, it's a real sad day for the city of Canton. Member Smuckler, I'll defer to you.

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PRESIDENT PRO TEM SMUCKLER: Most of us in this room are born and bred in Canton, Ohio. Others have joined us along the way and are adopted sons. Today, I got a...one of the worst phone calls I ever got. Lee Cote, used to sit in the back of the room, passed away suddenly. Over the last couple of years, Lee and I not only went to dinner, dare it, walked the track in the back of Martindale and on the way to Spangler, Stadium Park. And sometimes it takes people who are adopted sons of this community to help make you put everything in perspective...what's important, what's not so important, what's good about this community and sometimes, what's not so good about this community. Lee Cote was that special person. If I could ask you all to please rise and we could do the Pledge of Allegiance tonight, I'd like to lead you in a very short prayer this evening.

The regular meeting of Canton City Council was held on August 8, 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 At-Large Council Member, William Smuckler. The Pledge of Allegiance was led by President Pro Tem Smuckler.

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM SMUCKLER: We have no Public Hearings tonight and no Old Business tonight. Agenda Corrections and Changes....We're now under Agenda Corrections and Changes. Member Morris.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #8 through #11.

MEMBER SMITH: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to add 8 through 11 to the Agenda. Is there any comments? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

ADMINISTRATIVE ASSISTANT WENSEL: Twelve yeas, Mr. President.

PRESIDENT PRO TEM SMUCKLER: 8 through 11 are now a part of your agenda.

PUBLIC SPEAKS

PRESIDENT PRO TEM SMUCKLER: You're now under Public Speaks. There are five people signed up for Public Speaks. Is Mr. Bailey in the audience? Please state your name and address, Mr. Bailey.

JONATHAN BAILEY: The name is Jonathan Bailey. I live at 830 Cherry Ave. Canton, Ohio. A couple months ago I talked to the Law Department there, in the alley over here, about the...some of the aspects of the vendors licenses. Did you get a chance to check up on that? I tried to get here early to talk to you but I was running late. They have a law where you have to have a separate vendors license for each and every person that works for you, if they're out there selling stuff too. That needs to be changed to...at least like he said, to the vehicle. If I gotta have a vendor's license for each vehicle, I guess that would be alright because if the employee walks off and it's in their name, that goes with them. That's not cool. Does the insurance walk off with them too? Because I have to buy \$200.00 worth of insurance as well, so that needs to be figured out. There's other problems with this vendors licensing law. I'll keep coming back and bringing it up. And...

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another thing about the scrap metal places, in just this year, the amount of bicycle theft. Your guys had that bicycle lending thing up here at the library and we're on our second year of that, but if I remember correctly, it's like seven or eight of them came up missing? On almost all of them here, in Canton? They had GPS trackers, so I was told. I was just wondering why the Public Department...to go get eight people arrested for stealing city property...no answer...okay, thank you very much.

PRESIDENT PRO TEM SMUCKLER: Thank you, Mr. Bailey. Engineer.

DANIEL MOEGLIN: Good evening, thank you. I'll be brief. Couple things...number one, I just wanted to publicly say how sad I am about the passing of Lee. He was a great fellow to work with. I wish we had more people in the city that only gave their time and talent and financial support for the city and the good of the community as he did. He often challenged us to do better and I think that's a great thing and I want to keep that in mind myself as I move to the future. Prayers to him and his wife and family. On a brighter note, recently we were given a batch of these things. AEP does a quarterly magazine and in this last round of "Summer 2016", the city of Canton was recognized for our efforts in LED lighting. I know Councilman Scaglione has mentioned some of those things in the past and his interest. We are doing quite a few things to improve the energy efficiency reduced maintenance costs. In the article itself, it actually talks about the energy savings of roughly \$130,000.00 per year just in energy savings alone, not to include maintenance. It is on page 18 and I left a stack of these in Council's office if anybody's interested. Third thing...some more good news...on Wednesday we are going to start the pilot project for the Meter Feeder Program. Thanks to Mike at the Treasurer's office, we're able to clarify some things, so thank you very much, Mike. The way it will be set up is, you will have not to exceed two hours. The first hour will include a .30 fee which is a once per day fee, as well as a 3.5% fee that goes with the...on the hourly rate. So, if you take...if you decide to use this program, your first hour is going to cost \$1.08, if I do my math right. You're second hour will cost another .78, bringing your total to \$1.86 for a two hour stretch. The thing that Mike helped us out is that, that fee, because it's not actually being collected by the city, can be charged to the customer. So the Pilot Project...er...Pilot Program will not cost the city a penny, which is a good thing. The customer does have the option, if they do not want to use Meter Feeder in the online Smartphone Program, they can, in turn, still continue to use the coins. So, we're really excited about this program. It offers convenience. There's a small fee associated with it. The program should last for a...the pilot...for a least thirty days up to sixty days. We'll evaluate the success after that and decide where we want to go from there. So many folks helped out with this, especially Councilman Harmon, the Treasurer's office, the Courts, and so forth...the Law Department. Thank you all, Director Perry, as well. I look forward to kicking off some new technology for the city, to make it a better place. *(Applause)*.

PRESIDENT PRO TEM SMUCKLER: That's expertise *(Laughter)*. Pete DiGiacomo.

PETE DIGIACOMO: My name is Pete DiGiacomo. I live at 600 Dent Pl. SW, Canton, Ohio. City of Canton, in working with the Canton Brewery Co., on Thursdays, for folks that don't know it, have a free concert at the...I'm going to call it the Kresge Lot. And I believe it goes from seven to ten. I went up there...my wife didn't want to go...so me, myself and I went last Thursday. There was a group called Tripper. I've heard other people, groups play up there and you couldn't understand what they were saying. The sound systems were not good. The people were not that good, the bands weren't. This group was really good. I had a great time. Like I said, me, myself and I, we all had a good time. This Thursday it's going to be a group. I don't recall the name, but they're going to play music from the 50's...er...I'm sorry, the 60's and the 70's. I realize, you know, you young bloods, you're not going to know...what the heck are they talking about. And then over

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on the other side, over there. But for some of us like Councilman Hawk, Smuckler, Councilman Dougherty, there you go...come up and have a good time. I really enjoyed...all 3 of us, we enjoyed ourselves up there. So, I just wanted to put a plug in for that there for the folks that don't know about it and hope to see you up there. Bring a lounge chair. If you want to, you can buy me a beer. Thank you. *(Laughter)*. *(Applause)*.

PRESIDENT PRO TEM SMUCKLER: He's older than the rest of us. *(Laughter)*.

MEMBER MORRIS: Oh, I can tell that! *(Laughter)*.

PRESIDENT PRO TEM SMUCKLER: Brenda Baylor.

BRENDA BAYLOR: Don't start it yet because I have some papers to pass out. You may have to share. Okay, my name is Brenda Baylor, 2722 Wood Owl St. NE. I will try to speak as quickly as possible. I'm here on clarification on the restriction. I have been at Georgeview Estates for almost 16 years. The first people in Georgeview Estates moved in, in the year 2000. The restrictions that you see in front of you had to be done way before the year 2000 because as we moved in, we were all given these restrictions. There's nothing on there that says that it has to be an Association. We moved into this area, the majority of us did, because of these restrictions. I know I did because I thought this is great, I don't have to worry about an ugly dog house or a hideous shed, okay. We did finally form an Association. As our Association grew, we decided that one of the things that we could do is monitor the restrictions. So, we have had several occasions...we had one where someone tried to rent. We did send them a letter and they took the For Rent sign down. We had another situation where we were trying to see if we could have homes, the newest of the homes built out there, built a little larger. We came to City Council. That, they said, couldn't be done. So I'm very aware that somebody here knows about these restrictions; however, we...I got a call last Sunday that someone had put up a concrete block and I don't know if I can do this with this amount of time, but I'm gonna try, but at any rate, I went to see the man that he informed me that he knew about the restrictions but that he was going to build a shed anyway. It was going to look like a red barn and he was going to put a flag on it. I then said to him, "Well, you know this is going to open up a can of worms because if you do this then other people will feel like they can do dog houses or whatever." He informed me that he didn't care. He was willing to put it in writing. I then talked to Roger Zachary...went to his house, and he said, "Maybe we should call the Zoning Commission." I did that. I talked to Darla. Darla said that it was not on record with the city. I talked to her twice and there was nothing they could do. She also alluded to the fact that this particular...may not even have a permit to put the shed up in the first place and that we would have to get a lawyer. Now, I have problems with that because number one, I can't afford a lawyer. I think as an individual resident of that area, a...I've been there sixteen years, as I've said, that I should have the right to be able to get whatever is necessary in order to stop this person from doing it. There's other people out there that are saying the same thing; however, according to her, the restrictions are only what the city has. So, where are ours? It seems to me that they should be on record so that when someone calls on zoning for Georgeview Estates, not only should they know what the city requires, but they should also know what the restrictions are for Georgeview Estates. That apparently is not happening. I did talk to Joe Martuccio and he suggested...he said that he would call Tom Burns, and that hopefully Tom Burns would call me back. I never received a call from Tom Burns. So, in essence, this last week I've been running around like a chicken trying to figure out what to do, so I am here because I am requesting that the city clarify this. We pay some of the highest taxes in the city of Canton and consequently, even if we didn't, we are residents, we are individual homeowners and we try to keep up our area. Therefore, those restrictions, whoever put them in place, I'm going to assume it was John Garaux and

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the city, we should make sure...the city should help us and make sure that those are followed because we're trying to do our part. So, I'm willing to stay up if I can get some direction, I need to know what I need to do from here.

PRESIDENT PRO TEM SMUCKLER: Brenda...

BRENDA BAYLOR: Okay...

PRESIDENT PRO TEM SMUCKLER: Mr. Martuccio, the Law Director, just informed me that you will hear from Mr. Burns this week.

BRENDA BAYLOR: Okay. Now does that mean that he is going to assist us on being able...

PRESIDENT PRO TEM SMUCKLER: That means that you will hear from him and you can speak to him after the meeting. He will get to you. They're investigating the law right now.

BRENDA BAYLOR: Okay. Thank you very much because this...this just opens up a can of worms if we let this go. Thank you.

PRESIDENT PRO TEM SMUCKLER: Thank you. (*Applause*). Lois Jacobson.

LOIS JACOBSON: Lois Jacobson, 2327 Applegrove St. in North Canton. As you know, I'm a founding member of Coming Together Stark County from 1998. Five months ago, Coming Together Stark County introduced a new initiative in this area called Dialogues on Diversity. The goal was opening dialogues about diversity between and among all community sectors: Arts, Business, Education, Faith, Government, Media, and Safety, and between all communities of Stark County. In our meetings, March 1st, April 13th, and June 9th over seventy-five county leaders have come together to meet, each bringing their own best practices to the table. Combining and sharing ideas and programs in diversity, that reach new goals to make Stark County a place where our diversities make it a better place to live. I'm here tonight to invite you and/or your representatives to our next meeting, August 24th, 2:00 p.m. at the Stark County Foundation Building. I've sent each of you an email today, giving you details about our agenda for that meeting. As I've said, this initiative is less than six months old, we are very proud and pleased with the programming that's been done so far but it's very important to have you and your input also, with what we are doing. You may also contact me through the website www.comingtogetherstarkcounty.org. Thank you very much.

PRESIDENT PRO TEM SMUCKLER: Thank you. (*Applause*). That concludes public speaks.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM SMUCKLER: We're now under Informal Resolutions on the agenda. We have two. Mr. Clerk, please read Informal Resolution, by title, #54.

#54. COUNCIL-AS-A-WHOLE: COMMENDING MINISTER JOHN B. WRIGHT, JR. FOR INSPIRING PEOPLE WITH HIS MUSICAL TALENT. - ADOPTED

MEMBER WEST: Mr. President.

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PRESIDENT PRO TEM SMUCKLER: I need a motion.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #54.

MEMBER SMITH: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Resolution #54. Councilman West.

MEMBER WEST: Mr. President can we have that read please, in it's entirety.

CLERK SHOWES: Informal Resolution Submitted by Council-As-A-Whole on this 8th day of August, 2016. **Whereas**, Hailing from Cleveland, Ohio, Minister John B. Wright, Jr. has been a resident of Canton for the past twenty years. A talented singer, songwriter, composer and musician, John discovered his love for gospel music at the age of only seven; and **Whereas**, Recognizing his immense talent, John's mother enrolled him at the Cleveland Music School Settlement, and by the age of fourteen he was singing and playing both the piano and organ in the church; and **Whereas**, Having studied the Ministry of Music and Bible Theology at Malone College, John later earned a Bachelor's Degree in Business. He is the founder and C.E.O. of the Voices of Unity Community Choir and Program Director at the Community Drop-In Center. John has an impressive background of over thirty years facilitating and teaching music arts and expression to young and old alike; and **Whereas**, Currently serving as Minister of Music at his home church, Mt. Calvary Second Missionary Baptist Church, and the Light in Christ Church, John passionately shares his love of music with many churches in Canton and in 2009 even traveled to Cuba with his inspiring message. **Now, Therefore Be It Resolved:** that we, the Members of Canton City Council, do hereby commend **MINISTER JOHN B. WRIGHT, JR.** for utilizing his musical talent to bring people of different cultures, beliefs and walks of life together to educate, embrace and celebrate diversity without division.

PRESIDENT PRO TEM SMUCKLER: Any further remarks? By voice vote, all those in favor signify by saying aye. Those opposed, no.

NO REMARKS

RESOLUTION #54 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM SMUCKLER: The ayes have it. Resolution #54 is adopted.

MEMBER WEST: Mr. President...

PRESIDENT PRO TEM SMUCKLER: Resolution...

MEMBER WEST: We're not going to present it now? Alright, Mr. Wright, if you can come up here to the podium. (*Applause*). Mr. President, as the Informal Resolution states, John is a musical genius. This guy just...he gives his talents, you know, all over the town, all over town. I don't think there's a church in town that he doesn't play at. Anytime there's a funeral, anytime there's a big community event, John is there. The Martin Luther King Commission, you guys probably heard him and his choir at the Martin Luther King Commission every year. I mean, they're there. He took...stepped in several times when George Dunwoody wasn't able to be there. So, with this plaque, we just want to present this to you and if you want to say a few words, you're welcome to.

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JOHN WRIGHT: This is wonderful! (*Laughter*).

MEMBER WEST: He sings like that too.

JOHN WRIGHT: Thank you. That's it..!

MEMBER WEST: Okay. (*Applause*). Mr. President, I've never heard him speechless.

MEMBER SMITH: Never, never.

PRESIDENT PRO TEM SMUCKLER: Wonderful to have him here tonight. Thank you for coming, sir. Resolution #55, by title only.

#55. PERSONNEL COMMITTEE: CONFIRMING APPT OF AMY SHRIVER TO STARK REGIONAL PLANNING COMMISSION FOR 3-YR TERM COMMENCING 8/8/16 TO 7/31/19. - ADOPTED

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #55.

MEMBER SMITH: Second.

PRESIDENT PRO TEM SMUCKLER: There's a motion to adopt Informal Resolution #5...55. Is there any discussion? If not, by voice vote, all those signify by saying aye. Those opposed, no.

NO REMARKS

RESOLUTION #55 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM SMUCKLER: The ayes have it.

COMMUNICATIONS

PRESIDENT PRO TEM SMUCKLER: We are 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 AUGUST 8, 2016.

286. AGENT FOR PETITIONER, SLIMAN: ANNEX PETITION DOCUMENTS FILED WITH STARK COUNTY COMMISSIONERS ON 7/27/16 IN THE 1400 GRACE AVE ANNEX. - RECEIVED & FILED

287. AGENT FOR PETITIONER, SLIMAN: ANNEX PETITION DOCUMENTS FILED WITH STARK COUNTY COMMISSIONERS ON 8/3/16 IN THE TRUMP SCHOOL ANNEX. - RECEIVED & FILED

288. ANNEXATION CHAIRMAN WEST: REQ LEGISLATION FOR STATEMENT OF SRVS FOR BARICH-MARKET AVE N ANNEX CONSISTING OF APPROX 0.703 ACRES IN PLAIN TWP. - ANNEXATION COMMITTEE

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289. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERTIFICATE DATED 7/29/16. - RECEIVED & FILED
290. DEPUTY MAYOR WILLIAMS: REQ CREATION OF POSITION OF DIRECTOR OF PLANNING AS CABINET-LEVEL POSITION IN MAYOR'S OFFICE. - PERSONNEL COMMITTEE
291. FINANCE DIRECTOR CROUSE: AUTHORIZE AND DIRECT AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$148,215.00 TO BROWNFIELD RESTORATION GROUP FOR PHASE 2 ENVIRONMENTAL ASSESSMENT WORK PERFORMED AT FORMER WEBER DENTAL FACILITY, 2206 13TH ST NE; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
292. FINANCE DIRECTOR CROUSE: REQ \$2,000,000.00 SUPP APPROP FR UNAPPROP BAL 1155 NIP ACQ DEMO DEBT FUND TO 1155 506001 NIP ACQ DEMO DEBT FUND - OTHER FOR PARTICIPATION IN OH HOUSING FINANCE AGENCY'S NEIGHBORHOOD INITIATIVE PROGRAM (NIP2) DEMO PROGRAM. - FINANCE COMMITTEE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
293. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C1, C2 LIQ PERMIT FOR KARUM GAS LLC, DBA BP GAS STATION, 1200 N MARKET AVE. - RECEIVED & FILED
294. LIQUOR CONTROL DIVISION (OHIO): REQ NEW C1, C2 LIQ PERMIT FOR EAST SIDE POP & DRIVE THRU, INC., GROUND & 1ST FL & DRIVE THRU, 2401 E TUSC ST. - RECEIVED & FILED
295. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROF SRVS CONTRACT WITH BENNETT AND WILLIAMS ENVIRONMENTAL CONSULTANTS, INC FOR DESIGN AND CONSTRUCTION OVERSIGHT FOR INSTALLATION OF GROUNDWATER MONITORING WELLS; REQ \$54,00000 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207010 WATER PUMPING AND FILTRATION - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
296. SERVICE DIRECTOR BARTOS: AMEND CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL BY REMOVING DOWNTOWN SERVICE SPECIALIST CLASSIFICATION FR SERV DIR'S DIVISION OF PUBLIC WORKS (STREET DEPT). - PERSONNEL COMMITTEE
297. SERVICE DIRECTOR BARTOS: AUTHORIZE CLERK OF COUNCIL TO CERTIFY ATTACHED LIST OF DELINQUENT CHARGES FOR WATER AND SEWER SRVS TO STARK COUNTY AUDITOR, TO BE ENTERED UPON TAX DUPLICATE AS LIEN UPON SUCH LAND FR DATE OF ENTRY TO BE COLLECTED AS OTHER TAXES AND ASSESSMENTS. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE

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PRESIDENT PRO TEM SMUCKLER: First Reading of Ordinances. Clerk of Council, would you please read beginning with Ordinance #1.

NOTE: PRESIDENT PRO TEM SMUCKLER CALLED UPON CLERK SHOWES TO READ ORDINANCES #1 THROUGH #7 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF MENTAL HEALTH & ADDICTION SERVICES FOR THE RECEIPT OF THE FY 2017 SPECIALIZED DOCKET SUBSIDY GRANT IN THE AMOUNT OF \$42,700.70; AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$42,700.70 SUPP APPROP FR UNAPPROP BAL OF 2797 SPECIALIZED DOCKET GRANT FUND TO 2797 701001 SPECIALIZED DOCKET GRANT - PERSONNEL)
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND THE DIRECTOR OF PARKS AND RECREATION TO INITIATE A PUBLIC BID FOR THE LEASE OF 1,872 SQUARE FEET OF SPACE IN THE EDWARD "PEEL" COLEMAN COMMUNITY CENTER; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Parks & Recreation Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ACCEPT A REIMBURSEMENT GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY IN AN AMOUNT NOT TO EXCEED \$2,750.00; AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,750.00 SUPP APPROP FR UNAPPROP BAL OF 2812 EMS TRAINING & EQUIP GRANT FUND TO 2812 103001.734.17 FIRE DEPT - SUPPLIES EQUIP - OTHER)
Referred to Finance Committee
- #4. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$200,000.00 SUPP APPROP FR UNAPPROP BAL OF 2773 2015 COPS HIRING GRANT FUND TO 2773 102001 POLICE DEPT - OTHER)
Referred to Finance Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) EXTENDED BED PICKUP TRUCK; OR TO ALTERNATIVELY PURCHASE SAID VEHICLE PURSUANT TO ANY

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COOPERATIVE PURCHASING AGREEMENTS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (SANITATION DEPT)

Referred to Public Property Capital Improvement Committee

- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO TRANSFER USE OF UNIT #5507, A USED PICKUP TRUCK NO LONGER NEEDED BY THE SANITATION DEPARTMENT, TO THE CANTON CITY HEALTH DEPARTMENT; AUTHORIZING REIMBURSEMENT FOR SAID VEHICLE IN AN AMOUNT NOT TO EXCEED \$20,062.87; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

(COUNCIL RECESSED AT 8:01 FOR THE FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES TO DISCUSS O#7; RECONVENED AT 8:06)

- #7. (1ST RDG) **ADOPTED AS ORDINANCE 133/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$144,400.00 SUPP APPROP FR UNAPPROP BAL OF 5701 BUILDING CODE FUND TO 5701 101501 CODE ENFORCEMENT - PERSONNEL FOR \$93,900.00, 5701 307001 ENVIRONMENTAL HEALTH - PERSONNEL FOR \$20,000.00 & 5701 101501 CODE ENFORCEMENT - OTHER FOR \$30,500.00; \$10,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 501101 HUMAN RESOURCES - OTHER; \$163,000.00 APPROP TRF FR 1001 101501 CODE ENFORCEMENT - OTHER FOR \$150,000.00 & 1001 201201 PURCHASING ADMIN - PERSONNEL FOR \$13,000.00 TO 1001 102001 POLICE DEPT - OTHER FOR \$25,000.00, 1001 753020 LAW - NON-OPERATIONAL - OTHER FOR \$125,000.00 & 1001 201201 PURCHASING ADMIN - OTHER FOR \$13,000.00)

Referred to Finance and Public Property Capital Improvement Committees

PRESIDENT PRO TEM SMUCKLER: That competes First Readings. At this point in time, we need to go into a brief recess so that we can have a Committee Meeting for Ordinance #7, with the Finance and Public Property Capital Improvement Committees.

(RECESS)

PRESIDENT PRO TEM SMUCKLER: Mr. Majority Leader, we're back in session.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinance #7 back on this evening's agenda.

MEMBER SMITH. Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to suspend Rule 22A and add Ordinance #7 back to the agenda. Is there any discussion? Roll call.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT PRO TEM SMUCKLER: Mr. Majority Leader.

MEMBER MORRIS: Mr. President, I move we suspend Statutory Rules on Ordinance #7.

MEMBER SMITH: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to suspend the Statutory Rules for Ordinance #7. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT PRO TEM SMUCKLER: You've heard the three readings, Member Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #7.

MEMBER SMITH: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded that we adopt Ordinance #7. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#7 ADOPTED AS ORDINANCE NO. 133/2016

PRESIDENT PRO TEM SMUCKLER: Ordinance #7 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM SMUCKLER: Second Reading of Ordinances, by title only. Mr. Clerk, will you please begin reading.

NOTE: PRESIDENT PRO TEM SMUCKLER CALLED UPON CLERK SHOWES TO READ ORDINANCES #8 THROUGH #11 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (ORDINANCES #10 AND #11 PASSED ON 2ND READING)

#8. (2ND RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR THE BARGAINING UNIT

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PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 10WT - SERVICE DIRECTOR'S PUBLIC WORKS - WATER, CONSTR, REPAIR, MAINT, SUPPLY & TREATMENT DIVISION; ALLOW UP TO FOUR (4) TOTAL EMPLOYEES IN ANY COMBINATION - ENG. TECH 4, ENG. TECH 1, ENG. AIDE 3; REMOVE CLASSIFICATION OF DRAFTSPERSON)

- #9. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$17,200,000.00 SUPP APPROP FR UNAPPROP BAL OF 7502 PAYROLL CLEARING FUND TO 7502 801001 PAYROLL CLEARING FUND - OTHER)
- #10. (2ND RDG) **ADOPTED AS ORDINANCE NO. 134/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$900,000.00 SUPP APPROP FR UNAPPROP BAL OF 1152 NIP ACQUISITION DEMO DEBT FUND TO 1152 506001 - OTHER)
- #11. (2ND RDG) **ADOPTED AS ORDINANCE NO. 135/2016** AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE OR DIRECTOR OF PARKS AND RECREATION TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE JOHN BARKER SPRING HOUSE-REDEVELOPMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM SMUCKLER: Mr. Majority Leader, could we please suspend the Rules for 3 readings on 10 and 11?

MEMBER MORRIS: Mr. President, I move we suspend Statutory Rules for Ordinance #10 and the #11th...and 11.

MEMBER SMITH: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to suspense with the 3 readings of Ordinance #10 and 11. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT PRO TEM SMUCKLER: You've heard the three readings, Member Morris, for Ordinance #10.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #10.

MEMBER SMITH: Second.

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PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #10. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#10 ADOPTED AS ORDINANCE NO. 134/2016

PRESIDENT PRO TEM SMUCKLER: Ordinance #10 is adopted. Ordinance #11. You've heard the 3 readings, Member Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #11.

MEMBER SMITH: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded for Ordinance #11. Is there any discussion? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#11 ADOPTED AS ORDINANCE NO. 135/2016

PRESIDENT PRO TEM SMUCKLER: Ordinance 11 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM SMUCKLER: We're now under Third Reading of Ordinances. Mister Clerk.

NOTE: PRESIDENT PRO TEM SMUCKLER CALLED UPON CLERK SHOWES TO READ THE FOLLOWING ORDINANCES #12 THROUGH #18 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (O#12 ADOPTED AS AMENDED; O#18 POSTPONED UNTIL AUGUST 22, 2016)

#12. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 136/2016** AN ORDINANCE AMENDING PART THREE, TRAFFIC CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON BY THE AMENDMENT OF CHAPTER 361, PARKING INFRACTIONS

PRESIDENT PRO TEM SMUCKLER: Member Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #12.

MEMBER SMITH: Second.

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PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded that we adopt Ordinance #12. Is there any discussion?

MEMBER MORRIS: Mr. President. I move we amend Ordinance #12 per a copy all Council Members have in front of them.

MEMBER SMITH: Second.

PRESIDENT PRO TEM MORRIS: You all have an amendment before you, we are now voting on the amendment. Any discussion? All those in favor signify by saying aye. All those opposed.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: Ayes have it. The Ordinance #12, as amended. Member Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #12, as amended.

MEMBER SMITH: Second.

Amendment

Pursuant to Rule 36, I move to amend Section 1 of Agenda Item No. 12 with the following changes:

361.03(c) on page 2 shall read as follows:

(c) The fines, penalties, fees and costs established for a parking infraction shall be collected, retained and disbursed at the direction of the Violations Clerk if the parking infraction out of which the fines, penalties, fees and costs arose occurred within the jurisdiction of the Parking Violations Bureau. The Violations Clerk shall provide tickets, similar or identical to the Ohio Uniform Traffic Ticket described in Traffic Rule 3(A) and (B), for parking infractions to law or parking enforcement officers as needed in the Police Department or Engineering Department upon requisition by the Chief of Police or the City Engineer. Any person requisitioning tickets shall account to the violations Clerk for all tickets requisitioned at such times as the Violations Clerk shall request. The fines, penalties, fees and costs collected by the Violations Clerk for a parking infraction shall be disbursed by the Violations Clerk to the city.

361.05(b)(1) (on page 3)

The first sentence is amended to pluralize "license plate numbers"...The second sentence shall read "The officers shall personally or digitally sign the ticket and affirm the facts it contains..." The remainder is unchanged.

361.05(a)(3) (on page 4)

Insert the words "or parking" between "law" and "enforcement"

(b)(1) Insert "he or she" where "he" appears, and "his or her". Delete the word "admitted." Add the phrase "as instructed" to the end of the sentence.

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(b)(2) Eliminate the capital letter "A".

361.06 (b)(1) (on page 6)

Insert "an actual or digital copy"...

(c) (2) Eliminate the first comma.

361.07 (a) (2) (on page 7)

Insert the words "or parking" between "law" and "enforcement".

(a) (3) Begin the paragraph with "The city shall actually or digitally submit..."

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #12 as amended. Any discussion? Um...I'd just like to mention one thing. I've sat here a good number of years and we've talked and talked and talked ad nauseam about parking tickets. And I remember when a young Clerk of Courts, Tom Harmon, came to Council and talked to us about this many years ago. We all have a role here to play and Tom, thank you for helping us finally dispense with this issue and get it through by being a Member of this Council. Mr. Law Director.

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. I'd like to follow up on that and profusely thank Chairperson, Mr. Harmon, for bringing together his knowledge, his fresh eyes, and a number of people including the Clerk of Courts, the Courts, the Police Department, the Safety Director, the Parking Enforcement Officers, the Engineer. Everybody who should have been at the table, he brought to the table to make it the most cohesive and accurate ordinance that it can be, under Ohio State law. As he said, it will make things very much fairer, in terms of citations and payments of citations. So, thank you.

PRESIDENT PRO TEM SMUCKLER: Any further discussion? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#12 ADOPTED AS AMENDED AS ORDINANCE NO. 136/2016

PRESIDENT SCHULMAN: Ordinance #12 is adopted. Ordinance #13.

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 137/2016** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE TAMSAL-FULTON BLAKE ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USED UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM SMUCKLER: Member Morris.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#13 ADOPTED AS ORDINANCE NO. 137/2016

PRESIDENT PRO TEM SMUCKLER: Ordinance #13 is adopted. Ordinance #14, Mr. Clerk.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 138/2016** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION & CORRECTION FOR RECEIPT OF THE FY 2017 COMMUNITY CORRECTIONS ACT GRANT IN AN AMOUNT NOT TO EXCEED \$170,601.00; AND DECLARING THE SAME TO BE AN EMERGENCY

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

MEMBER SMITH: 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 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#14 ADOPTED AS ORDINANCE NO. 138/2016

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

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 139/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$11,525.00 APPROP TRF FR 2767 701001 JAIL DIVERSION/MISDEMEANANT GRANT FUND - PERSONNEL TO 2767 701001 JAIL DIVERSION/MISDEMEANANT GRANT FUND - OTHER)

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

MEMBER SMITH: 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 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

MINUTES OF THE MEETING AUGUST 8, 2016**#15 ADOPTED AS ORDINANCE NO. 139/2016**

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

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 140/2016** AN ORDINANCE ADOPTING THE CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2017; AND DECLARING THE SAME TO BE AN EMERGENCY

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

MEMBER SMITH: 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 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#16 ADOPTED AS ORDINANCE NO. 140/2016

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

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 141/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 2412 CANTON DRUG FREE FUND TO 2412 102090 DRUG FREE FUND - OTHER)

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

MEMBER SMITH: 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 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#17 ADOPTED AS ORDINANCE NO. 141/2016

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

#18. (3RD RDG) **POSTPONED UNTIL AUGUST 22, 2016** AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF THE CODIFIED ORDINANCES OF THE CITY BY THE ADOPTION OF A NEW CHAPTER 1158, HALL OF FAME VILLAGE DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY

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

MEMBER SMITH: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #18. Is there any discussion? Roll call. (*Inaudible*). Mr. Majority Leader, I'm being told up here that we haven't had time for the Public Hearing, that we're going to have to postpone this for two weeks.

MEMBER MORRIS: Okay.

PRESIDENT PRO TEM SMUCKLER: I need a motion to postpone.

MEMBER MORRIS: I will move to postpone Ordinance #18 until...somebody want to throw a date at me?

PRESIDENT PRO TEM SMUCKLER: August 22, 2016.

MEMBER MORRIS: August 27th...er... 22nd, I'm sorry. Thank you.

PRESIDENT PRO TEM SMUCKLER: I need a second.

MEMBER SMITH: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to postpone Ordinance 18 to August 22, 2016. Any discussion? Roll call.

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY ROLL CALL

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT PRO TEM SMUCKLER: Ordinance has been postponed until August 22nd.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER MARIOL: Mr. President...Mr. President.

PRESIDENT PRO TEM SMUCKLER: Member Mariol.

MEMBER MARIOL: Before I call Finance Committee, I believe we have a couple presentations at the next Council Meeting. Is that correct, two of them? Okay. I will call Finance Committee for August 22 at 6:00 p.m.

PRESIDENT PRO TEM SMUCKLER; Anyone else?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT PRO TEM SMUCKLER: Member Dougherty.

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MEMBER DOUGHERTY: Public Property Capital Improvement Committee will also meet that day at 6:00 p.m.

PRESIDENT PRO TEM SMUCKLER: Okay, anyone else? Alright. Parks & Rec.

MEMBER MORRIS: Parks and Rec, the same time, same place.

PRESIDENT PRO TEM SMUCKLER: Anyone else?

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM SMUCKLER: We are now under Miscellaneous Business. First off, on Miscellaneous Business, Member Fisher.

MEMBER FISHER: Thank you, sir. A couple of...a couple of months ago, without any planning, I ended up going through an open house over on Colonial Blvd and (*Inaudible*) if I didn't end up putting an offer on this thing and about a week later it was accepted. Over the course of the past couple months, we've gone back and forth...appraisals and inspections, and so forth. Long story short, which is unusual for me, we closed on the house fairly reasonably. My family has actually, just as a couple days ago, moved into the house, which is over on Ward 9. I do have to say that I looked into who the Councilman was, it was really a drawback, but (*Laughter*) I sucked it up anyways and I have remained in my house, in Ward 5 and I will do so for a few weeks longer. At the...at 12:01 on August 23rd, effective that time, I will be resigning my seat here on City Council for Ward 5. There have been a few rumors also, I'll throw out, just to address that. I've read on certain blogs, Facebook, wherever else, that I was running for Treasurer. That rumor is not true. I was running against Member Morris in Ward 9...not true; running At-Large...not true; running for Council President...not true; being appointed Secretary of Agriculture under President Hillary Clinton next year...not true (*Laughter*), Secretary General of the United Nations...that one is true! (*Laughter*). And so, I do look forward to serving you guys at the U.N. I was active in a regular...at these meetings long before I was every elected to one. I will continue to be active in whatever role I can. I think our friend Lee Cote showed that you don't need to hold an office to be an impact in this city. If the opportunity arises sometime down the future, I may look at another office, but none of those other ones outside of Secretary General of the U.N. is true, at this point. You know, I'll go into more next week with our individual members, but it has been a pleasure to serve with everybody up here for the better part of 3 terms, and I look forward to one last week and the opportunity to vote to no on some more stuff, which I really enjoy doing. Thank you.

MEMBER MORRIS: Mr. President.

PRESIDENT PRO TEM SMUCKLER: (*Inaudible*).

MEMBER MORRIS: Uh, yeah, back at Member Fisher, who hasn't even technically moved into Ward 9 as of yet, those potholes were filled on Colonial Blvd. and we, in Ward 9, I'm not sure how they did it down in 5, we do keep track of our pets, so... Numerous complaints about your cat already running through the neighborhood and he's not fixed, so you are going to single-handedly kick off the trap, neuter, and release thing all yourself.

MEMBER FISHER: I got the receipt, Mr. Leader, that cat is fixed.

MEMBER MORRIS: Brought strays.

MEMBER WEST: Mr. President.

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PRESIDENT PRO TEM SMUCKLER: Does this deal with this?

MEMBER WEST: It does not.

PRESIDENT PRO TEM SMUCKLER: Okay. *(Laughter)*. Let's finish one thing at a time. I personally, and I think the rest of Council feels the same way, the four of you came in with a bang and maybe this is a casualty of the four right now, but I, on behalf of City Council, would like to thank you for your short years of service and I think that this deserves a round of applause. Well appreciated. *(Applause)*.

MEMBER FISHER: Thank you, everybody.

PRESIDENT PRO TEM SMUCKLER: Member West.

MEMBER WEST: Mr. President, I just wanted to say that I attended several of the Hall of Fame events this weekend and they were spectacular...and all of the volunteers of the city...they just deserve a round of applause because they did spectacular. I think we really did exude excellence in the city of Canton. So, I just wanted to say that. *(Applause)*.

PRESIDENT PRO TEM SMUCKLER: Anyone else?

SAFETY DIRECTOR PERRY: Mr. President. To piggyback on Councilman Smith...I'm sorry, Councilman West, I'm sorry. I just wanted it...

PRESIDENT PRO TEM SMUCKLER: Councilman who?

SAFETY DIRECTOR PERRY: West. I'm sorry. I wanted to also thank all of the Safety Forces and the Service Workers for all their hard work. They were act...they were true ambassadors of the city of Canton this weekend. I talked to...I got a chance to talk to a lot of the officers and they told me that they had never been thanked and gotten their hands shaken and appreciated so much over the weekend for all of the work that they did. They did...they were great...they did great work over the weekend. So, I agree, they deserve great applause for all the work they did this weekend. *(Applause)*.

PRESIDENT PRO TEM SMUCKLER: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. I wanted to respond to a few of the remarks that were raised under Miscellaneous Business, and I'll try to deal with them very quickly. First of all, there are people whose departure from this plane and this planet leave us a little less bright, a little less colorful. Lee Cote's departure, this is one of those. So, condolences to all of you who were very close to Lee Cote. Mr. Moeglin, no small thing. As you all know from your own houses, when you replace incandescent bulbs with LED, you save a lot of money in the long run and that's a wonderful honor. Mr. Bailey...I spoke with Mr. Bailey briefly before he left. When we spoke in the alleyway that he mentions, some of you had said to me, "Does he really have to pay that much money, or is Mr. Bailey *(Inaudible)*?" Some of you have asked me, when Mr. Bailey appeared before, "Does he have to pay that much for a license when he is advertising and not really a vendor?" And, in speaking with him and speaking with our Zoning Inspector, the answer was no, and we talked briefly about that. He had some other questions that he and I are going to...talk about hopefully some more. He's going to take a look at our Codified Ordinances a little more closely, about the divisions he mentioned to you earlier, about vehicles and insurance and so on. Mrs. Baylor...we did speak and for all of you who have constituents with these kinds of questions and those of you in the audience, generally speaking, now

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I'm not an expert in real estate law, but generally speaking, the city can enforce those laws that are citywide, in our Codified Ordinances. The city of Canton does not ban, we don't ban storage sheds or tool sheds. If we did, we'd probably have to get rid of about three or four thousand. We can regulate them, however. The city of Canton can regulate the size of storage sheds and the set back. We can say it has to be so far from a neighbor's property line. Those we can enforce. I believe that's what our Zoning Inspector was saying when she said that we can't do much about the storage shed. We can regulate it but we can't ban it. Mrs. Baylor brought to my attention, and yours, some deed restrictions...well, some restrictions, not necessarily deed restrictions. I did ask our Assistant Law Director, Tom Burns, to pull her deed, which he did online, and to look at some of these plats. I explained, generally speaking in the law, the city government cannot enforce private deed restrictions. I belong to a Homeowner's Association and many of you do, and if there's something that's afoul in your neighborhoods, that clashes with or is a violation of your deed restrictions, your Homeowner's Association discusses it and decides whether to sue or not. We've been through that in my Homeowner's Association. But I do want Tom Burns to look at this material because Mrs. Baylor is saying there's an additional special relationship that are between the city and that particular allotment, and that's what we're looking at. Mr. Fisher, I will have more to say because I want to be clever when I say something. One last thing, for those of you who want to see a certain old lawyer sentenced to death and hanged, and give a lot of money to the Palace at the same time, come to Palace Theater this Saturday and see 16 lawyers and judges, including a special possible guest appearance and an excellent presentation of a Civil War Trial at the Palace Theater. All proceeds, every cent of it, goes to the Palace Theater. Thank you.

PRESIDENT PRO TEM SMUCKLER: Thank you, Law Director. (*Applause*).

SERVICE DIRECTOR BARTOS: Member Smuckler...over here....over here.

PRESIDENT PRO TEM SMUCKLER: Oh, Service Director.

SERVICE DIRECTOR BARTOS: The Safety Director already mentioned the Service Workers, but I'd like to put a shout out to the Service Workers, everybody who worked for the Hall of Fame...and the...and the Safety Forces. I think we had a great collaboration. Special thanks to Chief Garra and Captain Kurzenski...keeping my guys in the loop on everything that was going on, but for First Friday cleanup, we had guys out there at 10:00 a.m. all the way through the parade and afterwards. There were some concerns about potential sewer backup in one area at the Hall of Fame. Jimmy DiMarzio had guys out 24-7, Thursday through Sunday. Really, we dropped everything for the Hall and they were very appreciative for it, but I wanted to make sure to give credit where credit was due. The Safety Forces are professionals, always, so thanks to all of them. Really couldn't do it without them and the Hall definitely thanked us for that.

MEMBER WEST: One more thing, I want to make sure that we didn't forget...we need to make certain that we look at all the services we have and give us a dollar figure of how much services we gave to the Hall of Fame. It's not just to show....to say...I'm showing you this, but we need to know how much in-kind services we're delivering to the Hall of Fame.

SERVICE DIRECTOR BARTOS: Mr. Smuckler...to Member West, I believed we keep track of that every year. In fact, I mentioned Jimmy DiMarzio a second ago, he already sent me his numbers earlier today. He's on top of this and I think everybody knows we keep track of those and we can present those all to Council.

PRESIDENT PRO TEM SMUCKLER: Anyone else? Before you adjourn, two little pieces I want to state. Number one, for all those that come here every Monday night that don't think you're appreciated or recognized, I think you see today that your presence is well appreciated and you're well recognized here. We thank you for

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coming here out of your time, no pay, and trying to make a difference in this community. Speaking of making a difference in this community, and Fonda, I hope you pass this along, I'm going to stick my neck out here and tell you that it's got to be very difficult standing in front of twenty thousand people and telling them that we're going to refund your money and there's not going to be a game. Those of us who have had the opportunity to go over to the Hall of Fame and see what's transpiring there...I understand that was very difficult last night. I understand we took a little black eye. People remember the bad things and not enough of the good things because if you went over there and saw what this Hall looks like, and saw what goal posts of the AEP look like, and if you saw what the fields look like and if you saw what they did to the walls and the pictures and etcetera, etcetera, etcetera, this is truly becoming a Hall of Fame Village that we can be proud of. No, we weren't happy with the results last night but Dave Baker is doing a wonderful job in this community and I'm here to support anybody that stands before twenty thousand people and says I'm sorry. Member Morris.

MEMBER MORRIS: Move to adjourn.

MEMBER SMITH: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adjourn. Roll call vote.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

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

ADJOURNMENT TIME: 8:43 P.M.

ATTEST:
KELLEN SHOWES
CLERK OF COUNCIL

APPROVED:
WILLIAM SMUCKLER
PRESIDENT