

**MINUTES OF THE MEETING JANUARY 29, 2018**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to...

COUNCIL MEMBERS AND AUDIENCE: Good evening.

PRESIDENT SCHULMAN: Oh, thank you. Welcome to Canton City Council. Sorry we're running a little late. We had a lot of business to attend to, as you know for those who sat through the initial part of the meeting, and that's why we're delayed. So we appreciate your patience. We appreciate your being here. And with a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote, please, Mr. Clerk.

*ROLL CALL TAKEN BY CLERK DOUGHERTY:*

10 COUNCIL MEMBERS PRESENT: (CHRIS SMITH, JAMES BABCOCK, COREY MINOR SMITH, BILL SMUCKLER, NATHANIEL CHESTER, JASON SCAGLIONE, ROBERT FISHER, KEVIN HALL, JOHN MARIOL & FRANK MORRIS)

TEN COUNCIL MEMBERS PRESENT. (MEMBER HAWK AND MEMBER MACK ABSENT)

CLERK DOUGHERTY: Ten yeas, two absent, Mr. President.

**EXCUSING MEMBERS**

PRESIDENT SCHULMAN: Thank you. Leader.

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

PRESIDENT SCHULMAN: And also...

MEMBER SMITH: Yes, and Hawk.

PRESIDENT SCHULMAN: Yes.

MEMBER SMITH: And could we please keep Jill Stevens family in our prayers in the loss of her mother.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: Uh, it's been moved and seconded to excuse Member Hawk and Member Mack from this evening's meeting. Are there any remarks? Hearing none, roll call please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Motion carries and the... uh, Member Hawk and Member Mack are excused from this evening's meeting. We hope they're feeling better. Uh, we'll have our invocation given tonight by our good friend and Council Member, Jim Babcock. If you'll stand and remain standing for the Pledge of Allegiance.

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*The regular meeting of Canton City Council was held on January 29, 2018 at 7:20 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, David R. Dougherty. The invocation was given by At-Large Council Member, James Babcock. The Pledge of Allegiance was led by President Schulman.*

PRESIDENT SCHULMAN: Thank you very much.

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: We're under Agenda Corrections and Changes. Leader.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2<sup>nd</sup> Reading Ordinances 14 through 17 and #19 through 33, and #18 will be retained in committee.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: Okay, we have a motion and seconded to suspend Rule 22A to add Ordinances, and bear with me here, 1 through 4? Sorry, 1 through 14? No. 1 through...

MEMBER SMITH: 4... 14 through 17, Mr. President.

PRESIDENT SCHULMAN: Sorry, 14 through 17. #18 is retained in committee.

MEMBER SMITH: And #19 through 33.

PRESIDENT SCHULMAN: #19 through 33...

MEMBER SMITH: And 18...

PRESIDENT SCHULMAN: And 18...

MEMBER SMITH: ...will be retained in committee.

CLERK DOUGHERTY: Yea, retained in committee.

PRESIDENT SCHULMAN: Will be retained in committee. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Motion carries and they are now a legal part of your agenda.

**PUBLIC HEARINGS**

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

**MINUTES OF THE MEETING JANUARY 29, 2018****OLD BUSINESS**

*(Note: President Schulman does not announce Old Business.)*

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We are now under Public Speaks. We have three speakers tonight, and our first speaker is Tim Rodgers? Is that right? Mr. Rodgers? Don't have Mr. Rodgers? Timothy Rodgers. Okay.

CHUCK OSBORNE: Mr. Schulman.

PRESIDENT SCHULMAN: Yes.

CHUCK OSBORNE: I did not recall you have a sign-in sheet here.

PRESIDENT SCHULMAN: I'm sorry, I can't hear you.

CHUCK OSBORNE: I did not recall you had a sign-in sheet. I would like to insert my name on the Public Speaks.

PRESIDENT SCHULMAN: I'm sorry, it's too late, but you'll have... you'll have to do next week. I'm sorry. Sorry.

CHUCK OSBORNE: You had a cancellation for this first one. I'd like to speak.

PRESIDENT SCHULMAN: Well, I know you would, but that's not...

CHUCK OSBORNE: I have a conflict on... usually on Monday nights. We're not meeting in North Canton. I would beg your forgiveness and let... like to speak.

PRESIDENT SCHULMAN: Alright, I'll tell you what I'm gonna do. I'm gonna gi... take your... take your position and we'll hear what you have to say. Go ahead, sir.

CHUCK OSBORNE: Okay. Thank you.

PRESIDENT SCHULMAN: Give us your name and address.

CHUCK OSBORNE: My name is Chuck Osborne, 307 Fairview Street SE, North Canton, Ohio. I have some concerns with the Football Hall of Fame Village. I've been skeptical of the hype for several years for many reasons. Number one, the location. You're locating this in a well settled fully developed area adjacent to well maintained residential homes in Avondale. This will negatively impact the entire area as well as residential property values of Avondale. Why would public officials allow private interest to drop what has been characterized as a Disneyland development on a very well settled maintained neighborhood such as Avondale. Secondly, the relocation costs and replacement of McKinley High School. Developers and Canton City School Board have never acknowledged who will relocate and rebuild McKinley High School. The answer to this has been side stepped since the beginning. I am not the least bit enamored by the likes of Adrian Allison who has allowed Canton City school property to be commendeered by private interest. You're probably looking at a hundred million dollars plus. Who's paying that? Rebuild Fulton interchange and I-77. How many hundreds

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of millions will it cost to redesign and rebuild the entire Fulton/I-77 interchange to accommodate what IRG proposes for the Hall of Fame Village? You're probably talking a half a billion dollars there. You will have to upgrade a mile north and south of 77 and redesign the entire interchange. I don't believe there's gonna be any benefit for the... to stop the slow demise of McKinley Grand Hotel in North... in downtown Canton. I also do not believe it's gonna do anything for downtown Canton, yet Canton City Council has ante'd up five million dollars into this debacle. Brain injuries suffered in football. That's the nail in the coffin for this whole mess. Football as it is played today will not continue. Banks are not going to lend hundreds of millions of dollars to a venture with safety concerns in the game of football that have been discovered and now acknowledged by the NFL. The Football Hall of Fame was and is a pie in the sky vision of a billionaire and a huckster who teamed up to suck a struggling community into a dream that was fatally flawed from the beginning. If anybody saw the movie two years ago this month, Concussion with Will Smith. He portrays a researcher who documented brain injuries that result with repeated concussions. The movie highlighted the discovery of CTE in Pittsburgh Steeler Center, Mike Webster, and in other NFL players... players, notably Justin Strzelczyk, Andre Waters, Terry Long, Dave Duerson, and the list probably goes on. If the financial cost which I have listed above, some of which will be born by taxpayers, are not a cause for concern... (*President Schulman bangs the gavel*) in the crazy plan orchestrated by Stewart Lichner...

PRESIDENT SCHULMAN: Thank you. That's...

CHUCK OSBORNE: ...to plop down Disneyland.

PRESIDENT SCHULMAN: Thank you. Appreciate your...

CHUCK OSBORNE: That's my three minutes?

PRESIDENT SCHULMAN: Yes, it is. Actually it is.

CHUCK OSBORNE: Alright. I have some handouts to give to you.

PRESIDENT SCHULMAN: Great.

CHUCK OSBORNE: You're dealing with a...

PRESIDENT SCHULMAN: Sir.

CHUCK OSBORNE: Fraud and a scammer in Mr. Lichner.

PRESIDENT SCHULMAN: Thank...

CHUCK OSBORNE: I have a story in here out of Shreveport, Louisiana.

PRESIDENT SCHULMAN: Okay. We'll... we'll take care of that. I... I've given you... look...

CHUCK OSBORNE: Thank you.

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PRESIDENT SCHULMAN: I have given you... I've been... been more than nice to you tonight. More than kind. You were not here, you didn't sign up, I let you talk. Please don't abuse that. Thank you for coming. I appreciate it.

CHUCK OSBORNE: Can I bring this up to you here?

PRESIDENT SCHULMAN: No! Enough! Thank you, sir. Our next speaker is Pete DiGiacomo. Mr. DiGiacomo, welcome as always to Canton City Council.

CHUCK OSBORNE: You've hitched your wagon up to a sinking ship.

PRESIDENT SCHULMAN: Thank you, sir. Go ahead, Mr. DiGiacomo. I'm sorry.

PETE DIGIACOMO: (*Whispers inaudibly*)... I don't want to get yell... I don't want to get yelled at.

PRESIDENT SCHULMAN: I can't hear you (*chuckles*).

PETE DIGIACOMO: I don't want to get yelled at. I'm sensitive. (*Laughter*) My name is Pete DiGiacomo, 600 Dent Place SW, Canton, Ohio. What I've wrote down here is from The Repository, so I'm gonna start to read this. Overtime costs for police/fire for protection for Enshrinement Festival was nearly three hundred and thirty thousand dollars, and what they said in The Rep was, if it's... if it's right, that the Hall of Fame will be... is supposed to be paying part of that, hasn't paid them yet. The City is waiting for the payment. This is for 2017. Uh, the Hall of Fame still owes the contractors that they owe for work that they've done. They haven't paid that bill. The fire department spent over thirty thousand dollars overtime for service to the Village for non-festival events. I don't believe that's been paid either. Hall of Fame seems to be spending money that they do not have like there's no tomorrow. This was in The Repository on January 28<sup>th</sup>. The City of Canton pays its moral obligation, why not the Hall of Fame? (*Applause*)

PRESIDENT SCHULMAN: Thank you very much. Our last speaker is Kenneth Jones. Mr. Jones. Good evening, welcome to Canton City Council. If you'll step forward and give us your name and your residential address, please, sir. And welcome.

KEN JONES: Good evening, Mayor and Members of City Council. Thank you for allowing me to make a statement. I'm Ken Jones, a native Cantonian. For the last 14 years I've lived at 334 5<sup>th</sup> Street SW, which is just around the corner within walking distance. One of my passions is high quality home construction and residential design. My statement pertains to the proposed City income tax increase which is supposed to help provide funding for the Comprehensive Plan. It is my view that the City first needs to provide more detailed plans for developing housing renewal before asking for a tax increase. The plans should specify which areas bounded by which streets are to be earmarked for extensive revitalization and what the focus will be. For example, will it be primarily new market rate housing, rehab, subsidized housing or a mix. The ranking of importance should be noted, which areas will be targeted first. The City should engage the community. They should give homeowners the chance to become involved in the decision making process. Most importantly, zoning should be strictly modified and enforced so that low quality subsidized housing cannot be erected indiscriminately anywhere in the City as it is now. A city wide property tax easement should be proposed to give all homeowners an incentive to reinvest in their homes. Sadly, the prevailing sentiment in the City is

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negative. Everything has become hopeless. The bar has been set so low that anything is better than nothing, whether or not it makes sense long term. It's going to take strong leadership to combat long standing negativity inside and outside City Hall. It's going to take people with a tenacious vision and strong sense of purpose. Most of all it... it will require patience, decades of patience. In a few weeks City Council will be faced with a tough choice as predicted by the Comprehensive Plan. It will serve as a test case. Let's hope this tough choice isn't an easy choice for Members of Council. If it is, then you may as well tear up your Comprehensive Plan and kiss your tax increase goodbye. Thank you.

PRESIDENT SCHULMAN: Thank you very much, sir. Appreciate it. Thank you for coming, all of you. We appreciate your input and we certainly take it under serious advisement.

**INFORMAL RESOLUTIONS**

*(Note: President Schulman does not announce Information Resolutions. There were no Informal Resolutions).*

**COMMUNICATIONS**

*(Note: President Schulman does not announce Communications)*

***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 JANUARY 29, 2018.***

50. ANNEXATION CHAIRMAN MARIOL: REQ STATEMENT OF SERVICES FOR HALL OF FAME VILLAGE #5 ANNEXATION LOCATED IN PLAIN TOWNSHIP. - ANNEXATION COMMITTEE
51. HEALTH COMMISSIONER ADAMS: AMEND APPROP O#277/2017 (\$4,400.00 SUPP APPROP FR FUND 2318 301001 LOCAL AIDS PREVENTION - 600 PAYROLL TO FUND 2318 301001 LOCAL AIDS PREVENTION FUND - 700 OTHER. - FINANCE COMMITTEE
52. SAFETY DIRECTOR PERRY: FORMALIZE TENTATIVE AGMT WITH AFSCME LOCAL 3449/OHIO COUNCIL 8 PURSUANT TO WAGE AND HEALTHCARE RE-OPENER NEGOTIATIONS FOR YR 1/1/18 - 12/31/18. - FINANCE AND PERSONNEL COMMITTEES
53. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO PROF SERVS CONTRACT WITH BLACK, MCCUSKEY, SOUERS AND ARBAUGH LPA FOR LEGAL SERVS RELATED TO WORKER'S COMP CASES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
54. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR CANTON SOUTH - CLEVELAND AVENUE WATERLINE EXTENSION PROJ (REGIONALIZATION); AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT FOR CONSTRUCTION ENGINEERING SERVS FOR PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO PURCHASE AND MAKE PAYMENT FOR EASEMENTS; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH OHIO EPA, THROUGH OHIO WATER DEVELOPMENT AUTHORITY TO RECEIVE FR WATER SUPPLY REVOLVING LOAN ACCT, PRINCIPAL FORGIVENESS AND ZERO PERCENT INT LOAN TO BE AMORTIZED OVER 15 YR

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PERIOD FOR CANTON SOUTH - CLEVELAND AVENUE WATERLINE EXTENSION PROJ (REGIONALIZATION); AUTHORIZE AUDITOR TO ESTABLISH AND CREATE FUND 5235 CANTON SOUTH - CLEVELAND AVENUE WATERLINE EXTENSION PROJ (REGIONALIZATION) FUND TO RECEIVE LOAN AND REVENUE PROCEEDS AND TRACK PROJ EXPENDITURES; MAKE \$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207048 CANTON SOUTH - CLEVELAND AVENUE WATERLINE EXTENSION PROJ (REGIONALIZATION) - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for their third Reading... I'm sorry, Second Reading... First Reading. Did I get enough of them? I think I got them all. Mr. Clerk, would you please begin with Ordinance 1.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #13 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> 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 (617 MCKINLEY AVE SW, PARCEL #280007, #280082, AND #280083 FR R-1A (SINGLE-FAMILY RESIDENTIAL) TO PR-4 (PLANNED MULTI-FAMILY RESIDENTIAL) (SMHA)  
Referred to Judiciary Committee **PUB HRG 2/12/18 @ 7:00 PM**
- #2. (1<sup>ST</sup> RDG) A RESOLUTION APPROVING AND ADOPTING THE CITY OF CANTON POLICY AND PROCEDURES FOR CITY PROVIDED CREDIT CARDS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance and Judiciary Committees
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 277/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,931.98 APPROP TRF FR 2767 701001 MISDEMEANANT JAIL DIVERSION GRANT FUND - PERSONNEL TO 2767 701001 MISDEMEANANT JAIL DIVERSION GRANT - OTHER) (RETURN UNSPENT FY 17 GRANT FUNDS TO STATE OF OH)  
Referred to Finance Committee
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 277-2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$57,687.00 SUPP APPROP FR UNAPPROP BAL OF 2789 2012 COPS HIRING PROG GRANT FUND TO 2789 102001 POLICE ADMIN - OTHER) (RETURN OVERDRAWN MONIES AND FINALIZE AUDIT)  
Referred to Finance Committee

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- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 277/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$27,617.36 SUPP APPROP FR UNAPPROP BAL OF 2769 BYRNE MEM JUSTICE ASSIT GRANT 2016 FUND TO 2769 100201 POLICE ADMIN - OTHER; \$25,226.69 FR UNAPPROP BAL OF 2770 BYRNE MEM JUSTICE ASSIT GRANT 2015 FUND TO 2770 100201 POLICE ADMIN - OTHER; \$20,206.17 SUPP APPROP FR UNAPPROP BAL OF 2787 BYRNE MEM JUSTICE ASSIT GRANT 2014 FUND TO 2787 100201 POLICE ADMIN - OTHER) (MOVE MONIES TO CORRECT FUNDS)  
Referred to Finance Committee
- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 277/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 2318 LOCAL AIDS PREVENTION FUND TO 2813 301001 LOCAL AIDS PREVENTION - 700 OTHER)  
Referred to Finance Committee
- #7. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO CONTRACT WITH THE BELOW-NAMED CITIES AND VILLAGES TO PROVIDE LEGAL REPRESENTATION IN THE PROSECUTION OF CRIMINAL CASES AND RELATED MATTERS BY THE CITY PROSECUTOR'S OFFICE; AND DECLARING THE SAME TO BE AN EMERGENCY (E. CANTON, E. SPARTA, HARTVILLE, LOUISVILLE, MAGNOLIA, N. CANTON, WAYNESBURG)  
Referred to Finance Committee
- #8. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 22501 - 22509; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY)  
Referred to Public Safety & Thoroughfares Committee
- #9. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON AND AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (SANITARY SEWER EPA ADMIN ORDER ON CONSENT)  
Referred to Personnel Committee
- #10. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH MUNICIPAL & FINANCIAL SERVICES GROUP; AMENDING

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APPROPRIATION ORDINANCE NO. 277/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$68,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207001 WATER ADMINISTRATION - OTHER; \$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206005 OPERATIONS AND MAINTENANCE - OTHER) (WATER AND SEWER RATE STUDY)

Referred to Finance Committee

- #11. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO THE VILLAGE OF HARTVILLE; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY (GENTLEBROOK VILLAGE & THE WOODLANDS)  
Referred to Environmental & Public Utilities Committee
- #12. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH CT CONSULTANTS, INC.; AMENDING APPROPRIATION ORDINANCE NO. 277/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$76,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207050 FAIRMOUNT AREA WATER MAIN REPLACEMENT PROJ, PHASE II - OTHER)  
Referred to Finance Committee
- #13. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 5/2018** AN ORDINANCE APPROVING CONTRACT AMENDMENTS TO THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND LOCAL 3449 AND OHIO COUNCIL 8; AND DECLARING THE SAME TO BE AN EMERGENCY (WAGE & HEALTHCARE RE-OPENER NEGOTIATIONS FOR YR 1/1/18 - 12/31/18)  
Referred to Finance and Personnel Committees

PRESIDENT SCHULMAN: At this time the Chair would declare an in-house recess for the joint Finance and Personnel Committees to meet in regard to Ordinance 13 on your agenda. You're now in recess.

***(COUNCIL RECESSED AT 7:35 PM FOR THE FINANCE AND PERSONNEL COMMITTEES TO DISCUSS ORDINANCE #13; RECONVENED AT 7:38 PM)***

PRESIDENT SCHULMAN: Thank you. Council will re... reconvene after its recess. Leader.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to place Ordinance #13 back on this evening's agenda.

MEMBER BABCOCK: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded that the Ordinance be placed back on this evening's agenda. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries, and Ordinance 13 is a legal part of your agenda. Leader.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rules on Ordinance #13.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the... Ordinance 13. Are there any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Motion carries. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 13. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

**#13 ADOPTED AS ORDINANCE NO. 5/2018**

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinance 13 is adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We now turn to Ordinances for their Second Reading and Formal... and Formal Resolutions for their Second Reading. Uh, Mr. Clerk.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #14 THROUGH #17 AND #19 THROUGH #33 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS; O#18 RETAINED IN COMMITTEE; O#33 ADOPTED):***

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- #14. (2<sup>ND</sup> 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 (PARCEL #280008, 1120 15<sup>TH</sup> ST NW, LEHMAN HIGH SCHOOL) **PUB HRG 2/5/18 @ 7:00 PM**
- #15. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE HOF VILLAGE #4 ANNEXATION AREA CONTAINING APPROXIMATELY 8.363 ACRES; ASSIGNING SAID TERRITORY AS HALL OF FAME VILLAGE DISTRICT (HOFV); AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 2/5/18 @ 7:01 PM**
- #16. 2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE 4111 LOUISVILLE ST-MAHONING INDUSTRIAL PARK ANNEXATION AREA CONTAINING APPROXIMATELY .637 ACRE; ASSIGNING SAID TERRITORY AS I-1 (LIGHT INDUSTRIAL DISTRICT); AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 2/5/18 @ 7:02 PM**
- #17. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS 4229 4<sup>TH</sup> ST NW ANNEXATION AREA CONTAINING APPROXIMATELY .193 ACRE; ASSIGNING SAID TERRITORY AS B-2 (NEIGHBORHOOD BUSINESS); AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 2/5/18 @ 7:03 PM**
- #18. (2<sup>ND</sup> RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AMENDING TITLE SEVEN - BUSINESS REGULATION CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON BY THE ADDITION OF CHAPTER 779, RETAIL SHOPPING CART REGULATIONS
- #19. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$6,684.00 TO BLACK, MCCUSKEY, SOUERS & ARBAUGH LAW FIRM; AND DECLARING THE SAME TO BE AN EMERGENCY (HERCULES BROADVIEW DEVELOPMENT TIF AGMTS)
- #20. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 277/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$350.00 SUPP APPROP FR UNAPPROP BAL OF 2327 LEAD ASSESSMENT FUND TO 2327 301001 HEALTH ADMIN - PERSONNEL; \$185.00 SUPP APPROP FR UNAPPROP BAL OF 2329 SMOKE FREE OHIO FUND TO 2329 301001 HEALTH ADMIN - PERSONNEL; \$150.00 SUPP APPROP FR UNAPPROP BAL OF 2356 TATTOO PARLORS FUND TO 2356 301001 HEALTH ADMIN - PERSONNEL; \$21,175.00 SUPP APPROP FR UNAPPROP BAL OF 2760 FEDERAL FORFEITURE FUND TO 2760 102001 POLICE ADMIN - PERSONNEL; \$375,000.00 SUPP APPROP FR UNAPPROP BAL OF 2784 2017 COPS HIRING GRANT FUND TO 2784 102001 POLICE ADMIN - OTHER;

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\$88,197.22 SUPP APPROP FR UNAPPROP BAL OF 2795 JUSTICE REINV  
GRANT PROB FUND TO 2795 701001 JUDGES ADMIN - PERSONNEL)

- #21. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
- #22. (2<sup>ND</sup> RDG) A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF THE 2017 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX THE PRICE FOR THE SALE OF SAME; AND DECLARING THE SAME TO BE AN EMERGENCY (\$8.50)
- #23. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$183,700.00 TO CENTRAL ALLIED ENTERPRISES, INC.; AMENDED APPROPRIATION ORDINANCE NO. 277/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$183,700.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 DISTRIBUTION MAINTENANCE - OTHER)
- #24. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY TWO MORAL OBLIGATIONS IN AN AMOUNT NOT TO EXCEED \$8,354.65 TO STANDARD PLUMBING & HEATING CO.; AND DECLARING THE SAME TO BE AN EMERGENCY (REPAIRS TO CITY HALL CHILLERS)
- #25. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS OWED FOR BOTH CONSTRUCTION AND CONSTRUCTION ENGINEERING SERVICES RELATED TO THE 38<sup>TH</sup> STREET IMPROVEMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #26. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY TO PURCHASE ONE (1) INTERNATIONAL TANDEM DUMP TRUCK, ONE (1) CARGO VAN, AND ONE (1) MINI EXCAVATOR WITH TRAILER; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY COOPERATIVE PURCHASING AGREEMENTS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER DEPT)
- #27. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE OR DIRECTOR OF PUBLIC SAFETY TO APPLY FOR, ENTER INTO AGREEMENT FOR, AND RECEIVE FUNDS FROM MULTIPLE POTENTIAL FUNDING SOURCES FOR VARIOUS CITY PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #28. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER, ENGINEER II)
- #29. (2<sup>ND</sup> 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 (LESH PROPERTIES, PARCELS 380288 & 304826, 3501 & 3533 LESH ST NE)
- #30. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT WITH AXON ENTERPRISES, INC. FOR THE UNLIMITED TASER CARTRIDGE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY (POLICE & FIRE)
- #31. (2<sup>ND</sup> RDG) A RESOLUTION DIRECTING THE STARK COUNTY BOARD OF ELECTIONS TO CONDUCT AN ELECTION AT THE PRIMARY ELECTION OF MAY 8, 2018 FOR THE PURPOSE OF PROVIDING THE ELECTORS OF THE CITY OF CANTON, OHIO, WITH THE OPPORTUNITY TO APPROVE OR DISAPPROVE A LEVY PROVIDING FOR A PROPOSED INCREASE IN THE CITY OF CANTON, OHIO, INCOME TAX ORDINANCE FROM TWO PERCENT (2%) TO TWO AND ONE HALF PERCENT (2.5%), EFFECTIVE FOR COLLECTING COMMENCING JULY 1, 2018, FOR A CONTINUING PERIOD OF TIME, SUCH INCREASE TO BE USED AND ALLOCATED FOR THE PURPOSES OF PUBLIC SAFETY (POLICE AND FIRE) AND OTHER GENERAL OPERATING EXPENSES, CITY INFRASTRUCTURE, STREETS AND ROADS, NEIGHBORHOOD DEVELOPMENT, INCLUDING DEMOLITIONS, CODE ENFORCEMENT, AND HOUSING PROGRAMS, AND FOR PURPOSES PRIORITIZED IN THE MOST CURRENT COMPREHENSIVE PLAN, AND SUBSEQUENT AMENDMENTS APPROVED BY COUNCIL, INCLUDING ECONOMIC AND DOWNTOWN DEVELOPMENT, JOB CREATION, EXPANSION AND RETENTION; AND DECLARING THE SAME TO BE AN EMERGENCY
- #32. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING SECTIONS 182.012 AND 182.013 OF PART ONE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (INCOME TAX INCREASE FR 2% TO 2.5%)
- #33. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 6/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT; ADVERTISE, RECEIVE QUALIFICATIONS, AWARD AND EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION ENGINEERING SERVICES; RECEIVE AND ENTER INTO AGREEMENTS FOR GRANTS/LOANS FROM ODOT AND OPWC; AND TO ENTER INTO

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AGREEMENTS WITH UTILITY COMPANIES AS NEEDED FOR THE TRAFFIC SIGNAL COMMUNICATIONS UPGRADE PROJECT; AUTHORIZE THE AUDITOR TO ESTABLISH AND CREATE THE 4583 TRAFFIC SIGNAL COMMUNICATIONS UPGRADE PROJECT, G.P. 1185, PID 99897 FUND; AMENDING APPROPRIATION ORDINANCE NO. 277/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,159,035.00 SUPP APPROP FR UNAPPROP BAL OF 4583 TRAFFIC SIGNAL COMMUNICATIONS UPGRADE PROJ FUND TO 4583 202049 TRAFFIC SIGNAL COMMUNICATIONS UPGRADE PROJ, G.P. 1185 - OTHER)

PRESIDENT SCHULMAN: Thank you. Leader, excellent job. Thank you very much. Or, not Lea... you're gonna do the... you'll be excellent, but thank you very much. Uh, Leader.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rules for Ordinance #33.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinance 33. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

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

MEMBER SMITH: Mr. President, I move we adopt Ordinance #33.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 33 Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

**#33 ADOPTED AS ORDINANCE NO. 6/2018**

PRESIDENT SCHULMAN: Thank you. Motion carries, and thank you again. It's a lot of... long list there.

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SCHULMAN: We're now under Ordinances and Informal Resolutions for their Second Reading and Vote. Mr. Clerk, would you please begin with Ordinance...

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CLERK DOUGHERTY: Third Reading.

PRESIDENT SCHULMAN: Third Reading, I'm sorry, 34.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #34 THROUGH #35 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

#34. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 7/2018** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 16752, 16753, AND 16754; AND DECLARING THE SAME TO BE AN EMERGENCY (1200 BLOCK OF 11<sup>TH</sup> ST NW, ATTY WILLIAM DEMSKEY FOR MARA DONNERSBACH PARRA AND MARIE O'BRIEN, WARD 1)

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #34.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 34. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

**#34 ADOPTED AS ORDINANCE NO. 7/2018**

PRESIDENT SCHULMAN: Motion carries. Ordinance 34 is adopted. Ordinance 35.

#35. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 8/2018** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 35611, 35612, AND 35613; AND DECLARING THE SAME TO BE AN EMERGENCY (2900 BLOCK OF SAHARA AV NE, FOR ROY BROWN AND STEVE CAMACHO, WARD 6)

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #35.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 35. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

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CLERK DOUGHERTY: Ten yeas, Mr. President.

**#35 ADOPTED AS ORDINANCE NO. 8/2018**

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinance 35 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: We now turn to Announcement of Committee Meetings. Which I'm sure they'll be a few.

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MORRIS: Finance will meet February 5<sup>th</sup> at 6:15.

PRESIDENT SCHULMAN: 6:15, correct?

MEMBER MORRIS: 6:15.

PRESIDENT SCHULMAN: Thank you.

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

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER FISHER: Environmental & Public Utilities, same time, same place.

PRESIDENT SCHULMAN: Thank you. Anyone else?

CLERK DOUGHERTY: Public Safety & Thoroughfares, call it for Member Hawk, please.

MEMBER SMUCKLER: Mr. President, Public Safety Thoroughfares, same time, same place.

PRESIDENT SCHULMAN: Thank you very much.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: Judiciary will meet same time, same place.

PRESIDENT SCHULMAN: Thank you.

LAW DIRECTOR MARTUCCIO: Mr. President.

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PRESIDENT SCHULMAN: Yes.

LAW DIRECTOR MARTUCCIO: I would like to call a meeting of the Claims Committee at 6:00, 15 minutes ahead of the other committee meetings. That Committee consists only of Majority Leader, Finance Chair Person, the Mayor and the Law Director who will promptly go into Executive Session to consider a pending claim against the City at 6:00 next Monday, if you can. Thank you.

PRESIDENT SCHULMAN: Anyone else?

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: We're now under Miscellaneous Business. Is there any?

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER SMITH: I would just like to acknowledge the Walsh College students. You all from Walsh, right? Could you stand? (*Applause*)

PRESIDENT SCHULMAN: Thank you. Welcome. Hope you have enjoyed it tonight. Anyone else? Miscellaneous Business? None?

CLERK DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes.

CLERK DOUGHERTY: I have a thought for the week.

PRESIDENT SCHULMAN: Yes. Thought for the week.

CLERK DOUGHERTY: "Small minds discuss people, average minds discuss events, great minds discuss ideas."

PRESIDENT SCHULMAN: I like that. And, Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adjourn. Leader.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: (*Gavel falls*) Motion carries. Good job, everybody. Next week will be a little bit longer. Have a wonderful week.

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ADJOURNMENT TIME: 7:50 P.M.

ATTEST: 2/1/18  
DAVID R. DOUGHERTY  
CLERK OF COUNCIL

APPROVED:  
ALLEN SCHULMAN  
PRESIDENT