

MINUTES OF THE MEETING APRIL 30, 2018

PRESIDENT SCHULMAN: Good evening, everybody. Welcome to Canton City Council. It's great to have you all here. Got some sterling people here we're gonna talk about. Uh, 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, BILL SMUCKLER, GREG HAWK, NATHANIEL CHESTER, JASON SCAGLIONE, ROBERT FISHER, JOHN MARIOL, EDMOND MACK & FRANK MORRIS)

TEN COUNCIL MEMBERS PRESENT. (MEMBER MINOR SMITH AND MEMBER HALL ABSENT)

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

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you very much. Leader.

MEMBER SMITH: Mr. President, I move we excuse Member Minor Smith and Kevin Hall from tonight's meeting.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: Excusing Member Minor Smith and Hall. 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 Member Minor Smith and Hall are excused from this evening's meeting. Tonight's invocation will be given by my good friend and... uh, Smuck... yeah, I know that. (*Chuckles*) I know who he is. Uh, Bill Smuckler, and will we all stand...

MEMBER SMUCKLER: (*Inaudible*)... Smuckler. (*Laughter*)

PRESIDENT SCHULMAN: We all stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on April 30, 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 Council-at-Large Member, Bill Smuckler. The Pledge of Allegiance was led by President Schulman.

PRESIDENT SCHULMAN: Okay. Let's see, where are we here.

AGENDA CORRECTIONS & CHANGES

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

MINUTES OF THE MEETING APRIL 30, 2018

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #3 through 7.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: 22A is suspended, and Ordinance... uh, let's see, what is it? Uh, 3 through 7 are suspended. 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. Or, motion is adopted and Ordinances 3 through 7 are adopted... are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings. We have none this evening.

OLD BUSINESS

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

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks. We have three speakers this evening, and my list here and I'll let you who it is. Uh, feast... first speaker is Larry Lombardi. I'm sorry, Larry Lombardi. Mr. Lombardi here? Looks like Mr. Lombardi's not here. Our next speaker I know is here, and that's Mr. DiGiacomo. Mr. DiGiacomo, welcome as always. If you'll give us your name and your residential address, please, and it's always good to have you, Pete.

PETE DIGIACOMO: (*Inaudible, microphone inoperable*)

PRESIDENT SCHULMAN: Thank you, Mr. DiGiacomo. I think it's a great idea as you...

PETE DIGIACOMO: It's not on. (*Bumps microphone*) What the hell? Nobody said nothing? (*Pounding sound*) I protest. (*Laughter*)

PRESIDENT SCHULMAN: We could hear you very clearly. Thank you very much.

PETE DIGIACOMO: No, no, I couldn't hear it back there.

PRESIDENT SCHULMAN: And very... (*Laughter*) And very appropriate remarks too. Thank you very much. Our last speaker is Mr. Parker, James Parker. How are you doing?

JAMES PARKER: Not too shabby. Thank you, President Schulman.

PRESIDENT SCHULMAN: If you'll step forward and give us your name and your residential address though. Thank you.

MINUTES OF THE MEETING APRIL 30, 2018

JAMES PARKER: Thank you. We may be sterling, but you're 24 karat. So, good evening, President Schulman and Law Director Martuccio. Good to see you on the other side of an aisle. Enjoy your retirement, you've earned it. If... if our new Law Director can bring a third of the class they've brought to your department that you have, we're doing excellent. So, as you know, the Alan Page Family from last Thursday whatever's front page, Canton Repository, the Alan Page Drive looks like a piece of dreck. I've been in here for six years telling you since 2012 that the family is gonna... you're gonna have repercussions from this. As soon as that family drives up that... that Alan Page Drive and takes a good look around and ganders beyond the potholes in the street. You're just lucky that The Canton Repository didn't cast their gaze sideways and kept their head down like most people have to do in that project. My mother grew up in those projects. You want a picture of her at nine years old, fifteen, at Alan Page Drive? As you know, they are not at all pleased with the conditions along that road. The Repository did you all a favor by not casting their regards or their camera lens to the dilapidated, dangerous structure that was supposed to be called a playground, and you're to blame. For six years I've warned you that this would become an issue. It will take more than patching potholes to fix it. And thank goodness that the Mayor's Department is finally trying to work out a plan for this. I... my only wish is that the other African American descended Council people were here to help matriculate this issue, to take an honest hard look at what the reality is. The Mayor's Department has finally got a plan for this issue. Thank goodness to them because this has fell on deaf ears for six years. By the way, it was I that had the 72 inch banners put up of Alan Page as a Supreme Court Justice. How easily we forget the dedication when we came and read his children's book and you came and gave a speech and we dedicated the banners, but you can't remember who put them up there and paid for them. It was me. I had it done. And I'm proud of it. And it's the only distinguishing characteristic along that boulevard that let's people know what a great man Alan Page is and was. And he's at the pinnacle of his black star rising, and it's time we honor him before he's dead. The only reminder of what a great mentch he really is, is those banners. So what could this Council consider doing to better honor this 1974 defensive MVP 1988 Hall of Famer? By the way, in 1974 he turned down the honor as Stark County Athlete of the Year because Twila and Mavis and his family turned back some eggs a couple of times and wound up in the County Jail. Tell me about discrimination in Canton, Ohio. You think it's funny. He's a retired Minnesota re... uh, Supreme Court Justice. And he turned down that honor. And for starters, I wish you would review another 2012 idea that I've tried and tried and tried, I've pleaded before you, the two best speakers up here, me and me drunk. I've tried and tried, I've pleaded before you that consider making the MLK Corridor that runs from Cherry... to Cherry down Walnut. Enhance it, make it greater than, not lesser than. Proclaim an area like you do for the dead white presidents and for Ralph Hay Way, Justice Alan Page Way. I've given you this in writing. I've handed it to you on platters. What do I get? Refusal, refusal from Thomas West, etcetera. Now that Thomas West is a State Representative, he wants to put a... uh, the football heritage corridor along Lincoln Way. It would tie in and dove tail perfectly, like his parade route corridor that he, you know, manipulated and took from ideas that I presented to you. Let's enhance this section. Let's make it greater than, not lesser than. This can tie into the football heritage corridor that West has wanted to matriculate through the State House for some time along the Lincoln Highway. Shall we not honor the major heros of the game? Shall we not buy into the Hall of Fame statement instead of just seeing how we can tax the pennies off of dead people's eyes? Okay, tax them, juice them, get what you can, but at the same time honor the local heros of the game, the Marion Motley's, the Alan Page. You want the draft here? The Mayor's Department better get the flags back up on Central Plaza. Thank you very much, and have a good night.

PRESIDENT SCHULMAN: Thank you.

JAMES PARKER: Five million dollar donation? That's the best you can get?

MINUTES OF THE MEETING APRIL 30, 2018

PRESIDENT SCHULMAN: Thank you very much. Always a pleasure to hear our speakers.

JAMES PARKER: The pleasure's yours. I agree.

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT SCHULMAN: Yes.

DEPUTY MAYOR WILLIAMS: I just want to clear up something. Uh, all the credit for the plans that are being put in place for Alan Page Drive... uh, the credit does not go to the Mayor's Office, the credit goes to Member Smith. Member Smith has been working diligently with People's Baptist Church and several other businesses in the area to put their plans in place, so I think it just needs to be duly noted of her hard work. Thank you.

PRESIDENT SCHULMAN: Thank you. (*Applause*) Thank you very much.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions, and we have 4... I'm sorry, 41?

#41. COUNCIL-AS-A-WHOLE: COMMENDING JOSEPH MARTUCCIO FOR HIS CONTRIBUTIONS TO THE LEGAL PROFESSION AND THE CITY OF CANTON. - ADOPTED

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 41. Any remarks?

MEMBER SMITH: Yes, Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER SMITH: Could we have that...

PRESIDENT SCHULMAN: Absolutely.

CLERK DOUGHERTY: Go ahead and do the vote first.

MEMBER SMITH: Could we have that read after we vote on it?

PRESIDENT SCHULMAN: Oh, yes, absolutely. Sorry, I missed that part. All those in favor signify by saying aye. Those opposed no.

MINUTES OF THE MEETING APRIL 30, 2018

NO REMARKS

RESOLUTION #41 PASSED UNANIMOUSLY BY VOICE VOTE

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

CLERK DOUGHERTY: An Informal Resolution respectfully submitted by Council-as-a-Whole on this 30th day of April, 2018. **Whereas**, Joseph Martuccio was hired by the Canton Law Department in 1988. He became the Canton Law Director in 2000 and was elected five times. His retirement on April 13, 2018 makes him Canton's longest serving law director; and **Whereas**, Joe spent seven years in the Stark County Public Defender's Office, including four years as the Director. In all, Joe has been a member of the legal profession for nearly 40 years; and **Whereas**, Joe has volunteered his time for the betterment of the legal profession. He served as a two-term president of the Ohio Municipal Attorneys Association. He also served the Stark County Bar Association in several leadership roles, including president, first vice president, second vice president, secretary, and as the chairman of various committees; and **Whereas**, Joe has been actively involved in the arts in Stark County, acting in many plays as a member of the Players Guild and the Stark County Courthouse Players, which he founded in 2009. His acting and directing credits include "The Andersonville Trial," "Twelve Angry Men," and "A Christmas Carol;" and **Whereas**, Joe and his wife Pam have been married for 41 years, and they are the proud parents of Maria, and grandparents to Sophia. Joe and Pam are looking forward to their second grandchild in May. **Now Therefore Be It Resolved:** That we, the Members of Canton City Council, do hereby congratulate and commend **Joseph Martuccio** for his commitment and devotion to service on behalf of the people of the city of Canton and for his contributions to the legal profession and the greater Canton community. Thank you, Joe Martuccio. (*Applause*)

MEMBER SMUCKLER: (*Inaudible*) (*Laughter*)

JOE MARTUCCIO: Yes, sir.

MEMBER SMUCKLER: As a thespian, all he wants to do is talk. Kristen Bates' first act as Law Director found all my ordinances you threw away. (*Laughter*) Fonda, what are you laughing about? Your raise is in there. (*Laughter*) There's some things that are very easy to do. And I said this before, and I guess I want to repeat it. Uh, by the way, you just get a box, we're broke. Pass Issue 13, you get the rest of it. Um, most of us as individuals here have different temperaments. Right, Frank? Oh, yea. Um, mine goes off like a volcano for a long time before you were ever here. But the one thing I could always count on is Joe bringing me back into a little reality. It may not have been on Monday night, but usually by Thursday. Um, there's a lot of important things being an elected official here, and some of it's being accessible, some of it's participating in the meetings that we have to draft up ordinances on, but some of it is just think about it, Bill, think about it. And that's the most important part of everything down here that we don't give knee jerk reactions. Joe was good at that, was able to be counted on. I just... was that the real Law Director? (*Laughter*) A twin brother? Close, huh?

JOE MARTUCCIO: Little brother.

MEMBER SMUCKLER: Little brother. But this gives us an opportunity to laugh, to joke, and to appreciate. And that's the key word here, appreciate what you have while you have it. And I thank you, Joe, and now you can come up and give your speech. (*Applause*)

JOE MARTUCCIO: Can I have some of those as a souvenir? (*Laughter*) (*Inaudible comments from*

MINUTES OF THE MEETING APRIL 30, 2018

unidentified voices) (*Laughter*) Mr. President, Members of Council, Clerk Dougherty, Staff, thank you so very much for that moving Resolution. I have been through a few events and speeches, and I've done my best not to cry, and I'll try to stay to that tonight. Member Smuckler, thank you for including us in your invocation. Mr. Parker, thank you for your kind remarks. Member Smith, thank you for yours, and Mr. Hawk and those of you who said such kind things a few weeks ago. I'm not gonna repeat that speech. I don't have it in me again, and I don't know that it'll get the same result again. But thank you. It has been a privilege and a pleasure to serve you, with you, with your predecessors, Mr. Mayor, Cabinet Members, Deputy Treasurer, and most of all, Madam Law Director. It sounds good to say that, Madam Law Director. Thank you all for being a major part of my career and our careers together. In accepting this, I... I'm reminded of an actress that received an Oscar some time ago. Some of you younger folks may not remember who that was, but her name was Sally Field, is Sally Field, and upon receiving her Oscar she said, "You like me, you like me, you really like me." (*Laughter*) Well, in my case I think I'll say you tolerated me, you really tolerated me. And I'm appreciative of all of the things that... that we did together and all the three branches of government that I got to be a part of, locally and in other court systems. It's been a real honor and a real privilege. I want to thank you all. But, I want to save just a little bit of time and cut off all the rest of that because I wanted to introduce some people to you. I mentioned last time half kiddingly that there were some people that you could thank or blame for having me at the City the last thirty years, beginning with Scott Gwin, Tom Bernabei, Paul Mastriocovo, and others who helped me along the way. Um, Kim Perez, Dave Dougherty, and a number of you. But, if you want to go to the root source of my genes and my temperament, we got to go back to Italy and back to Youngstown. And by the way, they searched my family twice when they came in when they said they were from Youngstown. Twice. (*Laughter*) Actually not at all. They were so kind. (*Chuckles*) I'm gonna start at the far wall and work around. Would you all please stand or join me. It's your choice. In the light blue shirt, my little brother, George. Um, Dr. George Martuccio, an optometrist who works in western Pennsylvania, his wife, Gay (*sounds like*) "Mush Rush" Martuccio. Gay is the Assistant to the Mayor and Service and Safety Director of the statutory city of Girard, Ohio near Youngstown. Mason, one of George's two sons. Mason is an academic scholar of some repute, finishing his first year at Youngstown State University and doing exceptionally well there. His other brother, who could not make it, he was also a scholar athlete who played for Washington and Jefferson University in Pennsylvania and is currently employed there. My sister, Lilly, Councilwoman-at-Large. Lilly Martuccio is in her second term as a Councilwoman-at-Large in Girard, Ohio, a Democrat, and one of... (*applause*), one of the few women elected to that position or any councilmanic position in Girard. My wife, Pam, of course. You... many of you know, but for those of you who don't, Pam is as beautiful as she was forty-one years ago when she took a chance on a young skinny steelworker with dark hair and a dust... dark moustache, who said I think I'm gonna go to law school in Spokane, Washington. And she came along for the ride and has been with me every step of the way, through Gonzaga University, through the times with the Public Defender, the City, and our daughter who could not be here because she is very pregnant and expecting her baby in a few weeks. Maria is... is an attorney in Chicago. Her husband, Paul, is an Assistant Dean with the Art Institute of Chicago. They're expecting their second daughter within weeks. Um, they could not be here, but send their... their regards to everyone. And thank you all again, as I mentioned earlier, for giving us the opportunity to buy a house here in Canton, which we intend to stay in by the way, which we intend to stay. (*Laughter*) And... and for letting us educate Maria. She is as smart and beautiful as she was four... smarter probably because she stuck with me and didn't throw me out and maybe that makes her a saint.

PAM MARTUCCIO: (*Laughs*) Oh, God.

JOE MARTUCCIO: And of course, last but not least I want to introduce someone to you, my mother Mary... Maria. (*Applause*)

MINUTES OF THE MEETING APRIL 30, 2018

MARIA MARTUCCIO: Thank you so much.

JOE MARTUCCIO: In 1951 my mother, Maria (*sounds like*) “Ah-bon-don-zo Zee-oh-la”, had just gotten married to Vincenzo Martuccio, barely twenty years of age. A few months later, because her father had been to America and had become a United States citizen, she as a citizen was able to come to the Bronx in New York City and work in the garment factories until she could send for my father several months later. When my father and her father said good-bye to her at the pier on the docket in Naples to send her off to New York City, they gave her big hugs. She saw my father several months later, she never saw her father again. And when my father came to join her several months later, he never saw his mother again. They worked really hard everywhere they were, in Youngstown, in New York City, several jobs. Um, Member... Majority Leader Smith, you’ll be pleased to know that my mother became a hair dresser and built a salon in her home and established the best CIA network (*laughter*), probably better than the one in D.C. Every Saturday morning she knew where I was and who I’d been with the entire previously. She’s also an exceptional seamstress, baker, and she and my father who was an extremely hard working man made it really clear to all of us that we were to make the best of our education in this country and the best of our lives. My sister, Lilly, I neglected to mention works for Millcreek Park where she has done a lot of their art work and promotions, and again is part of the government. We are grateful. Our story is not unlike the stories of many of your families that have come here from wherever they came. Sometimes in a good way, sometimes not so good. Um, but if... again, I... I (*inaudible*) you three weeks ago when I said you can either blame or thank some people, you can either blame or thank my family. Thank you so very much for this wonderful honor. (*Applause*)

PRESIDENT SCHULMAN: I know we have some people who would like to add to this great event.

LAW DIRECTOR AYLWARD: Thank you.

PRESIDENT SCHULMAN: Law Director.

LAW DIRECTOR AYLWARD: Thank you, Mr. President. Um, we have already said a lot of our good-byes, Joe and I, but I want to say what a pedigree you have with this fab family. I mean, the accomplishments we already knew about you because he talks about you all so proudly, so what a pedigree you come from. You know, to come over here with nothing and to have a family this accomplished is so fantastic. Thank you from the bottom of my heart for loaning Joe to us, because he has gone on and passed on your pedigree to the folks that you see here and to our office, and he’s passed along that theory of hard work, but kindness and patience as well. So I want to really thank him. They really broke the mold when they made you, Joe, and I can never hope to fill your shoes. But we will make you proud, and we will carry on that tradition so that when you come and visit, you know, you’ll... you’ll see something that’s reflective of your values and your hard work. So you... you know, and maybe some of Smuckler’s stuff will still be in the trash, but... (*laughter*). But... but seriously, thank you all so very much for allowing us to have him as our boss. He’s been a treasure. Thank you. (*Applause*)

CLERK DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes.

CLERK DOUGHERTY: Joe, 28 plus years. It’s a long time. Um, I think you like me better as a Clerk. (*Laughter*)

MINUTES OF THE MEETING APRIL 30, 2018

MEMBER SMUCKLER: I do too.

CLERK DOUGHERTY: Most people do. But I...

JOE MARTUCCIO: You haven't hung up on me as many times. (*Laughter*)

CLERK DOUGHERTY: No, no. I haven't hung up on anybody. Not allowed. (*Laughter*) But I appreciate your hard work and dedication, and most of all your honesty. Thanks for everything.

JOE MARTUCCIO: Thanks, Dave. (*Applause*)

MEMBER BABCOCK: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER BABCOCK: I too want to congratulate you, Joe, on your retirement. And I want to wish you the best on your next career. Just let us know what Soap you're on and we'll watch it. (*Laughter*)

PRESIDENT SCHULMAN: Anyone else?

MEMBER HAWK: Quickly, to wrap things up. Joe, thank you.

PRESIDENT SCHULMAN: Well, Law Director... former Law Director, great job. You were magnificent. And I think there may be something in the future for you also, but it's... you... you were just terrific. Thank you very much for all the service you've given. Anyone else? Let's hear it. (*Applause*) You'll also be happy to know you all have to stay until the end. (*Laughter*)

LAW DIRECTOR AYLWARD: Run while you can.

PRESIDENT SCHULMAN: We have another three hours, I'm sure you'll be mesmerized. Thank you so much. Great seeing you all. (*Brief pause*) Thanks again.

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 APRIL 30, 2018.

189. FINANCE DIRECTOR CROUSE: AMEND APPROP O#64/2018 (\$210,000.00 APPROP TRF FR 7508 852101 INCOME TAX - ADMIN - OTHER TO 7508 852003 DISTRICT TWR JEDD - OTHER - \$5,000.00, TO 7508 852004 DISTRICT SM JEDD - OTHER - \$190,000.00, TO 7508 852005 DISTRICT FP JEDD-OTHER - \$15,000.00; \$180,000.00 SUPP APPROP FR UNAPPROP BAL OF 7508 JACKSON - CANTON JEDD CLEARING FUND TO 7508 852004 DISTRICT SM JEDD - OTHER; EMERGENCY (JEDD AGMTS - TIMKEN WIND RESEARCH, STOLLE

MINUTES OF THE MEETING APRIL 30, 2018

MACHINERY, FITZPATRICK ENT). - FINANCE COMMITTEE

190. FINANCE DIRECTOR CROUSE: AMEND APPROP O#64/2018 (\$93,000.00 APPROP TRF FR 5701 101501 CODE ENFORCEMENT ADMIN - PERSONNEL TO 5701 307001 ENVIRONMENTAL HEALTH ADMIN - PERSONNEL); EMERGENCY (PORTION OF WAGES FOR 6 HEALTH DEPT EMPLOYEES). - FINANCE COMMITTEE
191. HEALTH COMMISSIONER ADAMS: AMEND APPROP O#64/2018 (\$100,000.00 FR UNAPPROP BAL OF FUND 2314 FAMILY HEALTH TO FUND 2314 301001 FAMILY HEALTH - 700 OTHER)(CANTON STARK CO. THRIVE PROG). - FINANCE COMMITTEE
192. LAW DIRECTOR AYLWARD: AUTHORIZE LAW DIR TO ENTER INTO AGMT TO SETTLE CLAIM/LAWSUIT; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL AGMTS NECESSARY TO COMPLY WITH TERMS OF SETTLEMENT AGMT; AUTHORIZE CITY TO RECEIVE ANY AND ALL FUNDS RESULTING FR SETTLEMENT AGMT; MAKE \$469,297.54 SUPP APPROP FR UNAPPROP BAL OF WRF PHOSPHORUS PROJ. FUND 5442 TO 5442 206054 WRF PHOSPHORUS CONSTRUCTION - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (WATER REF FACILITY PHOSPHORUS/TOTAL NITROGEN PROJ, CONTRACT NO. 26). - FINANCE COMMITTEE
193. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR PROJS; AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE A PROF SERV CONTRACT FOR CONSTRUCTION OVERSIGHT SERVS FOR THESE PROJS; AUTHORIZE CITY TO RECEIVE GRANT FUNDS IN THE AMT OF \$528,313.00 AND A ZERO PERCENT INT LOAN IN AMT OF \$549,876.00 FROM OPWC FOR WATER DEPT PORTION OF PROJ; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE SEPARATE FUND FOR TRACKING PROJ REVENUES AND EXPENDITURES AND APPROP TOTAL OPWC FUNDING AMT OF \$1,078,189.00 (FR UNAPPROP BAL OF 5237 RIDGEWOOD EAST PHASE I PART I WATER MAIN REPLACEMENT PROJ FUND TO 5237 207043 RIDGEWOOD EAST PHASE I PART I WATER MAIN REPLACEMENT PROJ - OTHER); AUTHORIZE CITY TO RECEIVE GRANT FUNDS IN AMT OF \$150,000.00 AND A LOAN IN THE AMT OF \$482,625.00 FR OPWC FOR ROADWAY PROJ; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE SEPARATE FUND FOR TRACKING PROJ REVENUES AND EXPENDITURES AND APPROP THE TOTAL OPWC FUNDING AMT OF \$632,625.00 (FR UNAPPROP BAL OF 4584 RIDGEWOOD EAST PHASE 1 PART 2 (22ND/24TH ST. NE) ROADWAY RECONSTRUCTION PROJ, GP 1123 FUND TO 4584 202051 RIDGEWOOD EAST PHASE 1 PART 2 (22ND/24TH ST. NE) ROADWAY RECONSTRUCTION PROJ, GP 1123 FUND AND ORGANIZATION - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
194. SERVICE DIRECTOR HIGHMAN: REQ \$2,308,261.43 SUPP APPROP FR UNAPPROP BAL OF 5235 CANTON SOUTH - CLEVELAND AVENUE (REGIONALIZATION) WATERLINE EXTENSION PROJ FUND TO 5235 207053 CANTON SOUTH - CLEVELAND AVENUE (REGIONALIZATION) WATERLINE EXTENSION PROJ CONSTRUCTION - OTHER;

MINUTES OF THE MEETING APRIL 30, 2018

AUTHORIZE AUDITOR TO PAY ALL MORAL OBS FOR PLAN REVIEW AND PERMIT FEES RELATED TO PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE

195. SERVICE DIRECTOR HIGHMAN: 105.04 EMERGENCY RPT - HIGH SERVICE PUMP MOTOR REPAIR AT NORTHEAST WATER TREATMENT PLANT. - RECEIVED & FILED
196. SERVICE DIRECTOR HIGHMAN: PROJ LABOR AGMT - JOHNNYCAKE RIDGE NE BASE STABILIZATION PROJ, GP 1279. - RECEIVED & FILED
197. SERVICE DIRECTOR HIGHMAN: PROJ LABOR AGMT - 2081 CITY OF CANTON CHIP AND SEAL PROG, GP 1277. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We're now under First Reading Ordinances and Ordinances for their First Reading.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #2 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE FOR DESIGN OF THE 33RD STREET NW AREA WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$102,900.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207052 33RD ST NW AREA WATER MAIN REPLACEMENT PROJ - OTHER)
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AMENDING SECTIONS 105.01, 105.09, AND 105.10 OF PART ONE, ADMINISTRATIVE CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (DEFINITIONS OF CONTRACTS)
Referred to Judiciary Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for their Second Reading.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #3 THRU #7 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #3. (2ND RDG) AN ORDINANCE AMENDED APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$9,000.00 SUPP

MINUTES OF THE MEETING APRIL 30, 2018

APPROP FR UNAPPROP BAL OF 7131 DOWNTOWN CANTON SPEC IMP
DIST FUND TO 7131 801001 AUDITOR - ADMIN - OTHER)

- #4. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$267,208.33 INTER-FUND TRF FR 1001 GENERAL FUND TO 1151 LAND REUTILIZATION AND NOTE FUND)
- #5. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF TWO (2) SMALL SPORT UTILITY VEHICLES; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY PROCUREMENT AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (BUILDING DEPT.)
- #6. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AND ENTER INTO CONTRACT FOR THE LEASE OF A CITY OWNED BUILDING AT 215 WEST TUSCARAWAS STREET FOR THE PURPOSES OF OPERATING A RESTAURANT/SNACK BAR; AND DECLARING THE SAME TO BE AN EMERGENCY (ARCADE CONEYS)
- #7. (2ND RDG) AN ORDINANCE AUTHORIZING THE CITY OF CANTON TO DESIGNATE PORTIONS OF UNITED STATES BIKE ROUTE 44 AND STATE BIKE ROUTE 85 IN CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you. We're now under Formal Resolutions and Ordinances for their Second and... sorry, their Third Reading. I'll get this right one of these days. Third and Final Reading Vote. Please turn to Ordinance...

CLERK DOUGHERTY: 8.

PRESIDENT SCHULMAN: 8.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #8 THROUGH #13 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #8. (3RD RDG) **ADOPTED AS ORDINANCE NO. 99/2018** A RESOLUTION ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECENT RECOMMENDATIONS REGARDING ENTERPRISE ZONE AND COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGREEMENTS;

MINUTES OF THE MEETING APRIL 30, 2018

AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and... thank you... moved and seconded to adopt Ordinance #8. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

#8 ADOPTED AS ORDINANCE NO. 99/2018

PRESIDENT SCHULMAN: Carries. Uh, we're now under Ordinance 9.

#9. (3RD RDG) **ADOPTED AS ORDINANCE NO. 100/2018** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$450,000.00 SUPP APPROP FR 5410 202010 ENGINEER - DAILY OPERATIONS - OTHER, \$432,355.00 SUPP APPROP FR 5410 202081 SEWER MAPPING PROJECT - OTHER; \$2,349,941.00 SUPP APPROP FR 5410 206314 E SD INTERC SAN SWR REPL PRJ 1138 - OTHER, \$330,000.00 SUPP APPROP FR 5410 206316 MONUM RD NW SANIT SEWER REP PROJ - OTHER; \$305,000.00 SUPP APPROP FR 5410 206317 MAPLEWOOD NEW DAWN SUB SEWER - OTHER TO UNAPPROP BAL OF 5410 SEWER OPERATING FUND - \$3,867,296.00)

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #9. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 100/2018

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinance 9 is adopted. Ordinance 10, please.

MINUTES OF THE MEETING APRIL 30, 2018

- #10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 101/2018** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102075 POLICE - CONT PROFESS TRAINING - OTHER, TO 1001 102001 POLICE - ADMIN - OTHER)

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #10. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 101/2018

PRESIDENT SCHULMAN: Motion carries. Ordinance 9 is adopted. Ordinance... I'm sorry, Ordinance 10 is adopted. Ordinance 11, please.

- #11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 102/2018** AN ORDINANCE REPEALING SECTION 143.01 OF CHAPTER 143, RECREATION BOARD, OF TITLE FIVE OF PART ONE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON (DISSOLVING CANTON JOINT RECREATION BOARD)

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #11. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 102/2018

PRESIDENT SCHULMAN: Thank you. Ordinance #11 is adopted. Ordinance 12, please.

MINUTES OF THE MEETING APRIL 30, 2018

#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 103/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A ONE-YEAR CONTRACT FOR TRAFFIC CONTROL SERVICES DURING WATER MAIN INSTALLATION AND REPAIRS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It’s been moved and seconded that you adopt Ordinance #12. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

#12 ADOPTED AS ORDINANCE NO. 103/2018

PRESIDENT SCHULMAN: Thank you. Ordinance #11... 12 is adopted. Ordinance 13, please.

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 104/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS FOR DESIGN OF PHASE 1 AND SURVEYING AND BASE MAPPING OF PHASE 1 AND 11 OF THE EDGEFIELD AVENUE AREA WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$147,800.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207051 EDGEFIELD AVENUE AREA, PHASE I WATER MAIN REPLACEMENT PROJECT - OTHER)

PRESIDENT SCHULMAN: Thank you. Ord... excuse me. 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 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

MINUTES OF THE MEETING APRIL 30, 2018**#13 ADOPTED AS ORDINANCE NO. 104/2018**

PRESIDENT SCHULMAN: Motion carries and Ordinance 13 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We're now under Announcement of Committee Meetings. Any remarks?

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Yes, sir.

MEMBER MORRIS: Finance will meet May 7th, 2018 at 6:15 P.M.

CLERK DOUGHERTY: Judiciary.

MEMBER MACK: Judiciary, same time, same place.

CLERK DOUGHERTY: Law Department.

PRESIDENT SCHULMAN: Yes.

LAW DIRECTOR AYLWARD: Uh, yes, we will have to have an executive session to discuss Communication #192 at the same point in time after the committee meetings.

PRESIDENT SCHULMAN: Anything else?

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're now under Miscellaneous Business. Do we have any Miscellaneous Business?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes, sir.

MEMBER SMUCKLER: Um, even at the risk of feeling the wrath under Public Speaks later, I'd like to do some interpretation for those of you that don't know. Dreck means crap or shit, and he was referring to mentch as gentlemen. But I think there's something to be said here that's important. Um, I know because we don't respond on Public Speaks by resolution of rules, that does not mean we're not hearing things, and Councilwoman Smith proved that today by working on Alan Page Drive. Um, most of us who have been here long enough knew what it was like when we responded and kept people up here for an hour, in the longest I've ever seen. And that doesn't mean we don't care. I've talked to several people privately during the week when I thought a phone call should be left and... and talked about what's really going on and not what we think is going on. Um, the interpretation here also for Mr. Martuccio and the Law Director, and I didn't want him to have to stay for this, he stayed for enough of these, but just shows you we were all not born in this country, we are all not from this country, and we come here in many different ways and how we got here. Years ago there was an attorney named Irwin Cohen, who left me a big thick mandate cause he didn't know what to do with it, of how a number of people of the Jewish Community

MINUTES OF THE MEETING APRIL 30, 2018

got here, and it sits in my office for lack of me not knowing what to do with it. And it's very interesting to see how people that I knew came to this country and how we frown on that in America today. I also want to congratulate one person and reiterate this again. Um, I've always said that in my thirty years experience, even though he hung on... hung up on me several times, Councilman Dougherty was and... the best ward councilman I've ever seen. But I want to reiterate what I said Sunday, I have never seen anybody take a liking to this job and doing the job well done as Majority Leader of this City Council, and I said it in Ron Ponder's column on Sunday and I'll say it again, congratulations, Chris Smith, you're doing a wonderful job. *(Applause)*

MEMBER SMITH: Thank you so much.

PETE DIGIACOMO: Ward 4.

MEMBER SMITH: Thank you, Mr. DiGiacomo. *(Laughter)*

PRESIDENT SCHULMAN: Any other remarks?

CLERK DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes.

CLERK DOUGHERTY: Quote of the week, and thank you, Member Smuckler. *"People who think they know it all, are especially annoying to those of us who do."* -Anonymous *(Laughter)*

PRESIDENT SCHULMAN: It'll be a tough act to follow there. *(Laughter)*

MEMBER SMITH: You know what, Mr. President. I'm so sorry, I meant to congratulate and thank the Mayor for coming out on Saturday helping out. He served, he gave out proclamations, and to all of the Saints. They were the midget league champs down at the Southeast Community Center. And he pitched in and did a great job. Thank you so very much, Mayor. *(Applause)*

MEMBER SMUCKLER: Mr... Mr. President, one last thing.

PRESIDENT SCHULMAN: No problem.

MEMBER SMUCKLER: I've made two bets in the last four years, and the last bet I just... actually, three bets. Mr. Williams bet on the wrong horse, a place he went to school, Duke one year, and had to wear a razor back hat in here. Mr. Mariol's still yet to pay off years later. It's adding up, yeah. And Mr. Fisher, don't hire him for the draft. He bet me the Browns wouldn't take a quarterback as the number one pick. *(Laughter)*

PRESIDENT SCHULMAN: You know, I... before we give you the adjournment. It's such a pleasure to work with all of you. I... I mean that. Come from so many different walks of life, you have different ideas, you have different perspectives, we get along. It's... it is a beautiful thing to observe and to be part of. And I really want to thank each and every one of you for doing that every single night. Nah, I guess not every night, but at least some nights. So with that stated...

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

MINUTES OF THE MEETING APRIL 30, 2018

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adjourn. Roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Have a good night, everybody.

ADJOURNMENT TIME: 7:40 P.M.

ATTEST: 5/2/18

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT