

MINUTES OF THE MEETING MAY 21, 2018

PRESIDENT SCHULMAN: Good evening ladies and gentlemen, welcome to Canton City Council. It's good to see everybody, although there seems to be only about four people here, but that's not bad. 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:

11 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)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER MORRIS ABSENT)

CLERK DOUGHERTY: Eleven present, one absent, Mr. President.

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: Member Morris is excused from this...is supposed to be excused from this evening's meeting. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: The motion carries and Member Mack is, er, sorry...

MEMBER SMITH: Morris...

PRESIDENT SCHULMAN: ...Member Morris is excused from this evening's meeting. We're now in invocation...in...we have our invocation, going to be given by my good friend Robert Morris. Would you please stand. *(Error: President Schulman should have said Robert Fisher).*

MEMBER SMITH: Fisher.

PRESIDENT SCHULMAN: I'll get this right, eventually. *(Laughter).*

The regular meeting of Canton City Council was held on May 21, 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 5 Council Member, Robert Fisher. The Pledge of Allegiance was led by President Schulman.

MINUTES OF THE MEETING MAY 21, 2018**AGENDA CORRECTIONS & CHANGES**

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

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances 11 through 13 to tonight's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add 2nd Reading Ordinances...let's see...11 through 13. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. The motion carries and those uh...Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: Moving now to uh...Old Business. We have no Old Business...

CLERK DOUGHERTY: Public Hearings.

PRESIDENT SCHULMAN: We do have one Public Hearings. Would you read that?

CLERK DOUGHERTY: Mr. President, yes. AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; 91 DIFFERENT TAX PARCELS FROM I-1 TO OS, WARD 4; FROM R-4 TO CS, WARD 7, PLANNING COMMISSION RECOMMENDED APPROVAL; CITY WIDE ZONING CHANGE.

PRESIDENT SCHULMAN: Thank you. This is before Council...this is uh...for Council later tonight. Any remarks? Um, anybody have any remarks? Seeing none, I'll say that one more time. Anybody have any complaints or wants to comment on this (*Inaudible*) tonight? Any remarks?

MAN IN AUDIENCE: Where we signed up?

PRESIDENT SCHULMAN: Pardon me?

MAN IN AUDIENCE: Where we signed up to speak.

PRESIDENT SCHULMAN: No.

CLERK DOUGHERTY: No, that's not yet.

PRESIDENT SCHULMAN: Not yet. So, that would conclude that. These will be heard later in this evening's...uh...will be heard later.

MINUTES OF THE MEETING MAY 21, 2018OLD BUSINESS

PRESIDENT SCHULMAN: We now go to Old Business. Do we have any Old Business? Pardon. Okay, we have...

PUBLIC SPEAKS

PRESIDENT SCHULMAN: Now we turn to Public Speaks. We have three speakers tonight. Our first speaker is James Huffer?

JAMES WOOFTER: That's close.

PRESIDENT SCHULMAN: Well, I'm sorry.

JAMES WOOFTER: That's okay.

PRESIDENT SCHULMAN: I apologize.

JAMES WOOFTER: I'm your neighbor, but it's Jim Woofter, W-o-o-f-t-e-r.

PRESIDENT SCHULMAN: Well, see, that's the problem! *(Laughter)*. Sorry Jim.

JAMES WOOFTER: Well, I'm trying to sell your house for you, so...

PRESIDENT SCHULMAN: Good.

JAMES WOOFTER: First of all, I'd like to address the young people over here, just so you're aware...boarding house, whatever. 1966 I get out of the Marine Corps, I go to work at Timken. There's six boarding houses in a five block area. Timken would not have survived without those boarding houses. Those people would come in on Sunday night from West Virginia, work the full week, head back to West Virginia with their paychecks. But without the boarding houses, Timken would have been deep doodoo.

PRESIDENT SCHULMAN: Before you continue, may I get your name and address please, for the record.

JAMES WOOFTER: Okay, Jim...James F. Woofter, W-O-O-F as in Frank, T-E-R. 1467 15th St. NW.

PRESIDENT SCHULMAN: Thank you very much.

JAMES WOOFTER: Right around the corner.

PRESIDENT SCHULMAN: Gotcha. Go ahead, sorry.

JAMES WOOFTER: I'm glad I came tonight, and I'm glad I came to the early meeting. It was nice to know that if I receive a letter from our Law Department telling me to cease and desist, I can just pitch it because nobody's going to do anything about it. I mean, I'll do things for four to six months, illegal, because that's what the letter says that I'm doing, but yet City Council won't vote on the measure and they're just going to let it ride, and I'm talking AirBnB, that's what I'm talking about, sir. I've been involved in that neighborhood for forty-one years, trying to keep the neighborhood together, trying to keep the neighbors happy, kinda...trying to

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keep the homes kept up to date, but yet, I really shouldn't be doing that because somebody's going to walk in and all of a sudden have an AirBnB and do what the heck they want to do. And to me, R-1...Residential 1, is what it means, single family homes. I hope you people take this...this into consideration. It just blows my mind that you wouldn't vote it down tonight and then next week put it back on the agenda to send it uh...whoever it's got to go. So, I'm saying good luck to ya, and I, I hope you come up with the right decision. But my faith is...is failing.

PRESIDENT SCHULMAN: Thank you sir, very much. Appreciate it. Our next speaker is Marjorie Burkhart. Ms. Burkhart, good evening, welcome to Canton City Council. If you'll give us your name and residential address, please.

MARJORIE BURKHART: First I have a copy that I'd like to pass out to everyone.

PRESIDENT SCHULMAN: Sure.

MAN IN AUDIENCE: Marjorie, you go ahead and do that, I'll do that.

PRESIDENT SCHULMAN: Don't forget to give us your name and your residential address, please.

MARJORIE BURKHART: My name is Marjorie Burkhart. My address is 1253 11th St. NW in Canton. I live directly across from the home at 1258 11th St. NW, which appeared as an AirBnB in the Canton Repository on April 9th, this year. We, the neighbors feel that we have been totally blind-sided. No one ever expected that and no one ever told us about that. I am here this evening, representing fifty-seven people in the Westpark neighborhood who have signed a petition requesting the R-1a zone for single family residences be upheld. That no business be allowed to supercede this ordinance, meaning no exceptions allowed. I have presented this petition to our future chairman of the Judiciary Committee, John Mariol, this evening, of which you all have received a copy now. We are asking each of you, as our representatives in Canton, on the City Council here, to support us on this issue as we strongly believe that the single family residences contribute to the stability in our city. I've heard prior to this that you want the city the best, this family residential area is very important for that because we financially pay our taxes, we help with our jobs, we help one another in our communities, and we also support and contribute to our community organizations. Therefore, please retain the zone R-1a as single family residences with no business and no exceptions in our Westpark neighborhood. We appreciate the respect and support in this manner, and I thank you. Having listened to the committee meeting, some of you have no experience with what goes on in these said places. AirBnB is a rooming house. It's definitely a rooming house. They rent it to people for transient situations as well as I have personally experienced, they rent it for long-term experiences. I know for a fact that least (*Inaudible*), I know for fact the person was paying that, okay? Here, we see out of state license plates. We see all kinds of things and we are also concerned that our children are at risk and our families are at risk, not knowing who comes in and out of this city. We already have had solicitors, we've already had um...drug situations, break-ins in our very block. I was one whose home was bought...broken into. And so, we have great concern for this. Basically, people come in from out of town, they own the homes, and they are not people who have contributed to the city for years, such as the neighbors who have signed these petitions have lived here years and are very concerned for the transition. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much. Thank you.

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MARJORIE BURKHART: You're welcome.

PRESIDENT SCHULMAN: Our next speaker is Don Joliat. Good evening sir, welcome to Canton City Council. If you'll give us your name and residential address, please.

DON JOLIAT: I'm Don Joliat. I live at 1245 11th St. NW in Canton. I have a question. I wasn't here earlier, I was told that you talked about what zoning you're allowed to have and what you're not. No place can I find exactly how single family zoning is defined, other than "single family zoning." It doesn't say what you're allowed, it doesn't say what you're not allowed. I'd like to have that explained. Thank you.

PRESIDENT SCHULMAN: Sorry, sir?

DON JOLIAT: I would like to have that explained, what the...just exactly what you're allowed to do, what you're not allowed to do in single family zoning.

PRESIDENT SCHULMAN: Sorry, that's what I thought you said, but this is just a...

DON JOLIAT: Yeah, it's...I'm waiting for an explanation.

PRESIDENT SCHULMAN: Well, you'll get it as we get it. Thanks you. Anything else?

DON JOLIAT: No, that's it.

PRESIDENT SCHULMAN: Okay. Thank you sir. Thank all the speakers uh...for sharing their information.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions. We have one this evening. If you'll, Mr. Clerk, if you'll give us Informal Resolution, uh....

#42. COUNCIL-AS-A-WHOLE: COMMENDING WARD 8 COUNCIL MEMBER, EDMOND MACK, FOR HIS YEARS OF PUBLIC SERVICE. - ADOPTED.

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 42. Any remarks?

MEMBER SMITH: Yes, can we have that read, please.

PRESIDENT SCHULMAN: Yes, please.

CLERK DOUGHERTY: An Informal Resolution respectfully submitted by Canton City Council on this 21st

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day of May, 2018. **Whereas**, Graduating from Minerva High School, Edmond James Mack went on to receive his undergraduate degree from Kent State University cum laude with a Bachelor of Arts in philosophy and history. He received his law degree from the University of Akron School of Law cum laude, and was admitted to the Bar in 2007; and **Whereas**, Recognized for his work in civil litigation and oral advocacy, Edmond is currently a partner with the law firm of Tzangas Plakas Mannos Ltd. where he has successfully represented corporations, municipalities and individuals in a wide range of disputes; and **Whereas**, Edmond's outstanding achievements include being recognized as an Ohio Rising Star for the years 2010 through 2018 by Super Lawyers Rating Service, receiving a 10.0 Top Attorney rating from Avvo Legal Services, and being recognized by the Canton Regional Chamber of Commerce ystark! and the Canton Repository as one of Stark County's Top Twenty Under Forty Young Professionals for 2014; and **Whereas**, Edmond's civic excellence is also reflected through his service on the Board of Trustees of the Stark County District Library and the Stark County Association for Justice. He is also a member of the Ohio Association of Justice, the Stark County, Akron, Ohio and American Bar Associations, the Kent State University Alumni Board, the NAACP and the Ohio ACLU; and **Whereas**, in January 2012 Edmond took office as Canton City Councilman for Ward 8 where his dedicated public service continued. Edmond was instrumental in the creation of the DORA and medical marijuana legislation, as well as the lighting project in the Santa Clara neighborhood, the Gervasi trailhead, Market Square development, and the Comprehensive Plan. He was also a strong proponent of the Issue 13 income tax initiative. During his Council tenure, Edmond served as Chairman of the Judiciary Committee and active member of the Comprehensive Plan Steering Committee, and **Whereas**, Edmond is currently engaged to marry Miss Julie Jakmides on July 7, 2018, and is the proud parent of daughter, Isabella. **Now Therefore Be It Resolved:** That we, the Members of Canton City Council, do hereby honor and commend **Councilman Edmond James Mack** for his commitment and devotion to public service, his contributions to the legal profession, and his outstanding accomplishments on behalf of the greater Canton community. Congratulations to Edmond Mack. (*Applause*).

PRESIDENT SCHULMAN: All those in favor, signify by saying aye. Those opposed no. No.

NO REMARKS

RESOLUTION #42 PASSED UNANIMOUSLY BY VOICE VOTE

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

MEMBER SMITH: Mr. Mack, on behalf of the entire Council, we thank you so very much for your dedication. You and I may have gotten off on the wrong foot in the beginning, but at the end, we stayed on the right foot. And I appreciate you, I really do. I appreciate all that...we stayed in touch with...with the Income Tax. Thank you for all that you do. We look forward to whatever your future is going to bring. Best wishes and good luck. (*Applause*).

MEMBER MACK: Thank you to everyone. All of my friends, I appreciate it. I am going to miss you all. You guys were such a joy to...to learn from, to serve with, and I'm...I'm really looking forward to all that you're going to do in the future. I...every...every one of you I know, and I know you well, care so much about this city and it's been a...a real fulfilling experience serving with you. So, looking forward to reading about you in the paper! (*Laughter*). Thank you. (*Applause*).

PRESIDENT SCHULMAN: Well, you're going to be very much missed. Thank you. But I know you'll stick around. Sure you'll have some other things to comment upon. Uh...We're now um...yes.

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MAYOR BERNABEI: If I may, it'll just...on behalf of the Administration and...and on my own behalf, I do want to thank Edmond Mack. He did many, many legal things to assist the city that were not a part of his job as a Councilman. I thank him for his work and dedication to his Ward, and the City Council as Judiciary Chairman, and I especially thank him for his work from day one on the Comprehensive Plan. He's been a member of our Steering Committee. He will be difficult to replace, but we will need someone from City Council to replace him. He worked diligently on the ballot language and on other legal issues associated with Issue 13, as well as being a strong supporter. I look forward to calling upon you and asking you, as a citizen-neighbor, to come back and help us with our many needs and I truly appreciate all of your work. Thank you. *(Applause)*.

PRESIDENT SCHULMAN: Boy, we're going to miss you, but we'll see you, I'm sure, soon. Probably uh...what time is it? I think we'll be having a drink later! *(Laughter)*. Thank you, Edmond, for all that you've done. I mean it. Anyone else? Okay...

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: I was going to wait until Miscellaneous Business, but, we'll do it now. Um, you know six years ago, actually this month, I was appointed. And when I was appointed, then Chairman, Randy Gonzalez, told me he would recommend reaching out to Edmond Mack, a young person that might be good to team up with. And from that point we have been a team. And usually, I know I don't say this, if one of us is supporting something, you're probably going to get the other one. Over these six years, and this is something that has been really exciting, especially with the Issue 13, this Council, six years ago, there was no Onesto, no Hercules, no DORA, no Market Square plans, no Issue 13, and Edmond and I have talked about this, being young, working with all of you, um...t's been amazing, what's been accomplished. And, from my standpoint, Edmond has been such a vital part of that, because of your legal expertise, your commitment, you know, uh...a lot of those things happened or were as big of an impact because of your service. So, I can say, very confidently, that Ward 8 has probably never had a finer Councilman and I've never had a finer friend, so, it's been a pleasure serving with you and I wish you the best. *(Applause)*.

PRESIDENT SCHULMAN: Anyone else? Alright. Well, thank you for your service. I know you're going to be around, so. I know you're going to be around because we're going to have a drink later.

COMMUNICATIONS

PRESIDENT SCHULMAN: So, okay, with that said we are 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 MAY 21, 2018.

225. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF COMMUNITY DEV BLOCK GRANT PROG FUNDS (NO SINGLE AWARD TO EXCEED \$500,000 FOR COMMUNITY DEV ELIGIBLE ACTIVITIES BENEFITTING LOW AND MODERATE INCOME FAMILIES); AUTHORIZE MAYOR OR SERV DIR TO

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ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF EMERGENCY SOLUTIONS GRANT PROG FUNDS (NO SINGLE AWARD TO EXCEED \$200,000 FOR HOMELESS PREVENTION ACTIVITIES BENEFITTING VERY LOW INCOME FAMILIES); AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF HOME INVESTMENT PARTNERSHIP PROG FUNDS (NO SINGLE AWARD TO EXCEED \$500,000 FOR PROVIDING HOUSING ACTIVITIES BENEFITTING LOW AND MODERATE INCOME FAMILIES). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

226. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR TO SUBMIT CITY'S 2018 ANNUAL ACTION PLAN TO US DEPT OF HOUSING AND URBAN DEVELOPMENT (HUD) AND TO ACCEPT AND EXECUTE GRANT AGMTS WITH HUD FOR 2018 PROG YR. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
227. FINANCE DIRECTOR CROUSE: REQ \$349,722.22 INTER-FUND TRF FR 1001 GENERAL FUND TO 1154 HOF VILLAGE PROJ FUND AND \$31,162.22 SUPP APPROP FR UNAPPROP BAL OF 1154 HOF VILLAGE PROJ FUND TO 1154 201001 SERVICE DIRECTOR ADMIN - OTHER). - FINANCE COMMITTEE
228. FINANCE DIRECTOR CROUSE: REQ \$183,025.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARK OPERATING AND SPEC REV FUND TO 2530 401052 PARKS REC PROG - OTHER FOR \$69,000.00, TO 2530 401060 SPECIAL PARK FUNDS - OTHER FOR \$29,025.00, AND TO 2530 401090 PARK REDEVELOPMENT - OTHER FOR \$85,000.00. - FINANCE COMMITTEE
229. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER/CONTRACT AMENDMENT NO. 2 IN AMT OF \$21,168.00 FOR PURCHASE OF 378 MICROSOFT HOSTED EXCHANGE, GFI ARCHIVER LICENSES AND ALL APPLICABLE SUPPORT; REQ \$21,168.00 SUPP APPROP FR 1001 GENERAL OPERATING (UNAPPROP BAL) TO 1001 504010 INFORMATION TECHNOLOGY MANAGER (OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
230. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO EXTEND WATER MAIN TO WICKER CREEK NO. 4 AND NO. 5 LOCATED IN PLAIN TWP; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL AGMTS, INCLUDING EASEMENT AGMTS, NECESSARY FOR SAID WATER MAIN EXTENSION; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
231. SERVICE DIRECTOR HIGHMAN: RATIFY PAYMENT OF MORAL OB FOR EMERGENCY HIGH SERVICE PUMP MOTOR REPAIR AT NORTHEAST WATER TREATMENT PLANT PURSUANT TO CODIFIED ORDINANCE SEC 105.04; AMEND APPROP O#64/2018 WITH

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\$26,472.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207012 PUMPING MAINTENANCE - OTHER; AUTHORIZE AUDITOR TO PAY MORAL OB TO HANNON ELECTRIC CO FOR AMT NOT TO EXCEED \$6,472.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

232. STARK CTY COMMISSIONERS: REQ ANNEX OF 1.896 ACRES, MORE OR LESS, IN PLAIN TWP TO CITY OF CANTON (44TH ST NE). - PLANNING COMMISSION
233. TREASURER PEREZ: RPT OF 4/30/18 BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 4/30/18. - RECEIVED & FILED
234. TREASURER PEREZ: AMEND SEC 182 OF CANTON CODIFIED ORDINANCES AS MANDATED BY ISSUE 13; AMEND O#64/2018 TO PROVIDE FUNDING FOR TAXPAYER EDUCATION AND ASSISTANCE IN TERMS OF TAX RATE INCREASE. - JUDICIARY COMMITTEE
235. VICTORY SQUARE MGMT: ADVISE OF PLANS TO BE GENERAL PARTNER OF 81 UNIT RESIDENTIAL RENTAL DEVELOPMENT AT 1206 LIPPERT RD NE. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We are now under First Reading Ordinances, Ordinances for their First Reading. Mr. Clerk...

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #10 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$500,000.00 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
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE PROVIDING FOR THE ISSUANCE OF A NOTE BY THE CITY OF CANTON IN ANTICIPATION OF THE COLLECTION AND PAYMENT OF INCOME TAXES, GENERAL PROPERTY TAXES, AND MISCELLANEOUS OTHER SOURCES TO THE CITY OF CANTON IN AN AMOUNT OF ISSUANCE NOT TO EXCEED \$2,000,000.00; DECLARING THE NECESSITY OF THE ISSUANCE OF SAID NOTE PROCEEDS WHICH WILL BE USED FOR THE PAYOFF OF A PREVIOUSLY EXISTING NOTE;

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AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

- #3. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$5,000.00 APPROP TRF FR 2799 701001 JUSTICE REINVESTMENT PRETRIAL GRANT FUND - PERSONNEL TO 2799 701001 JUSTICE REINVESTMENT PRETRIAL GRANT FUND - OTHER)
Referred to Finance Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING DISSOLVING THE ROAD RESERVATIONS CURRENTLY PLACED ON TAX PARCELS 280871, 280872, 280873, AND 284986; AND AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICES TO TRANSFER THE SAME, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION FOR SUBSEQUENT TRANSFER TO THE REFUGE OF HOPE MINISTRIES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE AND EXECUTE AN EASEMENT OVER TAX PARCEL 280840 TO STINGRAY VENTURES LLC THAT WILL HAVE NO FORCE AND EFFECT UNLESS THE SURROUNDING PROPERTIES ARE EFFECTIVELY ACQUIRED BY STINGRAY VENTURES, LLC; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Environmental & Public Utilities Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT AMENDMENTS WITH STARK COUNTY COMMUNITY ACTION AGENCY FOR \$50,000.00 FOR ENRICHMENT & ACADEMIC MENTORING AND \$30,000.00 FOR EMPLOYMENT READINESS TRAINING; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE HIRING OF MR. JAMES BENEKOS AT A SALARY OF \$88,888 ANNUALLY WITH TEN DAYS OF VACATION IN 2018 AND FIFTEEN DAYS VACATION FOR EACH YEAR THEREAFTER, UNTIL HIS CITY ACCRUED TIME CORRELATES WITH THE APPLICABLE CITY VACATION SCHEDULE; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER DEPT FACILITIES ENGINEER)
Referred to Personnel Committee
- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC

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SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, EXECUTE A CONSTRUCTION CONTRACT AND ENTER INTO AGREEMENT(S) FOR AND TO RECEIVE GRANT FUNDS IN THE AMOUNT OF \$890,064.00 AND LOAN FUNDS IN THE AMOUNT OF \$509,566.00 FROM THE OHIO PUBLIC WORKS COMMISSION FOR THE 47TH ST. NW STORM SEWER REPAIR PROJECTS, GP 1241 & GP 1198; AUTHORIZING THE AUDITOR TO CREATE THE 4585 47TH ST. NW/PACKARD AVE. NW 78-IN STORM SEWER REPAIR PROJECT, G.P. 1198 AND 4586 47TH ST. NW STORM SEWER REPAIR PROJECT, GP 1241 FUNDS; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$896,770.00 SUPP APPROP FR UNAPPROP BAL OF 4585 47TH ST NW/PACKARD AVE NW 78-IN STORM SEWER REPAIR PROJ, GP 1198 FUND TO 4585 202052 47TH ST NW/PACKARD AVE NW 78-IN STORM SEWER REPAIR PROJ, GP 1198 - OTHER; \$502,860.00 SUPP APPROP FR UNAPPROP BAL OF 4586 47TH ST NW STORM SEWER REPAIR PROJ, GP 1241 FUND TO 4586 202053 47TH ST NW STORM SEWER REPAIR PROJ, GP 1241 - OTHER)

Referred to Public Property Capital Improvement Committee

- #9. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE EAST OHIO GAS COMPANY D/B/A DOMINION ENERGY OHIO FOR THE RELOCATION OF EXISTING LINES; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$380,771.00 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PROJ, GP 1103 FUND TO 4566 202079 MAHONING RD CORRIDOR PROJ, GP 1103 - OTHER)

Referred to Environmental & Public Utilities and Public Property Capital Improvement Committee

- #10. (1ST RDG) AN ORDINANCE DECLARING CERTAIN PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND AUTHORIZING ITS BID FOR SALE; AND DECLARING THE SAME TO BE AN EMERGENCY (STEAM LOCOMOTIVE AND TENDER)

Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: Thank you. We're now under Ordinances and Formal Resolutions for their Second Reading...Reading. Leader. I'll get this right, eventually. My friend...

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #11 THRU #13 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #11. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 1123, DEFINITIONS OF TITLE

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FIVE AND AMENDING CHAPTER 1141, R-4 MULTI-FAMILY
RESIDENTIAL DISTRICT OF TITLE SEVEN OF THE CODIFIED
ORDINANCES OF THE CITY OF CANTON

PUB HRG 6/4/18 @ 7:00 P.M.

- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE DISCHARGE OF THE DEMOLITION LIENS, ASSESSMENTS, PENALTIES, AND INTEREST ON THE PROPERTY KNOWN AS PARCEL NO. 226346; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH THE THRASHER GROUP FOR DESIGN OF THE SITE MASTER PLAN FOR THE CANTON WATER DEPARTMENT'S DISTRIBUTION SHOP; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$49,920.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 WATER DISTRIBUTION - OTHER)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: Thank you. We are now under Ordinances and Formal Resolutions for their Final Reading and vote. Leader. Oh, sorry.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #14 THROUGH #19 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #14. (3RD RDG) **#14 ADOPTED AS ORDINANCE NO. 116/2018** 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 (CITY WIDE ZONE CHANGE, HARVARD AVE NW @ RT 62, 1700 BLOCKS OF IRA TURPIN WAY NE, BLECKER PL NE, 10TH ST NE, IRWIN PL NE, BERGER PL NE, PETRO PL NE, 9TH ST NE)

PUB HRG 5/21/18 @ 7:00 P.M.

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK DOUGHERTY: Eleven yeas, Mr. President.

#14 ADOPTED AS ORDINANCE NO. 116/2018

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

#15. (3RD RDG) **#15 ADOPTED AS ORDINANCE NO. 117/2018** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$210,000.00 APPROP TRF FR 7508 852101 INCOME TAX - ADMIN - OTHER TO 7508 852003 DISTRICT TWR JEDD - OTHER FOR \$5,000.00, TO 7508 852004 DISTRICT SM JEDD - OTHER FOR \$190,000.00 AND TO 7508 852005 DISTRICT FP JEDD - OTHER FOR \$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)

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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 117/2018

PRESIDENT SCHULMAN: Motion carries, and Ordinance 15 is adopted. Ordinance 16, please.

#16. (3RD RDG) **#16 ADOPTED AS ORDINANCE NO. 118/2018** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$93,000.00 APPROP TRF FR 5701 101501 CODE ENFORCEMENT ADMIN - PERSONNEL TO 5701 307001 ENVIRONMENTAL HEALTH ADMIN - PERSONNEL)

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 15...16. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 118/2018

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

#17. (3RD RDG) **#17 ADOPTED AS ORDINANCE NO. 119/2018** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 2314 FAMILY HEALTH FUND TO 2314 301001 FAMILY HEALTH - 700 - OTHER)

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 10 YEAS, 1 ABSTENTION
(MEMBER MINOR SMITH ABSTAINED)

CLERK DOUGHERTY: Ten yeas, one abstention, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 119/2018

PRESIDENT SCHULMAN: Thank you, the motion carries, and Ordinance #17 is adopted. Ordinance 18, please.

#18. (3RD RDG) **#18 ADOPTED AS ORDINANCE NO. 120/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; RECEIVE GRANT FUNDS IN THE AMOUNT OF \$528,313.00 AND A ZERO PERCENT INTEREST LOAN IN THE AMOUNT OF \$549,876.00 FOR THE RIDGEWOOD EAST PHASE 1 PART 1 WATER MAIN REPLACEMENT PROJECT AND RIDGEWOOD EAST PHASE 1, PART 2 (22ND/24TH ST. NE) ROADWAY RECONSTRUCTION PROJECT, GP 1123; RECEIVE GRANT FUNDS IN THE AMOUNT OF

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\$150,000.00 AND A LOAN IN THE AMOUNT OF \$482,625.00 FOR THE ROADWAY PROJECT; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5237 RIDGEWOOD EAST PHASE 1 PART 1 WATER MAIN REPLACEMENT PROJECT FUND AND THE 4584 RIDGEWOOD EAST PHASE 1 PART 2 (22ND/24TH ST. NE) ROADWAY RECONSTRUCTION PROJECT, GP 1123 FUND; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,078,189.00 SUPP APPROP 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 REPLACE PROJ - OTHER; \$632,625.00 SUPP APPROP FR UNAPPROP BAL OF 4584 RIDGEWOOD EAST PHASE I PART 2 (22ND/24TH ST NE) ROADWAY RECONSTRUCTION PROJ, GP 1123 FUND TO 4584 202051 RIDGEWOOD EAST PHASE I PART 2 (22ND/24TH ST NE) ROADWAY RECONSTRUCTION PROJ, GP 1123 - OTHER)

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. Are there any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 120/2018

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

#19. (3RD RDG) **#19 ADOPTED AS ORDINANCE NO. 121/2018** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,308,261.43 SUPP APPROP FR UNAPPROP BAL OF 5235 CANTON SOUTH-CLEVELAND AVE (REGIONALIZATION) WATERLINE EXTENSION PROJ FUND TO 5235 207053 CANTON SOUTH-CLEVELAND AVE (REGIONALIZATION) WATERLINE EXTENSION PROJ - OTHER)

PRESIDENT SCHULMAN: Leader.

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

MEMBER BABCOCK: Second.

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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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 121/2018

PRESIDENT SCHULMAN: Thank you. Motion carries, Ordinance 19 is adopted, and that concludes our uh...Resolutions.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We're now under Announcement of Committee Meetings. Is there any? Are there any?

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: Finance will meet June 4th at 6:30

PRESIDENT SCHULMAN: Thank you.

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

MEMBER HALL: Finance, same time, same place.

MEMBER MINOR SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MINOR SMITH: Community & Economic Development will meet on June 4th, 2018 at 6:30. Thank you.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER SCAGLIONE: Public Property Capital Improvement, same time, same place.

PRESIDENT SCHULMAN: Great, thank you. Anyone else?

MEMBER FISHER: (*Inaudible*) Mr. President. Environmental & Public Utilities, same time, same place.

PRESIDENT SCHULMAN: Thank you. Anyone else?

MINUTES OF THE MEETING MAY 21, 2018MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're now to move uh...to Miscellaneous Business. Is there any?

MEMBER SMUCKLER: Mr. President. First of all, on the DORA issue...uh...not the DORA issue, the AirBnB issue. Um, As I understand this, and let the Law Director correct me if this is...this will come up for, before Council two weeks from now. Is that correct?

PRESIDENT SCHULMAN: Is that correct?

LAW DIRECTOR AYLWARD: Yes. What you will be doing is to choose whether to vote yes or no on what the Planning Commission has sent to you or to vote to send it back to the Planning Commission. Those will be your choices.

MEMBER SMUCKLER: Okay, that's what I thought. And, I know you were asked tonight, about the single family. Are you prepared to give that answer?

LAW DIRECTOR AYLWARD: That's a very long answer because there's actually R-1, R1-a, R1-b. It all depends on single famin...family and the density on homes per acre. So, there's actually a very long list of regulations to present ourselves...

MEMBER SMUCKLER: When you do that, (*Inaudible*) in Committee Meetings, will you please make sure that everybody understands that this does not do away with um...rental properties, themselves. That rental properties still...still can be in these zoned issues.

LAW DIRECTOR AYLWARD: Correct. This doesn't have anything to do with...

MEMBER SMUCKLER: I understand that, but I think some people that are coming down here think that because you're single family, that it's all owner occupied. I would like them...I don't want them to be mad at City Council, I want them to understand that this also includes rental properties, and when you give this information out, will you please outline in there that it has to be for thirty days or longer, according to what you told me before.

LAW DIRECTOR AYLWARD: I can have a short presentation for the next meeting on our zoning regulations as they currently exist.

MEMBER SMUCKLER: I think that would be great. Uh, Member Mack, I do want to say one thing, and um, what I heard from that whole Resolution was DORA, Medical Marijuana, and Ballot Language. You've pulled a political coup off because you got drinking, getting high and increasing taxes all in one fell swoop! (*Laughter*). What I want to say is thank you, on my behalf, because besides showing me the respect of having some historical perspective down here, you have been instrumental in getting things off the ground down here. And I think that's been a godsend to some of us who have been looking for years to get something off the ground here. And the most amazing part, you've done this with is, you've done it with mostly no money. And that is truly amazing. I thank you, Edmond. (*Applause*).

PRESIDENT SCHULMAN: Anyone else?

CLERK DOUGHERTY: Majority Leader Smith, in light of the presentation by the Law Department, should we go to 6:15?

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MEMBER SMITH: Let's go to 6:15.

CLERK DOUGHERTY: Thank you.

PRESIDENT SCHULMAN: 6:15?...

CLERK DOUGHERTY: 6:15 for the Law Department presentation the same night.

PRESIDENT SCHULMAN: Very good. Anyone else? We're going to really miss you, Edmond, that's all I can say. We are going to have a drink soon, so that's a good thing.

CLERK DOUGHERTY: I've got my quote.

PRESIDENT SCHULMAN: Pardon me? Yes, I would love to hear the quote, please.

CLERK DOUGHERTY: Quote for the week, from George Burns. Some of you young Councilmen probably don't know who I'm talking about. *(Laughter)*. "*Happiness is having a large, loving, caring, close-knit family - in another city.*" *(Laughter)*!

PRESIDENT SCHULMAN: Okay. That was...*(Laughter)*.

CLERK DOUGHERTY: George!

PRESIDENT SCHULMAN: He may still be alive, actually! Okay, go ahead. Thank you. Uh...

MEMBER SMITH: Meeting adjourn.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, motion carries. Meeting is adjourned. Safe travels, everyone, thank you.

ADJOURNMENT TIME: 7:40 P.M.

ATTEST: MAY 23, 2018
DAVID R. DOUGHERTY
CLERK OF COUNCIL

APPROVED:
ALLEN SCHULMAN
PRESIDENT