

**MINUTES OF THE MEETING SEPTEMBER 26, 2016**

PRESIDENT SCHULMAN: Good evening, ladies and gentlemen. Welcome to Canton City Council. This is a big night for our country, and so I'd like to get moving, trying to get through the business that we have before the debate tonight at 9:00. So, with a roll call...a quorum being present, the Chair calls this meeting of Canton City Council to Order. Roll call vote, please.

*ROLL CALL TAKEN BY CLERK SHOWES:*

12 COUNCIL MEMBERS PRESENT: (FRANK MORRIS, CHRIS SMITH, JAMES BABCOCK, TOM HARMON, BILL SMUCKLER, GREG HAWK, THOMAS WEST, JASON SCAGLIONE, ROBERT FISHER, DAVID DOUGHERTY, JOHN MARIOL & EDMOND MACK)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT SCHULMAN: Thank you. We'll have our invocation given tonight by my good friend and Member of...Member-At-Large, Bill Smuckler. If you'll all stand and remain standing please, for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on September 26, 2016 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Kellen Showes. The invocation was given by Council-At-Large Member, Bill Smuckler. The Pledge of Allegiance was led by President Schulman.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: Thank you, Member Smuckler. We now turn to Agenda Corrections and Changes. Leader.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2<sup>nd</sup> Readings Ordinances #11 through and include #22.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to amend...it's been moved and seconded to suspend Rule 22A to add 2<sup>nd</sup> Reading Ordinances 11 through 22 to this evening's agenda. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT SCHULMAN: Thank you. Rule 22A is suspended.

**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: We now turn to Public Hearings. We have none this evening.

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PRESIDENT SCHULMAN: Turning to Old Business. We have no Old Business this evening.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: Turning now to Public Speaks. We have two speakers this evening. We have our *(Inaudible)*. Our first is Mr. Parker.

JAMES PARKER: How do you do?

PRESIDENT SCHULMAN: Good evening.

JAMES PARKER: Good evening, President Schulman.

PRESIDENT SCHULMAN: If you'll give us your name and your residential address, please.

JAMES PARKER: Yes, sir. Good evening. Thank you Council President, Allen Schulman. First off, I'm not here to go all Trump/Clinton on anyone...

PRESIDENT SCHULMAN: We need your name and your resi....

JAMES PARKER: ...here...James Parker, 630 Penny St. SE, North Canton. Thank you President Schulman. First of all, I'm not here to go all Trump/Clinton on anyone here. That is reserved for 9:00 tonight. Five years ago I was invited into Alan Page Drive SE, after the Alan Page sub-designation within the MLK Corridor was turned down by yours truly's. So, well, Council President...Council...rather...Member West and Smith, you know, after several requests. That was to make a difference. After being denied that simple justice, Alan Page Way sub-designation within the MLK Corridor, at that time I explained to them after they invited me into Alan Page Way, not to expect weak ideas, and that I would want a yes on something. I would identify a need and address it. The deplorable playground was chosen as a top priority by Paul Martin and myself. I feel put off to say the least. Over and out, like the residents and children who live along Alan Page Drive, after five years of futility. We were even told there is a playground fund set up to address the situation. Untrue. Last week Majority Leader Frank Morris, speaking as a surrogate for Chris Smith, said that for me to talk to Parks and Rec, and that this body does not get involved in private property. With all due respect, I have done what Council Majority Leader Frank Morris has told me, and on Tuesday, October 12<sup>th</sup> at 5:00, I'll be at the next Park's Commission meeting, after being invited there for a meeting with Sam Sliman. However, the remark about not being involved in private property...why didn't you correct him, President Schulman? The most glaring examples, the Onesto/Bliss Project, \$2 million. Hall of Fame Village, \$5 million, etcetera. *(Inaudible)*. Condemned home...*(Inaudible)*. You have three minutes to address me after I am done talking. I wish you would ask questions and do so, once in a while. Hall of Fame Village, \$5 million, etcetera. Condemned home properties, demos, zoning ordinance, code enforcement, the list goes on and on. Don't try to see me a pig-in-a-poke. Oh yeah, 2<sup>nd</sup> Reading, article number fifteen, purchase real property, let's be real here. So, how can I get attention to this matter? How? Cats, feral cats. I'm going to get a couple bags of 'em and take them down there, take some pictures how the playground is unsafe for cats to play in. I might even juggle 'em and we'll get some real responses. Something tells me Dillinger didn't have a good playground. Why did he rob the banks? "Because that's where they keep the money", he said. Cops and robbers is probably what he played. No...nor most likely did the juveniles that were recently on a crime spree a few weeks ago...raping, plundering, and pillaging a woman who never bothered anyone, that worked at the home

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health aid place...play. Childhood free time is essential to good mental health. Lets value the youth before they don't value us, the old folks. Like the debates tonight will reveal, we leadership that is out front and up front.

PRESIDENT SCHULMAN: Okay, thank you very much. Your time is up, I'm sorry. I'll give you a couple more seconds if you like. I kind of interrupted you.

JAMES PARKER: Okay. That acknowledges the issues that chose leadership...I'm on my end...that does not fail who they represent. It comes down to values, or better yet, undervalues. The black male is the most undervalued member of society...black youth, black men in prisons. Or worse, getting murdered on the streets. I understand Chris Smith lost a son that way. How...there's nothing worse, nor more tragic. Seventy percent of black people murdered...of people murdered are black. It's my understanding...

MEMBER SMITH: Okay, President Schulman, he is definitely out of order.

PRESIDENT SCHULMAN: Yes, he is.

MEMBER SMITH: Yeah, he done took that too far.

PRESIDENT SCHULMAN: I absolutely agree...

JAMES PARKER: That's the truth and it only hurts when it should...

PRESIDENT SCHULMAN: *(Gavel falls)*...

MEMBER SMITH: Right, that's why we'll take it up after this.

PRESIDENT SCHULMAN: Let's try to be respectful please, if you will. Our next speaker is Jonathan Bailey. Mr. Bailey, welcome as always. If you'll come up and give us your name and your residential address.

JONATHAN BAILEY: 830 Cherry Ave., Canton, Ohio, and I will start off with a long overdue for thank you to all this *(Inaudible)* body. I have been neglecting to say that, really. Thanks for the information I got from you guys from coming here. I know what I do is one hundred percent legal, and that is such a good feeling to know that you're doing everything the right way. And, I'm coming here today 'cause I got another idea and I really think you guys should know before I do it. I can put a really slick edge on a knife. I can make a knife so sharp you can shave with it. And I found out there's people charging a \$1.75 an inch to sharpen knives for these businesses. I can do that same thing right here. They don't have to ship 'em out and wait for them to come back. I have those kind of skills. I can put a showcase edge on it if you want, that's gonna cost you extra. How do I do that without getting shot or arrested...or? Because there's people running around with knives in malls stabbing people now. We got to take that into effect. That's why I decided to bring it here because of that. This is a new world. How do I...is this an okay thing to do? Is this...we've already talked. We think it's legal. Nothing? You can...

PRESIDENT SCHULMAN: We'll talk to you afterwards.

JONATHAN BAILEY: Afterwards?

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PRESIDENT SCHULMAN: Sure.

JONATHAN BAILEY: And, I guess I'll just...cause that was it. I have no other information...

PRESIDENT SCHULMAN: Okay.

JONATHAN BAILEY:...that I can bring to the City Council. Thank you for keeping me legal. Thank you very much.

PRESIDENT SCHULMAN: Thank you very much. Have a good week. *(Inaudible)*.

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: We are now under Informal Resolutions and we have one this evening. Mr. Clerk, would you please read informal Resolution 58.

#58. COUNCIL-AS-A-WHOLE: SUPPORTING ISSUE 51, SARTA'S SALES TAX RENEWAL. -  
ADOPT

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #58.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution #58. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #58 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Resolution #58 has been adapted...adopted.

**COMMUNICATIONS**

PRESIDENT SCHULMAN: We're 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 SEPTEMBER 26, 2016.***

351. MAYOR BERNABEI: REQ AUTHORIZATION TO APPT TOM HARMON TO JACKSON-CANTON JOINT ECONOMIC DEVELOPMENT DISTRICT BD OF DIRECTORS. - PERSONNEL COMMITTEE

352. MAYOR BERNABEI: ADVISING OF ISSUANCE OF EXECUTIVE ORDER 2016-002,

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“MAYOR’S COMMUNITY RELATIONS COMMISSION”. - RECEIVED & FILED

353. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO RECEIVE AND APPROPRIATE IMPAIRED DRIVING ENFORCEMENT PROGRAM (IDEP) GRANT IN AMT OF \$26,049.00 FR OH DEPT OF PUBLIC SAFETY, GRANT #IDEP-2017-76-00-00-00392-00; AUTHORIZE AUDITOR TO CREATE FUND IN WHICH TO PLACE GRANT MONEY UPON RECEIPT FR OH DEPT OF PUBLIC SAFETY FOR USE BY POLICE DEPT. - FINANCE COMMITTEE
354. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO RECEIVE AND APPROPRIATE SELECTIVE TRAFFIC ENFORCEMENT PROGRAM (STEP) GRANT IN AMT OF \$17,366.00 FR OH DEPT OF PUBLIC SAFETY, GRANT #STEP-2017-76-00-00-00478-00; AUTHORIZE AUDITOR TO CREATE FUND IN WHICH TO PLACE GRANT MONEY UPON RECEIPT FR OH DEPT OF PUBLIC SAFETY FOR USE BY POLICE DEPT. - FINANCE COMMITTEE
355. SERVICE DIRECTOR BARTOS: REQ \$39,225.00 SUPP APPROP FR UNAPPROP BAL OF 4506 INFRASTRUCTURE BOND FUND TO 4506 202001 ENGINEERING ADMINISTRATION - OTHER FOR COMPLETION OF SIDEWALKS AND CURB RAMPS AT GEORGEVIEW ESTATES NO. 3, G.P. 1253. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
356. STARK CO. COMMISSIONERS: REQ ANNEXATION OF 2.797 ACRES IN PLAIN TWP TO CITY OF CANTON (HOF VILLAGE #1). - PLANNING COMMISSION
357. TREASURER PEREZ: REPORT OF AUGUST, 2016 BANK RECONCILIATIONS AND CITY’S OUTSTANDING INVESTMENTS AS OF 9/12/16. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SCHULMAN: Turning now to First Reading Ordinances and Formal Resolutions for the first reading. Mr. Clerk, would you please begin with Ordinance #1.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCES #1 THROUGH #15 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY THE CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATIONS; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 280872, 280873, 284986, 280871, 285060 TO REFUGE OF HOPE)  
Referred to Community & Economic Development Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND

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DECLARING THE SAME TO BE AN EMERGENCY (\$29,607.53 SUPP APPROP FR UNAPPROP BAL OF 2766 MUNICIPAL PROBATION SERVICES FUND TO 2766 701001 MUNICIPAL PROBATION SERVICES - PERSONNEL)

Referred to Finance Committee

- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON REGIONAL CHAMBER OF COMMERCE TO PROVIDE A GRANT IN AN AMOUNT NOT TO EXCEED \$175,000.00 FOR ECONOMIC AND CIVIC DEVELOPMENT OF THE CITY; AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$175,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER)  
Referred to Community & Economic Development and Finance Committees
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$19,000.00 SUPP APPROP FR UNAPPROP BAL OF 2155 CITY PARKING DECK/LOT FUND TO 2155 104040 - PERSONNEL)  
Referred to Finance Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING AND RENUMBERING OF PART OF OUTLOTS 132 AND 133, PART OF LOTS 6203, 6204, 6205, 6206, AND 6207, 33172 AND 39866 AND ALL OF LOTS 17600, 17601, 17602, 17603, 39867, AND 39868; AND DECLARING THE SAME TO BE AN EMERGENCY (NEILSON PROPERTY LTD, 1100 BLOCK MARKET AVE N)  
Referred to Public Safety & Thoroughfares Committee
- #6. (1<sup>ST</sup> RDG) AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEE, TO ENTER INTO AGREEMENTS FOR PURCHASE/ACQUISITION OF PARCELS FOR FEE SIMPLE TAKES, PERMANENT EASEMENTS, AND TEMPORARY EASEMENTS FOR THE 12<sup>TH</sup> ST. NW BRIDGE REPLACEMENT AND STREETScape PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Environmental & Public Utilities and Public Property Capital Improvement Committees
- #7. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO PLAIN TOWNSHIP; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AGREEMENT(S) FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY (LEXINGTON FARMS NORTH NUMBER 2 & 3)  
Referred to Environmental & Public Utilities Committee

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- #8. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) COMBINATION SEWER CLEANER, ONE (1) TANDEM AXLE CAB/CHASSIS, AND ONE (1) DUMP BODY; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY COOPERATIVE PURCHASING AGREEMENTS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (COLLECTION SYSTEMS DEPT)  
Referred to Public Property Capital Improvement Committee

***(COUNCIL RECESSED AT 7:44 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS O#9 RECONVENED AT 7:46 P.M.)***

- #9. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 164/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$132,400.00 SUPP APPROP FR UNAPPROP BAL OF 5701 BUILDING CODE FUND TO 5701 101501 CODE ENFORCEMENT - OTHER - \$60,000.00, TO 5701 101501 CODE ENFORCEMENT - OTHER - \$72,400.00; \$19,000.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARKS OPERATING FUND TO 2530 401060 PARKS ADMIN - OTHER; \$26,000.00 APPROP TRF FR 1001 101501 CODE ENFORCEMENT - OTHER TO 1001 601001 COUNCIL - OTHER - \$5,000.00, TO 1001 852001 TREASURER - PERSONNEL - \$21,000.00)  
Referred to Finance Committee

***(COUNCIL RECESSED AT 7:46 P.M. FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS O#10; RECONVENED AT 7:48 P.M.)***

- #10. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 165/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF TWO (2) FORD ESCAPE SUV'S; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY COOPERATIVE PURCHASING AGREEMENTS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (CODE ENFORCEMENT)  
Referred to Public Property Capital Improvement Committee

PRESIDENT SCHULMAN: And at this time the Chair will declare an in-house recess for the Finance and Public Property Capital Improvement Committees to meet in regard to Ordinances 9 and 10 on your agenda this evening. You are now in recess.

(RECESS)

PRESIDENT SCHULMAN: We're going to reconvene after the recess then. Before we do...before we go onto business, I want to apologize to Member Smith. I didn't care for what was said at the waning moments of the remarks of the speaker, so I apologize to you. I should have cut him off earlier. I didn't realize he was going to go into that area. I found it very offensive, so, I apologize to you. I apologize for it all.

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MEMBER SMITH: Thank you.

PRESIDENT SCHULMAN: You're welcome. Leader.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A on Ordinances #9 and 10. .

MEMBER SMITH. Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinances 9 and 10 back on this evening's agenda. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT SCHULMAN: Thank you. Motion carries and those Ordinances are a legal part of your agenda. Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules for Ordinances #9, and 10.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules on Ordinances 9 and 10. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT SCHULMAN: Motion carries. Leader, you've heard the three readings.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #9.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #9. Any remarks?

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

**#9 ADOPTED AS ORDINANCE NO. 164/2016**

PRESIDENT SCHULMAN: Ordinance 9 is adopted. Leader.

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MEMBER MORRIS: Mr. President, I move we adopt Ordinance #10.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #10. Any remarks under this Ordinance?

MEMBER MORRIS: Mr. President, I move we amend Ordinance #10 per a copy all Council Members have in front of them.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance #10 by virtue of the copy before each Member of Council. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #10, as amended.

MEMBER SMITH: Second.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 10 by substituting the word "small" for the words "Ford Escape" in Section 1 and the caption.*

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 10, as amended. Any remarks?

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

**#10 ADOPTED AS AMENDED AS ORDINANCE NO. 165/2016**

PRESIDENT SCHULMAN: Ordinance 10 is adopt..., as amended, is adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We now turn to Second Readings. Leader. Oh, I'm sorry.

MEMBER MORRIS: Oh, I can do it! *(Laughter)*.

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***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCES #11 THROUGH #22 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCES #20, #21 AND #22 ADOPTED ON 2<sup>ND</sup> READING):***

- #11. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE AND DECLARING THE SAME TO BE EMERGENCY (KEMPTHORN) **PUB HRG 10/3/16 @ 7:30 PM**
- #12. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO AMEND THE I-77/FAIRCREST COOPERATIVE ECONOMIC DEVELOPMENT AGREEMENT TO INCLUDE THE 77 GULLIVERS - 2414 FAIRCREST ST SW ANNEXATION AREA; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,000.00 SUPP APPROP FR UNAPPROP BAL 7506 BUILDING DEPARTMENT STATE ASSESSMENT FUND TO 7506 101501 - OTHER)
- #14. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$5,000.00 SUPP APPROP FR UNAPPROP BAL 2812 EMS TRAINING AND EQUIPMENT FUND TO 2812 103001 SUPPLIES - OTHER)
- #15. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PURCHASE OPTION AGREEMENT WITH GROFFRE INVESTMENTS, LTD. FOR THE SALE AND PURCHASE OR PARCELS OF REAL PROPERTY OWNED BY THE CITY OF CANTON AND ESTABLISHING THE FAIR MARKET VALUE OF SAID PROPERTY PURSUANT TO THE CITY'S LAND REUTILIZATION PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
- #16. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO RECEIVE AND APPROPRIATE THE FIREFIGHTERS SUPPORT FOUNDATION EQUIPMENT GRANT IN THE AMOUNT OF \$4,000.00 TO PURCHASE WATER RESCUE EQUIPMENT OR RELATED EQUIPMENT FOR THE FIRE DEPARTMENT; AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$4,000.00 SUPP APPROP FR UNAPPROP BAL OF 2783 FIRE DONATION FUND TO 2783 103001 SUPPLIES - OTHER)
- #17. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$5,658.70 TO VIEVU, LLC; AND DECLARING THE SAME TO BE AN EMERGENCY

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- #18. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$295,000.00 SUPP APPROP FR UNAPPROP BAL 5201 WATER FUND TO 5201 207001 WATER ADMINISTRATION - OTHER - \$10,000.00, TO 5201 207022 WATER DISTRIBUTION - OTHER - \$285,000.00)
- #19. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER NO. 1 FOR THE EAST SIDE INTERCEPTOR SANITARY SEWER RELOCATION PROJECT, GP 1113, CONSTRUCTION ENGINEERING SERVICES, CONTRACT NO. 2015-75, WITH MICHAEL BAKER JR., INC. IN THE AMOUNT OF \$34,462.71; AUTHORIZING THE CITY AUDITOR TO PAY A MORAL OBLIGATIONS IN AN AMOUNT NOT TO EXCEED \$34,462.71 TO MICHAEL BAKER JR., INC.; AND DECLARING THE SAME TO BE AN EMERGENCY
- #20. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 166/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT AND ENTER INTO THE JOINT ECONOMIC DEVELOPMENT DISTRICT AGREEMENT FOR STOLLE MACHINERY INC. IN JACKSON TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY
- #21. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 167/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$130,500.00 SUPP APPROP FR UNAPPROP BAL 2314 FAMILY HEALTH FUND TO 2316 301001 FAMILY HEALTH - 611 PAYROLL & WAGES - \$80,000.00, TO 2316 301001 FAMILY HEALTH - 621 FRINGES - \$33,000.00, TO 2316 301001 FAMILY HEALTH - 700 OTHER - \$17,500.00)
- #22. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 168/2016** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEE, TO ENTER INTO AGREEMENTS FOR PURCHASE/ACQUISITION OF PARCELS FOR FEE SIMPLE TASKS, PERMANENT EASEMENTS, AND TEMPORARY EASEMENTS FOR THE MAHONING ROAD CORRIDOR PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules for Ordinances 20, 21, and 22.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinances 20, 21, and 22. Any remarks? Hearing none...

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir

PRESIDENT SCHULMAN: Motion carries. Leader, you've heard the three readings.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #20.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 20. Any remarks under this Motion? Hearing none...

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

**#20 ADOPTED AS ORDINANCE NO. 166/2016**

PRESIDENT SCHULMAN: Thank you. Ordinance 20 is adopted. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #21.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #21. Any remarks under this Motion? Hearing none, again roll call vote.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

**#21 ADOPTED AS ORDINANCE NO. 167/2016**

PRESIDENT SCHULMAN: Thank you. Ordinance 21 is adopted. Ordinance 22.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #22.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #22. Any remarks under this Motion?

MEMBER MORRIS: Mr. President, I move we amend Ordinance #22 per a copy that all Council Members have in front of them.

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MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to amend Ordinance #22 by virtue of the copy before each Member of Council. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #22, as amended.

MEMBER SMITH: Second.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 22 by substitution of the attached revised Ordinance and Exhibit A for the original proposed Ordinance and Exhibit A.*

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 22, as amended. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

**#22 ADOPTED AS AMENDED AS ORDINANCE NO. 168/2016**

PRESIDENT SCHULMAN: Motion carries. Ordinance 22, is adopted.

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

PRESIDENT SCHULMAN: We are now under Third Reading Ordinances and Formal Resolutions for their Third/Final Reading and Vote. Mr. Clerk, would you please begin with Ordinance 23.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ THE FOLLOWING ORDINANCES #23 THROUGH #25 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

#23. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 169/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$4,000.00 SUPP TRF FR 1001-701001 70514 JUDGES ADMINISTRATION - OTHER TO 1001-701001 61128 JUDGES ADMINISTRATION-PERSONNEL)

PRESIDENT SCHULMAN: Leader.

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MEMBER MORRIS: Mr. President, I move we adopt Ordinance #23.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 23. Any remarks under this Ordinance? Again, hearing none.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

**#23 ADOPTED AS ORDINANCE NO. 169/2016**

PRESIDENT SCHULMAN: Ordinance 23 is adopted. Ordinance 24, please.

#24. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 170/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$70,000.00 SUPP APPROP FR UNAPPROP BAL 4501 CAPITAL PROJECTS FUND TO 4501-202210 CAPITAL PROJECTS FUND-OTHER)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #24.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 24. Any remarks under this Ordinance? Hearing none...

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

**#24 ADOPTED AS ORDINANCE NO. 170/2016**

PRESIDENT SCHULMAN: Ordinance 24 is adopted. Ordinance 25, please.

#25. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 171/2016** AN ORDINANCE APPROVING AND ACCEPTING THE REPLATTING OF ALL OF LOTS 21320, 21321, 21322 AND PART OF LOT 21323; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY, 1800 BLOCK OF EDWARDS AVE NE)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #25.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 25. Any remarks under this Ordinance?

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, Sir.

**#25 ADOPTED AS ORDINANCE NO. 171/2016**

PRESIDENT SCHULMAN: The motion carries. Ordinance 25 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: We're now turning to Announcement of Committee Meetings.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: Finance will meet October 3<sup>rd</sup> at 6:30...

PRESIDENT SCHULMAN: Thank you.

MEMBER MARIOL:...in Council Chambers.

MEMBER HARMON: Mr. President.

PRESIDENT SCHULMAN: Yes, Chairman Harmon.

MEMBER HARMON: The Environmental & Public Utilities Committee will meet at the same time, 6:30.

PRESIDENT SCHULMAN: Thank you.

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER DOUGHERTY: Public Property Capital Improvement will also meet that evening, at that time.

PRESIDENT SCHULMAN: Thank you, Chairman Dougherty. Anyone else?

MEMBER BABCOCK: Mr. President. Personnel Committee meeting, the same time.

MEMBER SMITH: Mr. President. CD will also meet at the same time.

PRESIDENT SCHULMAN: Anybody else?

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: Turning now to Miscellaneous Business.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes.

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MEMBER WEST: You know, I was offended tonight and it usually doesn't...it takes a lot to get under my skin. But, the speaker tonight who was talking about Chris and I helping him with some kind of...on something within Martin Luther King...we met with this gentleman years ago to do Ralph Hay Way and we followed up with doing the Informal Resolution. I believe it was that week. Got it signed and we got it through Council and it was done. James...this gentleman comes down here and creates a lot of different...he's very creative and he brings a lot of ideas to the city and I appreciate his advocacy, but tonight he got real personal with Member Chris and I think that was totally out of bounds, and Chris has done so much in the 4<sup>th</sup> Ward around recreation and young people. I can name a list of them and she's continuing to work on the project that he's talking about but at the same time he seems relentlessly...coming up here. Member Morris has given him direction and said go to the Parks Department to address this issue, this is not an issue for Canton City Council; however, Chris is working on recreation in that area each and every day. And, I can tell you, there is no stronger advocate for that area around young people, than Chris. So, I was offended tonight, and I take...and I want to talk to him individually, probably not tonight, but I just want this Council to know, and the people to know, that no one fights as hard as Chris for young people and recreational activities in that 4<sup>th</sup> Ward. So, thank you...

PRESIDENT SCHULMAN: Thank you

MEMBER WEST:...I also wanted to say today, also in the 4<sup>th</sup> Ward, I attended the Sarta Ribbon Cutting for the new hydrogen fuel tanks, thank you. I got to tell you, that bus was amazing. We should actually take a ride on that bus because it was just amazing. You couldn't even hear the bus run. They just did a wonderful job and I think they represented the city of Canton very well. Matter of fact, it's cutting edge for the state and I was just amazed so I just wanted to let you all know that's something we should probably plan to do is get on the bus. Not only get on the bus to ride the new buses that are coming down the pike, but to also get on the bus for Issue 51 because that's a levee we definitely gotta get passed, so spread the word to everybody, we gotta pass it November 8<sup>th</sup>. Thank you.

PRESIDENT SCHULMAN: Thank you, Member West. I absolutely agree with what you said. Any other remarks?

SERVICE DIRECTOR BARTOS: Yes, Mr. Chairman. A couple weeks ago, not to hold everybody up, but a couple weeks ago I had a constituent from Member Fisher's Ward contact me on Facebook. She was very appreciative. She told me she had been having a specially hard week and she forgot to put her trash out and she came home to find that despite the fact that she didn't put her trash out to the street, our guys, and in this case, our girl, went and got the trash for her anyway and she was very overcome with emotion and wanted to thank me and asked me to recognize our Sanitation (*Inaudible*) who did this. So I asked Superintendent Parker and the driver that day, on that route, was Shon Moore and Chavriel Ellis and Scott Showalter were base collectors, so, we often times on Facebook see complaints about missed trash or different issues, so it's always good to get a positive complaint and I just wanted to recognize those employees for going above and beyond for a constituent who's having a hard day. (*Applause*).

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER DOUGHERTY: On that note too, as a Councilman you get a lot of complaints about a lot of issues sometime. In my twenty-seven years here, I haven't even got twenty-seven complaints about the Sanitation Department. Just so you know. I don't even think I've even got seven. So, I know Shon Moore and I know what kind of person he is and so, thanks for letting us know that.

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PRESIDENT SCHULMAN: Thank you, Member Dougherty. Any other remarks?

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT SCHULMAN: Yes.

DEPUTY MAYOR WILLIAMS: Speaking of good people, I just wanted to put on the record that the Duke Blue Devils spanked the Irish this weekend. Thank you very much. *(Laughter)*.

PRESIDENT SCHULMAN: I'm sorry, you're talking so close to the...I couldn't understand what you said.

DEPUTY MAYOR WILLIAMS: I'll be glad to repeat it. The Duke Blue Devils spanked the Irish this weekend in football, 38 - 35. Thank you very much. Leader. *(Laughter)*.

MEMBER MORRIS: Well, you now Deputy Mayor, if you could please drive up to North Canton and announce that at their City Council meeting, I'm sure they would really be pleased with that! *(Laughter)*.

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Move to adjourn.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved to adjourn, and seconded.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAY

CLERK SHOWES: Twelve yeas, Sir.

PRESIDENT SCHULMAN: *(Gavel falls)* Meeting is adjourned. Be carefully everybody. Enjoy the debate tonight, I hope you all attend.

ADJOURNMENT TIME: 8:15 P.M.

ATTEST:  
KELLEN SHOWES  
CLERK OF COUNCIL

APPROVED:  
ALLEN SCHULMAN  
PRESIDENT