

**MINUTES OF THE MEETING OCTOBER 15, 2018**

PRESIDENT PRO TEM SMITH: Good evening. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please.

*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, & PETER FERGUSON)

ELEVEN COUNCIL MEMBERS PRESENT. (PRESIDENT SCHULMAN & MEMBER MORRIS ABSENT)

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

**EXCUSING MEMBERS**

PRESIDENT PRO TEM SMITH: Thank you. Leader.

MEMBER BABCOCK: Member Pres...Madam President, I move we excuse President Schulman and Member Morris from tonight's meeting.

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas.

PRESIDENT PRO TEM SMITH: Okay. The motion carries and President Schulman and Member Morris are excused from this evening's meeting. We will have the invocation given tonight by Ward 7 Council Member, John Mariol. If you all will please stand and remain standing for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on October 15, 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 7 Council Member, John Mariol. The Pledge of Allegiance was led by President Pro Tem Smith.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT PRO TEM SMITH: We are now under Agenda and Correction Changes. Leader.

MEMBER BABCOCK: Madam President, I move Rule 22A be suspended to add 2<sup>nd</sup> Reading on Ordinances 5 through 7 to this evening's agenda, and withdrawal of Ordinance #8.

MEMBER MINOR SMITH: Second.

**MINUTES OF THE MEETING OCTOBER 15, 2018**

PRESIDENT PRO TEM SMITH: It's been moved and seconded to suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinances 5 through 7 to this evening's agenda, and withdrawal of Ordinance #8. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

PRESIDENT PRO TEM SMITH: The motion carries and Ordinance 5 through 7 are a legal part of your agenda. Ordinance #8 will be withdrawn.

**PUBLIC HEARINGS**

PRESIDENT PRO TEM SMITH: We are now under Public Hearings and we have two this evening. Mr. Clerk, would you please read the first.

CLERK DOUGHERTY: AN ORDINANCE AMENDING O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; PLANNING COMMISSION RECOMMENDED APPROVAL; CITY WIDE ZONE CHANGE, RT 62 & KIRBY AVE NE (PARCELS 305295, 380336, 380337, 304736, 304674, 301700, 304728, 301585, 301476, 302122 & 10002002) FROM B-3 (GENERAL BUSINESS) & R-1A (SINGLE FAMILY RESIDENTIAL) TO B-4(SPECIAL BUSINESS) FOR THE CITY OF CANTON, IN WARD 6.

PRESIDENT PRO TEM SMITH: Is there anyone in the audience wishing to speak for or against this Ordinance Change, please step forward. I'm sorry...this zone change, would you please step forward. Is there anyone in the audience wishing to speak for or against this Zone Change, please step forward. Seeing no one step forward, the Chair declares the public hearing over in regard to this matter. The matter now rests in the hands of Council. The Ordinance will follow later this evening. Mr. Clerk, will you read the second, please.

CLERK DOUGHERTY: AN ORDINANCE AMENDING O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; PLANNING COMMISSION HAS RECOMMENDED APPROVAL; 2528 FAIRCREST ST SW (PARCELS 8300025 & 8300004) FROM B-3 (GENERAL BUSINESS) TO PI-1 (PLANNED LIGHT INDUSTRIAL) FOR OHIO POWER, IN WARD 5.

PRESIDENT PRO TEM SMITH; Is there anyone in the audience wishing to speak for or against this Zone Change, please step forward. Is there anyone in the audience wishing to speak for or against this Zone Change, please step forward. Seeing no one step forward, the Chair declares the public hearing over in regard to this matter. The matter now rests in the hands of Council. The Ordinance will follow later this evening.

**OLD BUSINESS**

PRESIDENT PRO TEM SMITH: We are now under Old Business. Is there any Old Business? There is no Old Business.

**PUBLIC SPEAKS**

PRESIDENT PRO TEM SMITH: We are now under Public Speaks. We have no speakers tonight.

**INFORMAL RESOLUTIONS**

PRESIDENT PRO TEM SMITH: We are now under Informal Resolutions and we have one this evening. Mr.



**MINUTES OF THE MEETING OCTOBER 15, 2018**

STARK MENTAL HEALTH & ADDICTION RECOVERY BD & DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

384. COURT ADMIN KOCHERA: REQ CREATION OF #2792 RECOVERY COURT ATP FUND WITHIN JUDGES ADMIN ORG 701001 AND INITIAL \$20,513.00 APPROP FR UNAPPROP BAL OF #2792-701001 RECOVERY COURT ATP FUND TO OTHER #2792-701001 RECOVERY COURT ATP FUND. - FINANCE COMMITTEE
385. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO JOINT ECONOMIC DEVELOPMENT DISTRICT AGMT (JEDD) WITH JACKSON TWP AND COMDOC/GLOBAL IMAGING SOLUTIONS, INC. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
386. PLANNING COMMISSION: REQ REPLAT OF LOTS 63, 64 & 65, NKA CANTON CITY LOTS 27018, 27019 & 27020, TAX PARCEL #10010490, LOCATED AT 415 GIRARD AVE NE FOR MAURICE TURNER (WARD 4). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
387. PLANNING COMMISSION: REQ REPLAT OF PARTS OF LOTS 21811, 21812 & 21813 AND DEDICATION OF PART OF SHORB AVE NW, AKA TAX PARCEL 240573 LOCATED AT 2909 CLEVELAND AVE NW (CANTON CITY ENGINEER'S OFFICE FOR KOSTA PETROVSKI), WARD 7. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
388. PLANNING COMMISSION: REQ REPLAT OF CANTON CITY OUT LOT 1406 AND CITY LOTS 43215-43220, 43277-43283, 43307-43315, 43352 & 43353 LOCATED AT 2000 BLOCK OF BLAKE AVE NW FOR HALL OF FAME VILLAGE (WARD 7). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
389. PLANNING COMMISSION: REQ REPLAT OF CITY LOTS 22486-22489, AKA TAX PARCELS 218333, 218323, 230478 & 230477 LOCATED AT 2100 BLOCK OF 7<sup>TH</sup> ST NE FOR HABITAT FOR HUMANITY, WARD 4. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
390. PLANNING COMMISSION: REQ REPLAT OF OUTLOTS 1381 & 1383 LOCATED ON FAIRCREST ST SW AT GREENTREE AVE SW FOR NEW DAWN REAL ESTATE LLC, WARD 4. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
391. PLANNING COMMISSION: REQ CITY WIDE ZONE CHANGE OF SEVERAL PARCELS FOR AULTMAN HOSPITAL VICINITY FR R-1A (SINGLE FAMILY RESIDENTIAL) & PCS (PLANNED COMMUNITY SERVICE) TO CS (COMMUNITY SERVICE) FOR STRATEGIC REDEVELOPMENT PLAN; AND TAX PARCEL 280019 LOCATED ON MAPLE AVE NE AND 23 RD ST NE FR OS (OPEN SPACE) TO R-1A (SINGLE FAMILY RESIDENTIAL) FOR CONSTRUCTION OF SINGLE FAMILY HOUSING BY HABITAT FOR HUMANITY. - JUDICIARY COMMITTEE

**MINUTES OF THE MEETING OCTOBER 15, 2018**

392. PLANNING COMMISSION: REQ ZONE CHANGE AT FAIRCREST AND GREENTREE AVE SW FR B-3 (GENERAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) FOR NEW DAWN REAL ESTATE LLC FOR CONVENIENCE STORE AND FILLING STATION (SPEEDWAY) AND VARIANCES FR PLANNING & ZONING CODE REGARDING SIGNAGE, WARD 4. - JUDICIARY COMMITTEE
393. PROP OWNER NEW DAWN REAL ESTATE LLC: REQ ZONE CHANGE OF PARCEL #10007641 LOCATED AT NW CORNER OF GREENTREE SW & FAIRCREST ST FOR NEW DAWN DEVELOPMENT (WARD 4). - PLANNING COMMISSION
394. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF TABLETS AND RELATED WARRANTIES AND ACCESSORIES FOR POLICE DEPT; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCH OF SAID ITEMS IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO CREATE FUND 2791 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT 2018 - DJ-BX-0177; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; REQ \$37,433.50 SUPP APPROP FR UNAPPROP BAL OF FUND 2791 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT 2018 - DJ-BX-0177 TO 2791 102001 POLICE ADMIN - OTHER. - FINANCE COMMITTEE
395. SERVICE DIRECTOR HIGHMAN: REQ CONSENT LEGISLATION WITH ODOT FOR PID 90973 - STA-77-8.40/VAR (I-77 BETWEEN NAVARRE RD SW AND 15<sup>TH</sup> ST SW) - GP 1281 PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO DONATE CITY-OWNED PROPERTY FOR PERMANENT LIMITED ACCESS RIGHT-OF-WAY AND TEMP EASEMENT NECESSARY FOR CONSTRUCTION OF SAID PROJ. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
396. SERVICE DIRECTOR HIGHMAN: REQ CONSENT LEGISLATION WITH ODOT FOR PID 84654 - STA-US62-22.19 - GP1243 PROJ (US-62 FR 1-77 TO MARKET AVE). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
397. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT IN AMT OF \$33,176.09 WITH GLAUS, PYLE, SCHOMER, BURNS & DEHAVEN, INC. (GPD) FOR ENGINEERING SERVICES RELATED TO PID'S 90365 & 91594 - MAHONING RD CORRIDOR, PHASE 2 - GP 1103 ENGINEERING CONTRACT; RETROACTIVELY AUTHORIZE ANY ACTIONS TAKEN PRIOR TO FINALIZATION OF SAID CHANGE ORDER TO FACILITATE PROJ AND AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED TO SAME; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
398. SERVICE DIRECTOR HIGHMAN: AUTHORIZE AND DIRECT AUDITOR TO PAY \$20,862.00 MORAL OB OWED FOR CONSTRUCTION ENGINEERING SERVICES RELATED TO 38<sup>TH</sup> ST

**MINUTES OF THE MEETING OCTOBER 15, 2018**

NW WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJ TO OMNIPRO SERVICES, LLC; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

399. SERVICE DIRECTOR HIGHMAN: REQ INFORMAL RESOLUTION APPROVING PURCH ORDER IN AMT OF \$48,930.00 FOR CRACK SEALING OF CITY STREETS (STRAWSER CONSTRUCTION, INC.). - RECEIVED & FILED
400. SERVICE DIRECTOR HIGHMAN, SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SERV DIR TO PURCH PARCEL 527159 (2402 30<sup>TH</sup> ST NE) IN AMT NOT TO EXCEED \$220,000.00; AUTHORIZE MAYOR AND OR SERV DIR OR PURCH PARCEL 5211949 (2430 30<sup>TH</sup> ST NE) IN AMT NOT TO EXCEED \$45,000.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; REQ \$265,000.00 APPROP TRF FR 4501 103001 758.06 FIRE - ADMIN - OTHER TO 4501 201001 758.03 SERVICE DIRECTOR ADMIN - OTHER. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

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

***NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #4 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE RESTRICTING THE DISTANCE BETWEEN A STORE THAT SELLS PACKAGED, OR SINGLE CANS OR BOTTLES, OF BEER, WINE, OR LIQUOR, AND THE FOLLOWING LOCATIONS: ANOTHER SUCH STORE, A SEXUALLY ORIENTED BUSINESS; ALL CHURCHES, TEMPLES OR OTHER PLACES OF WORSHIP; ALL CHILD CARE FACILITIES; SCHOOLS; PUBLIC PARKS; HOSPITALS ; AND HISTORIC LANDMARKS. THIS ORDINANCE SHALL NOT APPLY TO B-5 CENTRAL BUSINESS DISTRICTS, B-6 SHOPPING CENTER DISTRICTS, THE HALL OF FAME VILLAGE DISTRICT, OR THE TARGET INVESTMENT ZONES IDENTIFIED IN TITLE XIX, CHAPTER 1176 OF THE PLANNING AND ZONING CODE; THE ADDITION OF THE DEFINITION OF PACKAGED LIQUOR STORES TO TITLE VII, CHAPTER 1131; AMENDING TITLE XIII, CHAPTER 1146, BULK AND AREA REQUIREMENTS - BUSINESS AND INDUSTRIAL ZONING DISTRICTS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Judiciary Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING DISSOLVING THE ROAD RESERVATIONS CURRENTLY PLACED ON TAX PARCELS 285060 AND 285061; AND AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICES TO TRANSFER THE SAME, NO LONGER NEEDED FOR

**MINUTES OF THE MEETING OCTOBER 15, 2018**

MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION FOR SUBSEQUENT TRANSFER TO FIRST CHURCH OF THE RESURRECTION; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$10,000.00 APPROP TRF FR 2318 301001 LOCAL AIDS PREVENTION - 600 PAYROLL TO 2318 301001 LOCAL AIDS PREVENTION - 700 OTHER DIRECT COSTS; \$4,2000 APPROP TRF FR 2312 301001 V.D. - I03 GONORRHEA - 600 PAYROLL TO 2312 301001 V.D. - I03 GONORRHEA - 700 OTHER DIRECT COSTS)

Referred to Finance Committee

- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$3,087.20 TO EJ USA, INC. AND RETROACTIVELY AUTHORIZES A \$16,904.96 PAYMENT TO EJ USA, INC. AS A MORAL OBLIGATION; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT PRO TEM SMITH: We are now under Ordinances and Formal Resolutions for their Second Reading. Mr. Clerk, please begin with Ordinance #5.

***NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #5 THROUGH #7 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #5. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE AMENDMENT OF THE JOB CREATION AGREEMENT WITH STOLLE MACHINERY; THE JACKSON-CANTON JOINT ECONOMIC DEVELOPMENT DISTRICT SM CONTRACT; AND THE JACKSON-CANTON DISTRICT SM TAX AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
- #6. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$7,124.00 SUPP APPROP FR UNAPPROP BAL OF 7131 DOWNTOWN CANTON SPEC IMP DIST FUND TO 7131 801001 AUDITOR - ADMIN - OTHER)
- #7. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR WATER AND/OR SEWER SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY

**MINUTES OF THE MEETING OCTOBER 15, 2018**

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

PRESIDENT PRO TEM SMITH: We're now under Ordinances and Formal Resolutions for their Third, Final Reading and Vote. Mr. Clerk, please begin with Ordinance #9.

***NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #9 THROUGH #12 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#8 WITHDRAWN):***

#8. (3<sup>RD</sup> RDG) ***WITHDRAWN AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY OR SERVICE TO NEGOTIATE AND ENTER INTO CONTRACT WITH THE COMMUNITY BUILDING PARTNERSHIP OF STARK COUNTY, INC. FOR A HOUSING IMPROVEMENT AND MAINTENANCE GRANT PROGRAM; AUTHORIZING THE AUDITOR TO DRAW HIS WARRANTS FROM ISSUE 13 NEIGHBORHOOD FUND IN AN AMOUNT NOT TO EXCEED \$200,000; AND DECLARING THE SAME TO BE AN EMERGENCY***

#9. (3<sup>RD</sup> RDG) ***ADOPTED AS ORDINANCE NO. 210/2018 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, PARCELS 305295, 380336, 380337, 304736, 304674, 301700, 304728, 301585, 301476, 302122 & 10002002 @ CORNER OF RT 62 & KIRBY AVE NE, WARD 6) PUB HRG 10/15/18 @ 7:00 PM***

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #9.

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 1 ABSTENTION  
(MEMBER MARIOL ABSTAINED)

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

**#9 ADOPTED AS ORDINANCE NO. 210/2018**

PRESIDENT PRO TEM SMITH: Ordinance #9 has been adopted. Ordinance #10, please.

#10. (3<sup>RD</sup> RDG) ***ADOPTED AS ORDINANCE NO. 211/2018 AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN***

**MINUTES OF THE MEETING OCTOBER 15, 2018**

EMERGENCY (PARCELS 8300025 & 8300004 @ 2528 FAIRCREST ST SW  
FOR OH POWER CO, WARD 5) **PUB HRG 10/15/18 @ 7:01 PM**

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #10.

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

**#10 ADOPTED AS ORDINANCE NO. 211/2018**

PRESIDENT PRO TEM SMITH: Ordinance #10 is adopted. Ordinance #11, please.

#11. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 212/2018** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$47,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102090 POLICE - CANTON CRIME LAB - PERSONNEL)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #11.

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

**#11 ADOPTED AS ORDINANCE NO. 212/2018**

PRESIDENT PRO TEM SMITH: Thank you. Ordinance #11 has been adopted. Ordinance #12.

#12. (3<sup>RD</sup> RDG) **AMENDED AS ADOPTED AS ORDINANCE NO. 213/2018** AN

**MINUTES OF THE MEETING OCTOBER 15, 2018**

ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018;  
AND DECLARING THE SAME TO BE AN EMERGENCY (\$69,000.00 SUPP  
APPROP FR UNAPPROP BAL OF 2160 VACANT/FORECLOSURE EXP  
FUND TO 2160 101501 CODE ENFORCEMENT ADMIN - OTHER)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #12.

MEMBER MINOR SMITH: Second.

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

MEMBER BABCOCK: Madam...Madam President, I move we amend Ordinance #12 per the copy that all Council Members have in front of them.

MEMBER MINOR SMITH: Do I say second?...Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to amend Ordinance #12 per the copy before each Council Member. Are there any remarks?

MEMBER MINOR SMITH: Um...Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER MINOR SMITH: I would like to ask at this time for the Finance Director to just give us a brief update in regard to the change, please.

FINANCE DIRECTOR CROUSE: Thank you. Last week when we talked about the foreclosure funds and the dollars that we have in (*Inaudible*), the vacant/foreclosure expense fund, \$69,000.00. Um, he didn't include the other part of the entry where the banks actually give us the \$10,000.00 and then we deposit in fund 7509. When the bank clears up their foreclosure, or sells their foreclosed property, we have to give that \$10,000.00 back to the bank. So, that's the change. It's adding an appropriation for fund 7509 to account for the dollars that we have to give back to the bank, um, for those foreclosed properties. And then, just to clarify one of the questions Member Hawk asked last week about the properties, if there was a timeline or time period that they can sit on our (*Inaudible*), and there's not. So those...those sit there until those foreclosures are...are (*Inaudible*).

MEMBER MINOR SMITH: Thank you.

PRESIDENT PRO TEM SMITH: After hearing remarks, by voice all those in favor signify by saying aye. Opposes.

**MINUTES OF THE MEETING OCTOBER 15, 2018**

MEMBER MARIOL: Abstention

NO REMARKS

AMENDMENT PASSED BY MAJORITY BY VOICE VOTE  
(MEMBER MARIOL ABSTAINED)

PRESIDENT PRO TEM SMITH: They ayes have it, one abstention, the motion carries. Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #12, as amended.

MEMBER MINOR SMITH: Second.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 12 by the substitution of the attached amended Ordinance for the original pending Ordinance.*

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #12, as amended. Are there any remarks under this Ordinance, as amended? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 1 ABSTENTION  
(MEMBER MARIOL ABSTAINED)

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

**#12 ADOPTED AS AMENDED AS ORDINANCE NO. 213/2018**

PRESIDENT PRO TEM SMITH: The motion carries and Ordinance #12, as amended, is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT PRO TEM SMITH: We are now under Announcements of Committee Meetings.

MEMBER MARIOL: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER MARIOL: Finance and Judiciary will meet October 22 at 6:30, here in the Council Chambers.

PRESIDENT PRO TEM SMITH: Any other Committee Members meeting?

MEMBER MINOR SMITH: Madam President. The Community & Economic Development need... uh...will meet on October 22 at 6:30.

**MISCELLANEOUS BUSINESS**

PRESIDENT PRO TEM SMITH: We are now under Miscellaneous Business. Is there any Miscellaneous Business?

**MINUTES OF THE MEETING OCTOBER 15, 2018**

MEMBER MINOR SMITH: Madam President, I have an announcement, and I would greatly appreciate all Members of Council, as well as those in the audience to mark their calendars for October 30, which is a Tuesday. The city of Canton and Stark County, in general, has the honor to have Dr. Bernice King, who is the daughter of Dr. Martin Luther King, Jr. and Mrs. Coretta Scott King, to come and be the keynote for the Fair Housing Luncheon, and it is in celebration of the 50<sup>th</sup> Anniversary of the Fair Housing Act as well as the Civil Rights Movement. It will be held at the Kent Stark Conference Center. And again, that is October 30<sup>th</sup>, a Tuesday, from 11:30 to 1:30, and the tickets are \$40.00. You are able to purchase them online as well as simply mail in a check and your registration form to the Stark Regional Planning Commission. And I can provide additional information for anyone who would like additional information, after the meeting. Thank you.

PRESIDENT PRO TEM SMITH: Also, we hope that everyone has purchased their tickets from Ms. Viola Fisher, of the NAACP Dinner, where Marcia Fudge will be the speaker. And for those of you, just for...to let you all know, when I see you again, I'll be a year older on Wednesday. So, wish me a happy birthday!

AUDIENCE: Happy Birthday!

PRESIDENT PRO TEM SMITH: Thank you, thank you. 66...I'll be 66.

MEMBER SMUCKLER: How old?

PRESIDENT PRO TEM SMITH: Okay, Mr. Clerk...Dougherty...the thought for the week.

CLERK DOUGHERTY: Before that, I just have to give you an update. On behalf of all Members, I completed the Certified Public Record and Sunshine Law Training, fulfilling the state requirements. The quote for the week. *Don't tell your problems to people: Eighty percent don't care and the other 20 percent are glad you have them.* - Lou Holtz

PRESIDENT PRO TEM SMITH: That was a good one. Leader.

MEMBER BABCOCK: Madam President, I move to adjourn.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adjourn. Mr. Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

PRESIDENT PRO TEM SMITH: Meeting is adjourned. Be safe.

ADJOURNMENT TIME: 7:15 PM

**MINUTES OF THE MEETING OCTOBER 15, 2018**

ATTEST: 10-16-18  
DAVID R. DOUGHERTY  
CLERK OF COUNCIL

APPROVED: 10-16-18  
CHRIS SMITH  
PRESIDENT PRO TEM