

MINUTES OF THE MEETING AUGUST 22, 2016

PRESIDENT SCHULMAN: Good evening, ladies and gentlemen, and welcome to Canton City Council. We appreciate you being here tonight, and with a quorum being present, the Chair calls this meeting of Canton City Council to Order. Roll call vote, please, Mr. Clerk.

ROLL CALL TAKEN BY CLERK SHOWES:

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

TEN COUNCIL MEMBERS PRESENT. (MEMBER MORRIS & MEMBER MACK ABSENT)

CLERK SHOWES: We have ten present, two absent, sir.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you, Mr. Clerk. Leader.

MEMBER SMITH: Mr. President, I move we excuse Members Morris and Mack from tonight's meeting.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Members Morris and Mack from this evening's meeting. I know they both have pressing business out of the city, so that's why they are not here today. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK SHOWES: Ten present, two absent, sir.

PRESIDENT SCHULMAN: Thank you. The motion carries and Members Morris and Mack are excused from this evening's meeting. We have our invocation given tonight by Ward 4 Council Member and Assistant Majority Leader, Chris Smith. If you'll all stand and remain standing for our Pledge of Allegiance. Thanks.

The regular meeting of Canton City Council was held on August 22, 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 4 Council Member, Chris Smith. The Pledge of Allegiance was led by President Schulman.

PRESIDENT SCHULMAN: Thank you, Leader Smith.

AGENDA CORRECTIONS & CHANGES

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

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add Second Reading Ordinances 9 through and including 14.

MEMBER BABCOCK: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add Second Reading Ordinances 9 through 14 to this evening's agenda. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK SHOWES: Ten yeas, sir.

PRESIDENT SCHULMAN: Thank you. Motion carries. Rule 22A is suspended and the ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We now turn to Public Hearings. We do have one this evening scheduled for 7:30, and it's AN ORDINANCE AMENDING PART ELEVEN, PLANNING AND ZONING CODE, OF... sorry... OF CODIFIED ORDINANCES OF THE CITY OF CANTON BY THE ADOPTION OF A NEW CHAPTER 1158, HALL OF FAME VILLAGE DISTRICT, AND DECLARING THE SAME TO BE AN EMERGENCY. Is there anyone here wishing to speak for or against this particular ordinance? I'll repeat one more time. Is there anyone in the audience wishing to speak for or against this amendment, would you please step forward. Seeing no one step forward, the matter will then be turned over later this evening for a vote.

OLD BUSINESS

PRESIDENT SCHULMAN: We're now under Old Business. We have no Old Business this evening.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: Turning to Public Speaks. We have no public speaks tonight, which is unusual.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: Turning now to Informal Ordinances and Resolutions. We do have one for this evening. Mr. Clerk, would you please read Informal Resolution 54 by title.

CLERK SHOWES: The number 56...

PRESIDENT SCHULMAN: I'm sorry.

#56. COUNCIL-AS-A-WHOLE: COMMENDING KEVIN FISHER FOR HIS YEARS OF DEDICATED SERVICE AS CANTON CITY COUNCIL MEMBER. - ADOPTED

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: I move we adopt Informal Resolution #56.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 56, and I apologize. Are there any remarks?

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MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Mariol.

MEMBER MARIOL: I had the pleasure of coming on to Council about the same time as Kevin, and since then anytime I wanted someone to tell me how bad of an idea I had I usually called him because regardless of what it was he could normally find something... uh, something wrong with it. And we have probably disagreed on more things than we have agreed on, but through working on Council he became an incredibly close friend of mine. It's a friendship that will last a lot longer after both of us are done in Council, and the best thing with the friendship with Kevin is we never let our friendship get in the way of disagreeing on things and we never let our disagreements get in the way of our friendship. So it's been a pleasure to work for you. You have done amazing things for the city. It's gonna be very hard for someone to come in and fill your shoes, and I have enjoyed every minute of working with you.

PRESIDENT SCHULMAN: Anyone else?

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER WEST: Yes, I too want to send out a few words to Kevin as he's leaving. Uh, Kevin... of course, everybody knew Kevin prior to him becoming a Council Member. He was real involved in the community. I'm sure he'll continue to be involved in the community. Kevin came on to Council, and with his foreclosure ordinance it took us by storm, and that's a really pos... a really great ordinance that came through. All of the... everything that you brought to the table I think it was debatable, it was great. You always brought a great debate to this floor. And I think that's what it's all about is bringing things to the table, and of course, you brought things to the table. So, I'm gonna miss you. I know you and I fought on a lot of different things, we agree on some things, we disagree on some things, but mostly everything that we agreed on we do go away, you know, smiling and talking and having a shake. So, hey man, we're gonna miss you here and talk with you. I wish you well in your future.

PRESIDENT SCHULMAN: Yes, Law Director.

LAW DIRECTOR MARTUCCIO: I have a correspondence here from the Environmental Protection... the Environmental Protection Agency, and it says please convey to Mr. Fisher that we are happy that he... he is... oh, I'm sorry, heartbroken that he is retiring. *(Laughter)* Mr. Fisher, I've enjoyed working with you. I will miss your voice literally and figuratively. You got that theater movie voice that sounds so good when you speak. But you have a voice for your constituents. You have a voice for questions that are often asked that are tough to answer, and for that the Law Department thanks you. We'll miss you.

PRESIDENT SCHULMAN: Any other remarks?

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes.

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MEMBER SMITH: I too would like to thank you, Mr. Fisher, for all that you've done for me and the fourth ward. You always kept the communication lines open. I appreciate that. And I know I gave you a scare earlier, but just because you're leaving tonight we are gonna do the ordinances the way you like for them to be done, so, you know, this will be the last time you hear this like this, so take it all in stride, okay?

PRESIDENT SCHULMAN: Thank you, Leader. Any... any other remarks?

MEMBER FISHER: Could she repeat which ward that was for? I... I missed that.

PRESIDENT SCHULMAN: Well, I'd just like to add you are going to be missed. You are a strong voice and a very bright voice for City Council and the citizens of our community. And it's been a pleasure working with you, and the... and the beauty of working with you, Kevin, is that I know I'm gonna continue to work with you, and that says a lot about your character and your beliefs. You know, some people just take the job, they leave it, and they never come back. I know you'll be back and we'll appreciate all your comments and your... uh, your very fine mind. So thank you. It's been a great honor and a privilege. Appreciate it. Anyone else?

MEMBER BABCOCK: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER BABCOCK: I just want to tell Mr. Fisher, I know he ain't gonna be able to sit on the sidelines and be idle, but he... but it's gonna be a pleasure seeing him come and talk for only three minutes. *(Laughter)*

PRESIDENT SCHULMAN: And with that comment, any other... any other comments? By voice vote, all those in favor of the proposal signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #56 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Motion carries. Congratulations, Kevin. We wish you the very best, and we'll see you soon I'm sure. Thank you.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER SMITH: Could we have that read, please.

PRESIDENT SCHULMAN: Absolutely.

MEMBER SMITH: And we would like to present him.

CLERK SHOWES: Informal Resolution Submitted by Council-As-A-Whole on this 22nd day of August, 2016. **Whereas**, On August 8, 2016, Canton City Council accepted the resignation of a hard-working and dedicated Member whose presence will be sorely missed. Kevin Fisher has been a tireless advocate for Ward 5, always giving his full attention to the welfare and interests of his constituency; and **Whereas**, Kevin and his wife,

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Mary, have two children, Joseph and Elizabeth. Kevin graduated from McKinley High School, attended Kent State University and is a lifelong resident of the city of Canton. He became Ward 5 Council Member on January 1, 2012. Kevin is a former president of Stark County Young Democrats, 2008 Young Democrat of the Year, Deputy Stark County Auditor from 2007 to 2011, a member of the Stark County Democratic Party Central Committee from 2005 to 2015, a member of the Jefferson-Jackson Democratic Club from 2004 to present, serving as its Vice President in 2015 and its current President. Kevin currently works at State Permits as its Logistics Specialist; and **Whereas**, Member Fisher introduced legislation creating local construction and prevailing wage requirements on all Economic Development Subsidy and Incentive agreements and contracts and legislation amending all Codified Ordinances which included sections on non-discriminatory, to include sexual orientation and gender identity. Both proposals are currently part of the city's Codified Ordinances on contracts which now include Project Labor Agreements and Fair Employment and Fair Housing. **Now, Therefore Be It Resolved:** That we, the Members of Canton City Council, do hereby go on record offering our official public commendation and our heartfelt thanks to **KEVIN FISHER** for his years of dedicated public service, his invaluable contributions, and his commitment to the City of Canton. (*Applause*)

UNIDENTIFIED VOICE: Speech. Speech.

MEMBER FISHER: Just to... uh, just to drive Member Dougherty nuts one last time I'm gonna hold my remarks till Miscellaneous Business, but (*Laughter*)... but I needed somebody over here just to, you know, can we hurry up and adjourn and get this guy the hell out of here, so... (*Laughter*). But I want to thank everybody for the... uh, the Resolution, and thank everybody for their... their friendship and having a great group of people to work with. But, like I said, I'll... I'll add a few remarks in Miscellaneous Business. But I do want to say I love voting no. I haven't had an opportunity to do that in few weeks, so I told the paper last week I'm gonna vote no on adjournment tonight just cause my last vote really should be a no, so... but, thank you.

PRESIDENT SCHULMAN: You're very welcome. Thank you, Kevin.

COMMUNICATIONS

PRESIDENT SCHULMAN: Okay. We're turning to Communications. And 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 22, 2016.

298. AGENT FOR PETITIONER, SLIMAN: WITHDRAWAL OF 1400 GRACE AVENUE ANNEXATION REQ FR STARK CO COMM SUBMITTED AS EXPEDITED TYPE 2 ON 7-27-16. - RECEIVED & FILED
299. AGENT FOR PETITIONER, SLIMAN: COPY OF ANNEXATION PETITION DOCS FILED WITH STARK CO. COMMISSIONERS FOR THE HOF VILLAGE #1 ANNEXATION. - RECEIVED & FILED
300. AUDITOR MALLONN: AUTHORIZE AUDITOR TO ENTER INTO PROF SERVS/SOLE SOURCE PROCUREMENT CONTACT WITH KRONOS INC FOR UPGRADE AND MAINT OF

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CITY'S TIME KEEPING SYSTEM AND FOR PURCHASE OF UPDATED TIME CLOCKS; MAKE APPROP TRF (\$55,000.00 APPROP TRF FR 1001 504010 INFORMATION TECHNOLOGY MANAGER - OTHER TO 4501 801001 AUDITOR - ADMINISTRATION - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

301. COURT ADMIN. KOCHERA: REQ APPROP TRF TO JUDGES ADMIN, GEN REV FUND #1001 FOR CONTINUED PROPER COURT OPERATION (\$4,000.00 APPROP TRF FR OTHER - #1001.701001.70514 JUDGES ADMINISTRATION TO PERSONNEL - #1001-701001.61128 JUDGES ADMINISTRATION). - FINANCE COMMITTEE
302. FINANCE DIRECTOR CROUSE: REQ LEGISLATION AMENDING APPROP O#44/2016 FOR STREET LIGHTING (\$70,000.00 FR UNAPPROP BAL 4501 CAPITAL PROJ FUND TO 4501 202210 CAPITAL PROJ FUND - OTHER). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
303. HEALTH COMMISSIONER ADAMS: REQ TO AMEND APPROP O#44/2016 (\$28,575.88 SUPP APPROP FR UNAPPROP BAL OF FUND 2354 SOLID WASTE DISPOSAL LICENSE TO FUND 2354 307001 SOLID WASTE DISPOSAL LICENSE - 611 PAYROLL & WAGES - \$12,387.37, TO FUND 2354 307001 SOLID WASTE DISPOSAL LICENSE - 621 FRINGES - \$3,188.51, TO FUND 2354 307001 SOLID WASTE DISPOSAL LICENSE - 700 OTHER - \$13,000.000. - FINANCE COMMITTEE
304. HEALTH COMMISSIONER ADAMS: REQ TO AMEND APPROP O#44/2016 (\$60,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2323 PERSONAL RESPONSIBILITY ED PR FD TO FUND 2323 301001 PERSONAL RESPONSIBILITY ED PR FD - OTHER). - FINANCE COMMITTEE
305. LIQUOR CONTROL DIVISION (OHIO): REQ NEW D1 D3 LIQ PERMIT FOR RCZ ENTERPRISES LLC DBA ROCSIZ CHICKEN & WAFFLES @ 1153 MCKINLEY AVE SW. - RECEIVED & FILED
306. LIQUOR CONTROL DIVISION (OHIO): REQ TRF OF D5 LIQ PERMIT FR PETER G. PAPACOSTAS DBA PETES GRILL & PIZZA, TO LIFE LONG INVESTMENTS LLC DBA DRAFT DAY BAR & GRILL @ 401 CHERRY AVE NE. - RECEIVED & FILED
307. LIQUOR CONTROL DIVISION (OHIO): REQ TRF OF D5 LIQ PERMIT FR DST HALO LLC DBA TAPAS 218 & PATIO TO GINGEE LLC DBA LUCCA MARKET @ 218 COURT AVE NW. - RECEIVED & FILED
308. MAYOR BERNABEI: REQ AUTHORIZATION TO ACCEPT AND IMPLEMENT AWARD OF FY 2015 STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT (#EMW-2015 FH 00516) IN AMT OF \$1,450,030.00 FOR REHIRING AND RETENTION OF FIREFIGHTERS FOR A 2-YR PERIOD; RENAME FUND 2815 FIRE FEMA SAFER GRANT 2009 TO 2815 FIRE FEMA SAFER GRANT 2015; AMEND O#44/2016 TO ADOPT APPROPS;

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AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE AND PERSONNEL COMMITTEES

309. PLANNING COMMISSION: REQ REPLAT OF ALL OF LOTS 21320, 21321, 21322 & PART OF LOT 21323, AKA PARCELS 205893, 229772, & 245603, WARD 6, R-1A - SINGLE FAMILY RESIDENTIAL (HABITAT FOR HUMANITY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
310. PLANNING COMMISSION: REQ ZONE CHG AT UNADDRESSED VACANT PROP IN 1600 BLOCK OF CLEVELAND AVE NW, PARCELS 200402, 200403, 209273, 219566, 219567, 219568, 222514, 223324, 223330, & 246343, WARD 9, FR 4-1A SINGLE FAMILY RESIDENTIAL & B-3 GENERAL BUSINESS TO PB-4-PLANNED SPECIAL BUSINESS DISTRICT (FOXY FEW LLC). - JUDICIARY COMMITTEE
311. TREASURER PEREZ: RPT OF PARKING METER REV FOR JULY 2016. - RECEIVED & FILED
312. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX FOR JULY 2016. - RECEIVED & FILED
313. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF AUGUST 18, 2016. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We are now under Ordinances and Formal Resolutions for the first reading. Mr. Clerk, would you please begin with Ordinance #1.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCES #1 THROUGH #8 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE BARCICH - MARKET AVE. N. 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
Referred to Annexation Committee
- #2. (1ST RDG) ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000, FOR THE PURPOSE PAYING THE COSTS OF REVITALIZATION WITHIN THE CITY AND ADDRESSING PROPERTY CONDITIONS THAT ARE DELETERIOUS TO THE PUBLIC HEALTH AND SAFETY THROUGH THE DEMOLITION OF DETERIORATING STRUCTURES AND THE IMPROVEMENT OF THOSE SITES, THEREBY ENABLING THE USE OR REUSE OF LANDS WITHIN THE CITY

MINUTES OF THE MEETING AUGUST 22, 2016Referred to Finance and Community & Economic Development Committees

- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO CREATE THE 1155 NIP ACQUISITION DEMO DEBT FUND; AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,000,000.00 FR UNAPPROP BAL OF 1155 NIP ACQ. DEMO DEBT FUND TO 1155 506001 NIP ACQ. DEMO DEBT - OTHER)

Referred to Finance and Community & Economic Development Committees

- #4. (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 20PW SERV DIR DIV OF PUBLIC WORKS - REMOVE CLASS OF DOWNTOWN SERVICE SPECIALIST POSITION)

Referred to Personnel Committee

- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH BENNETT AND WILLIAMS ENVIRONMENTAL CONSULTANTS, INC. FOR DESIGN AND CONSTRUCTION OVERSIGHT FOR THE INSTALLATION OF GROUNDWATER MONITORING WELLS; AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$54,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207010 WATER PUMPING AND FILTRATION - OTHER)

Referred to Public Property Capital Improvement and Finance Committees

(COUNCIL RECESSED AT 7:47 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS O#6; RECONVENED AT 7:48 P.M.)

- #6. (1ST RDG) **ADOPTED AS ORDINANCE NO. 142/2016** AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$148,215.00 TO BROWNFIELD RESTORATION GROUP FOR PHASE 2 ENVIRONMENTAL ASSESSMENT WORK; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

(COUNCIL RECESSED AT 7:50 P.M. FOR THE ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE TO DISCUSS O#7; RECONVENED AT 7:52 P.M.)

- #7. (1ST RDG) **ADOPTED AS ORDINANCE NO. 143/2016** AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Environmental & Public Utilities Committee

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(COUNCIL RECESSED AT 7:48 P.M. FOR THE FINANCE AND PERSONNEL COMMITTEES TO DISCUSS O#8; RECONVENED AT 7:50 P.M.)

#8 (1ST RDG) **ADOPTED AS ORDINANCE NO. 144/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO RECEIVE AND IMPLEMENT THE FY 2015 SAFER GRANT IN THE AMOUNT OF \$1,450,030.00; AUTHORIZING THE AUDITOR TO APPROPRIATE AND RENAME SAID FUNDS; AMENDING APPROPRIATION ORDINANCE 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$170,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GEN FUND TO 1001 103001 GEN FUND - PAYROLL & PAYROLL FRINGES, \$170,000.00 FR UNAPPROP BAL OF 2815 SAFER GRANT 2015 TO 2815 103001 SAFER GRANT 2015 - OTHER)
Referred to Finance and Personnel Committees

PRESIDENT SCHULMAN: And at this time the Chair will declare an in-house recess for the Finance, Personnel, Environmental & Public Utilities Committee to meet in regard to Ordinances 6, 7 and 8 on your agenda. You are now in recess.

(RECESS)

PRESIDENT SCHULMAN: Council will reconvene then after it's recess. Leader.

MEMBER SMITH: Mr. President, I move we suspend Rule 22A to place Ordinance 6, 7 and 8 back on this evening's agenda.

MEMBER BABCOCK. Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinances 6, 7, 8 back on this evening's agenda. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK SHOWES: Ten yeas, sir.

PRESIDENT SCHULMAN: Motion carries. Leader.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rules on Ordinance 6, 7 and 8.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules on Ordinances 6, 7 and 8. Are there any remarks? Hearing none, voice vote... or sorry, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

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CLERK SHOWES: Ten yeas, sir.

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

MEMBER SMITH: Mr. President, I move we adopt Ordinance #6.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #6. Are there any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK SHOWES: Ten yeas, sir.

#6 ADOPTED AS ORDINANCE NO. 142/2016

PRESIDENT SCHULMAN: Ordinance #6 is adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #7. Any remarks under this Ordinance?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER HAWK: As I'm looking at...

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: ...Item #... Ordinance #7, I was beginning to count up the one... A-number-one offender, Steven D. Filiez. He occupies almost two full pages of this late fees, into the thousands of dollars. Now, unfortunately because they're for Canton city utilities, sewer and water, turning off the water, shutting it off, would only punish the poor people who are forced to live in his rat holes. I just think there disgusting, and this man, if there's anything we can find legally to do to him for some of the stuff he does in this city as a landlord I certainly will support that. I will vote for this because it should be put on the docket. We probably won't collect the money from him, but I will advocate for any effort we can to collect his funds. Thank you.

PRESIDENT SCHULMAN: Thank you, Member Hawk, very much. Any other remarks? Hearing none, roll call vote, please.

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NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK SHOWES: Ten yeas, sir.

#7 ADOPTED AS ORDINANCE NO. 143/2016

PRESIDENT SCHULMAN: Motion carries and the Ordinance is adopted. We move now to Ordinance #8.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #8.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #8. Any remarks under this Ordinance? Hearing none, Madam... or Mr. Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK SHOWES: Ten yeas, sir.

#8 ADOPTED AS ORDINANCE NO. 144/2016

PRESIDENT PRO TEM SMUCKLER: Ordinance #8 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We now turn to Second Reading Ordinances. We are now under Ordinances and Formal Resolutions for their second reading. Mr. Clerk, will you please begin with Ordinance #9.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCES #9 THROUGH #14 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #9 ADOPTED ON 2ND READING):

- #9. (2ND RDG) **ADOPTED AS ORDINANCE NO. 145/2016** 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)

PRESIDENT SCHULMAN: Leader Smith.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rule for Ordinance #9.

MEMBER BABCOCK: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinance 9. Any remarks? Hearing none, Madam... or Mr. Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK SHOWES: Ten yeas, sir

PRESIDENT SCHULMAN: Thank you, Mr. Clerk. You've heard the three readings, Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #9.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #9. Any remarks? Hearing none again, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK SHOWES: Ten yeas, sir.

#9 ADOPTED AS ORDINANCE NO. 145/2016

PRESIDENT SCHULMAN: Motion carries. Ordinance 9 is adopted. Ordinance 10, please.

- #10. (2ND 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
- #11 (2ND 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)
- #12 (2ND 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)
- #13 (2ND 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 COOPERATIVE PURCHASING AGREEMENTS AUTHORIZED BY LAW; AND

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DECLARING THE SAME TO BE AN EMERGENCY (SANITATION DEPT)

- #14 (2ND 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

PRESIDENT SCHULMAN: Thank you, Mr. Clerk.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for their Third Final Reading and Vote. Would you please begin with Ordinance 15.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ THE FOLLOWING ORDINANCES #15 THROUGH #17 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 146/2016** 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

PRESIDENT SCHULMAN: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #15. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK SHOWES: Ten yeas, sir.

#15 ADOPTED AS ORDINANCE NO. 146/2016

PRESIDENT SCHULMAN: Ordinance 16 is adopted. Than... or sorry...

MEMBER SMITH: 15.

PRESIDENT SCHULMAN: Ordinance 15, sorry, is adopted. Ordinance #16, please.

- #16. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 147/2016** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE

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CLASSIFICATION PLAN FOR THE BARGAINING UNIT 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)

(Someone sneezes)

PRESIDENT SCHULMAN: Bless you, and Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 16. Any remarks? Leader.

MEMBER SMITH: Mr. President, I move we amend Ordinance #16 per the copy that all Council Members have in front of them.

MEMBER BABCOCK: Second.

MEMBER SMITH: And could we have the amendment summarized, please.

LAW DIRECTOR MARTUCCIO: Mr. President, I'm sorry.

PRESIDENT SCHULMAN: Go ahead.

LAW DIRECTOR MARTUCCIO: Mr. President, Madam Chair, Members of Council, this is the one we talked about in committee where the Service Director had eagle eyes that this Ordinance would read better and it would be eas... more easily applied if this sentence were here and another one were included. And that's what we're doing. We're moving a whole sentence and we're including another sentence. And it's easier to do it by substitution rather than narrating where it all goes. It does not affect the monetary aspect of the Ordinance or anything that's sum and substance. Thank you.

PRESIDENT SCHULMAN: Very good. Any other remarks? All those in favor of the amendment signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Motion carries. Leader.

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

MEMBER BABCOCK: Second.

Amendment

Pursuant to Rule 36, I move to amend in its entirety Agenda Item no. 16.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 16, as amended. Any remarks? Hearing none, roll call vote please, Mr. Clerk.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK SHOWES: Ten yeas. (*Laughs*)

#16 ADOPTED AS AMENDED AS ORDINANCE NO. 147/2016

PRESIDENT SCHULMAN: I thought I heard eagle eye. Ordinance 16, as amended, has been adopted. Eagle eye and all. We now turn to Ordinance 17, please.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 148/2016** 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)

PRESIDENT SCHULMAN: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #17. Any remarks under this Ordinance? Again hearing none, Mr. Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK SHOWES: Ten yeas, sir. _____

#17 ADOPTED AS ORDINANCE NO. 148/2016

PRESIDENT SCHULMAN: Thank you. Ordinance 17 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We now turn to Announcement of Committee Meetings. Everybody.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes, Chairman Mariol.

MEMBER MARIOL: Finance will meet... will meet September 12th at 6:30.

PRESIDENT SCHULMAN: September 12th at 6:30.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes. Chairman.

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MEMBER DOUGHERTY: Public Property Capital Improvement will also meet.

PRESIDENT SCHULMAN: Thank you.

MEMBER WEST: Mr. President.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Chairman West.

MEMBER WEST: Annexation will meet same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER BABCOCK: Mr. President.

PRESIDENT SCHULMAN: Chairman Babcock.

MEMBER BABCOCK: Personnel the same time, same place.

PRESIDENT SCHULMAN: Thank you. Member Smith.

MEMBER SMITH: Yes, Mr. President, CD will also meet at the same time.

PRESIDENT SCHULMAN: Anyone else?

MISCELLANEOUS BUSINESS

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

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Uh, Member Fisher.

MEMBER FISHER: Thank you, sir.

PRESIDENT SCHULMAN: You're welcome.

MEMBER FISHER: I thought... I thought I would deliver a lengthy presentation on the geopolitical impact of the 1936 anarchist revolution in Spain, but instead I... I wanted to... we'll get to that three minutes at a time from that podium. I wanted to thank everybody here. It's been a better part of five years since I moved from that side of the horseshoe to this side of the horseshoe, and I... I was thinking the other day I remember being grumpy as usual at Fisher Foods in line when Ed Balint with The Repository called me and interviewed me and the other Council Members, and I believe I gave a quote just before I started office, well, I'm not going down to City Hall to make friends, I wanna have an impact on policy. I'll leave it for others to determine whether or not I had any impact on policy, but as it turns out I made a lot of great friends while I was here. And I'm appreciative of all that. You know, obviously Babby and Tom West and a few others. Fonda, I was already good friends with beforehand, and... and many others I met along the way that became good friends. Mr. President, of course, we go way back. But more than anything else I wanted to thank six people, Kellen, Jill, Beth, Cindy, Michelle and

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Patty, the... our Council staff. As everybody who's ever sat up here knows, these are the people that really do all of the... the real hard work, and when... when we get credit for doing something, it's really them that did it, and so I want to thank you guys for everything that you've done and the previous Council staff that was here. You guys are always great. And now I'm just gonna move over to that side and I'm gonna hammer away on getting the Comprehensive Plan funded and implemented and not sitting anywhere on a shelf collecting dust, and see what else... kind of trouble I can get into, but I wanted to thank everybody individually and across the board. Thanks. (*Applause*)

PRESIDENT SCHULMAN: And before we continue, since we're... since we do need our staff desperately. No one said anything about Annexation, Personnel or Environmental & Public Utilities Committee, so... At least I don't think they did.

MEMBER WEST: I did.

PRESIDENT SCHULMAN: Did they?

MEMBER SMITH: U-mmm. (*Inaudible*)

PRESIDENT SCHULMAN: Personnel? Well, our staff is not doing well. (*Laughter*) In any case, that was done. Are there any... is there any other Miscellaneous Business?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Smuckler.

MEMBER SMUCKLER: I get sick of sitting here year after year talking about the same thing over and over again. Mr. Hawk raised the issue with Mr. Filiez. I remember I raised it last year. But the other thing that befuddles me here is if you look at this very quickly, cause most of these are LLC's and trusts and everything else involved here, that our Law Department, and Joe, I hope you will tell us what you're going to do like you told me the other day. But, how do you get a bill of \$2,380.00? How do you get a bill of \$3,000.00? I know at home if I didn't pay my bill they'd be out to shut the water off the next month. So how do you get these kind of bills? One of these bills is over \$6,000.00 here. And I'm just befuddled. Year after year after year we sit here and go through this. We all stare at the pages, and I guarantee you two weeks from now nothing will get done about it anyway.

PRESIDENT SCHULMAN: Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President. Member Smuckler, we understand your frustration and I can't respond as to how the billing and... and the water turn offs work. I... I'm not sure I can respond about that policy. But as... as our Service Director mentioned after some betting and trying to accommodate Council's desires to have legal collection firms approach this both in and out of Stark County depending on their level of expertise, that is going to happen. And I can occasionally report back on that, asking them to report to us. But with regard to what you're talking about right now, the Mayor's also asked us to look into the status of, as you pointed out, corporate versus personal liabilities. And what I mentioned on the phone the other day was that we do have a person in the civil side of the office who's gonna dedicate a substantial amount of time helping the criminal side which is below staff right now with going after some code violations that have risen to the top of the list that... that are on a lot of folk's radar. And that's something that he's already begun to do. That's Craig Chessler, who used to be our code enforcement assistant law director and is working now with Rick Hoffman

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and Dave Molnar and some of those other folks. Thank you.

PRESIDENT SCHULMAN: Thank you, Law Director.

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER HAWK: Thank you, sir.

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: You got the poster child for bad landlords, and probably a ton of code violations and everything else you'd ever want to look at. I've been in some of Mr. Filiez's places. They are disgusting. Unbelievably bad. He has 51 properties, 51 properties here. You want one person to go hunt down? Go after him. That's just plain and simple. Make the example of him. 51 properties hugely... all on our water bill. We're paying... we're holding hun... thousands of dollars in... that this man owes us in debt while the rest of our good citizens pay their water bill and get their water. But he's... he's the guy. You want one person to go after? Find one. Start there. He's the right guy. Thank you.

PRESIDENT SCHULMAN: Thank you.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: If I remember correctly, last year when we did this Filiez was an issue. WHBC actually called him out on the radio and if I remember correctly, he came in either a day or two later to pay his bill. Just some quick math, \$15,150.00 that he owes us that's on this sheet, so if The Repository would like to maybe call out Mr. Filiez and ask him to... to make good on his bills, that... you know, it worked last year, maybe it'll work again. Thank you.

PRESIDENT SCHULMAN: I guess the question that you're all saying is how do these people do this year after year after year after year. Enough is enough. You know, maybe it's time to look to put some of these people in jail. I mean, they are... they are public hazards. I mean, they're really public hazards. We put people in jail for less than what these people are doing to members of our community, so, you know, word to the wise. Let's see if we can get this done. And I know this Council and the Mayor and his Administration and Law Director are all working in conjunction to doing this. Any other remarks? Leader, great job tonight, Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adjourn. Roll call vote please, Mr. Clerk.

NO REMARKS

ROLL CALL 9 YEAS, 1 NAY
(MEMBER FISHER VOTED NO)

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CLERK SHOWES: We have nine yeas and one nay.

PRESIDENT SCHULMAN: Meeting is adjourned. Drive carefully, everybody. Have a wonderful week.
(Gavel falls)

ADJOURNMENT TIME: 8:17 P.M.

ATTEST:
KELLEN SHOWES
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT