

MINUTES OF THE MEETING DECEMBER 3, 2018

(RECORDING BEGINS AS FOLLOWS):

PRESIDENT PRO TEM SMITH:present, this Chair calls this meeting of Canton City Council to order. Roll call, please.

ROLL CALL TAKEN BY CLERK DOUGHERTY:

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

TEN COUNCIL MEMBERS PRESENT.

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

EXCUSING MEMBERS

PRESIDENT PRO TEM SMITH: Thank you. Leader.

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

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Madam President.

PRESIDENT PRO TEM SMITH: The motion carries and Member Chester and Member Morris are excused from this evening's meeting. Tonight's invocation will be given by Council Member-At-Large, Bill Smuckler. If you all would please stand and remain standing for the Pledge of Allegiance. And would you please allow a moment of silence for our late President, before you give the invocation, Member Smuckler. Thank you so very much.

The regular meeting of Canton City Council was held on December 3, 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, Bill Smuckler. 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.

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MEMBER BABCOCK: Madam President, I move Rule 22A be suspended to add 2nd Reading Ordinances 7 through 11.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to suspend Rule 22A to add 2nd Reading Ordinances 7 through 11 to this evening's agenda. Are there any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Madam President.

PRESIDENT PRO TEM SMITH: The motion carries and Ordinances 7 through 11 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM SMITH: We are now under Public Hearings. Do we have any Public Hearings? There are none tonight.

OLD BUSINESS

PRESIDENT PRO TEM SMITH: We are now under Old Business. Deputy Mayor...? There is no Old Business tonight.

PUBLIC SPEAKS

PRESIDENT PRO TEM SMITH: We are now under Public Speaks. We have 2 speakers tonight. Will you please step forward when your name is called. State your name and your residence. We'll start with Renee Pilone. Is that correct?

RENEE PILONE: Yes, that's correct. My name is Renee Pilone and I own 1224 19th St. NE. I appreciate the opportunity today, to speak to you again, about Airbnb. As passed in June, limited lodging is only permitted as a conditional use in R4, and not permitted at all in zones R1 through R3. Limited lodging, as you define it, means the use of all or part of a dwelling unit, by rental, for dwelling, sleeping or lodging. This definition is missing one very important element. Duration. Therefore, under this definition, all rental units in R1, R2 and R3 are illegal and subject to a \$500.00 per day fine. I am not a lay person, who doesn't understand zoning. I've worked with a land use attorney on this and I am a certified City Planner. What are you going to do to fix the zoning code? This change to zoning is hurting Canton. You say that you value real estate investors, but no amount of meetings between the Mayor and the landlords will help when you've passed a new zoning ordinance which hangs over all owners, ready to drop hefty fines on a whim. Rental property owners are already trying to divide....divest from Canton because of your increases to rental registration fees. I've also spoken with a well known, downtown business owner, who was going to expand. But after seeing how the city has handled this Airbnb issue, now is not going to. This is hurting Canton. You say that Aultman and Mercy are two of your greatest assets and employers, yet Aultman and Mercy instruct their students and employers on rotational assignments, to use Airbnb's to fill their housing needs. So now these employees must live outside of Canton. Many exciting things are happening in the areas just outside of city bounds. I'm sure this is frustrating to you, but it need not be a total wash to Canton. Truthfully, several Airbnb's could be fully booked year round just for the guests of weddings at Gervasi. You can claim your piece of this through lodging taxes. This total prohibition is hurting Canton. I understand that homeowners

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are concerned about Airbnb's. They're concerned about parking and about landlords whose homes are a nuisance. Those issues are easy to address and can be handled with proper regulation, not prohibition of Airbnb's. Airbnb generates income tax and lodging tax for the city and revenue for the restaurants and shops that our renters use. Thank you. (*Applause*).

PRESIDENT PRO TEM SMITH: Thank you so very much. Our next speaker, Mr. Richard Manson.

RICHARD MANSON: Richard Manson, live at 601 High Avenue SW. I was originally going to speak about the NIP Program. I think I'm just gonna mention one thing and switch subjects. I got off the phone today, found out that...uh...the NIP Program, what it was designed for and...uh...one of the procedures...uh...being that the Land Bank takes possession of a property is primarily because they're...uh...they identify properties that are vacant, abandoned and have back delinquent taxes. Well, uh, there are properties on the NIP Program, on the list that aren't vacant, that are occupied. And all of you here know what I'm talking about because I've been in here talking before. And, I'm going to leave it there because I think now uh, the presiding President Smith is going to help me iron all that out, but next subject I want to talk about is counterflow bike lanes. I was in here before talking about that. I was in here in my race jersey because I'm a bicyclist and uh, I told Mr. Morris...uh...I wasn't going to bring my...uh...wear my bike shorts and he thanked me for that because I probably would have made him throw up, but anyway...(*Laughs*). The counterflow bike lanes are a problem. I did a lot of research on that. Found out that a lot of engineers in a lot of bigger cities than Canton will not put counterflow bike lanes in their cities. As I understand, we have one...we still have one...uh...uh...as far as I know, on Cherry Avenue. I was almost killed on that street. Uh, typically an avid cyclist like myself don't use bike lanes unless we're going down the street and there is one, because I ride 7,000 miles a year. That's how many miles I put on my bike, so...uh...we don't go out of our way to find a bike lane, but I was going up Cherry and people looking North...they're expecting motor traffic to be coming North, they don't look South, and a motorist pulled out, just about hit me and thankfully I yelled loud enough to get him to stop, and then he looked South. Well, that's a problem. That's going to be a problem. That's going to be a fatality, if it hasn't already. Somebody's going to get killed on that counterflow bike lane and since there is a bike lane now on Cleveland Avenue, since it's been redone, that needs...they need to switch the signs and signal on that bike lane...uh...the other direction because...uh...if uh...engineers in bigger cities than Canton have stated, on the record, that they will not put bike...counterflow bike lanes in their cities, citing safety issues, I think we should follow suit and do the same thing. Thank you.

PRESIDENT PRO TEM SMITH: Thank you, Mr. Manson.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM SMITH: We're now under Informal Resolutions, and we have no Informal Resolutions this evening.

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 DECEMBER 3, 2018.

461. CLERK DOUGHERTY: OBJECTION TO 2019 LIQUOR PERMIT RENEWALS. - JUDICIARY

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COMMITTEE

462. COURT ADMIN KOCHERA: REQ \$2,388.00 APPROP TRF FR PAYROLL FRINGES-COMP ABSENCE #701001-2799-62183 JUSTICE REINVESTMENT PRETRIAL GRANT FUND TO OTHER PROFESSIONAL SERVICES #701001-2799-70506 JUSTICE REINVESTMENT PRETRIAL GRANT FUND. - FINANCE COMMITTEE
463. FINANCE DIRECTOR CROUSE: REQ \$750,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 801001 AUDITOR - OTHER FOR \$500,000.00 AND TO 1001 202210 MAINTENANCE - OTHER FOR \$250,000.00; REQ \$500,000.00 INTER-FUND TRF FR 1001 801001 AUDITOR - OTHER TO 6017 201001 SERV DIR - OTHER (HEALTHCARE COSTS); AUTHORIZE AND DIRECT AUDITOR TO PAY ANY AND ALL STREET LIGHTING BILL MORAL OBS NECESSARY TO ENSURE CITY STREET LIGHTING BILLS ARE PD FR GENERAL FUND. - FINANCE COMMITTEE
464. FINANCE DIRECTOR CROUSE: REQ \$270,545.00 APPROP TRF FR 1001 501001 MAYOR ADMIN - OTHER TO 1001 101001 SAF DIR - PERSONNEL FOR \$6,795.00, TO 1001 103001 FIRE ADMIN - PERSONNEL FOR \$225,000.00, TO 1001 702001 CLERK OF COURTS - PERSONNEL FOR \$34,750.00 AND TO 1001 801001 AUDITOR ADMIN - PERSONNEL FOR \$4,000.00; REQ \$550.00 APPROP TRF FR 2160 202210 MAINTENANCE - OTHER TO 2160 701001 JUDGES ADMIN - PERSONNEL; REQ \$6,000.00 APPROP TRF FR 5201 207022 DISTRIBUTION MAINTENANCE - PERSONNEL TO 5201 207012 PUMPING MAINTENANCE - PERSONNEL; REQ \$3,000.00 APPROP TRF FR 6041 208001 MOTOR VEHICLE ADMIN - PERSONNEL TO 6041 103001 FIRE ADMIN - PERSONNEL. - FINANCE COMMITTEE
465. FINANCE DIRECTOR CROUSE: REQ \$111,841.77 SUPP APPROP FR UNAPPROP BAL OF 2788 2013 COPS HIRING GRANT FUND TO 2788 102001 POLICE ADMIN - OTHER. - FINANCE COMMITTEE
466. FINANCE DIRECTOR CROUSE: AUTHORIZE AUDITOR TO "RESERVE" \$1,120,000.00 OR 8/10 OF \$1,400,000.00 FOR 27TH PAY IN 2020; AUTHORIZE AUDITOR TO "RESERVE" 1/10 OF AVERAGE BI-WEEKLY PAYROLL EACH YR BEGINNING 2019 TO INSURE CANTON HAS FUNDS AVAILABLE WHEN 27TH PAY OCCURS EVERY 10 YRS. - FINANCE COMMITTEE
467. FINANCE DIRECTOR CROUSE: 2019 TEMPORARY BUDGET. - FINANCE COMMITTEE
468. LAW DIRECTOR BATES AYLWARD: REQ LEGISLATION TO REPEAL CODIFIED ORD SEC 509.09 (PANHANDLING). - JUDICIARY COMMITTEE
469. LAW DIRECTOR BATES AYLWARD: REQ LEGISLATION TO AMEND O#120/2017 ESTABLISHING DOWNTOWN REDEVELOPMENT DISTRICT. - COMMUNITY & ECONOMIC DEVELOPMENT AND DOWNTOWN DEVELOPMENT COMMITTEES

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470. MAYOR BERNABEL, LAW DIRECTOR BATES AYLWARD: CONTRACT FOR LEGAL SERVICES WITH MOTLEY RICE LLC, TZANGAS PLAKAS MANNOS LTD, FERRUCCIO LAW FIRM AND BRENNAN, MANNA & DIAMOND LLC TO REPRESENT CANTON FOR ALL CLAIMS AGAINST OPIOID MANUFACTURERS AND DISTRIBUTORS RELATING TO MARKETING, PRESCRIBING, DISTRIBUTION OR SALE OF OPIOIDS. - RECEIVED & FILED
471. SERVICE DIRECTOR HIGHMAN: AMEND CLASSIFICATION PLAN FOR MGMT NON-BARGAINING UNIT PERSONNEL TO REPLACE GEN FOREMAN POSITION WITH ASST SUPERINTENDENT, FUND 20-50-01, GRADE 6, FLSA CODE E, IN SANITATION & ENV CONTROL DIV. - PERSONNEL 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 (ORDINANCE #6 ADOPTED):

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH RELIABLE READY MIX CO. 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
Referred to Community & Economic Development Committee
- #2. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF LOTS 22555 AND 22556; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 200336 & 200337, HABITAT FOR HUMANITY, 2200 BLOCK 6TH ST NE, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- #3. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF LOTS 265 AND PART OF LOT 266; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 206556, 221303, 10010149 & 10010150, STARK MGMT SERVS, NW CORNER CLEVELAND AVE & 2ND ST NW, WARD 2)
Referred to Public Safety & Thoroughfares Committee
- #4. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF LOTS 23369 AND 23370; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 236130 & 236131, HABITAT FOR HUMANITY,

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2000 BLOCK OF 25TH ST. NE, WARD 9)
Referred to Public Safety & Thoroughfares Committee

- #5. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF LOTS 24138 AND 24139; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 217896 & 217897, HABITAT FOR HUMANITY, 2000 BLOCK OF 23RD ST. NE, WARD 9)
Referred to Public Safety & Thoroughfares Committee

- #6. (1ST RDG) **ADOPTED AS ORDINANCE NO. 255/2018** AN ORDINANCE AMENDING ORDINANCE NO. 120/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (ESTABLISH DOWNTOWN REDEVELOPMENT DISTRICT FUND)
Referred to C&ED and Downtown Development Committees

PRESIDENT PRO TEM SMITH: At this time, the Chair would declare an in-house recess for the Community & Economic Development and Downtown Development Committees to meet in regards to Ordinance #6. You are now in recess.

(RECESS)

(COUNCIL RECESSED AT 7:12 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT AND DOWNTOWN DEVELOPMENT COMMITTEES TO DISCUSS ORDINANCE #6; RECONVENED AT 7:14 PM)

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

MEMBER BABCOCK: Madam President, I move Rule 22A be suspended to put 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 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten 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.

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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 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Madam President.

PRESIDENT PRO TEM SMITH: The motion carries. 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.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Madam President.

#6 ADOPTED AS ORDINANCE NO. 255/2018

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 #11 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #11 ADOPTED):

#7. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT AND ENTER INTO THE RENAISSANCE ENTERPRISE LEASING, INC. JOINT ECONOMIC DEVELOPMENT DISTRICT AGREEMENT AREA IN JACKSON TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY

#8. (2ND 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

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- #9. (2ND RDG) AN ORDINANCE AUTHORIZING THE RESURFACING OF SR 43 FROM 3RD ST SE TO MARKET AVE AND SR 172 FROM CHERRY ST TO RIVERSIDE DR; AND DECLARING THE SAME TO BE AN EMERGENCY
- #10. (2ND 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
- #11. (2ND RDG) **ADOPTED AS ORDINANCE NO. 256/2018** 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)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we suspend the Statutory Rule on...for Ordinance #11.

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Madam President.

PRESIDENT PRO TEM SMITH: The motion carries. You've heard the readings. Leader. (*President Pro Tem Smith should have said "three readings."*).

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

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MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Madam President.

#11 ADOPTED AS ORDINANCE NO. 256/2018

PRESIDENT PRO TEM SMITH: The motion carries and Ordinance #11 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM SMITH: We are now under Ordinances and Formal Resolutions for their Third/Final Reading and vote. Mr. Clerk, please begin with Ordinance #12.

NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #12 THROUGH #19 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 257/2018** 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)

PRESIDENT PRO TEM SMITH: Leader.

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

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Madam President.

#12 ADOPTED AS ORDINANCE NO. 257/2018

PRESIDENT PRO TEM SMITH: Ordinance #12 has been adopted. Ordinance #13, please.

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#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 258/2018** 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)

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #13.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #13. Are there any remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Madam President.

#13 ADOPTED AS ORDINANCE NO. 258/2018

PRESIDENT PRO TEM SMITH: Ordinance #13 has been adopted. Ordinance #14, please.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 259/2018** 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 19TH ST. NE RESURFACING PROJECT, G.P. 1239; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #14.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #14. Are there any remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Madam President.

#14 ADOPTED AS ORDINANCE NO. 259/2018

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PRESIDENT PRO TEM SMITH: Ordinance #14 has been adopted. Ordinance #15, please.

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 260/2018** 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)

PRESIDENT PRO TEM SMITH: 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 remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Madam President.

#15 ADOPTED AS ORDINANCE NO. 260/2018

PRESIDENT PRO TEM SMITH: Ordinance #15 has been adopted. Ordinance #16, please.

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 261/2018** AN ORDINANCE AUTHORIZING AND CONSENTING TO SPOT PAVING OF US 30 AT TRUMP AVENUE NE; AND DECLARING THE SAME TO BE AN EMERGENCY

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 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Madam President.

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

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 262/2018** 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 YOUTH; AND DECLARING THE SAME TO BE AN EMERGENCY (OUTLOTS 897 & 1343; CITY LOT 43031, AKA PARCELS 10004035, 10004038, 10004039 & 380700)

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 9 YEAS, 0 NAYS, 1 ABSTENTION
(MEMBER HALL ABSTAINED)

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

#17 ADOPTED AS ORDINANCE NO. 262/2018

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

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 263/2018** 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)

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 10 YEAS, 0 NAYS

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CLERK DOUGHERTY: Ten yeas, Madam President.

#18 ADOPTED AS ORDINANCE NO. 263/2018

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

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 264/2018** 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)

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 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Madam President.

#19 ADOPTED AS ORDINANCE NO. 264/2018

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER HAWK: Madam President.

PRESIDENT PRO TEM SMITH: Yes sir.

MEMBER HAWK: Public Safety & Thoroughfares will meet at 6:15 PM on Monday, December 10th.

PRESIDENT PRO TEM SMITH: Thank you.

MEMBER MINOR SMITH: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

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MEMBER MINOR SMITH: The Community & Economic Development Committee will also meet at 6:15 at the next City Council meeting. Thank you.

PRESIDENT PRO TEM SMITH: Thank you.

CLERK DOUGHERTY: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

CLERK DOUGHERTY: Madam President. Also, we're going to have Community Building Partnership give a short presentation, December 10th, 6:15.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM SMITH: Thank you. We are now under Miscellaneous Business. Is there any Miscellaneous Business? Yes, Member Smuckler.

MEMBER SMUCKLER: Uh, last opportunity, Wednesday is the kickoff dinner for the Canton Ex-Newsboy's Association. If you're interested in a ticket, see me tonight. There are no tickets at the door. This is to raise money for school kids who need clothing. They can't put it any simpler than that. We help out with hundreds of thousands of dollars a year to get coats, scarves, gloves for kids in this community.

PRESIDENT PRO TEM SMITH: Thank you. Is there one (*Inaudible*) Miscellaneous Business? I'd just like to thank the City Council-As-A-Whole for the Proclamation that was given to Brother Dave and Sisters Merlene, over at Trinity. It was really, really nice. I want to thank...uh...Member Babcock, Member Corey Minor Smith, Member Jason Scaglione and myself for attending on y'all behalf. Thank you so very much. Clerk Dougherty, the thought for the week, please.

CLERK DOUGHERTY: Thank you. "*The American dream means giving it your all, trying your hardest, accomplishing something. And then I'd add to that, giving something back. No definition of a successful life can do anything but include serving others.*" - George H. W. Bush

PRESIDENT PRO TEM SMITH: Thank you so very much. Leader.

MEMBER BABCOCK: Madam President, I move to adjourn.

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Madam President.

PRESIDENT PRO TEM SMITH: Thank you. (*Gavel falls*) Meeting's adjourned.

ADJOURNMENT TIME: 7:30 PM

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ATTEST: 12/5/18
DAVID R. DOUGHERTY
CLERK OF COUNCIL

APPROVED:
CHRIS SMITH
PRESIDENT PRO TEM