

MINUTES OF THE MEETING DECEMBER 5, 2016

(Recording begins as follows)

ROLL CALL TAKEN BY CLERK SHOWES: (Roll call begins with "Scaglione")

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER MORRIS ABSENT)

CLERK SHOWES: Eleven present, one absent, sir.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Morris from this evening's meeting. Any remarks? I know that Member Morris is doing some business tonight and was unable to make it. Any other remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Again, eleven present, one absent, sir.

PRESIDENT SCHULMAN: Thank you. Motion carries, Member Morris is excused from this evening's meeting. Tonight we're gonna have our invocation given by my good friend and our Assistant Majority Leader and Ward 4 Council Member, Chris Smith. If you'll stand and remain standing please, for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on December 5, 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.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you, Member Smith. We're now under Agenda Corrections and Changes. Leader.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances 7 through 11, and #13 is postponed, and #12 has an amendment.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: # 13 will be postponed.

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MEMBER SMITH: Yes, to December the 12th.

PRESIDENT SCHULMAN: Alright. It's been moved and seconded to suspend Rule 22A to add 2nd Reading Ordinances 7 through 11 to this evening's agenda. In addition, #13 will be postponed and 12 will be amended. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

PRESIDENT SCHULMAN: Thank you. Motion carries.

PUBLIC HEARINGS

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

OLD BUSINESS

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

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We now are under Public Speaks. We do have two speakers this evening. Our first public speaker is Pete DiGiacomo. Mr. DiGiacomo, welcome as always to Canton City Council. If you'll step forward and give us your name and your residential address though, we'd appreciate it.

PETE DIGIACOMO: Good evening. My name is Pete DiGiacomo, 600 Dent Place SW, Canton, Ohio. Uh, I want to congratulate Mr. Baker and his team for the presentation that they put out tonight. It was good. It was very... they explained everything. Well, explained most of the things. The one concern I have is they're the big ball rolling down the highway. All you folks sitting up here, you're the little pebbles in the way. Hopefully the big ball will not roll over all the little pebbles cause the pebbles represent the city of Canton and the people of Canton. And if you get run over, I don't have to say anymore. Thank you.

PRESIDENT SCHULMAN: Thank you. Our next speaker is James Parker. Mr. Parker, if you'll step forward and give us your name and your address...

JAMES PARKER: Thank you...

PRESIDENT SCHULMAN: And welcome as always.

JAMES PARKER: Thank you, President Schulman. James Parker, 630 Penny Street SE, city of North Canton. The previous speaker, I rec... I respect his point of view. I think if we looked at a barrel and put a boulder in it first before the pebbles, you find the... then some medium sized rocks, then you'll find the smaller pebbles filter down around it. And then you have a barrel full of rocks. Um, hopefully it'll all work out. I think the... uh, since this gentleman here had changed some of the public speak records from myself, I happened to check the Ohio Auditor Governor's website on open training of public records. I just hope all of you elected officials are up to date on your requirement to receive three hours to five hours of public records training in Columbus. It's free. And that is for each term of his or her office. I believe that affects anybody that handles public records as well as this Clerk here. So my question is, President Schulman, if you could

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follow this up to see that these kinds folks here and yourselves have that kind of training so this meeting is properly conducted. In addition to that, I notice on Ordinance and Formal Resolutions for third and final reading and vote, #12 declares certain parcels of real property located to be blighted, declare improvements of those parcels to be a public purpose, declare them to be exempt and so on. I would hope... I'm asking if it would please President, Council, Schulman could you consider discussing with Ward 4, the Honorable Councilwoman Chris Smith, if this could be applied to the blighted playground on Alan Page Drive. I think this could fit the needed criteria, and it would have such a positive impact on these poor children. Lastly, concerning the Hall of Fame taxation issues, let's not touch them too heavy. Just because there deep pockets on board, don't let some of your current opinions cloud or obscure your view. There's a middle eastern saying, when a pickpocket meets a saint, all he sees are the saint's pockets. Let's remember this Hall of Fame is our city's patron saints. They are practically our new savior coming in for this community. What it's gonna bring to this area, the impact I think is yet to be foreseen. So let's not have desire without a compass. Let's study this course very carefully and give it your utmost consideration. Thank you.

PRESIDENT SCHULMAN: Thank you, Mr. Parker. That concludes Public Speaks.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We are now under Informal Resolutions. We have no Informal Resolutions.

COMMUNICATIONS

PRESIDENT SCHULMAN: Turning to 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 DECEMBER 5, 2016.

- 445. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 11/30/16. - RECEIVED & FILED
- 446. AUDITOR MALLONN: MTHLY RPT BY FUND 11/1/16 THRU 11/30/16. - RECEIVED & FILED
- 447. AUDITOR MALLONN: YRLY RPT BY FUND 1/1/16 THRU 11/30/16 - RECEIVED & FILED.
- 448. AUDITOR MALLONN: REQ \$18,285.00 SUPP APPROP FR UNAPPROP BAL - 3011 GENERAL OBLIGATION DEBT TO 3011 801001 GENERAL OBLIGATION DEBT - OTHER (CONT'D OPER AND ACCT'G FOR DEBT SERV PAYMENT REQUIREMENTS). - FINANCE COMMITTEE
- 449. FINANCE DIRECTOR CROUSE: RECOMMENDATIONS FOR TEMP BUDGET APPROP FOR 2017; REQ LAW DEPT TO PREPARE LEGISLATION ALLOWING PASSAGE OF TEMP BUDGET PRIOR TO END OF 2016. - FINANCE COMMITTEE
- 450. FINANCE DIRECTOR CROUSE: AMEND APPROP O#44/2016 (\$51,000.00 APPROP TRF FR 1001 101501 CODE ENFORCEMENT - OTHER TO 1001 506001 COMMUNITY DEVELOPMENT - PERSONNEL - \$25,600.00, TO 1001 501001 MAYOR - PERSONNEL - \$9,400.00, TO 1001 504010 INFORMATION TECHNOLOGY - PERSONNEL - \$16,000.00; \$17,850.00 APPROP TRF

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FR 2111 104010 TRAFFIC SIGN AND PAINT - PERSONNEL TO 2111 104001 TRAFFIC ENGINEER - PERSONNEL - \$17,000.00, TO 2111 202020 URBAN FORESTRY - PERSONNEL - \$850.00) (FOR DEPTS TO MEET 2016 BUDGET REQUIREMENTS). - FINANCE COMMITTEE

451. LAW DIRECTOR MARTUCCIO: REQ AUTHORIZATION TO PREPARE NECESSARY LEGISLATION ON BEHALF OF ADMIN TO RENEW SID LEVY (OR OPERATING ASSESSMENT) FOR 5 YRS. - DOWNTOWN DEVELOPMENT COMMITTEE
452. LIQUOR CONTROL DIV (OHIO): REQ STOCK TRAN OF D1 D2 D3 D3A FOR LUCCA RESTAURANT LLC DBA LUCCA @ 228 4TH ST NW. - RECEIVED & FILED
453. SERVICE DIRECTOR BARTOS: REQ RESOLUTION DECLARING INTENT OF CITY TO APPROPRIATE ESTATES AND/OR INTERESTS IN PROP DESCRIBED IN EXHIBIT A, FOR PURPOSES ALSO DESCRIBED IN SAID EXHIBIT, IN FURTHERANCE OF CONSTRUCTION OF MAHONING RD NE CORRIDOR PROJ, PHASE 2, GP 1103 (PROJ), AND IN ACCORD WITH PLANS ON FILE IN ENGINEER'S OFC; AUTHORIZE MAYOR AND/OR SERV DIR, OR DESIGNEE, TO MAKE MINISTERIAL CHANGES TO DOCS RELATED TO PROJ BY CORRECTING NUMERICAL, DESCRIPTIVE, OR TYPOGRAPHICAL ERRORS THAT MAY OCCUR, INCLUDING ERRORS RELATED TO PROP OWNERS NAMES AND PARCEL NUMBERS. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
454. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR, SERV DIR AND LAW DIR, OR DESIGNEES, TO ENGAGE IN ALL OFFICIAL ACTIONS NECESSARY TO APPROP ESTATES AND/OR INTERESTS IN PROP DESCRIBED IN EXHIBIT A, FOR PURPOSES ALSO DESCRIBED IN SAID EXHIBIT, IN FURTHERANCE OF CONSTRUCTION OF MAHONING RD NE CORRIDOR PROJ, PHASE 2, GP 1103 (PROJ), AND IN ACCORD WITH PLANS ON FILE IN ENGINEER'S OFC; AUTHORIZE MAYOR AND/OR SERV DIR, OR DESIGNEE, TO MAKE MINISTERIAL CHANGES TO DOCS RELATED TO PROJ BY CORRECTING NUMERICAL, DESCRIPTIVE, OR TYPOGRAPHICAL ERRORS THAT MAY OCCUR, INCLUDING ERRORS RELATED TO PROP OWNERS NAMES AND PARCEL NUMBERS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We now turn to First Reading Ordinances and Formal Resolutions for their First Reading. Mr. Clerk, would you please begin with Ordinance #1.

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

- #1. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (CITYWIDE: 3000 BLOCK OF KASPER ST NE -

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WARD 6 - PARCEL NO. 306265 FR R-1A (SINGLE FAMILY RESIDENTIAL) TO R-3 (GARDEN & TOWNHOUSE APARTMENT DISTRICT); 9TH ST. SW & CAMDEN AVE SW - WARD 5 - PARCEL NOS. 205703, 244602, 208263, 214865, 204900, 205706, AND 205699 FR I-1 (LIGHT INDUSTRIAL DISTRICT) TO R-4 (MULTI-FAMILY RESIDENTIAL DISTRICT); 600 BLOCK OF LINWOOD AVE. SW, WARD 3 - PARCEL NOS. 214110, 214111, 214112, 214113, 214114, 241785, 218240, AND 218241 FR R-1A (SINGLE FAMILY RESIDENTIAL) AND B-3 (GENERAL BUSINESS DISTRICT) TO R-4 (MULTI-FAMILY RESIDENTIAL DISTRICT)
Referred to Judiciary Committee

- #2. (1ST RDG) AN ORDINANCE PROVIDING FOR THE ISSUANCE OF A NOTE BY THE CITY OF CANTON IN ANTICIPATION OF THE COLLECTION AND PAYMENT OF INCOME TAXES, GENERAL PROPERTY TAXES, AND MISCELLANEOUS OTHER SOURCES TO THE CITY OF CANTON; DECLARING THE NECESSITY OF THE ISSUANCE OF SAID NOTE PROCEEDS OF WHICH WILL BE USED FOR THE PAYMENT OF CURRENT EXPENDITURES AND OPERATION EXPENSES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR, AS CHIEF EXECUTIVE OFFICER OF THE CITY OF CANTON, TO SUBMIT AN APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND TO RECEIVE FUNDS FROM THE 2016 ENHANCED EDUCATION AND OUTREACH PARTNERSHIP GRANT FOR FAIR HOUSING; AUTHORIZING THE AUDITOR TO CREATE THE 2217 2016 PARTNERSHIP GRANT FUND; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

(COUNCIL RECESSED AT 7:42 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS O#4 AND O#5; RECONVENED AT 7:44 P.M.)

- #4. (1ST RDG) **ADOPTED AS ORDINANCE NO. 236/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$4,000.00 APPROP TRF FR 1001 201015 ANNEXATION - OTHER TO 1001 203001 CIVIC CENTER - OTHER)
Referred to Finance Committee

- #5. (1ST RDG) **ADOPTED AS ORDINANCE NO. 237/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$4,500.00 SUPP APPROP FR UNAPPROP BAL OF 2776 POLICE DONATION FUND TO 2776 102001 POLICE DEPARTMENT - OTHER)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:45 P.M. FOR THE COMMUNITY & ECONOMIC DEVELOPMENT

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- #6. (1ST RDG) **ADOPTED AS ORDINANCE NO. 238/2016** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION TO COMMERCIAL & RESIDENTIAL SERVICES GENERAL CONTRACTING CO. LLC; AND DECLARING THE SAME TO BE AN EMERGENCY (\$21,800.00 FOR EMERG DEMO WORK AT 613 ALEXANDER PLACE N.E.)
Referred to Community & Economic Development and Finance Committees

PRESIDENT SCHULMAN: And at this time the Chair would declare an in-house recess for the, uh...

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

(RECESS)

PRESIDENT SCHULMAN: Council will reconvene then after its recess. Leader.

MEMBER SMITH: Mr. President, I move we suspend Rule 22A to place Ordinance 4, 5 and 6 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinances 4, 5 and 6 back on this evening's agenda. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeses, sir.

PRESIDENT SCHULMAN: Motion carries. The Ordinances are a legal part of your agenda. Leader.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rules on Ordinance #4, 5 and 6.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinances 4, 5 and 6. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

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PRESIDENT SCHULMAN: Motion carries. Leader, you've heard the three readings on Ordinance #4.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #4.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #4. Any remarks?
Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#4 ADOPTED AS ORDINANCE NO. 236/2016

PRESIDENT SCHULMAN: Ordinance #4 is adopted. Ordinance 5, please.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #5.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #5. Any remarks?
Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#5 ADOPTED AS ORDINANCE NO. 237/2016

PRESIDENT SCHULMAN: Thank you. Ordinance 5 is adopted. Ordinance 6, please.

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. Any remarks under this Ordinance? Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#6 ADOPTED AS ORDINANCE NO. 238/2016

PRESIDENT SCHULMAN: Motion carries and Ordinance #6 is adopted.

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PRESIDENT SCHULMAN: We now turn to Second Reading Ordinances and Formal Resolutions for their Second Reading. Mr. Clerk, would you please bring with Ordinance #7.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCES #7 THROUGH #11 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #7. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 6010 801001 WORKERS COMP RETRO FUND TO 6010 801001 WORKERS COMP RETRO - OTHER (CONT'D OPER OF ACCT'G FOR INTERNAL WORKERS COMP RETRO CLEARING ACCT))
- #8. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$20,000.00 APPROP TRF FR 1001 801010 AUDITOR LEGALLY BINDING EXP. FUND - OTHER TO 1001 801001 AUDITOR ADMINISTRATION - OTHER) (CONT'D OPER OF ACCT'G FOR AND FUNDING GENERAL FUND ACCT))
- #9. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$25,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102020 POLICE DETECTIVE BUREAU FOR \$20,000.00 & TO 1001 102080 POLICE TRAFFIC DIVISION FOR \$5,000.00; \$11,585.00 SUPP TRF FR 1001 506001 COMMUNITY DEVELOPMENT - OTHER TO 1001 506001 COMMUNITY DEVELOPMENT - PERSONNEL)
- #10. (2ND RDG) A RESOLUTION AMENDING RESOLUTION NO. 144/2015 (INCLUDE FIRST COMMONWEALTH & WESTFIELD BANKS AMONG CITY'S DESIGNATED DEP THRU 5/2020)
- #11. (2ND RDG) AN ORDINANCE AMENDING THE FOLLOWING SECTIONS OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON: 125.02, NONPAYMENT CHECKS; 181.05(G) RETURN AND PAYMENT OF TAX; REFUND; 182.03 DEFINITIONS; 182.051 COLLECTION AT SOURCE; WITHHOLDING FROM QUALIFYING WAGES; 182.053 COLLECTION AT SOURCE; CASINO AND VLT; 182.062 NET PROFIT; INCOME SUBJECT TO NET PROFIT TAX; ALTERNATIVE APPORTIONMENT; 182.09 ANNUAL RETURN; 182.14 CONFIDENTIALITY; 185.08 RETURNS REQUIRED; 1311.04 REQUIREMENTS FOR HOME IMPROVEMENT CONTRACTOR'S LICENSE; 1313.04 REQUIREMENTS FOR ELECTRICAL CONTRACTOR'S LICENSE; FEE; 1315.06 REQUIREMENTS FOR PLUMBING CONTRACTOR'S LICENSE; 1317.06 REQUIREMENTS FOR HVAC/R CONTRACTOR'S REGISTRATION; FEE; 1319.03 LICENSE AND BOND REQUIREMENTS; 1321.03 TELECOMMUNICATIONS CONTRACTOR'S LICENSE REQUIRED; AND DECLARING THE SAME TO BE AN EMERGENCY

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PRESIDENT SCHULMAN: Thank you, Mr. Clerk, very much.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We're now Third Reading Ordinances and Formal Resolutions for their Third Final Reading and Vote. Mr. Clerk, would you please begin with Ordinance #12.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ THE FOLLOWING ORDINANCES #12 THROUGH #19 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#12. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 239/2016** AN ORDINANCE DECLARING CERTAIN PARCELS OF REAL PROPERTY LOCATED IN THE CITY OF CANTON, STARK COUNTY, OHIO TO BE BLIGHTED; DECLARING THE IMPROVEMENT OF THOSE PARCELS OF REAL PROPERTY TO BE A PUBLIC PURPOSE; DECLARING SUCH PROPERTY TO BE EXEMPT FROM REAL PROPERTY TAXATION; DESIGNATING SPECIFIC PUBLIC INFRASTRUCTURE IMPROVEMENTS THAT, ONCE MADE, WILL DIRECTLY BENEFIT THE PARCELS FOR WHICH IMPROVEMENT IS DECLARED TO BE A PUBLIC PURPOSE; REQUIRING ANNUAL SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING A MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT FUND; AUTHORIZING THE EXECUTION OF A COMPENSATION AGREEMENT; AND PROVIDING RELATED AUTHORIZATIONS PURSUANT TO OHIO REVISED CODE SECTIONS 5709.40(B), 5709.42, 5709.43, 5709.832 AND 5709.85; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Thank you. Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #12. Any remarks? Leader.

MEMBER SMITH: Mr. President, I move we amend Ordinance #12 per a copy that all Council Members have in front of them, and could we have the amendment summarized, please.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance #12 by virtue of the copy before each Member of Council. There's also a request for a reading.

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT SCHULMAN: Yes. Explanation?

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DEPUTY MAYOR WILLIAMS: Yes. Mr. President, Members of Council, I apologize for the wordiness of this particular amendment and Ordinance, but in the spirit of transparency we wanted to make sure that Council understood what you're voting on this evening. Uh, the TIF Ordinance as prepared that we discussed during Second Reading is virtually the same. There is an amendment, and I want to read that amendment to you cause this is the meat and potatoes of the change in the Ordinance. The purpose of the amendment is to add language authorizing the City to enter into the chain of title, briefly, for Phase 2 of the site. This is a requirement for the type of TIF that would be established for the Phase 2 site. The TIF Ordinance passed pursuant to Ohio Revised Code Section 5709.41, in brief, in order to effectuate a 41 TIF the city must acquire the parcel or parcels to be exempted when the city is engaged in urban redevelopment. Mechanically speaking, this is typically accomplished by having the city momentarily enter the chain of title for no more than a few minutes by accepting title to the property and immediately reconveying the property back to the same owner. This is the meat... meat and potatoes of this Ordinance. This particular language was left out previously, and it's very important and vital to this Ordinance that this amendment be included in the Ordinance. Thank you.

PRESIDENT SCHULMAN: Any questions? There is a motion to amend per a copy before each member of Council. Any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

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

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 12 by the submission of the attached revised Ordinance for the original proposed Ordinance.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 12, as amended. Any remarks under this Ordinance as amended? Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#12 ADOPTED AS AMENDED AS ORDINANCE NO. 239/2016

PRESIDENT SCHULMAN: Motion carries, and Ordinance #12 as amended is adopted. Ordinance #13.

#13. (3RD RDG)

POSTPONED UNTIL 12/12/16 AN ORDINANCE DECLARING A DESIGNATED AREA OF THE CITY OF CANTON AS A TOURISM DEVELOPMENT DISTRICT FOR THE PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT, PURSUANT TO OHIO REVISED CODE SECTION 715.014; AND DECLARING THE SAME TO BE AN EMERGENCY

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PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 13. Any remarks?
Leader.

MEMBER SMITH: Mr. President, I move we postpone Ordinance #13 until December the 12th, 2016.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you postpone Ordinance #13 until December 12th. Any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS ORDINANCE #13 POSTPONED UNTIL 12/12/16 UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries, and the Ordinance is postponed. Ordinance 14, please.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 240/2016** AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$2,000,000 TO PROVIDE FUNDS TO MAKE A LOAN FOR ECONOMIC DEVELOPMENT IN THE CITY; AUTHORIZING RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #14. Any remarks?
Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#14 ADOPTED AS ORDINANCE NO. 240/2016

PRESIDENT SCHULMAN: Ordinance 14 is adopted. Ordinance 15, please.

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 241/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO

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BE AN EMERGENCY (\$1,387.80 SUPP APPROP FR UNAPPROP BAL OF 1001 801001 GENERAL OPERATING FUND TO 1001 801001 GENERAL OPERATING - PERSONNEL) (AUDITOR'S OFFICE)

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 under this Ordinance? Again hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#15 ADOPTED AS ORDINANCE NO. 241/2016

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

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 242/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,500.00 SUPP APPROP FR UNAPPROP BAL OF 1001 852001 GENERAL OPERATING FUND TO 1001 852001 GENERAL OPERATING - PERSONNEL) (TREASURY DEPT)

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's easily done.

MEMBER SMITH: (*Chuckles*)

PRESIDENT SCHULMAN: 16, uh... motion and seconded. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#16 ADOPTED AS ORDINANCE NO. 242/2016

PRESIDENT SCHULMAN: Thank you. Ordinance 16 is adopted. Ordinance 17, please.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 243/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO

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BE AN EMERGENCY (\$3,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 753001 GENERAL OPERATING FUND TO 1001 753001 GENERAL OPERATING - PERSONNEL) (LAW DEPT)

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?
Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#17 ADOPTED AS ORDINANCE NO. 243/2016

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

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 244/2016** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS 13648 AND 13649; AND DECLARING THE SAME TO BE AN EMERGENCY (300 BLOCK OF WEBSTER, WARD 4, HABITAT FOR HUMANITY)

PRESIDENT SCHULMAN: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 18. Any remarks?
Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#18 ADOPTED AS ORDINANCE NO. 244/2016

PRESIDENT SCHULMAN: Thank you Ordinance 18 is adopted. Ordinance 19, please.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 245/2016** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTORS OF PUBLIC SERVICE AND SAFETY TO: ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACTS FOR THE PURCHASE OF MATERIALS, EQUIPMENT, SUPPLIES, AND SERVICES PURSUANT TO CODIFIED ORDINANCE SECTION 105.09; ENTER INTO PROFESSIONAL SERVICES CONTRACTS PURSUANT TO CODIFIED

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ORDINANCE SECTION 105.10; ENTER INTO CONTRACTS VIA ANY COOPERATIVE PURCHASING AGREEMENTS AUTHORIZED BY LAW; ENTER INTO CONTRACTS PURSUANT TO O.R.C. SECTIONS 735.05 WITH QUALIFIED NONPROFIT AGENCIES; ENTER INTO CONTRACT AMENDMENTS AND CONTRACT MODIFICATIONS; AUTHORIZE ANY CONTRACTS, CONTRACT AMENDMENTS, AND CONTRACT MODIFICATIONS ENTERED INTO PURSUANT TO THIS ORDINANCE TO BE MULTIPLE YEAR AGREEMENTS AND/OR CONTAIN RENEWAL PROVISIONS WHERE REQUIRED OR BENEFICIAL TO THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 19. Any remarks under this Ordinance? Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#19 ADOPTED AS ORDINANCE NO. 245/2016

PRESIDENT SCHULMAN: Motion carries. Ordinance #19 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: Finance will meet December 12th at 6:00. We will also be having a finance presentation.

PRESIDENT SCHULMAN: Thank you very much, Chairman.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER SMITH: CD will also meet at the same time.

PRESIDENT SCHULMAN: Thank you, Chairman Smith.

MEMBER MACK: Mr. President.

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PRESIDENT SCHULMAN: Yes, Chairman Mack.

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

PRESIDENT SCHULMAN: Thank you. Any other announcements?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Now turn to Miscellaneous Business. Is there any? I don't hear anyone. Leader Smith.

MEMBER SMITH: 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 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

PRESIDENT SCHULMAN: Thank you. *(Gavel falls)*. Meeting's adjourned. Thank you, everyone. Thank the students. Have a wonderful week. Thank you for attending. Every... *(Recording stops)*

ADJOURNMENT TIME: 8:10 P.M.

ATTEST:

APPROVED:

KELLEN SHOWES
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT