

**MINUTES OF THE MEETING NOVEMBER 27, 2017**

PRESIDENT PRO TEM MORRIS: Good evening. Welcome to Canton City Council. With a quorum being present, now call the meeting to order. Roll call please, Mr. Clerk.

*ROLL CALL TAKEN BY CLERK DOUGHERTY:*

12 COUNCIL MEMBERS PRESENT: (FRANK MORRIS, CHRIS SMITH, JAMES BABCOCK, TOM HARMON, BILL SMUCKLER, GREG HAWK, NATHANIEL CHESTER, JASON SCAGLIONE, ROBERT FISHER, KEVIN HALL, JOHN MARIOL & EDMOND MACK)

TWELVE COUNCIL MEMBERS PRESENT (PRESIDENT SCHULMAN ABSENT)

CLERK DOUGHERTY: Twelve present, Mr. President.

**EXCUSING MEMBERS**

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to excuse President Schulman from tonight's meeting. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Motion carries and President Schulman is excused from this evening's meeting. Tonight's invocation will be given by our 4<sup>th</sup> Ward Council Member, Chris Smith. Afterwards remain standing for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on November 27, 2017 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council David Dougherty. The invocation was given by Ward 4 Council Member, Chris Smith. The Pledge of Allegiance was led by President Pro Tem Morris.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT PRO TEM MORRIS: We are now under Agenda Corrections and Changes. Leader.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2<sup>nd</sup> Reading Ordinances #7 through 11.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to suspend Rule 22A to add Second Readings Ordinances #7 through 11 to this evening's agenda. Are there any remarks? Hearing none, roll call

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vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Okay, motion carries and Ordinances 7 through 11, are a legal part of your agenda.

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**PUBLIC HEARINGS**

PRESIDENT PRO TEM MORRIS: We are now under Public Hearings, and we have one this evening. Bear with me cause I'm not doing my normal job. (*Brief pause*) Okay. Scheduled for 7:00 P.M., this is AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS TAMSAL-FULTON ANNEXATION AREA CONTAINING APPROXIMATELY 3.95 ACRES; ASSIGNING SAID TERRITORY TO THE 7<sup>TH</sup> WARD OF THE CITY; ZONING SAID TERRITORY AS B-3 (GENERAL BUSINESS) AND DECLARING THE SAME TO BE AN EMERGENCY. Okay, is there anyone in the audience wishing to speak for or against this Annexation, please come forward. Okay, I'll repeat that. Is there anyone in the audience wishing to speak for or against this Annexation, please come forward or forever hold your peace. Okay, seeing no one step forward, the Chair declares the Public Hearing over in regards to this matter and the matter now rests in the hands of Council. This Ordinance will follow later this evening.

**OLD BUSINESS**

PRESIDENT PRO TEM MORRIS: We are now under Old Business, and we have none.

**PUBLIC SPEAKS**

PRESIDENT PRO TEM MORRIS: We are now under Public Speaks, and we have none of those.

**INFORMAL RESOLUTIONS**

PRESIDENT PRO TEM MORRIS: We're under Informal Resolutions. Mr. Clerk, would you please begin with #41.

#41. PERSONNEL COMMITTEE: CONFIRMING MAYOR'S APPT OF MAUREEN AUSTIN TO PUBLIC APPOINTEE VACANCY ON STARK COUNTY REGIONAL PLANNING COMMISSION COMMENCING 11/27/17 TO 12/31/19. - ADOPTED

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Informal Resolution 41. Are there any remarks? Hearing none, all those in favor signify by saying aye. Those opposed not, nay.

NO REMARKS

RESOLUTION #41 PASSED UNANIMOUSLY BY VOICE VOTE

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PRESIDENT PRO TEM MORRIS: The ayes have it. Informal Resolution #41 has been adopted. 42, please.

#42. PERSONNEL COMMITTEE: CONFIRMING MAYOR'S APPT OF DONN ANGUS TO PUBLIC APPOINTEE VACANCY ON STARK COUNTY REGIONAL PLANNING COMMISSION COMMENCING 11/27/17 TO 12/31/20. - ADOPTED

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Informal Resolution #42. Are there any remarks under this? Hearing none, all those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #42 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MORRIS: The ayes have it. Informal Resolution #42 has been adopted. #43, please.

#43. PERSONNEL COMMITTEE: CONFIRMING MAYOR'S EXTENSION OF RHODERICK SIMPSON'S TERM ON STARK COUNTY REGIONAL PLANNING COMMISSION FR 11/15/18 TO 12/31/18. - ADOPTED

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Informal Resolution #43. Are there any remarks under this Informal Resolution? Hearing none, all those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #43 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MORRIS: The ayes have it. Informal Resolution #43 has been adopted.

**COMMUNICATIONS**

PRESIDENT PRO TEM MORRIS: We're now under Communications. Let the journal show that all Communications are received and 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 NOVEMBER 27, 2017.***

437. AGENT FOR PETITIONER, WRIGHT: REQ AUTHORIZATION FOR ZONE CHANGE OF LOTS 02-80007, 02-80082, 02-80083, LOCATED AT 617 MCKINLEY AVE SW, IN WARD 4, FOR

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## STARK METROPOLITAN HOUSING AUTHORITY . - PLANNING COMMISSION

438. AUDITOR MALLONN: REQ LEGISLATION BE PREPARED TO AFFECT \$2,000,000.00 NOTE FOR CONTINUED OPERATION AND REVENUE OF GENERAL FUND; (\$2,000,000.00 APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 801001 ANTICIPATORY NOTE OTHER). - FINANCE COMMITTEE
439. COMM DEV DIRECTOR SEWARD: REQ LEGISLATION AUTHORIZING AUDITOR TO PAY MORAL OB IN AMT OF \$4,160.00 TO HABITAT FOR HUMANITY EAST CENTRAL OHIO FOR DEMO OF GARAGE @ 2241 - 16<sup>TH</sup> ST NE; EMERGENCY. - FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
440. FINANCE DIRECTOR CROUSE: AMEND APPROP O#41/2017 (\$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 801001 AUDITOR - ADMIN - PERSONNEL; \$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 6017 HEALTH & LIFE INSURANCE FUND TO 6017 201001 SERVICE DIRECTOR ADMIN - PERSONNEL); EMERGENCY (MEDICAL, DENTAL, LIFE INSURANCE CLAIMS). - FINANCE AND PERSONNEL COMMITTEES
441. FINANCE DIRECTOR CROUSE: AMEND APPROP O#41/2017 (\$30,000.00 SUPP APPROP FR UNAPPROP BAL OF 6023 COMPENSATED ABSENCE CLAIM FUND TO 6023 801001 AUDITOR - ADMIN - PERSONNEL); EMERGENCY (ABSENCES, RETIREMENT, SICK & VACATION). - FINANCE AND PERSONNEL COMMITTEES
442. LIQUOR CONTROL DIV (OHIO): REQ TRAN OF C1 C2 PERMIT FROM OM KARTHIKEYA LLC TO THAPABROTHERS LLC @ 2211 TUSCARAWAS RD. - RECEIVED & FILED
443. MAYOR BERNABEI: REQ AUTHORIZATION FOR RE-APPT OF MARCIA ZAWACKY TO FAIR HOUSING COMMISSION FOR 5 YR TERM COMMENCING 1/1/18 THRU 12/31/22. - PERSONNEL COMMITTEE
444. MAYOR BERNABEI: REQ AUTHORIZATION FOR RE-APPT OF REMEL MOORE AND JOHN STONE TO TREE COMMISSION COMMENCING 1/1/18 AND EXPIRING ON 12/31/19. - PERSONNEL COMMITTEE
445. MAYOR BERNABEI: REQ AUTHORIZATION FOR APPT OF DANIEL J. BLEND TO ARCHITECTURAL REVIEW BOARD, TO FILL VACATED SEAT OF STEVE COON, FOR NEW 4 YR TERM COMMENCING 1/1/18 THRU 12/31/21. - PERSONNEL COMMITTEE
446. MAYOR BERNABEI, FINANCE CHAIRMAN MARIOL: REQ LEGISLATION EFFECTIVE 1/1/18, TO SUSPEND AUTOMATIC IMPLEMENTATION OF ANY AND ALL WAGE INCREASES CALLED FOR IN O#100/2011 AND ALL RELATED POLICIES, PROCEDURES, AND ORD FOR FISCAL YR 2018; SUSPEND ANY AND ALL WAGE INCREASES FOR 2018 TO WAGE SCHEDULE FOR FIDUCIARY MGT AND NON-BARGAINING UNIT EMPLOYEES

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UNDER APPOINTING AUTHORITY OF MAYOR, AUDITOR, TREASURER, LAW DIR, COUNCIL, SAF DIR, SERV DIR, AND ALL CITY BOARDS AND COMMISSIONS; SUSPEND ANY AND ALL ANNUAL COST OF LIVING ADJUSTMENTS FOR MAYOR, AUDITOR, TREASURER, LAW DIR, COUNCIL PRES, CITY COUNCIL MEMBERS; SUSPEND ANY AND ALL WAGE INCREASES FOR POLICE CHIEF, FIRE CHIEF, AND DIV CHIEF IN FIRE DEPT; SUSPEND ANY AND ALL ORD, POLICIES, AND PROCEDURES WHICH PROVIDE STEP INCREASES FOR MGT AND NON-BARGAINING UNIT PERSONNEL; ALLOWS FOR DULY AUTHORIZED PROMOTIONS, PROVIDED RESULTING NEW STARTING SALARY DOES NOT EXCEED PARTING SALARY OF PREVIOUS EMPLOYEE TO HOLD POSITION, UNLESS VACANCY OCCURRED MORE THAN TWO CALENDAR YRS BEFORE 2018 PROMOTION, IN WHICH CASE ALL PREVIOUSLY ESTABLISHED ORD, POLICIES, AND PROCEDURES REGARDING PROMOTIONS SHALL APPLY; EXEMPTS ALL WAGES AND VACATION DAY INCREASES CALLED FOR IN O#95/2016 FR AFOREMENTIONED SUSPENSION; EMERGENCY. - FINANCE AND PERSONNEL COMMITTEES

447. TREASURER PEREZ: RPT OF PARKING METER REV FOR OCTOBER 2017. - RECEIVED AND FILED
448. TREASURER PEREZ: RPT OF DEPOSITS AND PAY INS FOR AMBULANCE LOCK BOX FOR OCTOBER 2017. - RECEIVED AND FILED
449. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF OCTOBER 31, 2017. - RECEIVED AND FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING.**

PRESIDENT PRO TEM MORRIS: We are now under Ordinances and Formal Resolutions for their First Reading. Mr. Clerk, could you please begin with #1.

***NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING SECTION 509.04 OF PART FIVE - GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (NOISE ORDINANCE)  
Referred to Judiciary Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (TOWING SERVS)  
Referred to Finance Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO THE VILLAGE OF HARTVILLE; AUTHORIZING THE

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MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT(S) FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY (HERITAGE TRUCK)  
Referred to Environmental & Public Utilities Committee

- #4. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 256/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER NO. 5 TO THE CITY OF CANTON WRF PHOSPHORUS/TOTAL NITROGEN PROJECT - CONTRACT NO. 26; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #5. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 257/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$70,500.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN. - OTHER; \$70,500.00 SUPP APPROP FR UNAPPROP BAL OF 2781 USE OF FORCE SOFTWARE UPDATE GRANT FUND TO 2781 102001 POLICE ADMIN - OTHER; \$70,500.00 INTERFUND ADVANCE FR 1001 102001 POLICE ADMIN - ADV OUT - OTHER TO 2781 102001 POLICE ADMIN - ADV IN - OTHER; \$70,500.00 INTERFUND ADVANCE REPAYMENT FR 2781 101001 POLICE ADMIN - ADV OUT - OTHER TO 1001 102001 POLICE ADMIN - ADV IN - OTHER)  
Referred to Finance Committee
- #6. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 258/2017** AN ORDINANCE AUTHORIZING THE APPROPRIATE CITY OFFICIAL(S) TO MAKE ANY AND ALL NECESSARY MATHEMATICAL CORRECTIONS TO CHANGE ORDER NO. 5 TO THE MAHONING ROAD NE CORRIDOR PROJECT, PHASE 1, CONSTRUCTION CONTRACT NO. 2014-77 (PROJECT); AUTHORIZES THE AUDITOR TO PAY A MORAL OBLIGATION TO WENGER EXCAVATING, INC. IN AN AMOUNT NOT TO EXCEED \$455.00 FOR WORK PERFORMED ON SAID PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

PRESIDENT PRO TEM MORRIS: And at this time the Chair will call an in-house recess for the meeting of the Finance Committee.

***(COUNCIL RECESSED AT 7:08 PM FOR THE FINANCE COMMITTEE TO DISCUSS O#4 - O#6; RECONVENED AT 7:10 PM)***

PRESIDENT PRO TEM MORRIS: At the time the Chair would declare the in-house recess for... uh, bu, bu, bu, wrong page. Now we're back in (*inaudible*). Okay. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: 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, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Motion carries. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to suspend the Statutory Rules for Ordinances 4, 5 and 6. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Motions carries. Leader, you've heard your three readings.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #4. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#4 ADOPTED AS ORDINANCE NO. 256/2017**

PRESIDENT PRO TEM MORRIS: Ordinance #4 has been adopted. Leader.

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

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MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #5. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAY

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#5 ADOPTED AS ORDINANCE NO. 257/2017**

PRESIDENT PRO TEM MORRIS: Ordinance #5 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #6. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#6 ADOPTED AS ORDINANCE NO. 258/2017**

PRESIDENT PRO TEM MORRIS: Ordinance #6 has been adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT PRO TEM MORRIS: We are now under Ordinances and Formal Resolutions for their Second Readings. Please begin with #7, please.

***NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #7 THROUGH #11 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #7. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO: ENTER INTO AGREEMENT FOR AND ACCEPT \$20,114.54 IN GRANT FUNDS FROM THE OFFICE OF JUSTICE PROGRAM, BUREAU OF JUSTICE ASSISTANCE FOR THE FISCAL YEAR 2017 BULLETPROOF VEST PARTNERSHIP; ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF NATIONAL INSTITUTE OF JUSTICE COMPLIANT ARMORED VESTS; OR TO ALTERNATIVELY ENTER CONTRACTS FOR SAID PURCHASES PURSUANT TO ANY OHIO REVISED CODE AND/OR THE CANTON CODIFIED ORDINANCES; AUTHORIZING THE AUDITOR TO RENAME THE 2782 FIRE 175<sup>TH</sup>

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ANNIVERSARY FUND TO 2782 FY 2017 BULLETPROOF VEST PARTNERSHIP FUND; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$20,114.54 SUPP APPROP FR UNAPPROP BAL OF 2782 FY 2017 BULLETPROOF VEST FUND TO 2782 102001 POLICE ADMINISTRATIVE - OTHER; 20,114.54 FR UNAPPROPRIATED BALANCE OF FUND 1001 GENERAL FUND TO 1001 102001 POLICE ADMINISTRATIVE - OTHER; \$20,114.54 INTER-FUND TRF FR 1001 102001 POLICE ADMINISTRATIVE - ADVANCE OUT TO 2782 102001 POLICE ADMINISTRATIVE - ADVANCE IN)

PRESIDENT PRO TEM MORRIS: Ordinance #8, please.

#8. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 259/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$25,000.00 APPROP TRF FR 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER TO 1001 103001 FIRE ADMIN - OTHER)

PRESIDENT PRO TEM MORRIS: Ordinance #9.

#9. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 260/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$17,442.30 SUPP APPROP FR UNAPPROP BAL OF 2789 2012 COPS HIRING PROG GRANT FUND TO 2789 102001 POLICE ADMIN - OTHER; \$17,442.30 FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND 1001 102001 POLICE ADMIN - OTHER; \$17,442.30 INTER-FUND TRF FR 1001 102001 POLICE ADMIN - TRANSFER OUT TO 2789 102001 POLICE ADMIN - TRANSFER IN)

PRESIDENT PRO TEM MORRIS: Ordinance #10.

#10. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 261/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$171,380.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102090 POLICE - CANTON CRIME LAB - PERSONNEL SERVICES - \$12,500.00, TO 1001 103001 FIRE - ADMIN - PERSONNEL SERVICES - \$150,000.00, TO 1001 201015 ANNEXATION - PERSONNEL SERVICES - \$1,080.00, TO 1001 901001 CIVIL SERVICE - PERSONNEL SERVICES - \$7,800.00)

PRESIDENT PRO TEM MORRIS: Ordinance #11.

#11. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 262/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO

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ENTER INTO A THIRD SUPPLEMENTAL AGREEMENT TO THE CANTON/HARTVILLE CONTRACT 2002-66 OF JUNE 19, 2002; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER SUPPLY)

PRESIDENT PRO TEM MORRIS: Leader Smith.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rule for Ordinance #8, 9, 10 and 11.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to suspend the Statutory Rule for Ordinance #8, 9, 10 and 11. Any remarks under this? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Motion carries. Leader Smith, you're heard your three readings.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #8. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#8 ADOPTED AS ORDINANCE NO. 259/2017**

PRESIDENT PRO TEM MORRIS: Ordinance #8 has been adopted. Ordinance... or, Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #9. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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PRESIDENT PRO TEM MORRIS: Ordinance #9 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #10. Is there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 261/2017

PRESIDENT PRO TEM MORRIS: Ordinance #10 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #11. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 262/2017

PRESIDENT PRO TEM MORRIS: Ordinance #11 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM MORRIS: We are now under Ordinances and Formal Resolutions for their Third and Final Reading. Please begin with #12.

***NOTE: PRESIDENT PRO TEM MORRIS CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #12 THROUGH #16 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

#12. (3<sup>RD</sup> RDG) ***POSTPONED UNTIL 12/4/17 AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A DEVELOPMENT AGREEMENT, AN OPERATIONS & MAINTENANCE AGREEMENT, AND ALL OTHER NECESSARY AGREEMENTS RELATED TO THE JOHNSON CONTROLS***

**MINUTES OF THE MEETING NOVEMBER 27, 2017***HALL OF FAME VILLAGE; AND DECLARING THE SAME TO BE AN EMERGENCY*

PRESIDENT PRO TEM MORRIS: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's...

MEMBER SMITH: It's gonna be postponed.

PRESIDENT PRO TEM MORRIS: Oh, she's right.

MEMBER SMITH: It's gonna be postponed.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #12. Are there any remarks?

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been... what date? Date.

MEMBER SMITH: Oh, the date?

PRESIDENT PRO TEM MORRIS: Yeah.

MEMBER SMITH: I'm sorry. We postpone Ordinance #12 to December the 4<sup>th</sup>, 2017.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to postpone Ordinance #12 until 12-4-2017. Any remarks? Hearing none, all those in favor signify by saying aye. Nay?

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MORRIS: Ayes have it. Ordinance #12 has been postponed until 12-4-2017. Ordinance #13, please.

#13. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 263/2017** AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE TAMSAL-FULTON ANNEXATION AREA CONTAINING APPROXIMATELY 3.95 ACRES; ASSIGNING SAID TERRITORY AS B-3 (GENERAL BUSINESS)

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TO WARD 7; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM MORRIS: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #13. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#13 ADOPTED AS ORDINANCE NO. 263/2017**

PRESIDENT PRO TEM MORRIS: Ordinance #13 has been adopted. Ordinance #14, please.

#14. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 264/2017** AN ORDINANCE AMENDING SECTION 903.07 OF PART NINE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (VISION CLEARANCE OF SHRUBBERY)

PRESIDENT PRO TEM MORRIS: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #14. Are there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#14 ADOPTED AS ORDINANCE NO. 264/2017**

PRESIDENT PRO TEM MORRIS: Ordinance #14 has been adopted. Ordinance #15.

#15. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 265/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A MULTI-YEAR AGREEMENT WITH THE BOARD OF STARK COUNTY COMMISSIONERS FOR THE LEASE OF THE STARK COUNTY PROPERTY LOCATED ADJACENT TO THE STARK COUNTY COURTHOUSE; AND DECLARING THE SAME TO BE AN EMERGENCY (SKATE RINK, ORIGINAL ARCADE CONEYS)

**MINUTES OF THE MEETING NOVEMBER 27, 2017**

PRESIDENT PRO TEM MORRIS: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance #15. Is there any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#15 ADOPTED AS ORDINANCE NO. 265/2017**

PRESIDENT PRO TEM MORRIS: Ordinance #15 has been adopted.

#16. (3<sup>RD</sup> RDG) **RECONSIDERED AND AMENDED AS ORDINANCE NO. 247/2017** AN ORDINANCE AUTHORIZING THE AUDITOR TO CREATE THE 2795 JUSTICE REINVESTMENT GRANT - PROBATION FUND; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$89,918.00 SUPP APPROP FR UNAPPROP BAL 2795 701001 JUSTICE REINVESTMENT GRANT - PROBATION - OTHER TO 3806 701001 JUSTICE REINVESTMENT GRANT - PROBATION - PERSONNEL)

PRESIDENT PRO TEM MORRIS: Leader Smith.

MEMBER SMITH: Mr. President, I move we reconsider Ordinance #247/2017 adopted on November the 20<sup>th</sup>, 2017.

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to reconsider Ordinance 247/2017 adopted on November 20<sup>th</sup>, 2017. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT PRO TEM MORRIS: Motion carries. Leader.

MEMBER SMITH: Mister... Mr. President, I move we amend Ordinance #247/2017 per the copy before each council member.

MEMBER BABCOCK: Second.

**MINUTES OF THE MEETING NOVEMBER 27, 2017**

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to amend Ordinance 247/2017 per a copy before each of you. Any remarks? Hearing none, roll call vote please.

CLERK DOUGHERTY: No.

PRESIDENT PRO TEM MORRIS: Oop, signify by saying aye. Those opposed nay.

NO REMARKS AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM MORRIS: The ayes have it. Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #247/2017 as amended.

MEMBER BABCOCK: Second.

**Reconsideration and Amendment:**

*Pursuant to Rules 41 and 36 respectively, I move to reconsider and amend Ordinance No. 247/2017 with the substitution of the attached ordinance for the previous ordinance.*

PRESIDENT PRO TEM MORRIS: It's been moved and seconded to adopt Ordinance 247/2017 as amended. Any remarks? Hearing none, roll call vote please.

NO REMARKS ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#16 RECONSIDERED AND AMENDED AS ORDINANCE NO. 247/2017**

PRESIDENT PRO TEM MORRIS: Ordinance 247/2017 as amended is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT PRO TEM MORRIS: We are now under Announcements of Committees.

MEMBER MARIOL: Mr. President.

PRESIDENT PRO TEM MORRIS: Member Mariol.

MEMBER MARIOL: Finance Committee will meet December 4<sup>th</sup> at 6:30 here in Council Chambers.

PRESIDENT PRO TEM MORRIS: Anyone else?

MEMBER BABCOCK: Mr. Pres... Mr. President, Personnel same time, same place.

MEMBER HARMON: Environmental & Public Utilities Committee will meet same time, same place.

PRESIDENT PRO TEM MORRIS: Thank you.

**MINUTES OF THE MEETING NOVEMBER 27, 2017**

MEMBER MACK: Mr. President, Judiciary same time, same place.

PRESIDENT PRO TEM MORRIS: That's it? Alright.

**MISCELLANEOUS BUSINESS**

PRESIDENT PRO TEM MORRIS: We are now under Miscellaneous Business. Okay. Quote of the Week. Let them have it.

**QUOTE FOR THE WEEK**

CLERK DOUGHERTY: "The two most important days of your life are the day you are born and the day you find out why." -Mark Twain.

PRESIDENT PRO TEM MORRIS: Still scratching my head on that one. 25 minute meeting, Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT PRO TEM MORRIS: Roll call vote.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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

ADJOURNMENT TIME: 7:25 PM

ATTEST: NOVEMBER 30, 2017  
DAVID R. DOUGHERTY  
CLERK OF COUNCIL

APPROVED:  
FRANK MORRIS  
PRESIDENT PRO TEM