

**MINUTES OF THE MEETING NOVEMBER 26, 2018**

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

CLERK DOUGHERTY: Twelve present, Madam President.

PRESIDENT PRO TEM SMITH: Thank you. Tonight's invocation will be given by Council Member-At-Large, Corey Minor Smith. If you will all stand and remain standing for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on November 26, 2018 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, David R. Dougherty. The invocation was given by Council Member-At-Large, Corey Minor Smith. The Pledge of Allegiance was led by President Pro Tem Smith.*

**AGENDA CORRECTIONS & CHANGES**

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

MEMBER BABCOCK: Madam President, I move Rule 22A be suspended to add 2<sup>nd</sup> Reading Ordinances 7 through 15.

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 7 through 15 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 Ordinances 7 through 15 are a legal part of your agenda.

**PUBLIC HEARINGS**

PRESIDENT PRO TEM SMITH: We are now under Public Hearings, and we do have two tonight. Mr. Clerk, will you please read the first Public Hearing.

CLERK DOUGHERTY: AN ORDINANCE AMENDING O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; CITY WIDE ZONE CHANGE OF SEVERAL PARCELS

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FOR AULTMAN HOSPITAL AND TAX PARCEL #280019 LOCATED AT MAPLE AVE NE AND 23<sup>RD</sup> ST NE FOR HABITAT FOR HUMANITY; PLANNING COMMISSION RECOMMENDS APPROVAL.

PRESIDENT PRO TEM SMITH: Is there anyone in the audience wishing to speak for or against this Zone Change, please step forward. I must repeat this. 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 regards to this matter. The matter now rests in the hands of Council. The Ordinance will follow later this evening. Mr. Clerk, Public Hearing number two, please.

CLERK DOUGHERTY: AN ORDINANCE AMENDING O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; LOCATED AT FAIRCREST AND GREENTREE AVE SW FOR NEW DAWN REAL ESTATE LLC, IN WARD 4; PLANNING COMMISSION RECOMMENDS APPROVAL.

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... yes. Would you please step forward, state your name and address.

KATHLEEN FLIGER: Good evening. Kath...

PRESIDENT PRO TEM SMITH: Good evening.

KATHLEEN FLIGER: Kathleen Fliger. Uh, 4111 Dueber Avenue SW, Canton.

PRESIDENT PRO TEM SMITH: Yes, ma'am.

KATHLEEN FLIGER: Uh, this is concerning the... the proposal for the Speedway gas station. Uh, I have several questions. Uh, for... I'm very concerned because we have a McDonald's right there that also has a Speedway gas station in it, and a convenience store. So, if we have a convenience store on one side of Greentree and now we're going to have another Speedway gas station on the other side of the road. That is mind boggling to me. And, when New Dawn... when they were making this development there, it was zoned, and I believe we should hold with that zoning. It was zoned that way for a reason. But my biggest concern, I guess also, is the traffic pattern that will be there. We have Pilot on one side of the road with all the semis coming in and out, and now we're going to have, you know, a Speedway with a café in it I guess. We came up and looked at all the plans, my husband and I, and our biggest thing is we have a Speedway, so a hundred yards down the road we're gonna have another Speedway? Just a question. Thank you.

PRESIDENT PRO TEM SMITH: Thank you so very much. And if you could wait after the meeting, we'll see if we can get some of those questions answered for you.

KATHLEEN FLIGER: Thank you, ma'am.

PRESIDENT PRO TEM SMITH: You're welcome. Yes, sir. Are you wishing to speak for or against?

GLENN WOLF: For.

PRESIDENT PRO TEM SMITH: Please state your name and address. Thank you.

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GLENN WOLF: Good evening. My name is Glenn Wolf. I'm a civil engineering consultant for Speedway. Uh, I live at 1207 Butte Road, Dunbar, Pennsylvania. Uh, the... to respond to the questions that were raised here...

CLERK DOUGHERTY: Could you speak up, please, sir.

GLENN WOLF: Certainly.

CLERK DOUGHERTY: Thank you.

GLENN WOLF: In response to the questions that were raised, currently there is a McDonald's and a Speedway there. Speedway currently rents, leases that property, so once the new Speedway is...

PRESIDENT PRO TEM SMITH: Okay. Sir, could you just speak up. She's trying to hear, and they're saying they can't hear back there.

CLERK DOUGHERTY: Right in the microphone. Get in the microphone, real close there.

GLENN WOLF: Is that close? Is that bet... better?

CLERK DOUGHERTY: And speak up.

GLENN WOLF: Okay. Current... currently there is a Speedway and a McDonald's at that corner. That is correct. Speedway currently leases space from McDonald's for that location. Uh, once the new Speedway is constructed, Speedway will not occupy both... both places. It will only be occu... it'll only be one Speedway at that intersection. Um, the other question came about in regards to traffic. Part of that project includes the installation of a traffic signal at Faircrest and Greentree. Uh, that should help with some of the traffic congestion that is currently there. Uh, so Speedway is trying to improve that area, not only for... for their traffic but for the entire community and the existing traffic in that area. Um, that is true. Um... uh, we look forward to being part of the community. Thank you.

PRESIDENT PRO TEM SMITH: Thank you. Uh, ma'am, do you mind, if you and him could have a conversation together. Maybe he... since you really didn't hear too good, he could clear up...

KATHLEEN FLIGER: Right, you could not hear him.

PRESIDENT PRO TEM SMITH: Okay. If you all would be so kind, you can step out if you like and you can conversate with him. We appreciate it.

KATHLEEN FLIGER: Thank you.

PRESIDENT PRO TEM SMITH: Thank you. Okay. This 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. Deputy Mayor, is there any Old Business? There is none.

**MINUTES OF THE MEETING NOVEMBER 26, 2018****PUBLIC SPEAKS**

PRESIDENT PRO TEM SMITH: We are now under Public Speaks, and we have four speakers tonight. When I call your name, would you be so kind as to step forward and your residential address. Our first speaker is Mr. Pete DiGiacomo.

PETE DIGIACOMO: Pete DiGiacomo, 600 Dent Place SW, Canton, Ohio. Um, on 9<sup>th</sup> Street SW they've put the lines in for what I'm pretty sure is gonna be a bike path. And they haven't put the little bicycle guy down there yet. Um, but I've noticed that the people who live on 9<sup>th</sup> are parking where the bike lane's going to go. So I guess my nex... well I got two. My next question is gonna be, if you take their parking places away on the street, where do they park, number one. Number two, instead of making two lanes of a bike... for a bike path, why not just make one. It's not like even in the summer, you're gonna have 200 bicycle riders riding around the City of Canton. Not gonna happen. Common sense. This is not a bike friendly city, unfortunately. I wish it was. But that's all. Over and out.

PRESIDENT PRO TEM SMITH: Thank you so much, Mr. DiGiacomo. Uh, Mr. Dan Fonte, please.

DAN FONTE: Good evening. My name is Dan Fonte and I reside at 4415 Dawnridge Circle NW in Canton. Uh, to the Administration and all Council people, I come here to talk about the sanitation rates that I read in the paper. And as I read them, they're gonna increase to a flat rate of \$20.00 for city residents, \$23.00 for out of city residents and \$10.00 for homestead customers. And I got to thinking, man, I never heard of it. What's a homestead customer? So I ended up calling down to the Sanitation Department, they kind of explained it to me, so then they said you might want to talk to the Service Director, which I did. And I did have a conversation with John today and I want to thank him for calling me. He's very, very professional. Uh, and my... my question is, I'm not debating whether you need an increase, I think you do need an increase, my question is on the homestead. And when I found out that the homestead had an income requirement, I'm thinking, well, wait a minute. The homestead, when it started out in the 70's, it had an income requirement, and in 2007 they eliminated it and it was a 25% for everybody on their property taxes, nothing to do with sanitation. And then that carried through till I think 2013 when they... the legislature means tested it. So then they had an increment in there and it goes up, I think, with the consumer price index. So my question is, why shouldn't everybody that's on the homestead exemption not be treated the same? I don't think there should be an income requirement in there, and I guess there is one for here, and I don't know how they come up with it. Uh, John had told me it... that goes back a few years, so he's gonna investigate it, but I would hope you would look at it a little bit. And number... number two, I don't even know how the residents even... only way I found out about it is I read it in the paper. So, does... does everyb... every resident know about it, that their entitled to the homestead exemption if they're over 65? I mean, why wouldn't you just put it in the bill and say if you're over 65 and you have this income level, which I don't think it should be, we should all be treated the same, you can qualify for it. I mean, it's a guessing game. So, I would ask you to look at it. Uh, and John said he's gonna dig into it more. I know you need more trucks and stuff like that. Uh, and I want to compliment the department. I think those guys do an excellent job, and gals, if they're out there. And, uh... but I just think that oughta be looked at. We all oughta be treated equal. And I would just like to talk about this. I never seen something more asinine than bike lanes and this back-in parking. Whoever came up with that, I'll tell you, he oughta be a rocket scientist because he don't know nothing about traffic. Thank you very much.

PRESIDENT PRO TEM SMITH: Thank you too.

*(INAUDIBLE VOICES)*

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PRESIDENT PRO TEM SMITH: (*Chuckles*) Mr. Eric Resnick.

ERIC RESNICK: Thank you, Madam President. Members of Council, first I want to express my condolences to all of you on the loss of our former Council President, Mr. Allen Schulman. And what brings me here this evening to talk to you is this tax abatement for Slesnick. And, you know, this time it's Slesnick. I see in here we're gonna get one on Reliable Ready Mix. And, you know, as...as a School Board Member, these things bother me. And as Corey Minor Smith knows cause she's been in the room with me, I hate them all. It has nothing to do with who the applicant is, I hate them all. We as a Canton City School District are in the business of educating children. We are not in the business of building commercial buildings for businesses or making developers more profitable. Two weeks ago when I was in Columbus at Ohio School Board's Association conference, I was our... our district's delegate, and I helped lobby for a change in the organization's legislative platform to lobby the State Legislature to do away with these tax increment financing packages that you all can impose on school districts without our consent. You give us notice on November 5<sup>th</sup> that it's gonna happen, but we don't consent. This is one of those TIFS. And when I lobbied our association, I use this TIF as an example. Now I understand that when the applicant comes to you, they have to satisfy the but-for test. You know, were it not for this tax increment financing, we would not be able to go forward with this project. And I know that that's what happens when they go to the Development Department, and I know that when the Development Department comes to you, they say oh my gosh, you gotta vote for this because this is about jobs for the City of Canton. And I get it. I can imagine what those conversations sound like. But I'm here tonight to tell you that that money comes from somewhere, and that somewhere are those of us who depend on property taxes, primarily the School District, but also your Parks and Recreation Department, your libraries. These things are insidious. They stack up. And I'm asking you before you vote for this, before you consider this one for Ready Mix, please consider where that money comes from and know that it's not magic money. It's coming directly from the Canton City School District. Because were it not for that TIF, that tax revenue would be coming to us. Thank you.

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

RICHARD MANSON: I'm Richard Manson, 601 High Avenue SW, and I'm just gonna continue from last week. From what Mr. Smuckler mentioned, the City does not hand out grant money if taxes are ordered on a property. Evidently, he also meant that if you're on a payment plan that they don't hand out taxes and that has to be completed, I'm guessing. Anyway, the situation was, at that time, was I was on a payment plan when I was talking to you. I think her name was Lisa. Was it Lisa running the Development Department? Uh, from my recollection that's what I remember her name as. Anyways, both times I was in her office, first time was at my request of a meeting, the other time I can't remember, but it was a meeting with Gary Baker, me and her. And she had never mentioned once that you had to complete the... the payment plan or be off the payment plan. Uh, both meetings I had with her, I sat across from her and she said nothing to me about being off the pay... the payment plan at all. Uh, she knew why were talking. We were talking about the grant money, what the hold up was. Uh, she made many excuses why grant money wasn't paid out for three years. One of the biggest excuses being lead abatement issues, which seem to continue on forever. Uh, she did not once say Mr. Manson, you have to complete the payment plan, you have to be finished with it before we can hand out grant money. That would have been information I needed. There's only one reason I can think of why somebody would withhold that information. Uh, I think everybody here can figure that out, but I. I don't think there was any intent of her paying out that grant money. That's why she didn't want me to know the particulars of that. Uh, I mean, everybody can turn a blind eye to that. I don't think that would be the fair thing to do, or the ethical thing to do. Uh, but I'm not asking for much. The only thing I'm asking for is







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NO REMARKS

RESOLUTION #67 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM SMITH: The ayes have it. Motion carries, and Resolution #67 is adopted. Resolution #68, please.

#68. PERSONNEL COMMITTEE: AUTHORIZE RE-APPT OF LOIS ELLIS TO TREE COMMISSION COMMENCING 1/1/19 TO 12/31/20. - ADOPTED

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Informal Resolution #68.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Informal Resolution #68. Are there any remarks?...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #68 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM SMITH: The ayes have it. Motion carries, and Resolution #68 is adopted. Resolution #69, please.

#69. PERSONNEL COMMITTEE: AUTHORIZE RE-APPT OF ANGELA MOODY TO FAIR HOUSING COMMISSION COMMENCING 1/1/19 TO 12/31/23. - ADOPTED

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Informal Resolut... Resolution #69.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Informal Resolution #69. Are there any remarks?...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed.

NO REMARKS

RESOLUTION #69 PASSED BY A MAJORITY VOICE VOTE  
(MEMBER MINOR SMITH ABSTAINED)

PRESIDENT PRO TEM SMITH: The aye...

MEMBER MINOR SMITH: Uh, Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER MINOR SMITH: I abstain from this vote. Thank you.

PRESIDENT PRO TEM SMITH: The ayes have it with one abstaining. The motion carries and Resolution

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#69 is adopted.

**COMMUNICATIONS**

PRESIDENT PRO TEM SMITH: 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 NOVEMBER 26, 2018.***

456. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ENTERPRISE ZONE AGMT WITH RELIABLE READY MIX CO. TO PROVIDE 10-YR 75% REAL PROPERTY TAX EXEMPTION; AUTHORIZE AUDITOR TO MAKE PMTS TO CANTON CITY SCHOOL BOE AS REQ PURSUANT TO 5709.82(C) OF THE REVISED CODE; EMERGENCY. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
457. PLANNING COMMISSION: REQ REPLAT OF LOTS 22555 & 22556 (PARCELS 200336 & 200337), IN WARD 4, LOCATED AT 2200 BLOCK OF 6<sup>TH</sup> ST NE (FOR HABITAT FOR HUMANITY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
458. PLANNING COMMISSION: REQ REPLAT OF ALL OF LOT 265 AND PART OF LOT 266 (PARCELS 206556, 221303, 10010149 & 10010150), IN WARD 2, LOCATED AT THE NORTHWEST CORNER OF CLEVELAND AVE AND 2<sup>ND</sup> ST NW (FOR TOM SCHERVISH ON BEHALF OF STARK MGMT SERVS INC). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
459. PLANNING COMMISSION: REQ REPLAT OF LOTS 23369 & 23370 (PARCELS 236130 & 236131), IN WARD 9, LOCATED AT 2000 BLOCK OF 25<sup>TH</sup> ST NE (FOR HABITAT FOR HUMANITY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
460. PLANNING COMMISSION: REQ REPLAT OF LOTS 24138 & 24139 (PARCELS 217896 & 217897), IN WARD 9, LOCATED AT 2000 BLOCK OF 23<sup>RD</sup> ST NE (FOR HABITAT FOR HUMANITY). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

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

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT AND ENTER INTO THE RENAISSANCE ENTERPRISE LEASING, INC. JOINT ECONOMIC DEVELOPMENT

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DISTRICT AGREEMENT AREA IN JACKSON TOWNSHIP; AND  
DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE AGREEMENT WITH RENAISSANCE ENTERPRISE LEASING, INC. PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$10,094.17 TO SUNPRO, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY (CLEANUP AND DISPOSAL OF 16 HAZARDOUS BARRELS FOR NIP PROG)

Referred to Finance Committee

- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE RESURFACING OF SR 43 FROM 3<sup>RD</sup> ST SE TO MARKET AVE AND SR 172 FROM CHERRY ST TO RIVERSIDE DR; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares and Finance Committees

- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTORS OF PUBLIC SERVICE AND SAFETY TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO VARIOUS CONTRACTS FOR SUPPLY EQUIPMENT, ITEMS, MATERIALS, SUPPLIES, AND SERVICES PURSUANT TO CODIFIED ORDINANCE SECTION 105.09; ENTER INTO PROFESSIONAL SERVICES CONTRACTS PURSUANT TO CODIFIED ORDINANCE SECTION 105.10; ENTER INTO CONTRACTS PURSUANT TO O.R.C. SECTIONS 735.05 WITH QUALIFIED NONPROFIT AGENCIES; ENTER INTO CONTRACT FOR THE PURCHASE OF SUPPLY EQUIPMENT, ITEMS, MATERIALS, SUPPLIES, AND SERVICES UTILIZING ANY PURCHASING PROCESS AUTHORIZED BY EITHER THE O.R.C. OR CANTON CODIFIED ORDINANCES; ENTER INTO CHANGE ORDERS AND/OR CONTRACT AMENDMENTS FOR SAID PURCHASES DURING THE 2019 CALENDAR YEAR; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #6. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 247/2018** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$971.00 SUPP APPROP FR UNAPPROP BAL OF 2318 LOCAL AIDS PREVENTION FUND TO 2318 301001 LOCAL AIDS PREVENTION - 700 - OTHER)

Referred to Finance Committee

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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 #6. You are now in recess.

*(RECESS)*

***(COUNCIL RECESSED AT 7:27 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #6; RECONVENED AT 7:29 PM)***

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

MEMBER BABCOCK: Madam President, I move we suspend Rule 22A to place Ordinance #6 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 Ordinance 6 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 #6 is a legal part of your agenda. Leader.

MEMBER BABCOCK: Madam President, I move we suspend the Statutory Rules on Ordinance #6.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to suspend the Statutory Rules on Ordinance #6. 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 #6.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #6. 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.

**#6 ADOPTED AS ORDINANCE NO. 247/2018**

PRESIDENT PRO TEM SMITH: The motion carries and Ordinance #6 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 #7.

***NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #7 THROUGH #15 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #15 ADOPTED):***

- #7. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$250,000.00 SUPP APPROP FR UNAPPROP BAL OF 2120 INCOME TAX FUND TO 2120 852101 INCOME TAX ADMIN - OTHER)
- #8. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$771,766.30 APPROP TRF FR 5410 206058 OWDA WRF PHOSP PROJ (CONSTR) - OTHER TO 5410 206057 OWDA WRF PHOSP PROJ MEMB (6556) - OTHER)
- #9. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #1 AND FINAL IN AN AMOUNT NOT TO EXCEED \$41,355.80 WITH NORTHSTAR ASPHALT, INC. FOR THE 19<sup>TH</sup> ST. NE RESURFACING PROJECT, G.P. 1239; AND DECLARING THE SAME TO BE AN EMERGENCY
- #10. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO MINOR BRIDGE MAINTENANCE TO TWELVE STRUCTURES ON I-77; AND DECLARING THE SAME TO BE AN EMERGENCY (JUST NORTH OF CLEVELAND AVE OVER EAST BRANCH OF NIMISHILLEN CREEK NORTH THRU US-30 INTERCHANGE)
- #11. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO SPOT PAVING OF US 30 AT TRUMP AVENUE NE; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (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 LEASE OF 15.904 ACRES OF CITY-OWNED PROPERTY FOR GOLF TRAINING AND PROGRAMS FOR AREA

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YOUTH; AND DECLARING THE SAME TO BE AN EMERGENCY (OUTLOTS 897 & 1343; CITY LOT 43031, AKA PARCELS 10004035, 10004038, 10004039 & 380700)

- #13. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO MINOR BRIDGE WORK TO SFN 7601069 STA-43-10.92 OVER US 30; AND DECLARING THE SAME TO BE AN EMERGENCY (BELDEN AVE)
- #14. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE ESTABLISHMENT OF THE FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEE TO ENTER INTO AGREEMENT FOR PURCHASE/ACQUISITION OR DONATION/ACQUISITION OF PART OF OUTLOT 1121 FOR PUBLIC STREET RIGHT OF WAY; AND DECLARING THE SAME TO BE EMERGENCY (NE CANTON INDUSTRIAL PARK PROJ; GP 1148)
- #15. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 248/2018** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO PURCHASE TWO (2) DUMP/SALT TRUCKS; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT OF PUBLIC WORKS)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we suspend the Statutory Rule for Ordinance #15.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to suspend the Statutory Rules on Ordinance #15. 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... the motion carries. You've heard the three readings. Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #15.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #15. Are there any

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remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

**#15 ADOPTED AS ORDINANCE NO. 248/2018**

PRESIDENT PRO TEM SMITH: The motion carries and Ordinance #15 is adopted.

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

PRESIDENT PRO TEM SMITH: We are now under Ordinances for Third Reading and Final. Mr. Clerk, please begin with Ordinance #16.

***NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #16 THROUGH #21 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

#16. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 249/2018** 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 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**

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #16.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #16. Are there any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

**#16 ADOPTED AS ORDINANCE NO. 249/2018**

PRESIDENT PRO TEM SMITH: Ordinance #16 has been adopted. Ordinance #17, please.

#17. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 250/2018** 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 (LOCATED @ FAIRCREST & GREENTREE AVE SW

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FOR NEW DAWN REAL ESTATE LLC, WARD 4)

**PUB HRG 11/26/18 @ 7:01 PM**

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. 250/2018**

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

#18. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 251/2018** 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)

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. 251/2018**

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

#19. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 252/2018** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE

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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)

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. 252/2018**

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

#20. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 253/2018** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 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)

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. 253/2018**

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

#21. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 254/2018** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE EMERGENCY (\$120,500.00 SUPP APPROP FR UNAPPROP

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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)

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. 254/2018**

PRESIDENT PRO TEM SMITH: Ordinance #21 has been 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 December 3<sup>rd</sup> at 6:30 P.M.

MEMBER HAWK: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER HAWK: Public Safety & Thoroughfares will meet the same time.

MEMBER MINOR SMITH: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER MINOR SMITH: Community & Economic Development Committee will also meet on the same day and at the same time.

PRESIDENT PRO TEM SMITH: Thank you so very much. Is there anyone else?

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

MEMBER MINOR SMITH: Madam President.

PRESIDENT PRO TEM SMITH: Yes, ma'am.

MEMBER MINOR SMITH: I would like to say thank you to those representatives from Speedway who came today to provide information and of... met with the residents and addressed their questions. I appreciate that, and the explanation was very helpful. I would also like to thank Mr. Eric Resnick for coming today. I know you're very passionate about the tax exemptions and the impact on the school districts, so I do appreciate you coming and sharing your remarks today.

MEMBER BABCOCK: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER BABCOCK: I'd like to ask the Service Director a question. Could you give us some clarification on this homestead for utilities. I never...

SERVICE DIRECTOR HIGHMAN: In... in terms of who's eligible? Okay. The homestead exemption for the Sanitation Department, and it is all done via cod... our Codified Ordinances, is a 50% discount for folks who are 65 or older or permanently disabled who meet an income threshold. The income threshold has been in existence per our Ordinance since at least 2008. In terms of the current calculations, it is based upon the income requirements of the property tax, so the current income is \$31,500.00, I believe. In terms of the historical information, terms of what was it in 2008 and what happened all in between, those are some of the things that I was discussing earlier today trying to get some information on... in terms of the past historical information, but what... what I just stated is the requirement, and that is for Sanitation.

MEMBER BABCOCK: I know \$26,500 used to be the minimum for homestead for property taxes and then they had the steps, and then when the... Governor Strickland come in, he gave it to everybody like Dan said. Anybody... everybody over 65 got it. Didn't matter what your income was. And then when Kasich come in, he took it away. And now they're back to their three steps again.

PRESIDENT PRO TEM SMITH: Okay.

MEMBER MORRIS: Okay, Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER MORRIS: Service Director, I think we've done a pretty good job in social media neighborhood associations in getting the word out about the homestead deductions, but is there anything we can do through the utilities to get this information in the seniors' hands? Because there's a lot of seniors that don't attend neighborhood associations, they're not on social media, and quite honestly there's probably quite a few seniors out there that are paying full... full till when... and trust me, as I get older and older, you know, I'm gonna reap the benefits of this as Member Babcock, we all know that he

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brought this up because he wants to know if he's eligible (*laughter*). That's an old guy joke. But we... we do need to get this information in the hands of our seniors, so is there some way that we could put this, as Dan had mentioned, in their water bill? There's...

SERVICE DIRECTOR HIGHMAN: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

SERVICE DIRECTOR HIGHMAN: I will discuss doing so with Utility Billing Department tomorrow. We've been in constant conversations today about this back and forth, and we will continue to do so.

MEMBER MARIOL: Madam President.

PRESIDENT PRO TEM SMITH: Yes, Member Mariol.

MEMBER MARIOL: I have a question for... uh, for Deputy Mayor Williams regarding TIFS. Um, when we do a TIF, which is, you know, basically property tax abatement, that is on future value after the development happens of that property. Is that correct?

DEPUTY MAYOR WILLIAMS: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

DEPUTY MAYOR WILLIAMS: Yes, that's correct.

MEMBER MARIOL: And if... if I may, Madam President. The... before the development happens, the parcel would pay a certain amount of property tax, say \$100.00. Even when we TIF it, the School District, the Park Department, still gets that original property tax they were collecting before the improvement happens. Is that correct?

DEPUTY MAYOR WILLIAMS: Madam President. Yes, that is accurate.

MEMBER MARIOL: I guess just one more thing. When we do a ten year 75% TIF, this... the different entities that collect property tax would actually see an increase in what they collect. And so we're not necessarily taking from those entities. They're actually getting more money than what they had before the TIF happened. Is that correct?

DEPUTY MAYOR WILLIAMS: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

DEPUTY MAYOR WILLIAMS: That's correct. And they're typically evaluated on the improved value. The improved value, that's what key to list it. That's the key... that's what key to list it to, but I just want to make it clear, there is a distinct distinction between TIFS and tax abatement. And what Mr. Resnick was referring to during his commentary was TIFS, and what we proposed in these two pieces of legislation are ten year 75% tax abatement, which again will be on the improved value. And I just want... one more point of clarification, that the City of Canton back in I believe 1994 declared a large portion of the City as an enterprise zone, and through enterprise zone agreements, the School Board is entitled to a

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portion of payroll tax that they wouldn't otherwise be entitled to, so in my opinion, and probably my opinion only, it's a win-win for everyone. Thank you.

PRESIDENT PRO TEM SMITH: Is there any more Miscellaneous Business? Okay, then we'll have the thought for the week by Clerk Dougherty.

CLERK DOUGHERTY: With football season in full force and basketball starting, I noticed something from Lou Holtz. Pretty true. *"It always amazes me that spectators want to coach, coaches want to officiate, and officials, they just want to watch the game."* (Laughter)

PRESIDENT PRO TEM SMITH: Okay.

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 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Madam President.

PRESIDENT PRO TEM SMITH: *(Gavel falls)* Meeting's adjourned. Be safe.

ADJOURNMENT TIME: 7:45 P.M.

ATTEST: 11/28/18

APPROVED:

DAVID R. DOUGHERTY  
CLERK OF COUNCIL

CHRIS SMITH  
PRESIDENT PRO TEM