

MINUTES OF THE MEETING DECEMBER 12, 2016

PRESIDENT SCHULMAN: Good evening ladies and gentleman, and welcome to Canton City Council. It is with great sadness that I have to tell you that Susan Brothers, a member of our Building Code Department, died today of cancer. We think of her, we think of her husband and her children in this moment of sil...sadness. So let's have a brief moment of silence, please.

(MOMENT OF SILENCE).

PRESIDENT SCHULMAN: Thank you, very much. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote, will you please.

ROLL CALL TAKEN BY CLERK SHOWES:

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER WEST ABSENT).

CLERK SHOWES: We have eleven present, one absent, sir. Mr. West is absent, sir.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member West from this evening's meeting. Any remarks? I know he had business that he was unable to change, so that's the reason he is not here and he is not feeling well. So, he's sick and he had business.

MEMBER MORRIS: He's sick in Columbus. *(Laughter).*

PRESIDENT SCHULMAN: Yeah, he'd better get used to that. *(Laughter).* *(Inaudible).*

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

PRESIDENT SCHULMAN: Motion carries and Member West is excused from this evening's meeting. *(Inaudible)*, by the next time you see him. We'll have our invocation tonight, given by my good friend and Council Member at Large James Babcock. If you'll stand and remain standing please, for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on December 12, 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 Council Member at Large, James Babcock. The Pledge of Allegiance was led by President

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Schulman.

AGENDA CORRECTIONS & CHANGES

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

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances 9 through 11.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add 2nd Reading Ordinances 9 through 11. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

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

PUBLIC HEARINGS

PRESIDENT SCHULMAN: Turning to Public Hearings. We have no Public Hearings this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: Turning to Old Business. I'm told we have no Old Business.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We now turn to Public Speaks. We do have two speakers this evening, and our first speaker is Julie Sparks. Julie. How are you?

JULIE SPARKS: Fine, thank you, and yourself?

PRESIDENT SCHULMAN: Good seeing you.

JULIE SPARKS: Good to be seen.

PRESIDENT SCHULMAN: If you'll stand though and give us your name and your residential address, please.

JULIE SPARKS: My name is...my name is Julie Sparks. 1514 Vassar Avenue NW, Canton, 44703. You know, I've had the privilege of standing before you on various occasions over the years and in front of you, my citizens, fellow citizens, it's kind of cool that so many people care. And every time I've come up here, I have been moved to say that...you know that I sincerely value the work that you do in our community. So, I want to thank you for that again today. But my purpose in being here today is specifically...is to talk about two things. One is public service and the other one is the manifestation of public service, Councilman...6th Ward Councilman, David Dougherty. Sorry Dave. I didn't tell him in advance because he would have been

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(Inaudible), but I just...I wanted to take an opportunity...I think about all of us here and the earnestness that we have and how the earnestness often shows itself in dissatisfaction. You know, it's a difficult day when we celebrate. Sometimes we do, but most often we're straining against, you know, what needs to be done and who should be doing it and there's just not enough of this or that, and that's just the way it is. But, you know, I want to talk about David in this way...*(sigh)*...First off, he's celebrating twenty-seven years of public service here at Council and I was thinking today that I started my professional career in 1990, which was twenty-seven years ago today, so, we've been at this awhile, as have many people here, but I'll share...I'll share two Davidisms, as I call them, and many of you have heard 'em, I'm sure. One of them that David has shared over the years is, if you don't care who gets the credit, you get more done. So, um, I found that it's true and...yeah, it just lets you move on to the next thing. The other thing that he taught me which is very, very true for all of us is that...he who is organized is he who gets the resources. So, if you want to get something done, you've got to like, put your nose to it and flip over the stones and make it happen. So, those are good lessons. Takes a lot of tenacity. I also wanted to honor David by talking about, you know, going back to that cup is half empty thing. You know, he's 6th Ward Councilman, many people here know literally where that's at, I hope. There's just...there's a lot of accomplishments that have taken place there that I think, you know, go unnoticed. One of the things Dave and I have talked about...a lot of the work he's done has been infrastructure. So you literally don't see it, it's under the ground, but there's been miles and miles of it that has taken place. Even now, today, they're working a deal with Habitat over in the Northeast end. I've had the privilege of working with Dave on the Corridor Project. And other people here...Fonda and others, but...I don't have time to list everything but I can tell you...and I know Dave's taken a bite out of a lot of butts up here, and other places, and that's okay. But he's also gotten a lot done, so I think when it comes to public service, you know, Dave may not be perfect but I think he's more than close enough for me. So, thank you David. *(Applause)*.

PRESIDENT SCHULMAN: Thank you very much, Ms. Sparks. No truer words have been said. Our next is William Jones. Next speaker is Mr. Jones. Good evening. If you'll step forward and give us your name and your residential address, please, and welcome, as always.

WILLIAM JONES: Thank you. William Jones, 814 15th St. NE, Canton, Ohio 447014. I have two things that I want to talk about tonight, and I think they both have some merit, some concern that we should maybe address. The first thing is...we have a service that maybe some people are aware of, and others are not, but it's called See Click Fix. This is an app, and you can download it on your phone and it actually address some concerns that are in the city and any citizen that would like to help the city out with that information. If you're not familiar with it, all you do is take a picture of whatever the problem might be, whether it's a pothole in the road or a damaged property, somebody starting a fire where they shouldn't, or anything like that. In other words, this is the kind of service that really assists people and making this city aware of what's going on. It's kind of an anonymous kind of thing to others, but it is something that address the concern so that the city can have an eye where maybe they don't have enough eyes. In other words, we're not hiring additional police officers, but we're really using the public to help us out and assisting us. Well, when that service started in...in a...for me, in 2014, I could take a picture of a pothole and in less than a week, that pothole was filed and it was a really moving service. With that being said, somehow, I know there's a lot of other things that are going on, but it seems like the service...now when you take a picture of some things, it takes a little longer for them to get back with you and I don't know who's over that to really follow up or police that, but it seems like it's been dwindling and going off and on. The second concern is...I've used that service to address a property owner which...he's in the 12th Street area and he has a commercial property, which we're trying to keep all the businesses here, I would think in the downtown area because we have enough vacant buildings. But this individual is not able to use this building, which...I'll give the address, which is 1226 Market Avenue North, and it's a professional building, and that has a handicap ramp that has...it hasn't been addressed for over a year

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and most of the Market Street Project is pretty much finished up. Matter of fact, I've been addressing that with Councilman West and the Engineer's Office and some of the others, to try to get that finished up. And, I'm hearing that the reason that they can't finish it up is because some fabricator of the handrail, hasn't completed the process. We've almost built a new Wendy's right across from the Civic Center and it's taken that long to build a handicap ramp on less than twenty-five foot of handicap ramp that needs to be built? I think there's something else that might need to be addressed on that and that's the reason I came down to speak on that and see if I can get Council to give me some assistance in talking to the right people. I've talked to the Engineer's Office and just all I can get is, "we're working on it and as soon as they get finished with that, they'll get to us." So, if you could help me out with that, I'd really appreciate it. Thank you so much for your time.

PRESIDENT SCHULMAN: We will do everything we can. Thank you so much, sir, very much. (*Applause*). That concludes Public Speaks.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions. We have one this evening. Mr. Clerk, would please read Informal Resolution #68.

68. COUNCIL-AS-A-WHOLE: COMMENDING VARIOUS INDIVIDUALS AND ORGANIZATIONS
FOR THEIR CONTRIBUTIONS TO THE PEDESTRIAN BRIDGE IN
STADIUM PARK. - ADOPTED

CLERK SHOWS: I'm also going to read off those organizations. The first is AZZ Incorporated, Dave Kirven, Joe Liolios, Thomarios, Beaver Excavating, Dan Kunz, City Engineer Dan Moeglin, Ironworkers Local 550, Selinsky Force, Pro Fab Incorporated, Whitacre Engineering, William V. Sherer, II, and East Central Ohio Building and Trades Council.

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move that we adopt Informal Resolution #68.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 68. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #68 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Motion carries. I want to thank every individual on that list for great public service. We appreciate it.

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE

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455. CD DIRECTOR MILLER: AUTHORIZE MAYOR TO ENTER INTO COLLABORATION AGMT WITH BD OF STARK COUNTY COMMISSIONERS, CITY OF ALLIANCE, CITY OF MASSILLON, AND STARK METRO HOUSING AUTHORITY (SMHA) FOR FY 2019-2023 ASSESSMENT OF FAIR HOUSING. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
456. LAW DIRECTOR MARTUCCIO: ADVISE OF PLANNING COMMISSION'S EXPECTED RECOMMENDED APPROVAL OF WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR PILOT ANNEXATION CONSISTING OF 17.5163 ACRES IN CANTON TWP (WARD 4) - ANNEXATION COMMITTEE
457. LAW DIRECTOR MARTUCCIO: ADVISE OF PLANNING COMMISSION'S EXPECTED RECOMMENDED APPROVAL OF WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR TRUMP SCHOOL ANNEXATION CONSISTING OF 10.726 ACRES IN CANTON TWP (WARD 4) - ANNEXATION COMMITTEE
458. MAYOR BERNABEI, COUNCIL MEMBER MARIOL: SUSPEND AUTOMATIC IMPLEMENTATION OF ANY AND ALL WAGE INCREASES CALLED FOR IN O#100/2011 AND ALL RELATED POLICIES, PROCEDURES AND ORDINANCES FOR FISCAL YR 2017; ALLOW FOR DULY AUTHORIZED PROMOTIONS, PROVIDED NEW STARTING SALARY DOES NOT EXCEED PARTING SALARY OF PREVIOUS EMPLOYEE, UNLESS VACANCY OCCURRED MORE THAN 2 CALENDAR YRS BEFORE 2017; EXEMPT ALL WAGE AND VAC DAY INCREASES CALLED FOR IN O#95/2016- FINANCE COMMITTEE
459. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR 38TH ST NW WATER MAIN REPLACEMENT AND RDWAY RECONSTRUCTION PROJ, GP 1240; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SRVS CONTRACT FOR CONSTRUCTION ENGINEERING SRVS; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMTS WITH CANAAN PROPERTIES LLC FOR PURCH OF 2 EASEMENTS; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMTS FOR AND RECEIVE GRANT FUNDS IN AMT OF \$900,000.00 AND 0% INTEREST LOAN IN AMT OF \$600,000.00 FR OH PUBLIC WORKS COMM; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE 4582 38TH ST NW WATER MAIN REPLACEMENT AND RDWAY RECONSTRUCTION PROJ, GP 1240, FUND FOR TRACKING PROJ REVENUES AND EXPENDITURES; AMEND ORDINANCE ADOPTING TEMP APPROPS FOR OPERATING AND CAPITAL EXPENDITURES OF CITY OF CANTON FOR FISCAL YR 2017 (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 4582 38TH ST NW WATER MAIN REPLACEMENT AND RDWAY RECONSTRUCTION PROJ, GP 1240, FUND TO 4582 207037 38TH ST NW WATER MAIN REPLACEMENT AND RDWAY RECONSTRUCTION PROJ, GP 1240 - OTHER; \$1,200,000.00 SUPP APPROP FR UNAPPROP

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BAL OF 5201 WATER FUND TO 5201 207037 38TH ST NW WATER MAIN REPLACEMENT AND RDWAY RECONSTRUCTION PROJ, GP 1240 - OTHER; \$250,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 207037 38TH ST NW WATER MAIN REPLACEMENT AND RDWAY RECONSTRUCTION PROJ, GP 1240 - OTHER; \$41,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 207037 38TH ST NW WATER MAIN REPLACEMENT AND RDWAY RECONSTRUCTION PROJ, GP 1240 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS) - PUBLIC PROPERTY CAPITAL IMPROVEMENT & FINANCE COMMITTEES

460. SERVICE DIRECTOR BARTOS: AMEND EXHIBIT A TO O#168/2016 IN ITS ENTIRETY (MAHONING RD NE CORRIDOR PROJ, PHASE 2, G.P. 1103, PID 90365, RIGHT-OF-WAY ACQUISITION AUTH) - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
461. TREASURER PEREZ: MTHLY RPT OF PARKING METER REVENUE FOR NOVEMBER, 2016. - RECEIVED & FILED
462. TREASURER PEREZ: MTHLY RPT OF DEPOSITS & PAY-INS TO AMBULANCE LOCK BOX ACCT FOR NOVEMBER, 2016. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: Turning now to Ordinances and Formal Resolutions for their First Reading. Would you please begin, Mr. Clerk, 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 AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE PILOT ANNEXATION AREA CONTAINING APPROXIMATELY 17.5163 ACRES; ASSIGNING SAID TERRITORY TO WARD 4 OF THE CITY; ZONING SAID TERRITORY AS B-4 (SPECIAL BUSINESS); AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 1/9/17 @ 7:30 P.M.**
Referred to Annexation Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE TRUMP SCHOOL ANNEXATION AREA CONTAINING APPROXIMATELY 10.726 ACRES; ASSIGNING SAID TERRITORY TO WARD 4 OF THE CITY; ZONING SAID TERRITORY AS I-1 (LIGHT INDUSTRIAL); AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Annexation Committee **PUB HRG 1/9/17 @ 7:31 P.M.**
- #3. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$18,285.00 SUPP APPROP FR UNAPPROP BAL OF 3011 GENERAL OBLIGATION DEBT FUND TO 3011 801001

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GENERAL OBLIGATION DEBT - OTHER)

Referred to Finance Committee

- #4. (1ST RDG) AN ORDINANCE ADOPTING TEMPORARY APPROPRIATIONS FOR THE OPERATING AND CAPITAL EXPENDITURES OF THE CITY OF CANTON, OHIO, FOR FISCAL YEAR 2017; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #5. (1ST RDG) A RESOLUTION CONSIDERING AND APPROVING THE PETITION FOR RENEWAL OF THE OPERATING ASSESSMENT OF THE DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY (SID)
Referred to Downtown Development and Finance Committees
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEES, TO ENGAGE IN ALL OFFICIAL ACTIONS NECESSARY TO APPROPRIATE THE ESTATES AND/OR INTERESTS IN THE PROPERTIES DESCRIBED IN EXHIBIT A FOR THE PURPOSES ALSO DESCRIBED IN SAID EXHIBIT, IN FURTHERANCE OF THE CONSTRUCTION OF THE MAHONING RD. NE CORRIDOR PROJECT, PHASE 2, GP 1103; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance and Public Property Capital Improvement Committees

(COUNCIL RECESSED AT 7:46 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #7; RECONVENED AT 7:47P.M.)

- #7. (1ST RDG) **ADOPTED AS ORDINANCE NO. 246/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$51,000.00 APPROP TRF FR 1001 101501 CODE ENFORCEMENT - OTHER TO 1001 506001 COMMUNITY DEV - PERSONNEL FOR \$25,600.00, TO 1001 501001 MAYOR - PERSONNEL FOR \$9,400.00, & TO 1001 504010 INFORMATION TECH - PERSONNEL FOR \$16,000.00; \$17,850.00 APPROP TRF FR 2111 104010 TRAFFIC SIGN & PAINT - PERSONNEL TO 2111 104001 TRAFFIC ENGINEER - PERSONNEL FOR \$17,000.00, & TO 2111 202020 URBAN FORESTRY - PERSONNEL FOR \$850.00)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:47 P.M. FOR THE FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES TO DISCUSS ORDINANCE #8; RECONVENED AT 7:50 P.M.)

- #8. (1ST RDG) **ADOPTED AS ORDINANCE NO. 247/2016** A RESOLUTION, PURSUANT TO CHAPTER 719 OF THE ORC, DECLARING THE INTENT OF THE CITY OF CANTON TO APPROPRIATE THE ESTATES AND/OR INTERESTS IN THE PROPERTIES DESCRIBED IN EXHIBIT A, FOR THE PURPOSES ALSO

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DESCRIBED IN SAID EXHIBIT, IN FURTHERANCE OF THE CONSTRUCTION OF THE MAHONING RD. NE CORRIDOR PROJECT, PHASE 2, GP 1103, AND IN ACCORDANCE WITH PLANS ON FILE IN THE CANTON CITY ENGINEER'S OFFICE; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance and Public Property Capital Improvement Committees

PRESIDENT SCHULMAN: And at this time the Chair would declare an in-house recess for the Finance Committee and the Public Property Capital Improvement Committees to meet. You are now in recess. Mr. Chairman.

(RECESS)

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

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to add Ordinances #7 and 8 back on this evening's agenda.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule to place Ordinances 7 and 8 on this evening's agenda. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

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

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules for Ordinance #7 and 8.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinances 7 and 8. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

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

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

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #7. Any remarks?
Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#7 ADOPTED AS ORDINANCE NO. 246/2016

PRESIDENT SCHULMAN: Ordinance #7 is adopted. Ordinance 8, please.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #8. Any remarks?
Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#8 ADOPTED AS ORDINANCE NO. 247/2016

PRESIDENT SCHULMAN: Thank you. Ordinance 8 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

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

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCES #9 THROUGH #11 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #9. (2ND 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 - 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

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BUSINESS DISTRICT) TO R-4 (MULTI-FAMILY RESIDENTIAL DISTRICT)

PUB HRG 1/9/17 @ 7:30 P.M.

- #10. (2ND 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
- #11. (2ND 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

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you. We're now Third Reading Ordinances and Formal Resolutions for their Third/Final Reading. Please begin with Ordinance #12.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ THE FOLLOWING ORDINANCES #12 THROUGH #17 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #12. (3RD RDG) ***POSTPONED UNTIL 12/19/16*** 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

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

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

LAW DIRECTOR MARTUCCIO: Mr. President. Mr. Majority Leader... Thank you Mr. President. Mr. Majority Leader, I was out in the hallway during the Caucus and neglected to ask to have this specifically postponed just one more week to finish up the legal descriptions and some other amendments to the TDD Ordinance, please.

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MEMBER MORRIS: Bummer, you missed the Thursday deadline. (*Laughs*). Mr. President, I move we postpone Ordinance #12 until 12/19 of 2016.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you postpone Ordinance #12 until the 19th of this month. Any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS ORDINANCE #12 POSTPONED UNTIL 12/19/16 UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries, and the Ordinance is postponed until the 19th. Turning now to a vote on Ordinance 13, please.

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 248/2016** 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))

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #13. Any remarks under this Ordinance? Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#13 ADOPTED AS ORDINANCE NO. 248/2016

PRESIDENT SCHULMAN: Ordinance 13 is adopted. Ordinance 14, please.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 249/2016** 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))

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 14. Any remarks under this Ordinance? Again hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#14 ADOPTED AS ORDINANCE NO. 249/2016

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

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 250/2016** 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)

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#15 ADOPTED AS ORDINANCE NO. 250/2016

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

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 251/2016** A RESOLUTION AMENDING RESOLUTION NO. 144/2015 (INCLUDE FIRST COMMONWEALTH & WESTFIELD BANKS AMONG CITY'S DESIGNATED DEP THRU 5/2020)

PRESIDENT SCHULMAN: Leader.

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

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 16. Any remarks under this Ordinance? Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#16 ADOPTED AS ORDINANCE NO. 251/2016

PRESIDENT SCHULMAN: Motion carries. Ordinance 16 is adopted. Ordinance 17, please.

#17. (3RD RDG) ADOPTED AS AMENDED AS ORDINANCE NO. 252/2016 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

PRESIDENT SCHULMAN: Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 17. Any remarks?

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

MEMBER SMITH: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Section 1, and the caption, of Agenda Item No. 17 by the addition of two new paragraphs "X" and "Y", and two additional references, to read as follows:

- X. *Section 182.03(C)(7), Allocation of Funds, of the codified ordinances of the city of Canton is amended to include new subparagraphs B and C under "urban renewal" as follows:*

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B. *Stop Gap Financing for the Hall of Fame Village Project.*

C. *Stop Gap Financing for the Phase One of the Hercules Redevelopment Project.*

The caption is amended to add the phrase "182.013, Allocation of Funds" following the phrase "182.03 Definitions;"

Y. *182.044, Tax Credit for Senior Citizens, of the codified ordinances of the city of Canton is hereby repealed effective for tax years beginning on or after January 1, 2016.*

The caption is further amended to add phrase "182.044 Tax Credit for Senior Citizens;" following the phrase "182.03 Allocation of Funds;"

Finally, the first sentence of Section 1 is amended to read as follows:

Section 1. The following Sections of Title Nine-Taxation of Part One-Administrative Code, and Title Five-Licensing Contractors of Part Thirteen-Building Code of the Codified Ordinances of the city of Canton, are amended to read as follows:

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 17 by virtue of the 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. The motion carries. Leader.

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

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 17 as amended. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Eleven yeas, sir.

#17 ADOPTED AS AMENDED AS ORDINANCE NO. 252/2014

PRESIDENT SCHULMAN: Motion carries. Ordinance 17, as amended, is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Chairman Mariol.

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MEMBER MARIOL: Finance will meet Monday, December 19 at...do...6:30.

PRESIDENT SCHULMAN: 6:30.

MEMBER BABCOCK: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER BABCOCK: Personnel, same time, same place.

PRESIDENT SCHULMAN: Any other remarks?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER DOUGHERTY: Public Property Capital Improvement Committee will meet the 19th at 6:30.

PRESIDENT SCHULMAN: Thank you Chairman Dougherty. There are two that Member West has...Downtown Development...

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: Annexation will meet...Annexation and Downtown Development will meet, same time, same place.

PRESIDENT SCHULMAN: Thank you very much. Any other remarks?

MISCELLANEOUS BUSINESS

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

SERVICE DIRECTOR BARTOS: Mr. President.

PRESIDENT SCHULMAN: Yes.

SERVICE DIRECTOR BARTOS: I'll be...I'll be as quick as I can, but I did want to recognize somebody for what I think is a remarkable accomplishment. As you may recall, Members of Council, the city of Canton is a charter member of PPANO, the Public Purchasers Association of Northern Ohio. That's thanks largely to the efforts of John High man, who was the Assistant Director at the time that we became a charter member and is now the Director of Purchasing. Since his time with it...you know, during his time with PPANO, he's written the by-laws, one of several drafters of the by-laws, and also the chapter manual for PPANO. I think he's chaired the Rules Committee for two years. Last week, after some prodding by his fellow PPANO members, he ran unopposed and was unanimously...unanimously elected Vice President of PPANO, which means in two years, he will take over as President of the organization. I think it's especially noteworthy that...you know, John's only been at this for less than four years and on average this group is made up of people who have been doing public purchasing for their whole career, so you're looking at people who have been in this for ten or fifteen years, so, I

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think its note...it's just noteworthy that people in his career...in his...you know, in his field, public purchasing, have recognized him. They've asked him to be their leader despite his short time in the field, and so I think it's noteworthy and I wanted to recognize him here and he deserved praise for that and for the work he does for the city. *(Applause)*.

PRESIDENT SCHULMAN: Anything else? Leader.

MEMBER MORRIS: Sir?

PRESIDENT SCHULMAN: Anyone else?

MEMBER MORRIS: Before I move to adjourn, I'd like to say that...don't know if Member Hawk got an opportunity to go down, it was in his Ward...the Frosty Frolic. The running event through the park. My wife had asked me to enter the "5K" race and I thought she was going to end up walking. She did not, and I ran by her side...forty-nine plus "5K" = Bengay and Jack Daniels, I could not walk. It was pure ego next to that woman, keeping me running. I did make it 3.5 miles. But they had a wonderful event. If anybody gets the opportunity to go down and support it next year, there is a lot of activities for the kids. It was a very well ran event and literally "ran" the event. So, nice job to those guys. Member Hawk, nice job in your Ward. It was really a good event, and move we adjourn.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: *(Inaudible)*.

MEMBER HAWK: One...one quick comment. *(Inaudible)*. She cancelled, no, she had cancelled the insurance after the day...*(Inaudible)*. Double indemnity insurance policy on you Frank. *(Laughter)*.

PRESIDENT SCHULMAN: Hearing no other remarks, so...*(Inaudible)*.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT SCHULMAN: *(Gavel falls)*. Motion's carried. Thank you ladies and gentlemen. Have a safe trip home and a wonderful week.

ADJOURNMENT TIME: 8:05 P.M.

ATTEST:
KELLEN SHOWES
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT