

**MINUTES OF THE MEETING NOVEMBER 5, 2018**

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

*ROLL CALL TAKEN BY CLERK DOUGHERTY:*

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

TWELVE COUNCIL MEMBERS PRESENT. (PRESIDENT SCHULMAN ABSENT)

CLERK DOUGHERTY: Twelve present, Madam President.

**EXCUSING MEMBERS**

PRESIDENT PRO TEM SMITH: Leader. Excuse me. Leader.

MEMBER BABCOCK: Oh, I'm sorry. (*Laughter*) I was just...

PRESIDENT PRO TEM SMITH: I know, the Mayor had you occupied over there.

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

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

PRESIDENT PRO TEM SMITH: The motion carries and President Schulman is excused from this evening's meeting. I will be giving the invocation tonight, so if you all would please stand and remain standing for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on November 5, 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 4 Council Member and President Pro Tem, Chris Smith. 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 Ordinances 9

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through 16. Ordinance... okay.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinances 9 through 16 to this evening's agenda. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

PRESIDENT PRO TEM SMITH: The motion carries and Ordinance 9 through 16 are a legal part of your agenda.

**PUBLIC HEARINGS**

PRESIDENT PRO TEM SMITH: We are now under Public Hearings and we have none tonight.

**OLD BUSINESS**

PRESIDENT PRO TEM SMITH: We are now under Old Business, Deputy Mayor? And there is no Old Business.

**PUBLIC SPEAKS**

PRESIDENT PRO TEM SMITH: We are now under Public Speaks. We have three speakers tonight. When I call your name, would you please come forward, give your name, address and resident. Sharon Paul. Yes, ma'am, would you come over to the mic.

SHARON PAUL: Thank you because I'm hoarse too tonight.

PRESIDENT PRO TEM SMITH: Oh, okay.

SHARON PAUL: (*Chuckles*) My name is Sharon Paul. I currently live at 720 Broad Avenue NW in Canton, 44708. I'm in Ward 1 with Mr. Hawk. Ready?

PRESIDENT PRO TEM SMITH: Yes, ma'am.

SHARON PAUL: I was born and raised in Canton, Ohio. I graduated from Perry High School like Mr. Morris. I graduated from University of Toledo with my Bachelor's Degree like Ms. Minor Smith. I graduated with my Master's Degree this December. On October 25<sup>th</sup> my 23 year old daughter was brutally held at gun point and robbed when she was at work at Speedway at 2920 12<sup>th</sup> Street NW, corner of Wertz and 12<sup>th</sup>. Less than eight hours later she was summoned back to the store, made to watch herself being robbed on the security video and fired. If that wasn't traumatic enough, what happened next is a travesty that should never happen in Canton, Ohio again. In less than four minutes a man covered from head to toe in black clothing took her security, her safety and her livelihood. The day after the robbery my daughter needed help. In the space of a few hours her life had changed forever, and many phone calls and Internet searches later, I find out Canton does not have a victim advocate. The Stark County Prosecutor has a victim advocate who will help witnesses who are involved in an active trial. With no one to help I tried to figure out what to do,

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and from there everything went downhill. I had to fight with the police to get a victim witness statement taken from the two clerks that were there that night. I contacted every legislator I could to advocate on my daughter's behalf. Governor Kasich and Police Chief Angelo replied that day. I never heard back at all from Mike DeWine, Bob Portman, Sherrod Brown, Bob Gibbs or Thomas Bernabei. I got ahold of a victim's advocate line in Summit County who told me three times in the space of two minutes that they didn't know anything about Stark County, but they did give me a few referrals. They told me to call the EEOC who put me on hold for 114 minutes, and then disconnected my call. I called unemployment and I was on hold for 84 minutes. They made an appointment to call me the next day, told me to wait three hours, and they never called back. Two trauma therapists in Canton both had answering messages that gave me the phone number for a disconnected crisis line. I called 17 attorneys in northeast Ohio. Two eventually called back. I talked to one receptionist and one paralegal. None of the others bothered to return my call. There's more, but that's not the point. My daughter was traumatized and we did not know who to turn to or what to do for help. Canton needs a victim's advocate. Someone to give practical advice and tell them what to expect and where to find help. Victims of violent crime need a 24 hour hot line to call promptly, not call me back a week later. I am here tonight to plead with the City Council to assign or direct me to someone who can assist in developing and implementing a comprehensive- I'm sorry, comprehensive victim advocate service in Canton. I am not interested in this service that blindly issues empty platitudes because they do not know how it feels to be held at gun point and robbed. Or a list of referrals that they found in a Google search. Canton needs a victim advocate who can provide a phone number for some counselor, some attorney, some police contact that promises to call them the next day, even on the weekends. The victim advocate must address immediate needs if necessary. My daughter lost her livelihood, she didn't just get robbed. Eight hours later she had no way to pay a car payment or insurance or rent. The victim advocate has to be able to address that and explain about Medicaid. All the counseling they offered doesn't help if you can't pay for it. So they need someone to tell them maybe Medicaid can help, maybe the SNAP Program can help you, maybe you qualify for Worker's Comp, maybe you don't. They need someone to give them practical information quickly so that they can start to heal. Counseling is not going to help when she hadn't even realized she had been robbed and the danger of it all yet.

PRESIDENT PRO TEM SMITH: Ms. Paul.

SHARON PAUL: Yes.

PRESIDENT PRO TEM SMITH: I thank you so very much. I... your time really was up, but this is such a delicate...

SHARON PAUL: I'm sorry.

PRESIDENT PRO TEM SMITH: That's okay. But this is such a delicate subject. Is there... how much more time do you need? I don't want to cut you off...

SHARON PAUL: I don't.... I am done.

PRESIDENT PRO TEM SMITH: You sure?

SHARON PAUL: I... I am just here to see if someone will put me in touch. I do not know how to set up a non profit, and I brought information for you.

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PRESIDENT PRO TEM SMITH: Okay. If you'll be so kind as to wait after Council meeting, we'll be glad to have someone to sit down and talk to you.

SHARON PAUL: Thank you.

PRESIDENT PRO TEM SMITH: And I am so sorry about your daughter.

SHARON PAUL: Thank you.

PRESIDENT PRO TEM SMITH: Okay.

SHARON PAUL: And you understand I'm not yelling, I'm just really hoarse tonight.

PRESIDENT PRO TEM SMITH: Oh, that's okay. That's okay. Thank you so very much.

SHARON PAUL: I don't want you to think I'm yelling at you...

PRESIDENT PRO TEM SMITH: Oh, okay.

SHARON PAUL: But I will not stop talking to you.

PRESIDENT PRO TEM SMITH: Alright. (*Applause*)

PRESIDENT PRO TEM SMITH: Our next speaker is Pete DiGiacomo.

PETE DIGIACOMO: My name's Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. I've got a couple of things. I don't think mo... any of you... you may know about it, you may not know about it. I just happened to be watching Channel 3 News, I believe it was a couple of evenings ago. The City of Cleveland is plan... already planning to get in on the NFL draft that will be down here in Canton. We've heard about how this is going to be such a great thing for Canton, all that stuff. It's gonna bring in outside money. Cleveland is also looking to get some of that money. They said about... down here in Stark County, we do not have enough housing, enough motels, hotels, but they've... they... they've already got their ball running and rolling so that they can get some of the glory, I'd guess you'd say, from the City of Canton to go back up north. I guess the other thing I... eh, eh, I don't guess. They had on... in The Repository today City of Louisville, which is a lil... not that big of a town, has got a company that's called Encino. I believe it is that they bought out Nexus. They built a pretty good size building just outside of the City of Louisville, and they employ 108 people with... they've already... eh, what it said was that they're gonna be expanding over the next so many years, things like that. Um, I guess my question is to the Administration, what happened? I know you're not gonna answer it to me now, but somebody dropped the ball. How the hell Louisville can get something like that and the City of Canton cannot get something like that. One and one don't make two. And, who do I speak with about trash that's... they just did it last week I think. Trash has been sitting out for ten days, two weeks. I need to find that... that's all I needed to know. Thank you very much.

PRESIDENT PRO TEM SMITH: Thank you also. Our next speaker is Richard Manson.

RICHARD MANSON: I think I'm gonna take this microphone off because it's too low. My voice goes right over it. Nobody can hear me. Uh, anyways, my name's Richard Manson. Can't hear me still? My name's

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Richard Manson. I reside at 6...

PRESIDENT PRO TEM SMITH: Oh, that's better.

RICHARD MANSON: That's better? Okay.

PRESIDENT PRO TEM SMITH: Yes.

RICHARD MANSON: Resi... reside at 7... 601 High Avenue SW, and it has to do... uh, what I want to talk about is the grant program, the NIP Program. Um, it's not... uh, it's pretty common knowledge to some people, a few people, that I applied for a grant some time ago. It was like 20... I think late 2012, was approved for a \$40,000.00 grant for repairs on my property in 2013. I spoke with you, Chris, about it. Uh, I was in Fonda Williams' office in 2014 talking to him about it when he was in the Development bu... uh, Office. I also talked to his successor, I think it was Lisa, I think was her name. Anyways, the problem is, is what was the hold... what is the hold up? I was told in 2016 that there was a problem with effectively testing for lead paint, and that was one of the hold ups. It's five years now. Uh, I just received a letter this summer that I have to reapply, and as... uh, I went to Houston to do some work for a couple months, come back to find out my house is on the NIP Program, which means you, the City, is trying to take possession of it and tear it down because these repairs weren't made. Uh, I have a problem with that because I'm living there. Uh, it shouldn't be on the NIP Program. I should have gotten a certified letter, which I did not get, regarding that. I was told also that I could pay a \$300.00 fee to have it inspected and possibly get off of it. I shouldn't have to do that. I want to know by... uh, I would like Chris, you, and the Mayor and maybe Ms. Perry to... to approach me and enlighten me on what... how this can be reversed and taken care of because if I get kicked out of my house, I'm on the street, I'm gonna be here every week talking about this and it's not gonna be pleasant. I... uh, believe me, I mean, I'm gonna be talking about... probably be unshaven and unshowered living on the street, so that's not gonna be a pretty sight. So I need to know what can be done about this. I want to know what the hold up is on the development grant program. Um, I'd like to know why I didn't receive any notification on that. Um, and I'd like to also know why other neighbors weren't targeted. I... there's... there's a... I have an adjacent neighbor that has a house in just as bad a situation, and she has not had any of these issues that I've had. Why is that? Why are certain people being targeted like me to try to take... uh, take possession of my property? Um, and I'll be waiting till after City Council to find out some infor... information.

PRESIDENT PRO TEM SMITH: Okay, Mr. Manson. I thank you for bringing your issue forward to us. And like you say, you will be able to stay around till after the meeting? Okay.

RICHARD MANSON: Yeah.

PRESIDENT PRO TEM SMITH: Out of all those names that you called, one of us will be around...

RICHARD MANSON: Okay.

PRESIDENT PRO TEM SMITH: ...to answer your questions.

RICHARD MANSON: Alright, thanks.

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PRESIDENT PRO TEM SMITH: Thank you.

**INFORMAL RESOLUTIONS**

PRESIDENT PRO TEM SMITH: We are now under Informal Resolutions and we have one Resolution this evening. Mr. Clerk, would you please read Informal Resolution #58, by title.

#58. CLERK DOUGHERTY: REQ FEDERAL COMMUNICATIONS COMMISSION (FCC) BEGIN STRONG ENFORCEMENT AGAINST TELEMARKETING COMPANIES MAKING SPAM, ROBOTIC AND SPOOFED CALLS. - ADOPTED

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Informal Resolution #58.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Informal Resolution #58. Are there any remarks?...Hearing none, by voice...

MEMBER SMUCKLER: Whoa, whoa, whoa.

PRESIDENT PRO TEM SMITH: Okay. I didn't see you over there or hear you. I'm so sorry. Did you call my name?

MEMBER SMUCKLER: No, I didn't get a chance. You were racing by.

PRESIDENT PRO TEM SMITH: Okay. Call my name.

MEMBER SMUCKLER: Madam President.

PRESIDENT PRO TEM SMITH: Yes, Member Smuckler.

MEMBER SMUCKLER: Normally I don't get involved with Resolutions for other branches of government, however this affects each and every person in this room that has a cell phone. Uh, you can dial the do-not-call number till your finger falls off, it doesn't matter. The FCC's taking public hearing testimony on this right now, and if you have a cell phone you're getting calls that the IRS is investigating you, that they can save you to zero percent interest for Mastercard, and about six other scams that are going on. The bad news is if you call any of these numbers back, they're ghost phone calls. You will get... especially if it's a 3-3-0 number, you will get a live individual that can't figure out why you're calling them. But if you take the phone call, which I have on a lot of occasions, and use some of Frank Morris's testimony to these people (*inaudible voice*)... It does, and they've said it back to me too. Um, the response is... is they basically just hang up on you and call you at least once, two, three times a day. And if you're on an important phone call and you can't figure out why a 3-3-0 number's calling you, it causes a great deal of problems if you get a number of these calls during the day, which I'm up to approximately three or four of these a day. The FCC is now taking testimony on banning these calls. A lot of them are coming from overseas, and I think it's important that we offer some public testimony to stop already. Because Verizon, Sprint, AT&T, all these



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AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS;  
EMERGENCY. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE  
COMMITTEES

426. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 1 AND FINAL WITH NORTHSTAR ASPHALT, INC IN AMT OF \$41,355.80 FOR 19<sup>TH</sup> ST. NE RESURFACING PROJECT, G.P. 1239; RETRO AUTHORIZE ACTIONS TAKEN RELATED TO CHANGE ORDER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE
427. SERVICE DIRECTOR HIGHMAN: REQ CONSENT LEGISLATION WITH ODOT FOR PROJ; EMERGENCY (STA-77-8.40/VAR (PART 2), PID 107321, GP 1293) ( BRIDGE MAINTENANCE ON I-77). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
428. SERVICE DIRECTOR HIGHMAN: REQ CONSENT LEGISLATION WITH ODOT FOR PROJ; EMERGENCY (D04-SP-FY2019 (WEST), PID 96682, GP 1294 (SPOT PAVING ON ROUTE 30). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
429. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR LEASE OF 15.904 ACRES OF CITY-OWNED PROP FOR GOLF TRAINING AND PROG FOR AREA YOUTH; EMERGENCY (OUTLOTS 897 AND 1343, CITY LOT 43031) (STARK CO. PARCELS 10004035, 10004038, 10004039 AND 380700). - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
430. SERVICE DIRECTOR HIGHMAN: REQ CONSENT LEGISLATION WITH ODOT FOR PROJ; EMERGENCY (STA-43-0.00, PID 98386, GP1295) (BRIDGE OVER BELDEN AVE). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
431. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR, SERV DIR AND/OR DESIGNEE TO ESTABLISH FMV OF PARCEL FOR FEE SIMPLE TAKE NECESSARY FOR COMPLETION OF PROJ; AUTHORIZE MAYOR, SERV DIR AND/OR DESIGNEE TO NEGOTIATE WITH PROP OWNER FOR PURCH/ACQUISITION OR DONATION/ACQUISITION OF PARCEL UTILIZING FMV AS BASIS OF NEGOTIATIONS AND FOR CITY TO ACCEPT TITLE TO SAID PARCEL; AUTHORIZE MAYOR, SERV DIR. AND/OR DESIGNEE TO MAKE MINISTERIAL CHANGES TO CORRECT PROP OWNER NAMES, PARCEL NUMBERS AND OTHER NUMERICAL DESCRIPTIVE OR TYPO ERRORS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS APPROVED BY DEPT AUTHORITY BASED ON NEGOTIATED SETTLEMENT PRICE AGREED TO BY PROP OWNER AND MAYOR, SERV. DIR AND/OR DESIGNEE; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS APPROVED BY DEPT AUTHORITY FOR FMV FOR PARCEL THAT REQUIRES PROP APPROP TO BE DEPOSITED WITH COURTS; EMERGENCY (NE CANTON INDUSTRIAL PARK PROJ, G.P. 1148 RIGHT-OF-WAY ACQUISITION) . - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

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432. TREASURER PEREZ: LTR INFORMING FIN CMTE OF ASSIGNMENT OF CITY'S REMAINING 2-YR AGMT WITH UACC TO MEEDER PUBLIC FUNDS, INC. - RECEIVED & FILED

**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 #8 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (CITY WIDE ZONE CHANGE OF SEVERAL PARCELS FOR AULTMAN HOSPITAL AND TAX PARCEL #280019 LOCATED @ MAPLE AVE NE & 23<sup>RD</sup> ST. NE FOR HABITAT FOR HUMANITY) **PUB HRG 11/26/18 @ 7:00 PM**  
Referred to Judiciary Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (LOCATED @ FAIRCREST & GREENTREE AVE SW FOR NEW DAWN REAL ESTATE LLC, WARD 4) **PUB HRG 11/26/18 @ 7:01 PM**  
Referred to Judiciary Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH SLESNICK REALTY CO., LLC/S. SLESNICK CO., INC. TO PROVIDE A REAL PROPERTY TAX EXEMPTION; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON CITY SCHOOL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82(C) OF THE REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #10009723)  
Referred to Community & Economic Development Committee
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$44,056.05 SUPP APPROP FR UNAPPROP BAL OF 2185 URBAN TIF FUND TO 2185 501001 MAYOR ADMIN - OTHER) (PAYMENT TO HISTORIC ONESTO, LLC)  
Referred to Finance Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO.

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64/2018; AND DECLARING THE SAME TO BE EMERGENCY (\$164,000.00 SUPP APPROP FR UNAPPROP BAL OF 2815 FEMA SAFER GRANT 2015 FUND TO 2815 103001 FIRE ADMIN - OTHER) (DRAW DOWN FEMA GRANT FUNDS)

Referred to Finance Committee

- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE EMERGENCY (\$120,500.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 753001 LAW ADMIN - PERSONNEL - \$80,000.00, TO 1001 901001 CIVIL SERVICE - PERSONNEL - \$20,500.00, TO 1001 802001 AUDITOR - CLERK OF COURTS ATM - OTHER - \$20,000.00; \$8,225.00 SUPP APPROP FR UNAPPROP BAL OF 5701 BUILDING CODE FUND TO 5701 753001 LAW ADMIN - PERSONNEL) (YEAR END ADJUSTMENTS)

Referred to Finance Committee

- #7. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 224/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF RADIOS AND RELATED WARRANTIES AND ACCESSORIES FOR THE POLICE DEPARTMENT; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY THE OHIO REVISED CODE AND/OR CANTON CODIFIED ORDINANCES; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO TRADE IN OLD RADIOS NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND TO DISPOSE OF ANY AND ALL RADIOS NOT TRADED IN; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$200,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102001 POLICE ADMIN - OTHER)

Referred to Finance Committee

- #8. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 225/2018** AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR LISTS OF UNPAID AND DELINQUENT CHARGES FOR ALL COSTS ASSOCIATED WITH SERVICES PERFORMED BY AND/OR ON BEHALF OF THE CANTON STREET DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY (NOXIOUS WEEDS & DEBRIS)

Referred to Finance Committee

PRESIDENT PRO TEM SMITH: At this time, the Chair would declare an in-house recess for the Finance Committee to meet in regards to Ordinance #7 and 8. You are now in recess.

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*(RECESS)*

***(COUNCIL RECESSED AT 7:29 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCES 7 AND 8; RECONVENED AT 7:38 PM)***

PRESIDENT PRO TEM SMITH: Okay. Council is convening after the recess. Leader.

MEMBER BABCOCK: Madam President, I move Rule 22A be suspended to place Ordinances #7 and 8 back on this evening's agenda.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to suspend Rule 22A to place Ordinances 7 and 8 back on this evening's agenda. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

PRESIDENT PRO TEM SMITH: The motion carries and Ordinance 7 and 8 are a legal part of your agenda. Leader.

MEMBER BABCOCK: Madam President, I move we suspend the Statutory... Statutory Rules on Ordinances 7 and 8.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to suspend the Statutory Rules on Ordinances 7 and 8. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

PRESIDENT PRO TEM SMITH: The motion carries, and you've heard the three readings, Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #7.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #7. Are there any remarks? Hearing none, roll call vote please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

**#7 ADOPTED AS ORDINANCE NO. 224/2018**

PRESIDENT PRO TEM SMITH: The motion carries and Ordinance #7 is adopted. Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #8.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It’s been moved and seconded to adopt Ordinance #8. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

**#8 ADOPTED AS ORDINANCE NO. 225/2018**

PRESIDENT PRO TEM SMITH: The motion carries and Ordinance #8 is adopted.

**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 #9.

***NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #9 THROUGH #16 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

#9. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON REGIONAL CHAMBER OF COMMERCE FOR A GRANT OF CITY FUNDS IN AN AMOUNT NOT TO EXCEED \$175,000.00 FOR ECONOMIC AND CIVIC DEVELOPMENT OF THE COMMUNITY; AND DECLARING THE SAME TO BE AN EMERGENCY

#10. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$4,217.00 TO ORIANA HOUSE; AND DECLARING THE SAME TO BE AN EMERGENCY (GPS & ELECTRONIC MONITORING OF DEFENDANTS)

#11. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING DISSOLVING THE RIGHT OF WAY RESERVATIONS OR ROAD RESERVATIONS CURRENTLY ASSIGNED TO PERMANENT PARCEL NUMBERS 281929 AND 283436; AND AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO TRANSFER THE SAME, NO LONGER NEEDED FOR MUNICIPAL

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PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION FOR SUBSEQUENT TRANSFER TO TIMKENSTEEL CORP.; RECOMMENDING INCLUDING IN THE DEED TRANSFER(S) EITHER A RESERVATION FOR STREET RIGHT OF WAY PURPOSES OR INCLUDE A REVERSION CLAUSE GRANTING THE LAND BACK TO THE CITY IN THE EVENT TIMKENSTEEL DR. IS NOT PERMANENTLY CLOSED OR VACATED FROM PUBLIC USE; AND DECLARING THE SAME TO BE AN EMERGENCY

- #12. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$11,117.23 TO VERIZON WIRELESS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE PURCHASE OF SELF-CONTAINED BREATHING APPARATUS EQUIPMENT, RELATED WARRANTIES, AND ACCESSORIES FOR THE FIRE DEPARTMENT; OR TO ALTERNATIVELY ENTER INTO CONTRACT FOR SAID PURCHASES PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZING THE AUDITOR TO RENAME THE 2811 COURT SECURITY FUNDING GRANT TO FUND 2811 - 2017 ASSISTANCE TO FIREFIGHTERS GRANT; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$166,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 103001 FIRE ADMIN - OTHER; \$166,000.00 SUPP APPROP FR UNAPPROP BAL OF 2811 2017 ASSIST TO FIREFIGHTERS GRANT FUND TO 2811 103001 FIRE ADMIN - OTHER; \$150,910.00 INTER-FUND TRF/ADVANCE FR 1001 103001 FIRE ADMIN - OTHER ADVANCE OUT TO 2811 103001 FIRE ADMIN - OTHER ADVANCE IN; \$15,090.00 TRF/ADVANCE FR 1001 103001 FIRE ADMIN - OTHER TRF OUT TO 2811 103001 FIRE ADMIN - OTHER TRF IN)
- #14. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$264,599.64 SUPP APPROP FR UNAPPROP BAL OF 4573 SIB LOAN 12<sup>TH</sup> ST N. CORR. PRJ FUND TO 4573 202077 GP 1098 12<sup>TH</sup> ST N. CORR. PRJ - OTHER)
- #15. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) CAMERA INSPECTION TRUCK FOR THE COLLECTION SYSTEMS DEPARTMENT; OR TO ALTERNATIVELY ENTER INTO CONTRACT FOR SAID PURCHASE PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY

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(\$235,829.00 APPROP TRF FR 5410 206006 COLLECTION SYSTEM DEPT - PERSONNEL TO 5410 206006 COLLECTION SYSTEM - OTHER)

- #16. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO CREATE THE 4587 NAVARRE RD. SIGNAL UPGRADE PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,086,895.00 SUPP APPROP FR UNAPPROP BAL OF 4587 NAVARRE RD SIGNAL UPGRADE PROJ, PID 76007, GP 1127 FUND TO 4587 202054 NAVARRE RD SIGNAL UPGRADE PROJ, PID 76007, GP 1127 - OTHER)

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

PRESIDENT PRO TEM SMITH: We are now under Ordinances for Third Reading and Vote. Mr. Clerk, please begin with Ordinance #17.

***NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #17 THROUGH #28 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #17. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 226/2018** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$14,343.00 TO THE STARK MENTAL HEALTH & ADDICTION RECOVERY BOARD; AND DECLARING THE SAME TO BE AN EMERGENCY (PMT OF MENTAL HEALTH CASE COORDINATOR POSITION FOR REMAINDER OF 2018)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #17.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #17. Are there any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

**#17 ADOPTED AS ORDINANCE NO. 226/2018**

PRESIDENT PRO TEM SMITH: Ordinance #17 has been adopted. Ordinance #18, please.

- #18. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 227/2018** AN ORDINANCE AUTHORIZING THE MAYOR TO ACCEPT THE RECOVERY COURT ATP FUNDS FROM THE OHIO DEPARTMENT OF MENTAL HEALTH & ADDICTION SERVICES ON AN ANNUAL BASIS; AUTHORIZING THE

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AUDITOR TO CREATE THE 2792 RECOVERY COURT ATP FUND;  
AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND  
DECLARING THE SAME TO BE AN EMERGENCY (\$20,513.00 SUPP  
APPROP FR UNAPPROP BAL OF 2792 701001 RECOVERY COURT ATP  
FUND TO 2792 701001 RECOVERY COURT ATP - OTHER)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #18.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #18. Are there any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

**#18 ADOPTED AS ORDINANCE NO. 227/2018**

PRESIDENT PRO TEM SMITH: Ordinance #18 has been adopted. Ordinance #19, please.

#19. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 228/2018** AN ORDINANCE  
APPROVING AND ACCEPTING THE REPLAT OF LOTS 63, 64 AND 65;  
AND DECLARING THE SAME TO BE AN EMERGENCY (NKA CANTON  
CITY LOTS 27018, 27019 AND 27020, PARCEL #10010490 @ 415 GIRARD  
AVE NE FOR MAURICE TURNER, WARD 4)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #19.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #19. Are there any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

**#19 ADOPTED AS ORDINANCE NO. 228/2018**

PRESIDENT PRO TEM SMITH: Ordinance #19 has been adopted. Ordinance #20, please.

#20. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 229/2018** AN ORDINANCE

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APPROVING AND ACCEPTING THE REPLAT OF PARTS OF LOTS 21811, 21812, AND 21813 AND DEDICATION OF PART OF SHORB AVENUE NW; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PURCHASE AGREEMENT WITH KOSTA PETROVSKI IN AN AMOUNT NOT TO EXCEED \$4,475.00 FOR ACQUISITION OF PUBLIC STREET RIGHT OF WAY; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #240573 @ 2909 CLEVELAND AVE NW, WARD 7)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #20.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It’s been moved and seconded to adopt Ordinance #20. Are there any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

**#20 ADOPTED AS ORDINANCE NO. 229/2018**

PRESIDENT PRO TEM SMITH: Ordinance #20 has been adopted. Ordinance #21, please.

#21. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 230/2018** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF OUT LOT 1406 AND LOTS 43215 - 43220, 43277 - 43283, 43307 - 43315, 43352 AND 43353; AND DECLARING THE SAME TO BE AN EMERGENCY (2000 BLOCK OF BLAKE AVE. NW FOR HALL OF FAME VILLAGE LLC, WARD 7)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #21.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It’s been moved and seconded to adopt Ordinance #21. Are there any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

**#21 ADOPTED AS ORDINANCE NO. 230/2018**

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PRESIDENT PRO TEM SMITH: Ordinance #21 has been adopted. Ordinance #22, please.

#22. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 231/2018** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 22486 - 22489; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #218333, 218323, 230478, 230477 @ 2100 BLOCK OF 7<sup>TH</sup> ST NE, BETWEEN BELDEN AVE NE AND GOBEL AVE NE, ON NORTH SIDE OF STREET FOR HABITAT FOR HUMANITY, WARD 4)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #22.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #22. Are there any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

**#22 ADOPTED AS ORDINANCE NO. 231/2018**

PRESIDENT PRO TEM SMITH: Ordinance #22 has been adopted. Ordinance #23, please.

#23. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 232/2018** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF OUTLOTS 1381 & 1383; AND DECLARING THE SAME TO BE AN EMERGENCY (FAIRCREST ST SW AT GREENTREE AVE SW FOR NEW DAWN REAL ESTATE LLC, WARD 4)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #23.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #23. Are there any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

**#23 ADOPTED AS ORDINANCE NO. 232/2018**

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PRESIDENT PRO TEM SMITH: Ordinance #23 has been adopted. Ordinance #24, please.

#24. (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 233/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF TABLETS AND RELATED WARRANTIES AND ACCESSORIES FOR THE POLICE DEPARTMENT; OR TO ALTERNATIVELY MAKE SAID PURCHASE PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZING THE AUDITOR TO CREATE THE 2791 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT 2018-DJ-BX-0177 FUND; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$37,433.50 SUPP APPROP FR UNAPPROP BAL OF 2791 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT 2018 DJ-BX-0177 TO 2791 102001 POLICE ADMIN - OTHER)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #24.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #24. Are there any remarks? Leader.

MEMBER BABCOCK: Madam President, I move we amend Ordinance #24 per the copy that all Council Members have in front of them.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved & seconded to amend Ordinance #24 per the copy before each Council Member. Are there any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM SMITH: The ayes have it. The motion carries. Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #24, as amended.

MEMBER MINOR SMITH: Second.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 24 by the substitution of the attached amended Ordinance for the original pending Ordinance.*

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PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #24 as amended. Are there any remarks under this Ordinance as amended? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

**#24 ADOPTED AS AMENDED AS ORDINANCE NO. 233/2018**

PRESIDENT PRO TEM SMITH: The motion carries and Ordinance #24, as amended, is adopted. Ordinance #25, please.

CLERK DOUGHERTY: And that was twelve votes instead of eleven.

PRESIDENT PRO TEM SMITH: Oh, okay.

CLERK DOUGHERTY: Sorry about that.

PRESIDENT PRO TEM SMITH: That's okay.

#25. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 234/2018** AN ORDINANCE AUTHORIZING THE CONSENTING TO DECK REPLACEMENT AND PAINTING OF SFN 7603576 STA-77-9.12 OVER MARKET AVE., CLEVELAND AVE. AND 15<sup>TH</sup> ST.; REPLACEMENT OF SFN 7603606 STA-77-9.38 OVER WEST BRANCH OF NIMISHILLEN CREEK AND SFN 7603665 STA-30-14.96 CR (US 30 WB RAMP TO 1-77 NB) OVER NIMISHILLEN CREEK; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO DONATE CITY-OWNED PROPERTY FOR PERMANENT LIMITED ACCESS RIGHT-OF-WAY AND TEMPORARY EASEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY (PID 90973)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #25.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #25. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

**#25 ADOPTED AS ORDINANCE NO. 234/2018**

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PRESIDENT PRO TEM SMITH: Ordinance #25 has been adopted. Ordinance #26, please.

#26. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 235/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT AMENDMENT IN AN AMOUNT NOT TO EXCEED \$33,176.09 WITH GLAUS, PYLE, SCHOMER, BURNS & DEHAVEN INC. FOR THE MAHONING RD CORRIDOR PHASE 2, G.P. 1103; AND DECLARING THE SAME TO BE AN EMERGENCY (PIDS 90365 & 91594 - MAHONING RD. CORRIDOR, PHASE 2 - GP 1103, (PROJECT))

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #26.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #26. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

**#26 ADOPTED AS ORDINANCE NO. 235/2018**

PRESIDENT PRO TEM SMITH: Ordinance #26 has been adopted. Ordinance #27, please.

#27. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 236/2018** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$20,862.00 TO OMNIPRO SERVICES, LLC; AND DECLARING THE SAME TO BE AN EMERGENCY (CONSTRUCTION ENG SERVS RELATED TO 38<sup>TH</sup> ST NW WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJ)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #27.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #27. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

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PRESIDENT PRO TEM SMITH: Ordinance #27 has been adopted. Ordinance #28, please.

#28. (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 237/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR SERVICE DIRECTOR TO PURCHASE PARCEL NO. 527159 IN AN AMOUNT NOT TO EXCEED \$220,000.00 AND PARCEL NO. 5211949 IN AN AMOUNT NOT TO EXCEED \$45,000.00; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$265,000.00 APPROP TRF FR 4501 103001 758.06 FIRE ADMIN - OTHER TO 4501 201001 758.03 SERVICE DIRECTOR ADMINISTRATION - OTHER)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #28.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #28. Are there any remarks? Leader.

MEMBER BABCOCK: Madam President, I move we amend Ordinance #28 per the copy that all Council Members have in front of them.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved & seconded to amend Ordinance #28 per the copy before each Council Member. Are there any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Opposes?

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM SMITH: The ayes have it. The motion carries. Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #28, as amended.

MEMBER MINOR SMITH: Second.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 28 in the caption and Section 1 by changing the Parcel No. "527159" to "5217159".*

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #28 as amended. Are there any remarks under this Ordinance, as amended? Hearing none, roll call vote, please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

**#28 ADOPTED AS AMENDED AS ORDINANCE NO. 237/2018**

PRESIDENT PRO TEM SMITH: That motion carries and Ordinance #28, as amended, is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

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

MEMBER MORRIS: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER MORRIS: Finance will meet November 19<sup>th</sup> at 6:30.

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

PRESIDENT PRO TEM SMITH: Thank you.

MEMBER MINOR SMITH: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER MINOR SMITH: The Community & Economic Development Committee will meet on November 19<sup>th</sup> at 6:30. Thank you.

PRESIDENT PRO TEM SMITH: Thank you.

PRESIDENT PRO TEM SMITH: We are now under Mis... got one more?

SERVICE DIRECTOR HIGHMAN: Madam President.

PRESIDENT PRO TEM SMITH: Oh, I'm sorry.

SERVICE DIRECTOR HIGHMAN: I'd like to ask for 30 minutes before the Committee Meetings to do a presentation regarding the Sanitation Department, please.

PRESIDENT PRO TEM SMITH: Yes, you can.

CLERK DOUGHERTY: That'll be for 6:00.

PRESIDENT PRO TEM SMITH: 6:00, Committee Meetings, for his presentation.

MEMBER MINOR SMITH: The 19<sup>th</sup>?

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PRESIDENT PRO TEM SMITH: Yes, the 19<sup>th</sup>.

**MISCELLANEOUS BUSINESS**

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

MEMBER MORRIS: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER MORRIS: Due to the absence of one our great leaders, tomorrow's election day. Speak loud, get people out to vote, go blue. As Allen Schulman pounded on his desk up there, the State has been screwing us for years. It's time to make a change. Get people out to vote. We need to get our municipal funds back, and without a power swing, we have to... you know, we're screwed, so go blue, get the Democrats out. Yes, this is a Democrat Council, so if I offend any Republicans in the room, I'm sorry, I'm saving up to be a Republican. It's not... it's not working out. So, everybody remember, get them out to vote.

PRESIDENT PRO TEM SMITH: Thank you. Law Director.

MEMBER HAWK: Ma... Madam President.

LAW DIRECTOR BATES AYLWARD: Madam President, I wanted to clarify something for one of our public speakers and for Members of Council, and then I will meet with her afterwards. I'm not sure how this poor woman and her daughter fell threw the cracks of our excellent, excellent victim witness advocate organization here in this county. Uh, John Ferrero's office and previously Bob Horowitz' office at the County... actually Bob Horowitz went down to the State Legislature and passed the Victims of Crimes Rights Bill and was an advocate for that. He organized one of the first victim advocate divisions in the State of Ohio. It's one of the oldest. It's one of the few that's affiliated with the Prosecutor's Office. I'm not sure what has happened. We do have an advocate assigned by them to our Canton Municipal Court. We also have advocates assigned to Alliance Municipal Court. I know I see a volunteer over here who volunteers for this wonderful group, and for Massillon Municipal Court. From what I heard our speaker say, her daughter was the victim of a violent felony. Those are also assigned that will come over here and walk people through the entire process from misdemeanor, you know, to bind overs and everything else. And I have all of that information. Um, we also have specialized victim advocates from the Domestic Violence Project that deal with domestic violence victims. So I'm not sure how this poor woman fell threw those cracks. I don't know, and I'm gonna meet with her afterwards, but we have an excellent thing here. Um, we have funds through the Victims of Crime Assistance Funds through the State of Ohio for people who have job losses, who have monetary harm. So, I will be meeting with her afterwards, but I wanted to let all of you know about the great work and... and that we work with them. I know, you know, Member Smith, Corey Minor Smith, works in Municipal Court, sees are advocates running madly around our courthouse, and I worked at the County for a long time and have seen them. So, they do great work and we will get her hooked up with the people that can help her.

MEMBER MINOR SMITH: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

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MEMBER MINOR SMITH: I would like to thank everyone who came to the Fair Housing Luncheon in celebration of the 50<sup>th</sup> Anniversary of the Fair Housing Act, as well as the sacrifice that Dr. Martin Luther King, Jr. made. Uh, it was a tremendous opportunity to have Dr. Bernice King come and follow in the footsteps of both her father and mother who both came to Stark County previous... uh, prior to her coming. So it was a historic event and I do thank those who in the audience, Ms. Viola, Ms. Lindsey, who were there as well as Council Members and the Mayor, of course, who delivered a Proclamation. But that was a very historic event for the City of Canton and for Stark County to have the members of that family to come here and now to have the daughter, and all in celebration of the Fair Housing Act. And Member Morris, you just talked about the importance of voting, and as you know, Dr. Martin Luther King also advocated and marched for voting rights, and it's still important for our community and our nation to understand the importance and the sacrifice that so many people gave, their lives included, for us to have the right to vote. So, thank you very much for this opportunity to speak regarding that. Thank you.

MEMBER HAWK: Madam President, thank you. I'd like to thank the Administration, our Law Department, our Code Enforcement Department and our Police Department for an exceptional job they did on... uh, on executing a search warrant at one of the slummiest properties in the City of Canton, the 205 Fulton Road NW. Our police have been working on it very hard and very diligently. Uh, this is one of our famous landlords in the City of Canton. Uh, I'll let you look that up for yourself. Uh, but again, thank you for what you've done in that community. It's making a big difference down on that corner. There's no longer prostitutes hanging out on the corner and drug dealers standing there openly within 500 feet of our school, actually across the street from one of our schools. So, thank you guys very much. It's all greatly appreciated. The people down there really appreciate what you've done.

PRESIDENT PRO TEM SMITH: Thank you. Deputy Mayor.

DEPUTY MAYOR WILLIAMS: Madam Chair, Members of Council, I just wanted to respond to Mr. DiGiacomo's comments. Uh, in regards to the draft, the City of Canton submitted a joint application with the City of Cleveland. Hopefully we'll be successful in that request, but that was a joint application between the City of Canton and the City of Cleveland. Uh, secondly, in regards to Encino Energy, approximately eight to ten years ago Chesapeake Energy leased space, office space, in downtown Canton. They had a desire to build their own facility. Uh, the City had no shovel ready land, therefore they relocated to Louisville and they built a large office complex there. This past summer Encino Energy purchased all of the assets from Chesapeake and Ohio to the tune of \$2 billion. That's why it's... Encino Energy is in Louisville today. Thank you.

PRESIDENT PRO TEM SMITH: Is there any more Miscellaneous Business? I know you spoke about the great leader, Allen Schulman. Today is his birthday, and our Clerk called to check on him today and to wish him well on his birthday. And we will be sending him a plant, so if you can keep him in your prayers and also maybe you can call Ms. Schulman to let her know that we were thinking about him. So do keep him in prayer. And wish him a happy birthday.

UNIDENTIFIED VOICE: Thank you.

PRESIDENT PRO TEM SMITH: At this time we will have the thought of the week.

CLERK DOUGHERTY: Thank you. I was thinking of Member Smuckler when I did this, and his wife, because they just became new grandparents for the first time a couple days ago. So that was exciting for

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them. So, *“Life is not measured by the number of breaths we take, but by the moments that take our breath away.”* - Maya Angelou

PRESIDENT PRO TEM SMITH: Alright. Leader.

MEMBER BABCOCK: Madam President, I move we 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 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

PRESIDENT PRO TEM SMITH: *(Gavel falls)* Meeting adjourned. Enjoy Veterans Day.

ADJOURNMENT TIME: 8:03 PM

ATTEST: 11/7/18

APPROVED:

DAVID R. DOUGHERTY  
CLERK OF COUNCIL

CHRIS SMITH  
PRESIDENT PRO TEM