

MINUTES OF THE MEETING DECEMBER 17, 2018

PRESIDENT PRO TEM SMITH: Good evening. With a quorum being present, the Chair calls this meeting of Canton City Council to order. After everyone is seated, could we have a moment of silence for Member Fisher and his family, in the passing of his father, Robert Fisher, Sr.

(MOMENT OF SILENCE)

PRESIDENT PRO TEM SMITH: Thank you so very much. And before we get into the um, invocation, I would like to introduce to you the new, appointed, President of Council, none other than Mr. William Sherer, II. Could you please give him a round of applause. *(Applause)*. Could we have roll call, please.

ROLL CALL TAKEN BY CLERK DOUGHERTY:

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER FISHER ABSENT)

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

EXCUSING MEMBERS

PRESIDENT PRO TEM SMITH: Leader.

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

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

PRESIDENT PRO TEM SMITH: The motion carries and Member Fisher is excused from this evening's meeting. Tonight's invocation will be given by Ward 2 Council Member, Nathaniel Chester. If you'll all please stand and remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on December 17, 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 2 Council Member, Nathaniel Chester. The Pledge of Allegiance was led by President Pro Tem Smith.

AGENDA CORRECTIONS & CHANGES

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

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MEMBER BABCOCK: Madam President, I move Rule 22A be suspended to add 2nd Reading Ordinances 5 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 5 through 11 to this evening's agenda. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

PRESIDENT PRO TEM SMITH: The motion carries and Ordinances 5 through 11 are a legal part of your agenda.

PUBLIC HEARINGS

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

OLD BUSINESS

PRESIDENT PRO TEM SMITH: We are now under Old Business. Deputy Mayor...Member Smuckler.

MEMBER SMUCKLER: Yeah, I would like to take this opportunity before...uh...Public Speaks, to go over the ice skating rink and the information I've been able to find out so far. As most of you know, this is a public/private partnership. The property is not the city of Canton's, it is actually the county's property. The county leases it to the city of Canton, and I don't know the exact figure, but I'll guess somewhere around \$500.00 a year. The city pays for the electricity at the ice skating rink and that's it. The ice skates were purchased, donated and repl...will be replaced with the money that is collected at the ice skating rink. The skates are sharpened by the money that is being collected at the ice skating rink. The skates are being replaced because of theft at the ice skating rink, with the money that's collected. And we do have all three of those, fortunately or unfortunately. Uh, in 2016 the money that was taken in was \$12,978.00. The money in, I'm sorry, in 2016. The money in 2017 is \$13,802.00 and so far this year, the ice skating rink has taken in \$6,658.00 and it is all being put back into the S-I-D Program, SID, in the downtown area. As I said, for the skates, to maintain the ice...um...Steve Coon was kind enough to donate a zamboni machine. His people maintain the ice on a daily basis, every morning. There's a gentleman that goes out there and, I don't know that much about ice skating, but at least makes it flat so people aren't falling. The new boards were also purchased by the, uh, people that were involved in this whole thing. The city has very little involvement other than the electric and other than the maintenance that happens through the Arcade Coney Stand, over there.

MEMBER HAWK: I think there's, I can add a couple things, (*Inaudible*) help clarify a couple things. Uh, we really do not experience a lot of theft of skates, to be real honest with you. We track and we take care of them. We're very diligent in that respect, but what we do have to replace is the skates. They do get worn out. Some of them bought used, some of them were new...old stock that had many years on them and they kind of separated and went bad on us. So, what we do is keep...put the bad ones aside and at the end of every season,

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we go to the Special Improvement District and tell 'em...tell 'em how many we lost and what sizes, and they replace them. Now, we replace them with far better skates than we purchased originally and again, they purchase...Special Improvement District put up all the money for all of the skates and they did it very inexpensively. They put up their own money, up front before they took a dime in. They did pay for all the maintenance of the skates and the sharpening as we said, but what we're buying now is an excellent plastic skate that...instead of ties, it buckles in. Uh, they're about \$75.00 to \$78.00 of care, so they're not inexpensive. The maintenance...actually the Parks Department and Rec Board (*Inaudible*), they bought the Zamboni and the tractor to pull it with. It is stored and cared for by the people...by Steve Coons' people at the Onesto Hotel. They put someone out there between...I get in there at 7:30 every morning and the ice is already groomed and done. So they put a person out there every morning to do that. If it snows, we can't zamboni that off of there. It has to be taken off with a skid loader. So, they bring their skid loader over, scrape all the ice, then take time to zamboni it. That's a very expensive and technical operation. The ice was installed at no cost to anyone by Center Ice and that was a 24 - 28 hour operation, where he was there almost non-stop, putting it in, again, at no cost to anyone. That was done as a volunteer basis. It's a...it's a joint effort. A couple of the side boards were damaged, they were built and replaced at no cost to the city. This is truly a joint public/private enterprise. It works well, and I think that it's serving the public well. And people come there, enjoy it, uh, it's...it's...it's absolutely phenomenal to watch the people and all the fun they're having their. Eighty-five percent of our people are families. Families. They bring their children down here, their most precious and prized possessions, they bring to our city for entertainment and for...for some exercise. It's great to see. You should stop down and see it sometimes. Thank you.

PRESIDENT PRO TEM SMITH: Is there anyone else? Thank you so much, for the Old Business.

PUBLIC SPEAKS

PRESIDENT PRO TEM SMITH: We are now under Public Speaks, and we have three speakers tonight. When I call your name, will you please step forward. Give your correct name and your residential address. Mr. Eric Resnick.

ERIC RESNICK: (***RECORDING DEVICE NOT TURNED ON***) (*Inaudible*). Thank you. My comments this evening will not differ too much from the comments that I made a couple weeks ago when you did the Slesnick tax abatement, um...but there is one thing that I would like to share with you, as a result of Repository coverage. This report from Policy Matters Ohio, which is a think tank in Columbus, titled "*Tax abatements cost Ohio schools at least \$125 million dollars*" was made apparent to me. It was actually released in October of 2018. So, I was not aware of it when I came here a couple weeks ago. I'd like to read you two paragraphs. First is the opening paragraph from the Executive Summary. It says, "*Property tax abatements caused 180 school districts across Ohio to forego \$125.6 million dollars in revenue according to district financial reports issued for the 2017 fiscal year. With 43.8 million dollars, or a little more than 1/3 of that amount, schools across the state could refill the positions of 662 librarians whose positions were eliminated between the 2005 and 2006 school year and the 2016 and 2017.*" That shows that while foregone revenue from tax abatement is relatively small, compared to the total K through 12 spending, it's still quite meaningful. The other paragraph here on the inside says, "*The district reports we reviewed include all 100 of the states largest districts and the majority of the public school students. The abatements came about because of the action of cities, villages, counties, townships, but schools, as the recipient of nearly 2/3 of Ohio's property tax levies, are the ones that forego the most revenue when such taxes are abated for economic development.* So, people been telling me all day that they support my thoughts, but keep it simple,

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so here it is, simple. Should you approve this ordinance tonight, as you did a couple weeks ago, because of Issue 13, a very, very tiny amount will affect the city of Canton, but that's all. A very large amount will have a negative impact on the Canton City School District. And that's the truth. Thank you.

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

RICHARD MANSON: Morris, you missed two weeks ago when uh...*(Inaudible)* I came in my bike race jersey and you thanked me for not wearing my tight bike shorts with the uh...uh...whole race outfit, but anyways...*(Laughs)*... That was while back, but anyway... My name's Richard Manson and I reside at 601 High Avenue SW and what I want to talk about was...uh...basically the way build...the Building Department goes about some of their...uh...some of the things they do. Found out that, for some reason, when I was out of town working in Houston, my home...my house is now listed as vacant. Uh, I even heard the word abandoned thrown out there. I haven't gotten any documentation from anybody that...that has...e...either of these words on it, but uh, apparently they sent an inspector out and they go by and they look at it and if it looks like it could be vacant, they'll list it as vacant. Uh, that's one of the uh...that's what started one of the issues, with the biggest issues I'm facing right now. Uh, and uh, there's got to be something done about that...uh...that's how...I've talked to about a dozen different...UH...entities and departments and haven't gotten any straight answers from anybody. Uh, they don't seem to know how the other one does their business or how they go about things and uh, all I can tell you is in October I went to the Treasurer and tried to pay some of the taxes on my property, and uh, but they wouldn't even accept my payment because of it being on the NIP Program. Uh, they told me they can't accept any money until it's off that program. Well, it can't get off that program being listed as vacant by the Building Department. So, there's basically a big catch-22 where uh...nothing can be done and I challenge anybody here to call me at any time and give me a solution of this. In fact, I'll even give you my phone number. It's 234-203-9556. Call me anytime. Uh, but uh, so far um, nobody seems to have all the answers to my questions or how to go about anything, but any rate, all of you pretty much know me as a mild-mannered, easy going, guy. I've been in, talking for the last sev...several years on a bunch of topics and uh...but...I'm probably gonna be less nice and easy going and stick up more for myself because, I mean, I'm gonna have to, I mean, uh, when I was just discriminated against in Beaver Valley. Had a...a...a job...um...I went to a job actually, at the nuclear power plant and the guy there said that since I was self-employed in 2015, that he wasn't going to spend anymore time on my background check and he had 600 people coming in next week and don't bother coming out Monday, uh, based on me being self-employed. So, you can see, I come across all kinds of issue and problems and discrimination and I'm gonna start sticking up for myself. I'd like somebody to give me some kind of idea of how to get my house not listed, first of all, as vacant. That's number one.

PRESIDENT PRO TEM SMITH: Thank you, Mr. Manson. Our next speaker, Steven Boswell.

STEVEN BOSWELL: Uh, Steve Boswell, 908 18th St. NE, Canton, Ohio. I'd like to thank Mr. Smuckler and Mr. Hawk about getting me some information on the skating rink. Uh, it's sounds to me like there's enough people involved in it that no matter what you try and complain about, it ain't gone get fixed. All there has to be is enough people involved so the kids can go down there and skate for nothing. So, you make the skates \$4.00 to rent 'em, but if you got your skates, let the kid go down there and skate. I appreciate you guys getting the information. I went by there today, if the city's paying for all the electric, that chillers just roaring. There's four people on the ice. It looks to me like if that's a private and some kind of city-owned thing, I say shut it down. For four people to enjoy it, I don't think you're getting your money's worth.

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JOB CREATION AGMT WITH THRASHER ENGINEERING INC. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

484. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ENTERPRISE ZONE AGMT WITH ALAN RODRIGUEZ, OWNER OF JULZ BY ALAN RODRIGUEZ, TO PROVIDE 10 YR 75% REAL PROPERTY TAX EXEMPTION; AUTHORIZE AUDITOR TO MAKE PAYMENTS TO CANTON CITY SCHOOLS BD OF ED PURSUANT TO ORC SEC 5709.82(C). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
485. MAYOR BERNABEI: AUTHORIZE RE-APPTS OF DEBORAH ROHRBACH, ROBERT THOMPSON, VALERIE WATSON, AMY WEISBROD AND CLINT ZOLLINGER TO FAIR EMPLOYMENT PRACTICES BD COMMENCING 1/1/19 - 12/31/21. - PERSONNEL COMMITTEE
486. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY ALL CONTRACTS NECESSARY FOR PURCHASE OF (4) SM SPORT UTILITY VEHICLES; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR PURCHASE OF SAID VEHICLES IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY EITHER ORC OR CANTON CODIFIED ORD; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (BLDG/CODE DEPT). - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
487. SERVICE DIRECTOR HIGHMAN: AMEND EXHIBIT A TO O#40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL, TO ADD ADDITIONAL SENIOR ELECTRONIC TECH TO SERV DIR'S PUBLIC WORKS COLLECTION SYSTEMS DEPT. - PERSONNEL COMMITTEE
488. TREASURER PEREZ: RPT OF BANK RECS AND OUTSTANDING INVESTMENTS AS OF 11/30/18. - RECEIVED & FILED
489. TREASURER PEREZ: RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR NOV 2018. - RECEIVED & FILED
490. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR NOV 2018. - RECEIVED & FILED
491. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FR 1/1/18 TO 11/30/18. - 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.

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NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #4 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCES #3 AND #4 ADOPTED):

- #1. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 171/2018; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$37,296.00 SUPP APPROP FR UNAPPROP BAL OF 2790 2017-DJ-BX-0135 EDWARD BYRNE MEMORIAL GRANT FUND TO 2790 102001 POLICE ADMIN - OTHER)
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO RENAME THE 2319 AIDS HOME HEALTH CARE FUND TO 2319 EARLY INTERVENTION SERVICES FUND; AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$15,000.00 INTER-FUND TRF FR 1001 301001 HEALTH ADMINISTRATION - OTHER TO UNAPPROP BAL 2319 301001 EARLY INTERVENTION SERVICES - OTHER; \$15,000.00 SUPP APPROP FR UNAPPROP BAL OF 2319 EARLY INTERVENTION SERVICES FUND TO 2319 301001 EARLY INTERVENTION SERVICES - 600 PERSONNEL - \$10,000.00, TO 2319 301001 EARLY INTERVENTION SERVICES - 700 OTHER - \$5,000.00)
Referred to Finance Committee
- #3. (1ST RDG) **ADOPTED AS ORDINANCE NO. 271/2018** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO CONTRACT WITH ZENITH SYSTEMS IN AM AMOUNT NOT TO EXCEED \$95,821.60 FOR THE DESIGN, EQUIPMENT, INSTALLATION, PROGRAMMING AND TRAINING RELATED TO UPGRADES TO THE COURT'S AUDIO/VIDEO AND EVIDENCE PRESENTATION SYSTEMS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #4. (1ST RDG) **ADOPTED AS ORDINANCE NO. 272/2018** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$75,000.00 SUPP APPROP FR UNAPPROP BAL OF 701001 2423 COURT CAPITAL/SPECIAL PROJECTS FUND TO 701001 2423 70506 COURT CAPITAL/SPECIAL PROJECTS FUND - OTHER PROFESSIONAL SERVICES; \$14,246.66 SUPP APPROP FR UNAPPROP BAL OF 701001 2424 LEGAL RESEARCH FUND TO 701001 2424 70506 LEGAL RESEARCH FUND - OTHER PROFESSIONAL SERVICES)
Referred to Finance Committee

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PRESIDENT PRO TEM SMITH: At this time, the Chair declares an in-house recess of the Finance Committee to meet in regards to Ordinance #3 and 4. You are now in recess.

(RECESS)

(COUNCIL RECESSED AT 7:20 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCES #3 AND #4; RECONVENED AT 7:24 PM)

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

MEMBER BABCOCK: Madam President, I move Rule 22A be suspended to place Ordinances 3 and 4 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 3 and 4 back on this evening's agenda. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

PRESIDENT PRO TEM SMITH: The motion carries and Ordinances 3 and 4 are a legal part of your agenda. Leader.

MEMBER BABCOCK: Madam President, I move we suspend the Statutory Rules on Ordinances 3 and 4.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to suspend the Statutory Rules on Ordinances 3 and 4. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

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

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #3.

MEMBER MINOR SMITH: Second.

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PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #3. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#3 ADOPTED AS ORDINANCE NO. 271/2018

PRESIDENT PRO TEM SMITH: The motion carries and Ordinance #3 is adopted. Leader.

MEMBER BABCOCK: Madam President, I move we adopt Ordinance #4.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Ordinance #4. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#4 ADOPTED AS ORDINANCE NO. 272/2018

PRESIDENT PRO TEM SMITH: The motion carries and Ordinance #4 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

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

NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #5 THROUGH #11 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#7 ADOPTED; O#8 ADOPTED AS AMENDED, O#9 - O#11 ADOPTED):

- #5. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,388.00 APPROP TRF FR 701001 2799-62183 JUSTICE REINVESTMENT PRETRIAL GRANT FUND - PAYROLL FRINGES-COMP ABSENCE TO 701001 2799-70506 JUSTICE REINVESTMENT PRETRIAL GRANT FUND - OTHER PROFESSIONAL SERVICES)

PRESIDENT PRO TEM SMITH: Leader. *(Inaudible)*.

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- #6. (2ND RDG) AN ORDINANCE REPEALING SECTION 509.09, PANHANDLING PROHIBITIONS OF CHAPTER 509, DISORDERLY CONDUCT AND PEACE DISTURBANCE OF PART FIVE, GENERAL OFFENSES CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON
- #7. (2ND RDG) **ADOPTED AS ORDINANCE NO. 273/2018** A RESOLUTION OBJECTING TO THE RENEWAL OF TWO LIQUOR PERMITS LOCATED WITHIN THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY (R BAR & GRILL @ 1117 WERTZ AVE NW, PERMIT #71479900005, RUBY SALOON @ 2546 WINFIELD WAY NE, PERMIT #7576907)
- #8. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 274/2018** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 64/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$493,982.00 APPROP TRF FR 1001 501001 MAYOR ADMIN - OTHER TO 1001 101001 SAFETY DIRECTOR - PERSONNEL - \$6,795.00, TO 1001 103001 FIRE ADMIN - PERSONNEL - \$225,000.00, TO 1001 702001 CLERK OF COURTS - PERSONNEL - \$34,750.00, TO 1001 801001 AUDITOR ADMIN - PERSONNEL - \$4,000.00, TO 1001 801001 AUDITOR ADMIN - OTHER - \$221,437.00, TO 1001 501101 HUMAN RESOURCES - PERSONNEL - \$2,000.00; \$550.00 APPROP TRF FR 2160 202210 MAINTENANCE - OTHER TO 2160 701001 JUDGES ADMIN - PERSONNEL; \$6,000.00 APPROP TRF FR 5201 207022 DISTRIBUTION MAINTENANCE - PERSONNEL TO 5201 207012 PUMPING MAINTENANCE - PERSONNEL; \$1,000.00 APPROP TRF FR 5701 101501 CODE ENFORCEMENT - PERSONNEL TO 5701 753001 LAW ADMIN - PERSONNEL; \$3,000.00 APPROP TRF FR 6041 208001 MOTOR VEHICLE ADMIN - PERSONNEL TO 6041 103001 FIRE ADMIN - PERSONNEL; \$221,437.00 INTER-FUND TRF FR 1001 801001 AUDITOR ADMIN - OTHER TO 7502 801001 AUDITOR ADMIN - OTHER)
- #9. (2ND RDG) **ADOPTED AS ORDINANCE NO. 275/2018** AN ORDINANCE AUTHORIZING THE AUDITOR TO RESERVE FUNDS FOR PAYMENT OF THE 27TH PAY; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,120,000.00 OR 8/10 OF \$1,400,000.00 FOR 27TH PAY IN 2020)
- #10. (2ND RDG) **ADOPTED AS ORDINANCE NO. 276/2018** AN ORDINANCE ADOPTING TEMPORARY APPROPRIATIONS FOR THE OPERATING AND CAPITAL EXPENDITURES OF THE CITY OF CANTON, OHIO, FOR FISCAL YEAR 2019; AND DECLARING THE SAME TO BE AN EMERGENCY
- #11. (2ND RDG) **ADOPTED AS ORDINANCE NO. 277/2018** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (REPLACE GEN FOREMAN POSITION WITH

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ASST SUPT, FUND 20-50-01, GRADE 6, FLSA CODE E, IN SANITATION & ENV CONTROL DIV)

PRESIDENT PRO TEM SMITH: Now, Leader.

MEMBER BABCOCK: Thank you. (*Laughs*). Madam President, I move we suspend the Statutory Rules for Ordinances 7, 8, 9, 10 and 11.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to suspend the Statutory Rules on Ordinances 7, 8, 9, 10 and 11. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

PRESIDENT PRO TEM SMITH: The motion carries. 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.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#7 ADOPTED AS ORDINANCE NO. 273/2018

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?

MEMBER BABCOCK: Madam President...

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PRESIDENT PRO TEM SMITH: Yes.

MEMBER BABCOCK: I move we amend Ordinance #8 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 #8 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 #8, as amended.

MEMBER MINOR SMITH: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 8 by the substitution of the attached amended Ordinance for the original pending Ordinance.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#8 ADOPTED AS AMENDED AS ORDINANCE NO. 274/2018

PRESIDENT PRO TEM SMITH: The motion carries, and Ordinance #8, as amended, is adopted. Leader.

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

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK DOUGHERTY: Eleven yeas, Madam President.

#9 ADOPTED AS ORDINANCE NO. 275/2018

PRESIDENT PRO TEM SMITH: The motion carries and Ordinance #9 is adopted. Leader.

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

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#10 ADOPTED AS ORDINANCE NO. 276/2018

PRESIDENT PRO TEM SMITH: The motion carries and Ordinance #10 is adopted. Leader.

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

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#11 ADOPTED AS ORDINANCE NO. 277/2018

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 for their Third and Final Reading. Please begin, Mr. Clerk, with Ordinance #12.

NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #12 THROUGH #16 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

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#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 278/2018** 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

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?

MEMBER MARIOL: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER MARIOL: So, I think on cases like this, facts are very important and to Mr. Resnick's comments. Um, it is incorrect to say that this tax abatement will cost the school district money and it's incorrect to say that because if this passes, the school district will continue to collect exactly what it collected before this happens, plus twenty-five percent of the new value. Now, if we don't do this, the new development doesn't happen, the school district then would lose money. Now, I...I know you cited a study and I would...um...venture to believe that what we're doing is not what that study is about because to understand the facts of this would be to understand that the school district is not losing. So, at any time that you would like to sit down and talk about these, I would be more than happy to show you, uh, where you're mistaken on these, but it is, it is important for the city to have development to bring in new jobs. This is a tool that we can do it and if we don't use this tool, we don't bring in new business and then the school district loses money. Thank you.

PRESIDENT PRO TEM SMITH: Are there any more remarks?

MEMBER MINOR SMITH: Madam President.

PRESIDENT PRO TEM SMITH: Member Minor Smith.

MEMBER MINOR SMITH: Thank you. Um, also, um...Member Mariol, I appreciate your comments and Mr. Resnick, I also appreciate your time in coming down to provide the information that you wanted to share, and as I stated, I am willing to hear you out on additional information that you are going to get from the school district, and I do concur with the statements of Mr. Mariol...um...in this regard. I believe that an overall summation of the information that Mr. Resnick is proving to us at this time is an outcome,

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sometime in the future that cannot be determined right now, by the number of tax abatements or TIF's, or whatever incentive that we're providing at this time. I believe that what he is presenting is an...uh...perhaps an accumulation sometime in the future that could or may impact a school district. So again, I appreciate you coming down today and I would like the opportunity to continue to talk to you about the information that you continue to research regarding this matter. Thank you.

PRESIDENT PRO TEM SMITH: Are there any more remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#12 ADOPTED AS ORDINANCE NO. 278/2018

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

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 279/2018** 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)

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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#13 ADOPTED AS ORDINANCE NO. 279/2018

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

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 280/2018** 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)

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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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#14 ADOPTED AS ORDINANCE NO. 280/2018

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

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 281/2018** 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, 2000 BLOCK OF 25TH ST. NE, WARD 9)

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 11 YEAS, 0 NAYS

MEMBER MORRIS: I don't like...he hesitated.

PRESIDENT PRO TEM SMITH: Ordinance 15...

CLERK DOUGHERTY: Eleven yeas, Madam President, 1 Hesitation!

#15 ADOPTED AS ORDINANCE NO. 281/2018

PRESIDENT PRO TEM SMITH: (*Laughter*). Ordinance #15 has been adopted. Ordinance #16, please.

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#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 282/2018** 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)

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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#16 ADOPTED AS ORDINANCE NO. 282/2018

PRESIDENT PRO TEM SMITH: Ordinance #16 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 sir.

MEMBER MORRIS: Finance will meet January 7th, 2019 at 6:30 P.M.

PRESIDENT PRO TEM SMITH: Thank you. Personnel.

MEMBER BABCOCK: Personnel will meet the same time, same place.

MISCELLANEOUS BUSINESS

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.

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MEMBER MINOR SMITH: I would like uh...thank Member Hall for covering the Economic and...Community & Economic Development Committee last week. I appreciate you covering that and Deputy Mayor Williams for the impromptu absence of...for me not being there. I appreciate you being able to work with Mr. Hall, to have the Committee go forward. Also, on behalf of Member Fisher, as well as the Youth Council, thank you to uh, Member Smuckler for attending and letting the Youth Council in and staying with them yesterday. I hope it was an education moment for you to see them in action and I encourage any Council Member who has not come down to observe the Youth Council, to come down and observe the Youth Council. They do a great a job and they're also very active in the community, doing community service projects. Thank you.

PRESIDENT PRO TEM SMITH: Thank you. Is there anymore Miscellaneous Business? Well, I would like for each and every one of you to wish Beth a happy belated birthday. *(Laughs)*. *(Inaudible)*. Yes, happy belated birthday. *(Various Membes wish Beth a Happy Birthday!)*

PRESIDENT PRO TEM SMITH: At this time, we have a quote for the week, Clerk Dougherty.

CLERK DOUGHERTY: Thank you. *"Christmas gift suggestions: To your enemy, forgiveness. To an opponent, tolerance. To a friend, your heart. To a customer, service. To all, charity. To every child, a good example. To yourself, respect."* - Oren Arnold. Merry Christmas, Happy Holidays to all.

PRESIDENT PRO TEM SMITH: Leader.

MEMBER BABCOCK: Madam President, I move to adjourn.

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

PRESIDENT PRO TEM SMITH: *(Gavel falls)* Meeting adjourned. Merry Christmas and Happy New Year.

ADJOURNMENT TIME: 7:40 PM

ATTEST:
DAVID R. DOUGHERTY
CLERK OF COUNCIL

APPROVED:
CHRIS SMITH
PRESIDENT PRO TEM