

MINUTES OF THE MEETING MARCH 19, 2018

PRESIDENT SCHULMAN: Good evening ladies and gentlemen and welcome to Canton City Council. We appreciate you 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:

12 COUNCIL MEMBERS PRESENT: (CHRIS SMITH, JAMES BABCOCK, COREY MINOR SMITH, BILL SMUCKLER, GREG HAWK, NATHANIEL CHESTER, JASON SCAGLIONE, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, EDMOND MACK & FRANK MORRIS) *Note: Clerk does not call Member Morris, however he is present and seated)*

TWELVE COUNCIL MEMBERS PRESENT.

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Motion carries and we'll...

CLERK DOUGHERTY: Oh, yeah, you too, Morris, Member Morris. Sorry about that.

MEMBER MORRIS: Yeah, I... I think I'm twelve.

CLERK DOUGHERTY: You're on the end. We do have twelve.

UNIDENTIFIED VOICE: We'll count him for you, we got it.

PRESIDENT SCHULMAN: We'll have our invocation given tonight, hopefully, by our good... my... my good friend, Ward 6 Council Member, Kevin Hall. If you'll stand and remain standing for your Pledge of Allegiance.

The regular meeting of Canton City Council was held on March 19, 2018 at 7:00 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 Ward 6 Council Member, Kevin Hall. The Pledge of Allegiance was led by President Schulman.

PRESIDENT SCHULMAN: Thank you very much, Member Hall.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: And we're now under Agenda Corrections and Changes. Leader.

MEMBER SMITH: Mr. President, I move we suspend Rule 22A and add 2nd Reading Ordinances 6 through 12.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add 2nd Reading Ordinances 6 through 12. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK DOUGHERTY: Twelve yeas, Mr. President.

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

PUBLIC HEARINGS

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

OLD BUSINESS

PRESIDENT SCHULMAN: We're now under Old Business. There is no Old Business.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks. We have two speakers tonight. Um, our first speaker is my good friend, Pete DiGiacomo. Mr. DiGiacomo, welcome as always. If you'll step forward and give us your name, though, and your residential address, please.

PETE DIGIACOMO: My name is Pete DiGiacomo, 600 Dent Place SW. Uh, first of all, he's not here tonight, Mark Andrews... Adams, sorry. Um, had a... and Jason. All's... I had a shopping cart that they came through and picked it up, and I really appreciate that. But the... uh, main... main thing here I want to talk about is the rental of the houses... uh, how can I say it? That they're... you're trying to get passed right now that they can rent these houses... um, (*sighs*) for special events, say like the Pro Football Hall of Fame week which is more than a week now, the Golf Tournament up in Akron which is more than a week... uh, that the... the homes would be rented out two, three, four weeks. There's an element out there... uh, it's a... that deals in sex. I know that's hard to believe to some people, but yes. And these people are gonna be coming into the City of Canton, and our city's finest will be trying to eradicate them like the rats that they are. The ones they get, good, but the ones they don't get could be living right next door to you if you rent... if... not you rent, but if you put your house up for rent. Do they do a background check? Nobody knows. If they do, I don't think these people are gonna have much of a background to check out. Councilman Schulman is kind of looking at me like what the hell am I talking about.

PRESIDENT SCHULMAN: No, I... I'm listening. I'm trying to figure it out.

PETE DIGIACOMO: Okay. And it goes on. The... the... uh, it was either 20-20 or 60 Minutes on TV about a year or so ago, and in it they showed how these people operate. They... they bring in the nice, you know, good looking ladies, rent a place, make their money, leave, pockets full of money, and this is something that the City does not need. I realize, are there a lot of legitimate one... people that want to do this, and that are doing it? Good for you. But all you got to do is get one, two or three of them, and that... believe me, that will make the news a whole lot more than all the good legitimate ones that are doing what they're supposed to be doing. Uh, I don't have a vote. I would definitely vote this down just because of that. I don't, you know, I'm sure some of the people up on North Market where they'll probably be going don't want that next door to their house that is being rented out. So if, you know, you don't have a problem with drugs and sex paid for, then I guess I'm not, you know, I wish you a lot of luck. But like I say, again you don't know what's gonna come in next door to you. That's all.

PRESIDENT SCHULMAN: Thank you very much. Always a pleasure. Our next speaker is Cynthia Hofacre. Ms. Hofacre, good evening, welcome. If you'll step forward and give us your name and your residential address, please. Thank you.

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CYNTHIA HOFACRE: Alright, thank you. My name is Cynthia Hofacre, and I live at 335 36th Street NW in an area known as Market Heights. I'm here tonight just to talk a little bit about the AirBNB's. This is an issue... um, I'll use the term issue, that's affecting Market Heights right at this particular moment. Um, I know it's something that's going to need a lot of thought. I knew... I know it's the new idea of what people like to do today, but I'm just asking that Council look at foll... to follow the zoning. You know, we need to protect our neighborhoods, and I think overall what I guess I'm asking is that you look at the impact that an Air BNB might have on a residential single family neighborhood versus those that might be zoned as an R-4 or above. Um, and there's also a major difference also in that there can be an AirBNB that maybe the home... the homeowner is actually living in the home versus those that have a home that's empty and the owner is absentee living out of the city. So, I'm just basically asking you to look at the impact of what an AirBNB will have on a neighborhood. Thank you.

PRESIDENT SCHULMAN: Thank you very much. Appreciate it. (*Applause*) Thank you. Okay, that concludes Public Speaks.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions. We have five (*coughs*), excuse me, this evening. Mr. Clerk, would you please begin with Informal Resolution 23.

#23. PERSONNEL COMMITTEE: CONFIRM APPT OF COREY MINOR SMITH TO COMMUNITY REINVESTMENT AREA HOUSING COUNCIL COMMENCING 3/19/18 THRU COMPLETION OF HER COUNCIL TERM. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #23.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 23. Any remarks? No remarks? All those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #23 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. Motion carries. Informal Resolution 24, please.

#24. PERSONNEL COMMITTEE: CONFIRM APPT OF KEVIN HALL TO COMMUNITY REINVESTMENT AREA HOUSING COUNCIL COMMENCING 3/19/18 THRU COMPLETION OF HIS COUNCIL TERM. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #24.

MEMBER BABCOCK: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 24. Any remarks? Hearing none, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #24 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Leader. I'm sorry, (*chuckles*). I'll get it right. Next.

CLERK DOUGHERTY: Resolution 25.

PRESIDENT SCHULMAN: Thank you.

#25. PERSONNEL COMMITTEE: CONFIRM RE-APPT OF LOVIE HAILEY TO FAIR EMPLOYMENT PRACTICES BOARD COMMENCING RETRO FR 3/1/18 THRU 12/31/19. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #25.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 25. Any remarks? Hearing none, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #25 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Next.

#26. PERSONNEL COMMITTEE: CONFIRM RE-APPT OF VIRGINIA JEFFRIES TO FAIR EMPLOYMENT PRACTICES BOARD COMMENCING RETRO FR 3/1/18 THRU 12/31/19. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #26.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 26. Any remarks? All those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #26 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries.

#27. PERSONNEL COMMITTEE: CONFIRM RE-APPT OF AMANDA STEWART TO COMMUNITY

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REINVESTMENT AREA HOUSING COUNCIL FOR 3 YR TERM COMMENCING RETRO FR
1/1/18 THRU 12/31/20. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #27.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 27. Any remarks? Hearing none, all those in favor, signify by saying aye. Any opposed? No?

NO REMARKS

RESOLUTION #27 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries.

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 IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED MARCH 19, 2018.

133. AGENT FOR PETITIONER, SLIMAN: COPY OF ANNEXATION PETITION DOCUMENTS FILED WITH STARK CTY. COMM. (HOF VILLAGE #5, 8.040 ACRES IN PLAIN TWP.). - RECEIVED & FILED
134. AGENT FOR PETITIONER, SLIMAN: COPY OF ANNEXATION PETITION DOCUMENTS FILED WITH STARK CTY. COMM. (ONE RICHMOND AVE, 1.979 ACRES IN PLAIN TWP.). - RECEIVED & FILED
135. FINANCE DIRECTOR CROUSE: AMEND APPROP O#277/2017 (\$56,000.00 APPROP TRF FR 6041 208010 MOTOR VEHICLE DEPT DMV - OTHER TO 6041 208010 MOTOR VEHICLE DEPT DMV - PERSONNEL); EMERGENCY. - FINANCE COMMITTEE
136. LIQUOR CONTROL DIV. (OHIO): AMENDED NOTICE OF HRGS FOR NEW C-1 PERMIT FOR DOLGEN MIDWEST, LLC DBA DOLLAR GENERAL STORE 17922 @ 915 TUSCARAWAS ST W. TO BE HELD ON APRIL 5, 2018 AT 10:30 AM IN CANTON CITY COUNCIL CHAMBERS; NEW C-1 PERMIT FOR FAMILY DOLLAR STORES OF OHIO, INC. DBA FAMILY DOLLAR 1348 WEST UNIT, ONLY @2901 MAHONING RD NE TO BE HELD ON APRIL 5, 2018 AT 1:00 PM AT IN CANTON CITY COUNCIL CHAMBERS; NEW PERMIT FOR FAMILY DOLLAR STORES OF OHIO, INC DBA FAMILY DOLLAR 5497 @ 1207 - 12TH ST. NW TO BE HELD ON APRIL 5, 2018 AT 2:30 PM IN CANTON CITY COUNCIL CHAMBERS. - RECEIVED & FILED

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137. MAJORITY LEADER SMITH: AUTHORIZE APPT OF JOHN MARIOL TO SYSTEMS PLANNING BOARD COMMENCING 3/19/18 AND EXPIRING UPON COMPLETION OF TERM AS COUNCIL MEMBER. - PERSONNEL COMMITTEE
138. MAYOR BERNABEI: AUTHORIZE APPT OF HENRY RENFRO TO FAIR HOUSING COMMISSION COMMENCING 3/19/18 THRU 12/31/20. - PERSONNEL COMMITTEE
139. MAYOR BERNABEI: AUTHORIZE RE-APPT OF JAMES REINHARD AND CHET WARREN TO STARK AREA REGIONAL TRANSIT AUTHORITY (SARTA) BOARD COMMENCING 1/1/18 THRU 3/31/21. - PERSONNEL COMMITTEE
140. PLANNING COMMISSION: REQ CITY-WIDE ZONE CHANGE OF APPROX 5.7 ACRES, HARVARD AVE NW @ RT. 62, PARCELS 284873, 280680, AND 280678 FR R-4 TO CS IN WARD 7; APPROX 25.6 ACRES IN THE 1700 BLOCKS OF IRA TURPIN WAY NE TO 9TH ST NE & FR ROSS AVE NE TO MIDDLEBRANCH OF NIMISHILLEN CREEK, 91 DIFFERENT TAX PARCELS, FR I-1 TO OS, IN WARD 4, IN LINE WITH COMPREHENSIVE PLAN. - JUDICIARY COMMITTEE
141. SAFETY DIRECTOR PERRY: AUTHORIZE CPD TO RECEIVE AND ACCEPT DONATION OF CRASH TEAM RELATED EQUIP VALUED AT \$111,542.31 FR STATE OF OHIO DEPT. OF PUBLIC SAFETY; EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
142. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO AMEND LEASE AGMT BETWEEN CITY OF CANTON AND CANTON COMMUNITY IMPROVEMENT CORPORATION APPROVING KUBOTA UTILITY EASEMENT AND OUTLINE ALL RIGHTS AND RESPONSIBILITIES; AUTHORIZE MAYOR AND/OR SERV DIR TO AMEND COOP AGMTS BETWEEN CITY OF CANTON AND KUBOTA MEMBRANE USA CORP APPROVING KUBOTA UTILITY EASEMENT AND OUTLINING ALL RIGHTS AND RESPONSIBILITIES; EMERGENCY. - ENVIRONMENTAL AND PUBLIC UTILITIES COMMITTEE
143. SERVICE DIRECTOR HIGHMAN, SAFETY DIRECTOR PERRY, FINANCE DIRECTOR CROUSE: AUTHORIZE APPROP OFFICIAL(S) TO PURCH AND/OR LEASE TITLED VEHICLES PER LIST, INCLUDING ALL NECESSARY EQUIPMENT AND COMPONENTS IN ACCORD WITH SEC 105.08 OF CANTON COD ORD; AUTHORIZE APPROP OFFICIAL(S) TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH OF PROJ IN LIST THAT EXCEED ANY APPLICABLE DOLLAR AMT THRESHOLD(S); ALTERNATIVELY AUTHORIZE APPROP OFFICIAL(S) TO ENTER INTO CONTRACT FOR PURCH AND PROJ VIA ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT FOR LINE OF CREDIT/LEASE TO PURCH ITEMS; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR NEW CITY WIDE PHONE SYSTEM UTILIZING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; SETS BID/FORMAL PROCUREMENT THRESHOLD FOR ALL PURCH ON LIST AT ORC

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THRESHOLD OF \$50,000.00 WAITING THRESHOLDS OF CANTON COD ORD 105.09; MAKES \$2,395,705.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO: 4501 102001 POLICE ADMIN - OTHER - \$269,520.00, 4501 103001 FIRE ADMIN - OTHER - \$547,500.00, 4501 103501 CENTRAL COMMUNICATION ADMIN - OTHER - \$18,000.00, 4501 202001 ENGINEERING - OTHER - \$555,000.00, 4501 204010 OTHER BUILDINGS - OTHER - \$262,000.00, 4501 301001 HEALTH ADMIN - OTHER - \$26,900.00, 4501 501101 HUMAN RESOURCES ADMIN - OTHER - \$11,000.00, 4501 504010 INFORMATION TECHNOLOGY - OTHER - \$685,585.00, 4501 753001 LAW ADMIN - OTHER - \$8,700.00, 4501 852001 TREASURER ADMIN - OTHER - \$11,500.00; \$228,000.00 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 103001 FIRE ADMIN - OTHER - \$70,000.00, 4502 202210 MAINTENANCE - OTHER - \$60,000.00, 4502 208010 SERVICE & REPAIR - OTHER - \$26,000.00, 4502 301001 HEALTH ADMIN - OTHER - \$50,000.00, 4502 701001 JUDGES ADMIN - OTHER - \$22,000.00; \$10,000.00 APPROP TRF FR 4501 202020 URBAN FORESTRY - OTHER TO 4501 202210 MAINTENANCE - OTHER; \$84,273.00 APPROP TRF FR 4501 201001 SERVICE DIRECTOR - OTHER TO 4501 202210 MAINTENANCE - OTHER - \$39,858.00, 4501 504010 INFORMATION TECHNOLOGY - OTHER - \$44,415.00; AUDITOR AUTHORIZED TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

144. TREASURER PEREZ: MNTHLY RPT PARKING METER REVENUE FOR FEBRUARY 2018. - RECEIVED & FILED
145. TREASURER PEREZ: MNTHLY RPT OF DEPOSITS AND PAY-INS FOR AMBULANCE LOCK BOX ACCT FOR MONTH OF FEBRUARY 2018. - RECEIVED & FILED
146. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF FEBRUARY 28, 2018. - RECEIVED & FILED
147. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FILED AS OF FEBRUARY 28, 2018. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #5 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH MULLIN & LONERGAN ASSOCIATES, INC. IN AN APPROXIMATE AMOUNT OF \$21,600.00 FOR PREPARATION OF THE CITY OF CANTON 2019-2023 CONSOLIDATED PLAN; AND DECLARING THE SAME TO BE AN EMERGENCY
- Referred to Community & Economic Development Committee

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- #2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 277/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$80,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 204010 OTHER BUILDINGS - OTHER - \$20,000.00, TO 1001 753020 LAW - NON OPERATIONAL - OTHER - \$60,000.00)
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 277/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$180,000.00 SUPP APPROP FR UNAPPROP BAL OF 2314 FAMILY HEALTH FUND TO 2314 301001 FAMILY HEALTH - 700 - OTHER)
Referred to Finance Committee
- #4. (1ST RDG) A RESOLUTION APPROVING RELOCATION OF A DOMINION ENERGY GAS PIPELINE ON LAND OWNED BY THE CITY OF CANTON AND AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO EFFECTUATE NECESSARY ACTS IN CONJUNCTION WITH THIS PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY (RT 62/HARRISBURG RD/30TH ST NE ROADWAY IMPROVEMENT PROJ, STA-62-24.90, PID 96346)
Referred to Environmental & Public Utilities Committee
- #5. (1ST RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO THE FOUNTAINS AT EDGEWOOD; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH MCKINLEY EDGEWOOD DEVELOPMENT CO., LLC FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Thank you. We're now under Ordinances and Formal Resolutions for their Second Reading. Mr. Clerk, would you please begin with Ordinance 6.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #6 THRU #12 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #6. (2ND RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE 77 GULLIVERS/2414 FAIRCREST ST. SW ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #7. (2ND RDG) PROVIDING FOR THE ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,900,00.00 TO PROVIDE FUNDS TO MAKE A LOAN FOR ECONOMIC DEVELOPMENT IN THE CITY; AUTHORIZING RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #8. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #10002545, ALLEN AVE SE)
- #9. (2ND RDG) AN ORDINANCE AMENDING CHAPTERS 185, TRANSIENT LODGING TAX AND 759, ROOMING HOUSES, LODGING HOUSES AND RESIDENTIAL SOCIAL SERVICE FACILITIES OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
- #10. (2ND RDG) AN ORDINANCE AUTHORIZING ANDREW ROTH, AS DIRECTOR OF PURCHASING, TO RECEIVE A SALARY OF \$75,000.00 AND TEN (10) DAYS OF VACATION PER YEAR, BEGINNING IN 2018, UNTIL HIS CITY ACCRUED TIME CORRELATES WITH THE APPLICABLE CITY VACATION SCHEDULE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE TREE PLANTING PROJECT, G.P. 1256 - PHASE 2; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2ND RDG) A FINAL RESOLUTION ADOPTING PLANS, AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO COOPERATE WITH AND REQUEST THE DIRECTOR OF TRANSPORTATION TO PROCEED WITH THE REALIGNING AND RECONFIGURING THE INTERSECTIONS US 62, MIDDLEBRANCH, HARRISBURG AND 30TH STREET, INCLUDING CONSTRUCTION OF A ROUNDABOUT AT HARRISBURG AND 30TH ST, WITHIN THE CITY OF CANTON; AMENDING APPROPRIATION ORDINANCE NO. 277/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$450,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING FUND TO 5201 207022 DISTRIBUTION MAINTENANCE - OTHER)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you, Mr. Clerk. We're now under Ordinances and Formal Resolutions for their Third and Final Reading and Vote. Uh, would you please begin with Ordinance 13.

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NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #13 THROUGH #26 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 58/2018** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE 44TH STREET NE ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 13. Any remarks? 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. 58/2018

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

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 59/2018** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$4,750,000 TO PROVIDE FUNDS TO PAY A PORTION OF THE COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING, FURNISHING OR EQUIPPING AN ECONOMIC DEVELOPMENT PROJECT IN THE CITY; AUTHORIZING RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 14. Any remarks?

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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. 59/2018

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

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 60/2018** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,500,000 FOR THE PURPOSE OF PAYING THE COST OF ACQUIRING, CONSTRUCTING, RECONSTRUCTING AND IMPROVING CITY BUILDINGS, INCLUDING, WITHOUT LIMITATION, THE REPLACEMENT OF THE CITY HALL ROOF, THE CIVIC CENTER ROOF AND IMPROVEMENTS TO OTHER CITY FACILITIES

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 15. Any remarks?

Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 60/2018

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinance 15 is adopted. (*Coughs*), excuse me. Ordinance 16, please.

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 61/2018** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,000,000 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY A COURT-APPROVED SETTLEMENT OF A CLAIM AGAINST THE CITY

PRESIDENT SCHULMAN: Leader.

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

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MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 61/2018

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

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 62/2018** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,050,000, FOR THE PURPOSE OF PAYING THE COSTS OF REVITALIZATION WITHIN THE CITY AND ADDRESSING PROPERTY CONDITIONS THAT ARE DELETERIOUS TO THE PUBLIC HEALTH AND SAFETY THROUGH THE DEMOLITION OF DETERIORATING STRUCTURES AND THE IMPROVEMENT OF THOSE SITES, THEREBY ENABLING THE USE OR REUSE OF LANDS WITHIN THE CITY

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 17. Any remarks?
Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 62/2018

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

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 63/2018** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$6,373.94 TO HUNTINGTON NATIONAL BANK; AND DECLARING THE SAME TO BE AN EMERGENCY (2017 BANK FEES)

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PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 18. Any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 63/2018

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

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 64/2018** AN ORDINANCE ADOPTING THE 2018 ANNUAL APPROPRIATIONS FOR THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (GENERAL FUND BUDGET)

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 19. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 64/2018

PRESIDENT SCHULMAN: Motion carries. Ordinance 19 is adopted. Ordinance 20, please.

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 65/2018** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF OUTLOTS 1165, 1166 AND 1388; AND DECLARING THE SAME TO BE AN EMERGENCY (2304 - 2320 FAIRCREST ST SW, WARD 4, FOR SHAWNEE DEV AND PILOT TRAVEL CENTERS)

PRESIDENT SCHULMAN: Ordinance 20. I'm sorry. Leader.

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MEMBER SMITH: Mr. President, I move we adopt Ordinance #20.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's moved and seconded that you adopt Ordinance 20. Any remarks?
Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 65/2018

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinance 20 is adopted. Ordinance 21, please.

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 66/2018** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 37074 AND PART OF OUT LOTS 545, 850 AND 851; AND DECLARING THE SAME TO BE AN EMERGENCY (3112 CLEVELAND AVE NW, WARD 7, FOR DEVILLE DEV)

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #21.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 21. Any remarks?
Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 66/2018

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinance 21 is adopted. Ordinance 22, please.

#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 67/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER NO. 1 AND FINAL IN AN AMOUNT NOT TO EXCEED \$35,857.52 WITH CENTRAL ALLIED ENTERPRISES, INC. FOR THE ROADWAY BASE STABILIZATION PROJECT, G.P. 1265; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS RELATED TO SAID PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

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MEMBER SMITH: Mr. President, I move we adopt Ordinance #22.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 22. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 67/2018

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinance 22 is adopted. Ordinance 23, please.

#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 68/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER NO. 1 IN AN AMOUNT NOT TO EXCEED \$14,307.00 WITH SCHINDLER ELEVATOR CORPORATION FOR THE CORNERSTONE PARKING DECK ELEVATOR REPAIR; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS RELATED TO SAID PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #23.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 23. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 68/2018

PRESIDENT SCHULMAN: Motion carries. Ordinance 23 is adopted. Ordinance 24, please.

#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 69/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER NO. 5 IN AN AMOUNT NOT TO EXCEED \$69,230.00 WITH ARCADIS US, INC. FOR CONSTRUCTION ENGINEERING RELATED TO THE PID 90671 - 12TH STREET NW BRIDGE REPLACEMENT AND STREETScape PROJECT - GP 1160; AUTHORIZING THE AUDITOR

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TO PAY ANY AND ALL MORAL OBLIGATIONS RELATED TO SAID PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #24.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 24. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 69/2018

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinance 24 is adopted. Ordinance 25, please.

#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 70/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #6 IN AN AMOUNT NOT TO EXCEED \$154,549.83 WITH BEAVER EXCAVATING COMPANY FOR THE PID 90671 - 12TH STREET NW BRIDGE REPLACEMENT AND STREETScape PROJECT - GP 1160; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS RELATED TO SAID PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #25.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 25. Any remarks under this Ordinance? Again hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#25 ADOPTED AS ORDINANCE NO. 70/2018

PRESIDENT SCHULMAN: Motion carries. Thank you. Ordinance 25 is adopted. Ordinance 26, please.

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#26. (3RD RDG) **ADOPTED AS ORDINANCE NO. 71/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN EASEMENT AGREEMENT WITH THE EAST OHIO GAS COMPANY D/B/A DOMINION ENERGY OHIO RELATED TO THE PLACEMENT OF A 12" HIGH PRESSURE GAS LINE ACROSS REIFSNYDER PARK; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Thank you. Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #26.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 26. Any remarks under that Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#26 ADOPTED AS ORDINANCE NO. 71/2018

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinance 26 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MORRIS: Finance will meet Monday, March 26th at 6:30 P.M.

PRESIDENT SCHULMAN: Thank you.

MEMBER BABCOCK: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER BABCOCK: Personnel, same time, same place.

CLERK DOUGHERTY: CD's.

MEMBER MINOR SMITH: Mr. President, Community & Economic Development will meet on March 26th, 2018 at 6:00 P.M.

PRESIDENT SCHULMAN: Thank you. 6:00?

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MEMBER MINOR SMITH: Thank you.

CLERK DOUGHERTY: 6... 6:30.

PRESIDENT SCHULMAN: 6:30.

MEMBER MINOR SMITH: Is there not gonna be too much time?

MEMBER MORRIS: I said 6:30. I don't know if you need more time or not. (*Inaudible*)

MEMBER SMITH: I don't. 6:30 is good with you?

MEMBER MINOR SMITH: Each time we schedule it for 6:30, it's changed to 6:00, so will it be at 6:30? All of them? Will that be enough time, Jill and Dave?

CLERK DOUGHERTY: Should be.

PRESIDENT SCHULMAN: Should be.

MEMBER MINOR SMITH: Okay, thank you, 6:30. Thank you.

PRESIDENT SCHULMAN: Thank you. If worse comes to worse, you know, we can... we'll kinda flex it. Anyone else?

MEMBER FISHER: Mr. President.

PRESIDENT SCHULMAN: Yes.

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

PRESIDENT SCHULMAN: Thank you very much. Anyone else?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Uh, Miscellaneous Business. Is there any?

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: As many of you know, on Wednesday Stephen Hawking passed away. Uh, not only are his contributions to science amazing, but the fact that he did it while fighting ALS is even more amazing. At a time where fact and reason and science seem to be under attack, losing somebody like Stephen Hawking becomes even more upsetting. But if we could have a moment of silence in honor of probably one of the greatest minds of our time, Stephen Hawking.

PRESIDENT SCHULMAN: Take a moment of silence, please. (*Brief pause*) Thank you. It was a beautiful mind. Alright, anyone else?

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CLERK DOUGHERTY: Thought for the week. “Live so that when your children think of fairness, caring, and integrity, they think of you.” - H. Jackson Brown, Jr.

PRESIDENT SCHULMAN: Oh, I like that one. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It’s moved and seconded to adjourn. Roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. (*Gavel falls*) Motion carries. Meeting’s adjourned. Have a safe weekend, everyone.

ADJOURNMENT TIME: 7:30 P.M.

ATTEST: 3/21/18
DAVID R. DOUGHERTY
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT