

MINUTES OF THE MEETING APRIL 29, 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, BILL SMUCKLER, GREG HAWK, NATHANIEL CHESTER, JASON SCAGLIONE, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, PETER FERGUSON & FRANK MORRIS)

ELEVEN COUNCIL MEMBERS PRESENT. (PRESIDENT SHERER ABSENT)

CLERK DOUGHERTY: Eleven present, Madam President.

EXCUSING MEMBERS

PRESIDENT PRO TEM SMITH: Leader.

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

MEMBER SMUCKLER: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to excuse President Sherer 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 is excused from this evening's meeting. Tonight's invocation will be given by Ward 6 Council Member, Kevin Hall. If you would all please stand and remain standing for the Pledges of Allegiance.

The regular meeting of Canton City Council was held on April 29, 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 6 Council Member, Kevin Hall. 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 9 through 13 to this evening's agenda.

MEMBER SMUCKLER: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to suspend Rule 22A to add 2nd Reading Ordinances 9 through 13 to this evening's agenda. Are there any remarks? ... Hearing none, roll call vote please.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

PRESIDENT PRO TEM SMITH: The motion carries and Ordinances 9 through 13 are a legal part of this evening's 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 and Deputy Mayor says there is no Old Business.

PUBLIC SPEAKS

PRESIDENT PRO TEM SMITH: We are now under Public Speaks. We have one speaker for tonight. Ms. Erica Watkins, would you please state your name, address.

ERICA WATKINS: Hi. My name is Erica Watkins. I live at 1346 26th Street NW in a ranch style house on two lots. My subject matter is the portion of an alley behind my property has become a dumping spot and needs to be cleaned up and maintained. I became aware of this problem in the fall of 2017. At that time the teenage son of one of the neighbors that lives directly behind me had vandalized my six foot fence. Trying to be neighborly, I talked to the parents, they said they would fix the fence, and once I realized they weren't going to do that I reached out to my neighborhood association, ** Marcie and Marty Zuwacki. (***Unsure of spelling*) They said in order to keep the peace that, if I bought the material, they would take down the old fence and put up a new fence. Well, when Marty started taking down the old fence, I became aware of a horrible amount of stuff that's been dumped behind my property. So Marcie suggested that we take pictures and that I call John Rinaldi. I called him in October, 2017, I left two messages, but I never got a return call. So now we fast forward to April, what brings me here. On April 4th I called 9-1-1 for the fire department because, according to the fire report, it turns out that the neighbor, the father of that son, had been burning three piles of leaves in that little area and caused a fire. So then two weeks later I was home, Monday, April 22nd, and that same father had a peop... a group of people cleaning up the area, the leaves and stuff, and had them dump the stuff out of a big tarp onto my property. You know, I yelled at them, "that's my property", etc. After cussing at me, he had them try to clean it up the best they could. So, the thing is not only are people dumping stuff in that alley behind my house, it's also an area where varmints can... can, you know, be, and it's just not good. It needs to be cleaned up. But anyway, I reported that situation to my Councilman, John Mariol, and to Marcie Zuwacki and... um, I'm sorry, I'm nervous, I'm trying to read this fast within three minutes (*chuckles*). But at the time I thought there was an easement on my property, so I thought let me do some research and because I had told John there was an easement, but that wasn't the truth. So when I started investigating I called the City Law Department and they pointed me to the Stark County Recorder's Office who pointed me to the Stark County Tax Department, and the Stark County Tax Department informed me that the land behind me is actually a ten feet wide undeveloped public alley and that the plat was created in 1909 and that the alley should be maintained by the City. So since this land is owned by the City, I came here to ask if you would help get this situation resolved. Now, before the meeting started, my Councilman came up to me and told me that he talked to Mr. Rinaldi and they're gonna look into it, but it's on the record and I would appreciate if you would look at those pictures and get back with me. I would like an answer

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today. (*Applause*)

PRESIDENT PRO TEM SMITH: Thank you so very much, Ms. Watkins. And I'm quite sure we'll see to it that that area is cleaned up.

ERICA WATKINS: Thank you.

PRESIDENT PRO TEM SMITH: And make you happy.

ERICA WATKINS: Thank you.

PRESIDENT PRO TEM SMITH: You're welcome.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM SMITH: We're now under Informal Resolutions and we have one Informal Resolution this evening. Mr. Clerk, would you please read Informal Resolution #12 by title.

#12. COUNCIL-AS-A-WHOLE: CONGRATULATING THE PHILOMATHEON SOCIETY OF THE BLIND ON THEIR 95TH ANNIVERSARY. - ADOPTED

PRESIDENT PRO TEM SMITH: Leader.

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

MEMBER SMUCKLER: Second.

PRESIDENT PRO TEM SMITH: It's been moved and seconded to adopt Informal Resolution #12. Are there any remarks? ...Hearing none, by voice vote all those in favor signify by saying aye. Those opposed...

NO REMARKS

RESOLUTION #12 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM SMITH: The ayes have it, motion carries, and Resolution #12 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 APRIL 29, 2019.

141. ANNEXATION CHAIRMAN MARIOL: REQ STATEMENT OF SERV FOR TAMSAL & JEL LAUNDRY FULTON DR./BLAKE AVE. NW ANNEXATION (APPROX 1.832 ACRES IN PLAIN TWP); EXPEDITED TYPE 2. - ANNEXATION COMMITTEE

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142. COURT ADMIN KOCHERA: REQ \$8,471.50 APPROP TRF FR PERSONNEL - JUSTICE REINVESTMENT-PRETRIAL GRANT FUND #701001-2799 TO OTHER - JUSTICE REINVESTMENT-PRETRIAL GRANT FUND #701001-2799 (OPERATION OF COURT). - FINANCE COMMITTEE
143. LIQUOR CONTROL DIV (OHIO): NOTICE OF HRG ON TRF OF OWNERSHIP APP ON MAY 16, 2019 @ 11:00 A.M. FOR COMMUNITY CONVENIENCE, LLC DBA DUEBER DRIVE THRU (1037 DUEBER AVE SW, PERMIT #1683832, CLASS C-1-2,). - RECEIVED & FILED
144. SAFETY DIRECTOR PERRY: AMEND O#50/2019; EMERGENCY (\$102,500.00 APPROP TRF FR 2160.202210 MAINTENANCE - OTHER TO 2160.101501 CODE ENFORCEMENT ADMINISTRATION - OTHER) (MOWING PROG - BLDG. CODE DEPT.). - FINANCE COMMITTEE
145. SAFETY DIRECTOR PERRY: AMEND O#50/2019; EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001.103001 FIRE ADMIN - OTHER; \$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 6041 MOTOR VEHICLE DEPT DMV TO 6041.103001 FIRE ADMIN - OTHER) (VEHICLE REPAIR COSTS & SUPPLIES - FIRE DEPT.). - FINANCE COMMITTEE
146. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACTS FOR PURCH AND INSTALLATION OF CUBICLES, WORKSTATIONS AND OTHER FURNISHINGS FOR CORNERSTONE GARAGE TENANT SPACE (UTILITY BILLING) RENO; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS FOR PURCH OF ITEMS IN ACCORD WITH PROCUREMENT PROCESS AUTHORIZED BY ORC OR CANTON COD ORD; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
147. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER 1 AND FINAL WITH CENTRAL ALLIED ENTERPRISES IN AMT NOT TO EXCEED \$84,801.02; RETRO AUTHORIZE ACTIONS TAKEN PRIOR TO FINALIZATION OF CHANGE ORDER TO FACILITATE PROJ AND AUTHORIZE AUDITOR TO PAY MORAL OBS; AMEND O#50/2019 (\$84,801.02 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 202001 ENGINEER - ADMINISTRATION); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (2018 PAVING PROG). - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
148. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR FAIRMOUNT AREA WATER MAIN REPLACEMENT PROJ PHASE I; AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT FOR CONSTRUCTION OVERSIGHT SERVS FOR PROJ; AMEND O#50/2019 (\$2,125,000.00 SUPP APPROP FR

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UNAPPROP BAL OF 5201 WATER FUND TO 5201 207045 FAIRMOUNT AREA PHASE 1 WATER MAIN REPLACEMENT - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (FAIRMOUNT AVE TO 30TH ST. & BALDWIN AVE TO FLETCHER AVE.). - ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE 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 #8 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$21,769.00 APPROP TRF FR 2767 701001 MISDEMEANOR JAIL DIVERSION GRANT - OTHER TO 2767 701001 MISDEMEANOR JAIL DIVERSION GRANT - PERSONNEL)
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A OF ORDINANCE NO. 69/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (2-YR NON-EXCLUSIVE AGMTS FOR SPECIFIC ADVERTISING ON DORA OFFICIAL CUP)
Referred to Downtown Development & Judiciary Committees
- #3. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 2185 URBAN TIF FUND TO 2185 871001 ONESTO TIF - OTHER - \$30,000.00, TO 2185 871002 INNOVATION DISTRICT TIF - OTHER - \$30,000.00; \$60,000.00 APPROP TRF FR 2185 501001 MAYOR ADMIN - OTHER TO 2185 871001 ONESTO TIF - OTHER - \$30,000.00, TO 2185 871002 INNOVATION DISTRICT TIF - OTHER - \$30,000.00)
Referred to Finance and Community & Economic Development Committees
- #4. (1ST RDG) AN ORDINANCE CHANGING THE NAME OF "MARKET SQUARE" TO "CENTENNIAL PLAZA"; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO ANY AND ALL CONTRACT AMENDMENTS WITH MKSK AS NECESSARY FOR THE DESIGN AND CONSTRUCTION OVERSIGHT; ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY AND ALL CONSTRUCTION CONTRACTS NEEDED FOR ALL PHASES OF THE CENTENNIAL PLAZA (MARKET SQUARE) PROJECT; RETROACTIVELY AUTHORIZES ANY AND ALL

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ACTIONS TAKEN PRIOR TO THE COMPLETION OF ALL CONTRACTS AND CONTRACT AMENDMENTS RESULTING FROM THIS ORDINANCE AND PAYING ANY AND ALL MORAL OBLIGATIONS RELATED TO THE SAME; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT ANY AND ALL OUTSIDE FUNDING AND/OR GIFTS RELATED TO THE CENTENNIAL PLAZA (MARKET SQUARE) PROJECT; AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE PROFESSIONAL FOOTBALL HALL OF FAME MUSEUM FOR PROGRAMMING, ETC.; AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$7,409,000.00 SUPP APPROP FR UNAPPROP BAL OF 2175 COMPREHENSIVE PLAN FUND TO 2175 200501 GENERAL GOV'T ADMIN - OTHER)

Referred to Finance and Downtown Development Committees

- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER NO. 9 WITH THE BEAVER EXCAVATING COMPANY IN AN AMOUNT NOT TO EXCEED \$109,682.88 FOR THE 12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$109,682.88 SUPP APPROP FR UNAPPROP BAL OF 4581 12TH ST. NW BRIDG REP STR PROJ FUND TO 4581 202091 12TH ST NW BRIDGE REPL GP 1160 - OTHER)

Referred to Finance and Public Property Capital Improvement Committees

- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$2,778 TO DIANO SUPPLY COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY (READY MIX CONCRETE)

Referred to Finance Committee

- #7. (1ST RDG) AN ORDINANCE RETROACTIVELY AUTHORIZING ANY ACTIONS TAKEN PRIOR TO THE ISSUING OF NEW PURCHASE ORDERS FOR OHIO POWER COMPANY (AEP), AT&T, THE EAST OHIO GAS COMPANY DBA DOMINION ENERGY OHIO (DEO) AND CHARTER COMMUNICATIONS (SPECTRUM) TO FACILITATE THE MAHONING RD CORRIDOR PROJECT, PHASE 2, GP 1103, PID 90365 AND AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THE SAME; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: EXTEND A WATER MAIN ALONG WOODLAND STREET SW IN THE VILLAGE OF HARTVILLE; ENTER INTO

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AGREEMENT FOR ANY AND ALL NECESSARY AGREEMENTS, INCLUDING EASEMENT AGREEMENTS, AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH CT CONSULTANTS, INC. FOR DESIGN OF THE WOODLAND STREET SW WATER MAIN EXTENSION PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$27,390.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207062 WOODLAND STREET SW WATER MAIN EXTENSION FUND - OTHER)

Referred to Environmental & Public Utilities and Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM SMITH: We are now under Ordinances and Formal Resolutions for their Second Reading. Mr. Clerk, please begin with Ordinance #9.

NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #9 THROUGH #13 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #9. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 37672 AND PART OF OUT LOT 1409; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 304506, 10010416 & 10010429 @ 3112 CLEVELAND AVE NW FOR DEVILLE DEV LLC, WARD 7)
- #10. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF OUT LOT 1283 AND PART OF OUT LOT 1284; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 223650, 400885 & 10010995 @ 1901 STEINWAY BLVD SE FOR STEINWAY ASSOC LLC, WARD 4)
- #11. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 24701 THROUGH 24709 AND PARTS OF LOTS 24710 AND 24711; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 204119, 284418, 284419, 284420, 284421, 284422, 285453, 285454 & 285478 @ 413 CORNELIA AVE NE FOR UNION BAPTIST CHURCH, WARD 4)
- #12. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 50/2019 AND DECLARING THE SAME TO BE AN EMERGENCY (\$25,000.00 APPROP TRF FR 1001 102001 POLICE ADMIN - PERSONNEL TO 1001 102001 POLICE ADMIN - OTHER) (GRANTS ADMIN FOR POLICE DEPT)
- #13. (2ND RDG) AN ORDINANCE AMENDING SECTION 339.02 USE OF LOCAL STREETS; LOCAL PERMIT AND CONDITIONS OF CHAPTER 339,

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COMMERCIAL HEAVY VEHICLES OF THE TRAFFIC CODE

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 #14.

NOTE: PRESIDENT PRO TEM SMITH CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #14 THROUGH #18 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 74/2019** AN ORDINANCE AMENDING SECTIONS 551.05, PROCEDURE AFTER FAILURE TO COMPLY, OF THE GENERAL OFFENSES CODE AND 947.09, PAYMENT, OF CHAPTER 947 SEWER RATES; AMENDING CHAPTER 975, SOLID WASTE MANAGEMENT SYSTEM

PRESIDENT PRO TEM SMITH: Leader.

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

MEMBER SMUCKLER: 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. 74/2019

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

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 75/2019** AN ORDINANCE AUTHORIZING THE AUDITOR TO ENTER INTO A RENEWAL OF THE MAINTENANCE AND SUPPORT AGREEMENT WITH TYLER TECHNOLOGIES EFFECTIVE APRIL 1, 2019 WITH A TERM EFFECTIVE FOR ONE YEAR WHICH WILL RENEW AUTOMATICALLY FOR ADDITIONAL ONE YEAR TERMS UNLESS TERMINATED BY EITHER PARTY AT A COST OF \$80,000 WITH AN ANNUAL INCREASE OF NO MORE THAN 4% PER YEAR FOR YEARS SIX THROUGH TEN; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS FOR SAID AGREEMENT RESULTING PRIOR TO THE PASSAGE OF THIS ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM SMITH: Leader.

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

MEMBER SMUCKLER: 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

CLERK DOUGHERTY: Eleven yeas, Madam President.

#15 ADOPTED AS ORDINANCE NO. 75/2019

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

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 76/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT AMENDMENT NUMBER 2 WITH STEP CG, LLC IN AN APPROXIMATE AMOUNT OF \$11,644.81 FOR THE CITY PHONE UPGRADE; RETROACTIVELY AUTHORIZES ANY AND ALL ACTIONS TAKEN RELATED TO SAID CONTRACT AMENDMENT PRIOR TO THE FINALIZATION OF THE CONTRACT RESULTING FROM THIS ORDINANCE; AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$11,644.81 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206005 OPERATION AND MAINTENANCE - OTHER)

PRESIDENT PRO TEM SMITH: Leader.

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

MEMBER SMUCKLER: 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. 76/2019

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

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 77/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE BUILDING OF A NEW PARKING

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LOT, NEW ACCESS ROAD, GRADING, STORM SEWER AND WETLAND MITIGATION OF THE CANTON WATER DEPARTMENT'S DISTRIBUTION FACILITY; AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$761,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207059 WATER SHOP IMPROVEMENTS - OTHER)

PRESIDENT PRO TEM SMITH: Leader.

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

MEMBER SMUCKLER: 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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#17 ADOPTED AS ORDINANCE NO. 77/2019

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

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 78/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ONE OR MORE PROFESSIONAL SERVICES CONTRACTS AND/OR AMENDMENTS WITH BLACK, MCCUSKEY, SOUERS & ARBAUGH LPA FOR LEGAL MATTERS RELATED TO THE 38TH STREET NW WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJECT; RETROACTIVELY AUTHORIZES ANY ACTIONS TAKEN RELATED TO SAID LEGAL SERVICES PRIOR TO THE FINALIZATION OF THE CONTRACT RESULTING FROM THIS ORDINANCE; AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$25,000.00 INTRA-FUND APPROP TRF FR 4501 207037 38TH ST NW IMPROV PROJ - OTHER TO 4501 202001 ENGINEERING ADMIN - OTHER)

PRESIDENT PRO TEM SMITH: Leader.

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

MEMBER SMUCKLER: 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.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Madam President.

#18 ADOPTED AS ORDINANCE NO. 78/2019

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

CLERK DOUGHERTY: Mr. Pres... Mrs. President.

PRESIDENT PRO TEM SMITH: Yes. Mr. Clerk.

CLERK DOUGHERTY: Yes, we're gonna have Committee Meetings. We don't meet next week, so it's the 13th at 5... starting at 5:30. Treasurer's Office has a presentation from Huntington Bank.

MEMBER MORRIS: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER MORRIS: Finance will meet same time, same place.

PRESIDENT PRO TEM SMITH: For the record, CD will also meet same time, same place.

MEMBER FISHER: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER FISHER: Environmental & Public Utilities, same time, same place.

PRESIDENT PRO TEM SMITH: Thank you.

MEMBER CHESTER: Ma... Madam President. Uh, Downtown Development, same time, same place.

PRESIDENT PRO TEM SMITH: Thank you.

MEMBER SCAGLIONE: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER SCAGLIONE: Public Property Capital Improvement, same time, same place.

PRESIDENT PRO TEM SMITH: Thank you.

MEMBER MARIOL: Judiciary, same time, same place.

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MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM SMITH: We are now under Miscellaneous Business. (*Voices heard in the background*) Is there any Miscellaneous Business? Do we have a private meeting going on over there? (*Inaudible voice*) Okay. (*Laughter*)

PRESIDENT PRO TEM SMITH: Yes, Mister...

MEMBER MARIOL: Madam President.

PRESIDENT PRO TEM SMITH: Yes.

MEMBER MARIOL: Maybe I'm missing something, but I... I don't see Judiciary on here on first reading.

PRESIDENT PRO TEM SMITH: Hold on one minute.

MEMBER MARIOL: Yeah. (*Inaudible voices*)

PRESIDENT PRO TEM SMITH: Okay. We're now under Miscellaneous Business. Is there any Miscellaneous Business? Okay. I would like to ask the students that's in the audience if you could please stand and let us know what school you are from. Okay, who's the spokesperson?

UNIDENTIFIED VOICE: I believe we're all from Jackson High School. Any objections?

PRESIDENT PRO TEM SMITH: Everybody from Jackson?

UNIDENTIFIED VOICES: Yeah, yes.

PRESIDENT PRO TEM SMITH: Okay, let's give Jackson High School students a great big round of applause. (*Applause*) Thank you so very much. Did you enjoy being here today?

UNIDENTIFIED VOICES: Yes, oh yeah.

PRESIDENT PRO TEM SMITH: Oh, good. I see you made Mr. Babcock a star over there, signing your forms.

UNIDENTIFIED VOICE: Babcock to you is a Hancock. (*Laughter*)

PRESIDENT PRO TEM SMITH: Ohhh! I like that, I like that. Okay. Mr. Babcock, uh-huh. Alright. But thank you so very much for being here. We hope that you learned something, and do come back. Thank you.

MEMBER BABCOCK: Madam President, they were suppose... they were supposed to be here in January. They only got two more weeks of school. This was their last (*inaudible*). (*Laughter*)

PRESIDENT PRO TEM SMITH: See, he told on you all. See what? And you all did good by him.

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Well, thank you so very much once again for being here. Okay, is there anymore Miscellaneous Business? If not, we will hear from Clerk Dougherty for our quote of the week.

CLERK DOUGHERTY: *“The only reason some people get lost in thought is because it’s unfamiliar territory.”* - Paul Fix *(Laughter)*

PRESIDENT PRO TEM SMITH: Okay. That makes sense. Leader.

MEMBER BABCOCK: Madam President, I move to adjourn.

MEMBER SMUCKLER: 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)*. This meeting is adjourned. Have a good evening.

ADJOURNMENT TIME: 7:20 PM

ATTEST: 4/30/19

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

CHRIS SMITH
PRESIDENT PRO TEM