

MINUTES OF THE MEETING FEBRUARY 25, 2019

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

ROLL CALL TAKEN BY CLERK DOUGHERTY:

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

ELEVEN COUNCIL MEMBERS PRESENT. (PRESIDENT SHERER AND MEMBER FERGUSON ABSENT)

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

EXCUSING MEMBERS

PRESIDENT PRO TEM SMITH: Leader.

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

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to excuse President Sherer and Member Ferguson 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 President Sherer and Member Ferguson are excused from this evening's meeting. Tonight's invocation will be given by Ward 9 Council Member, Frank Morris. If you would all please stand and remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on February 25, 2019 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 9 Council Member, Frank Morris. 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 2nd Reading Ordinances 4 and 5 to this evening's agenda.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to suspend Rule 22A to add 2nd Reading

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Ordinances 4 and 5 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 4 and 5 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM SMITH: We are now under Public Hearings. We have one this evening. Mr. Clerk, would you please announce the Public Hearing.

CLERK DOUGHERTY: AN ORDINANCE AMENDING CHAPTER 1131, DEFINITIONS OF TITLE SEVEN, INTERPRETATION OF REGULATIONS AND CHAPTER 1187, SIGNS, OF TITLE TWENTY-ONE, SITE DESIGN REQUIREMENTS OF PART ELEVEN, PLANNING & ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON; PLANNING COMMISSION RECOMMENDED APPROVAL.

PRESIDENT PRO TEM SMITH: Is there anyone in the audience wishing to speak for or against this Zone Change...if so, please step forward. I must repeat this again...Is there is 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.

OLD BUSINESS

PRESIDENT PRO TEM SMITH: We are now under Old Business. Deputy Mayor, is there any Old Business? There is none.

PUBLIC SPEAKS

PRESIDENT PRO TEM SMITH: We are now under Public Speaks and we have one speaker tonight, Ms. is Renee Pilone. Could you please step forward and give us your name and residential address, please.

RENEE PILONE: My name is Renee Pilone and I own 1224 19th St. NE. I appreciate the opportunity today to speak again about Airbnb. It has now been over a year since I received a cease and desist letter in the mail saying that I was violating the zoning code by renting out my single family home in an R1 District. It also said that I needed to pay lodging tax on my rentals, despite the fact that the Council would not vote on whether to levy lodging taxes on Airbnb's and short-term rentals for another four months. The last year and this prohibition has meant thousands of dollars in lost rental income for me; lost income tax for the city; changed vacation plans for dozens of families and lost lodging taxes that this Council voted to levy. First Thessalonians says, "Examine all things, hold fast to what is good." Good things are happening here in Canton. The expansion of the Hall of Fame; the downtown Arts District; music festivals...all of these bring people to town and support further redevelopment. The prohibition on short-term rentals is hurting those good efforts. Imagine if other tourism destinations did the same thing. Imagine if Myrtle Beach outlawed vacation houses. How absurd that would seem. How self-defeating. All of that lost revenue and vacationers instead choosing to stay in Hilton Head or the Outer Banks. That's exactly what's happening here. Tourists and other people with short-term rental needs are forced to stay in North Canton or Jackson Township.

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Council should want some of these visitors to stay in Airbnb's in Canton. Data shows that Airbnb attracts new visitors who stay twice as long as traditional tourists, spend more on local businesses and are more likely to be returned guests to our city, as a result of their experience. In addition, this city is getting a reputation as only being good as a brief stop instead of a destination. See the Hall and then return to Cleveland or other areas to stay. We are losing out. I understand that homeowners 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. Hold fast to the good things happening here and re-examine Airbnb's before the tourism season, this summer. Thank you.

PRESIDENT PRO TEM SMITH: Thank you so very much.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM SMITH: We are now under Informal Resolutions and we have none 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 FEBRUARY 25, 2019.

56. AUDITOR MALLONN: REQ RE-ISSUANCE AND SALE OF REVITALIZATION ANTICIPATORY NOTE IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$650,000.00 FOR DEMO OF DETERIORATING STRUCTURES AND IMPROVEMENT OF THOSE SITES. - FINANCE COMMITTEE
57. AUDITOR MALLONN: REQ RE-ISSUANCE AND SALE OF ECONOMIC DEVELOPMENT REVENUE BOND ANTICIPATION NOTE IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$4,250,000.00 TO PAY OFF CURRENT ECONOMIC DEVELOPMENT REVENUE BOND ANTICIPATION NOTE. - FINANCE COMMITTEE
58. AUDITOR MALLONN: REQ RE-ISSUANCE AND SALE OF GENERAL OBLIGATION BUILDING IMPROVEMENT BOND ANTICIPATION NOTE IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$3,500,000.00 TO PAY OFF CURRENT GENERAL OBLIGATION BUILDING IMPROVEMENT BOND ANTICIPATION NOTE. - FINANCE COMMITTEE
59. AUDITOR MALLONN: REQ RE-ISSUANCE AND SALE OF GENERAL OBLIGATION JUDGMENT BOND ANTICIPATION NOTE IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$900,000.00 TO PAY OFF CURRENT GENERAL OBLIGATION JUDGMENT BOND ANTICIPATION NOTE. - FINANCE COMMITTEE
60. AUDITOR MALLONN: REQ RE-ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTE IN MAX AGGREGATE PRINCIPAL AMT NOT TO EXCEED \$1,700,000.00 FOR OPERATION OF HERCULES REDEVELOPMENT PROJECT. - FINANCE COMMITTEE

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61. LIQUOR CONTROL DIV (OHIO): REQ NEW D1, D3 PERMIT FOR FACTORY OF TERROR LLC @ 4125 MAHONING RD NE (WARD 6). - RECEIVED & FILED
62. LIQUOR CONTROL DIV (OHIO): REQ TRF FROM R BAR & GRILL LLC, DBA R BAR AND GRILL @ 1117 WERTZ AVE NW & PATIO TO R BAR & GRILL LLC, DBA R BAR AND GRILL @ 918 CHERRY AVE NE (WARD 2). - RECEIVED & FILED
63. PLANNING COMMISSION: AUTHORIZE ZONE CHANGE AT 2707 W TUSC ST, PARCELS #245723, 224730, 215034, 233875 & 229559 FROM B-3 (GENERAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) FOR MICHAEL C. RANDAZZO FOR MANNED AUTOMATED CAR WASH FACILITY (WARD 3). - JUDICIARY COMMITTEE
PUB HRG 4/8/19 @ 7:00 PM
64. PLANNING COMMISSION: AUTHORIZE ZONE CHANGE AT 2725 MARET PL NE, PARCEL #10004524, FROM B-3 (GENERAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS) FOR J&S PROPERTY ACQUISITIONS LLC FOR CONTINUED MULTI-TENANT RETAIL, RESTAURANT AND INTERIOR CLIMATE CONTROLLED SELF-STORAGE (WARD 6). - JUDICIARY COMMITTEE
PUB HRG 4/8/19 @ 7:01 PM
65. SAFETY DIRECTOR PERRY: REQ APPROVAL OF PROFESSIONAL SERVICE AGMTS AUTHORIZING CITY TO CONTRACT WITH MR. JOHN DODOVICH, ARCHITECT, TO SERVE AS CITY OF CANTON CHIEF BUILDING OFFICIAL AND WITH MR. RITO ALVAREZ TO PROVIDE PLANS EXAMINATION SERVICES. - FINANCE AND PERSONNEL COMMITTEES
66. SAFETY DIRECTOR PERRY: AMEND BARGAINING UNIT CLASSIFICATION PLAN TO INCREASE NUMBER OF EMPLOYEES ALLOWED IN ADMIN CLERK CLASSIFICATION FR (1) TO (2) (NEW HIRE FOR MOWING PROG). - PERSONNEL COMMITTEE
67. SAFETY DIRECTOR PERRY: REQ THAT TRAFFIC ENFORCEMENT POSITIONS BE MOVED FR ENGINEERING DEPT TO POLICE DEPT PER ATTACHED CLASSIFICATION PLAN. - PERSONNEL COMMITTEE
68. SAFETY DIRECTOR PERRY: AUTHORIZE AND DIRECT AUDITOR TO PAY \$5,120.55 MORAL OB TO KEMPTHORN MOTORS, INC. FOR REPAIR OF PATROL CAR #97. - FINANCE COMMITTEE
69. SERVICE DIRECTOR HIGHMAN: RECOMMEND NO SANITATION RATE INCREASE AT THIS TIME (PER CANTON CODIFIED ORD 975.08). - RECEIVED & FILED
70. SERVICE DIRECTOR HIGHMAN: RECOMMEND SEWER RATE INCREASE OF 5.5% (PER CANTON CODIFIED ORD 947.06). - RECEIVED & FILED
71. SERVICE DIRECTOR HIGHMAN, SAFETY DIRECTOR PERRY: AMEND CANTON CODIFIED

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ORD CHAPTER 551 TO ALLOW EITHER SERV DIR OR SAF DIR TO OVERSEE AND ENFORCE ALL APPLICABLE PROVISIONS OF SAID CHAPTER (MOWING PROG RELOCATION TO BLDG/CODE). - JUDICIARY COMMITTEE

72. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROFESSIONAL SERVICES CONTRACT WITH THE THRASHER GROUP FOR DESIGN OF FINAL SITE PLAN FOR CANTON WATER DEPT'S DISTRIBUTION SHOP; REQ \$65,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207059 WATER SHOP IMPROVEMENTS - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
73. SERVICE DIRECTOR HIGHMAN: AMEND ANY AND ALL CANTON CODIFIED ORD RELATED TO ENFORCEMENT AND COLLECTION OF FEES RELATED TO NUISANCES (PRIMARILY MOWING OF HIGH GRASS) TO INCLUDE COLLECTION THROUGH THIRD PARTY FIRM; AMENDS ANY AND ALL CANTON CODIFIED ORD RELATED TO ENFORCEMENT AND COLLECTION OF SEWER FEES TO INCLUDE COLLECTION THROUGH THIRD PARTY FIRM; AMEND ANY AND ALL CANTON CODIFIED ORD RELATED TO ENFORCEMENT AND COLLECTION OF FEES RELATED TO SANITATION TO INCLUDE COLLECTION THROUGH THIRD PARTY FIRM; AMEND ANY AND ALL APPLICABLE SECS OF CANTON CODIFIED ORD TO ALLOW FOR COLLECTION OF ANY FEES, TO INCLUDE BUT NOT LIMITED TO, COURT COSTS, ATTY'S FEES, LITIGATION EXPENSES, ETC ASSOCIATED WITH COLLECTION PROCESS. - JUDICIARY COMMITTEE
74. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR JAN 2019. - RECEIVED & FILED
75. TREASURER PEREZ: RPT OF DEPOSITS AND PAY-INS MADE TO AMBULANCE LOCK BOX FOR JAN 2019. - RECEIVED & FILED
76. TREASURER PEREZ: RPT OF 1/31/19 BANK REC AND OUTSTANDING INVESTMENTS AS OF 1/31/19. - RECEIVED & FILED
77. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 1/31/19. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

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

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

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- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DEPUTY MAYOR TO CONTINUE THE CONTRACTUAL AGREEMENT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION TO PROVIDE A GRANT IN A TOTAL AMOUNT NOT TO EXCEED \$50,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance and Community & Economic Development Committees
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ACLARA TECHNOLOGIES, INC. FOR THE UPGRADE TO THE CITY OF CANTON WATER DEPARTMENT'S AUTOMATED METER READING SYSTEM IN AN AMOUNT NOT TO EXCEED \$173,290.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO RESPOND TO THE 1207 6TH ST SW DEMOLITION; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS RESULTING FROM RESPONDING TO THIS EMERGENCY SITUATION; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM SMITH: Thank you. We are now under Ordinances and Formal...

CLERK DOUGHERTY: *(Inaudible)*...I'm sorry...Referred to Finance.

PRESIDENT PRO TEM SMITH: We are now under Ordinances and Formal Resolutions for their Second Reading. Mr. Clerk, begin with Ordinance #4.

NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #4 AND #5 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #4. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO A ONE-YEAR CONTRACT, WITH THE OPTION OF THREE (3) ONE-YEAR RENEWALS AT THE SOLE DISCRETION OF THE CITY, FOR THE EVALUATION OF WATER DISTRIBUTION VALVES; AND DECLARING THE SAME TO BE AN EMERGENCY
- #5. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDERS 4 THROUGH 10

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FOR THE MAHONING RD CORRIDOR PHASE 2, G.P. 1103, PID 90365; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$278,935.41 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PRJ GP 1103 FUND TO 4566 202079 MAHONING ROAD CORRIDOR PROJECT - OTHER; \$236,121.91 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 202079 MAHONING ROAD CORRIDOR PROJECT - OTHER; \$9,253.02 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING (020) TO 5201 202079 MAHONING ROAD CORRIDOR PROJECT - OTHER)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM SMITH: Thank you. We are now under Ordinances and Formal Resolutions for their Third/Final Reading and Vote. Mr. Clerk, please begin with Ordinance #6.

NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #6 THROUGH #12 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#6. (3RD RDG) **ADOPTED AS ORDINANCE NO. 25/2019** AN ORDINANCE AMENDING CHAPTER 1131, DEFINITIONS, OF TITLE SEVEN, INTERPRETATION OF REGULATIONS AND CHAPTER 1187, SIGNS OF TITLE TWENTY-ONE, SITE DESIGN REQUIREMENTS OF PART ELEVEN, PLANNING & ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON **PUB HRG 2/25/19 @ 7:00 PM**

PRESIDENT PRO TEM SMITH: 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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#6 ADOPTED AS ORDINANCE NO. 25/2019

PRESIDENT PRO TEM SMITH: Ordinance #6 has been adopted. Ordinance #7, please.

#7. (3RD RDG) **ADOPTED AS ORDINANCE NO. 26/2019** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$1,343.50 TO ORIANA HOUSE; AND

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DECLARING THE SAME TO BE AN EMERGENCY (MUNI CT, GPS &
ELECTRONIC MONITORING OF DEFENDANTS)

PRESIDENT PRO TEM SMITH: 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. 26/2019

PRESIDENT PRO TEM SMITH: Ordinance #7 has been adopted. Ordinance #8, please.

#8. (3RD RDG) **ADOPTED AS ORDINANCE NO. 27/2019** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 20WT, PUBLIC WORKS WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIV, TECH V CLASS, POSITION #469)

PRESIDENT PRO TEM SMITH: Leader.

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

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#8 ADOPTED AS ORDINANCE NO. 27/2019

PRESIDENT PRO TEM SMITH: Ordinance #8 has been adopted. Ordinance #9, please.

#9. (3RD RDG) **ADOPTED AS ORDINANCE NO. 28/2019** AN ORDINANCE AMENDING

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APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$160,000.00 APPROP TRF FR 1001 204010 OTHER BUILDINGS - PERSONNEL TO 1001 204010 OTHER BUILDINGS - OTHER)

PRESIDENT PRO TEM SMITH: Leader.

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

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#9 ADOPTED AS ORDINANCE NO. 28/2019

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

#10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 29/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS IN AN AMOUNT NOT TO EXCEED \$343,300.00; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$377,600.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207057 PERRY/TUSCARAWAS/WOODLAWN AREA WATER MAIN REPLACEMENT PROJ PHASE I - OTHER)

PRESIDENT PRO TEM SMITH: Leader.

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

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#10 ADOPTED AS ORDINANCE NO. 29/2019

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

#11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 30/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS IN AN AMOUNT NOT TO EXCEED \$128,700.00; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$141,600.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207058 PERRY/TUSCARAWAS/WOODLAWN AREA WATER MAIN REPLACEMENT PROJ PHASE II - OTHER)

PRESIDENT PRO TEM SMITH: Leader.

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

MEMBER MINOR SMITH: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#11 ADOPTED AS ORDINANCE NO. 30/2019

PRESIDENT PRO TEM SMITH: Ordinance #11 has been adopted. Ordinance #12, please.

#12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 31/2019** AN ORDINANCE AUTHORIZING THE WATERLINE CONSTRUCTION ALONG WITH THE US 62 FRONTAGE ROAD; 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?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER MORRIS: Oh, I'm sorry.

PRESIDENT PRO TEM SMITH: That's okay.

MEMBER MORRIS: (*Inaudible*). Somebody else?

PRESIDENT PRO TEM SMITH: CD...

MEMBER MINOR SMITH: Yes, Same time, same place...

PRESIDENT PRO TEM SMITH: What was it? (*Laughs*) He didn't have one.

CLERK DOUGHERTY: March 4th at 6:30.

MEMBER MINOR SMITH: March 4th at 6:30 is plenty of time for...

PRESIDENT PRO TEM SMITH: It is, and that's when Finance will meet.

MEMBER MORRIS: Madam President.

PRESIDENT PRO TEM SMITH: Yes sir.

MEMBER MORRIS: I...I truly apologize. Uh, Finance will meet on March 4th as well.

PRESIDENT PRO TEM SMITH: Thank you so very much.

MISCELLANEOUS BUSINESS

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

MEMBER MORRIS: Madam President.

PRESIDENT PRO TEM SMITH: Yes sir.

MEMBER MORRIS: Okay, ma'am...I...that's what I was doing, I was sending an email regarding a conditional use permit to our Law Department. Let's see if we can get that situation with Airbnb resolved for you. And, I'd like to go on the record to...in memorial of our good friend, Allen Schulman, because if he was here, I know he'd be speaking on this proposed 18 cents per gallon that uh...our new uh...Governor would like to impose on the taxpayers to purchase more orange barrels, to have more

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projects up and down our interstates, being uncompleted for years. Uh, I think that uh, they have pillaged the municipalities enough. They have built up their rainy day fund and it's just another money grab by our wonderful Republicans in Columbus, and I think it's about enough of that crap! Good bless you, Allen, and thank you.

PRESIDENT PRO TEM SMITH: You're so welcome and thank you for that.

MEMBER MINOR SMITH: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER MINOR SMITH: Um, congratulations to you on your...uh...honor...this...over the weekend, from our neighboring jurisdiction. Um...I know that you have been recognized throughout our area, not only for Black History Month, but for everything that you've done for this, uh, community. So, thank you for your continued service and congratulations on your recognition.

PRESIDENT PRO TEM SMITH: Thank you so very much, Corey Minor Smith, I appreciate that. Is there anymore Miscellaneous Business? Okay, speaking on the award the other night, I would just like to thank our uh...Safety Director for being there and I would just like to say, uh...you know...I was honored by the Tigers...Massillon Tigers, but have no fear Bulldogs, I represented you very well! My family and all of us wore the red and black! And...uh...they tried to give me a Tiger T-Shirt and I refused it. Instead, I took two free tickets to Bubba's. So, thank you so very much. And at the end, I did like our Mayor always do, go Bulldogs! At this time we'll have the quote from Clerk Dougherty.

CLERK DOUGHERTY: Thank you, Madam President. I saw this quote by Douglas Adams and thought of Mr. Fonda Williams. *(Inaudible)*.

PRESIDENT PRO TEM SMITH: Could you please repeat that?

CLERK DOUGHERTY: *"I love deadlines. I love the whooshing noise they make as they go by."* - Douglas Adams

PRESIDENT PRO TEM SMITH: Ok. I didn't quite get that but he did say that was especially for Deputy Mayor? Oh, okay. What you didn't hear was, he said, "This was especially for you."

DEPUTY MAYOR WILLIAMS: Of course.

PRESIDENT PRO TEM SMITH: Alright. Thank you for that quote. Leader.

MEMBER BABCOCK: Madam President, I move to adjourn.

MEMBER MINOR SMITH: Second.

PRESIDENT PRO TEM SMITH: It's been properly moved and seconded that the meeting is adjourned. *(Gavel falls)*. Have a good evening....*(Inaudible)*.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven...eleven yeas, Madam President.

PRESIDENT PRO TEM SMITH: *(Laughs)*. Now we are adjourned. *(Laughs)*.

ADJOURNMENT TIME: 7:20 PM

ATTEST: 2/25/19
DAVID R. DOUGHERTY
CLERK OF COUNCIL

APPROVED:
CHRIS SMITH
PRESIDENT PRO TEM