

MINUTES OF THE MEETING DECEMBER 19, 2016

PRESIDENT SCHULMAN: Good afternoon, ladies and gentleman. Welcome to Canton City Council. We have a number of guest speakers tonight. We have a very full agenda, and with a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call vote please, Mr. Clerk.

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 present, sir.

PRESIDENT SCHULMAN: Thank you very much, Mr. Clerk. We'll have our invocation given tonight you may think by our good friend, Tom Harmon, but I'm gonna introduce Tom and he's gonna introduce our speaker.

MEMBER HARMON: Thank you, Mr. President. Um, I'm gonna defer this evening to our good friend, certainly my good friend, Pastor David Morgan. Pastor.

PRESIDENT SCHULMAN: Pastor Morgan, welcome. If you'll all stand, please, and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on December 19, 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 Pastor D. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you, Member Harmon, for giving us Pastor Morgan. And thank you, Pastor Morgan, very much. We're now under Agenda Corrections and Changes. Leader.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #5 through 10.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add 2nd Reading Ordinances 5 through 10 to this evening's agenda. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT SCHULMAN: Motion carries. Rule 22A is suspended and the Ordinances are a legal part of your agenda.

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PRESIDENT SCHULMAN: We now turn to Public Hearings. We do have one this evening. It is scheduled for 7:30, and it is AN ORDINANCE AMENDING ORDINANCE 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE AND DECLARING THE SAME TO BE AN EMERGENCY. THIS IS LOCATED IN THE 300 BLOCK OF KASPER STREET NE FROM R-1A (SINGLE FAMILY RESIDENTIAL) TO R-3 (GARDEN AND TOWNHOUSE APARTMENT) IN WARD 6, 9TH STREET SW AND CAMDEN STREET SW FROM I-1 (LIGHT...LIGHT INDUSTRIAL TO R-4 MULTI-FAMILY RESIDENTIAL DISTRICT IN WARD 5, AND THE 600 BLOCK OF LINWOOD AVENUE SW FROM R-1 (SINGLE FAMILY RESIDENTIAL) AND B-3 (GENERAL BUSINESS DISTRICT) TO R-4 (MULTI-FAMILY RESIDENTIAL) IN WARD 3. THE PLANNING COMMISSION HAS RECOMMENDED APPROVAL OF THE SAME. Is there anyone in the audience wishing to speak for or against these zone changes, would you please step forward. Again, I have to say is there anyone in the audience wishing to speak for or against these zone changes, will you please step forward. I see no one stepping forward. I declare this matter to be closed, and the results will rest in the hands of Council later this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: We now turn to Old Business. We have no Old Business this evening... or we do? Sorry. We do have Old Business. Deputy Mayor.

DEPUTY MAYOR WILLIAMS: Yes, Mr. President, Members of Council, at the December 12th meeting Council heard from Mr. Williams Jones. Um, Mr. Jones had questioned why a handicap ramp at 1226 Market Avenue North hasn't been completed to date, and our Engineer's here to address that, Dan Moeglin.

ENGINEERING SUPERVISOR MOEGLIN: Good evening, Members. I did a little checking on that ramp. As it was originally designed, the property owner or the business owner was happy with the layout. So our field team worked with the contractor as well as the property owner to relay out an ADA ramp that would be more conducive to what they do at the business, and the property was sa- uh, happy with that. As a result, the railing that had to be placed and was originally in the design didn't fit the new design, so it took a little longer or is taking longer to get it refabricated into a new layout with the railing. The ramp is cast, it's poured in concrete, it's there, but there's no railing on it. Uh, the railing is in fabrication. I do not have an actual date when that will be completed, however I have instructed the contractor to put up temporarily... temporary railing to protect the ramp in the meantime. That's expected to be up by Thursday. So we are taking steps to protect it during the snowy weather.

PRESIDENT SCHULMAN: Thank you. Anything else? Thank you very much. Appreciate it. That concludes Old Business? Correct?

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We now go to Public Speaks. We do have five speakers signed up. Our first is David Baker. Mr. Baker, as always a pleasure to have you here. If you'll step forward though, sir, and give us your name and your residential address, please.

DAVID BAKER: David Baker, 6274 Bertram NW, Canton, Ohio. Um, Mr. Mayor, Mr. President, Mr. Majority Leader, Members of the Council and Staff, I am here today with Stu Lichter, our partner, and several of his team from IRG as well as my executive team from the Pro Football Hall of Fame. Three years ago I came to Canton to call it home. Uh, we had some pretty pictures of what we wanted to do with Hall of Fame

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Village. We had this concept and an idea. Um, today we've raised about two hundred million dollars for Hall of Fame Village. It'll now be called Johnson Controls Hall of Fame Village. That's two hundred million dollars that's coming from outside Canton and Stark County into this county to create these jobs, to create opportunity. And not only is it that kind of opportunity, but I think Councilman Dougherty and Fonda met the other day with Johnson Controls. It's intellectual capital that's coming in, a lot of intellectual capital, to build this as a smart city. The first smart sports and entertainment city in the world. I want you to know that we're committed not only to Hall of Fame Village, but as we demonstrated two weeks ago here in a presentation to you in a committee session, but to the connection between downtown Canton and to Hall of Fame Village. Uh, we just completed a two hundred and fifty thousand dollar study from the State, and I think Market Square is better than ever. And on behalf of our partners, you know, we've committed to make sure that we're responsible for all the infrastructure within the district. We have talked to the Mayor about entering into a development agreement so our responsibilities can be clearly defined, not just now but for the future, and an operations and maintenance agreement that can do the same. And then finally we're prepared to provide all of our leadership and... and every resource we can in any and every way we can to make Market Square a reality and to help downtown be part of this connection. Um, you know the... the great thing about this game that 53 years ago people in Canton here decided to honor and decided to be the guardian for is that you commit to something that's bigger than you. And strangely enough you become more relevant, not less. And then you huddle up, and if everybody's talking in the huddle and if they all got their own agendas, and we all know that the receivers always want the ball, and the offensive linemen are always blocking, but if everybody does their job it becomes excellence, and you overcome that adversity on the other side of the line. And that's what we have right now because this is not only the biggest project in the State of Ohio, but I truly believe because of the values that it stands for, it's gonna be one of the best projects in the United States. And I certainly can promise you that it's gonna be world class. So, we're excited because I think that this is going to lead... I believe this next year in 2017 the draft for 2019 will be awarded, and I can tell you that Canton is at the top of that list. I can also tell you that the Centennial in 2020, which is the year after we want to have this completed, is gonna be one of the greatest days in the history of the NFL. That will not just be Canton's Super Bowl, it'll be Ohio's Super Bowl. When we started this, some of you are familiar with the quote we had from Daniel Burnham. It said to make no small plans because they have no ability to stir men's souls. But if we dare to do great things, our children will do things we never imagined. That's what we're doing. We invite you to do it together. We want to help you on your issues. We want to be a part of the team together. Thank you so much. Appreciate it, sir.

PRESIDENT SCHULMAN: Thank you very much. (*Applause*) As always we appreciate it, Mr. Baker, and with the other gentleman, we do appreciate seeing you here. Uh, our next speaker is John Stone. Mr. Stone, if you'll step forward and give us your name and your residential address, please. And welcome and happy holidays.

JOHN STONE: Thank you. Uh, John Stone, 1220 17th Street NW. And I am honored to follow Mr. Baker and... and the words he speaks about really thinking big and... and believing in our dreams, and that quote in fact was spoken, um I... if I'm correct after the 1893 Chicago World's Fair, right? When Nikola Tesla and Westinghouse first lit that fair with electric light. Um, I mention that because I actually have some connections with Tesla. I have the letter of recommendation from the Nikola Tesla Museum, and when he talks about a smart city, you know, this is the vision that... that I carry and connected to a lot of things. But like he says about working together as a team, you know, we all need to be one team and to believe in connections beyond our awareness sometimes, that, you know, we really need to come together and hear each other to... to realize those links because there are some amazing things that we can tap into and I think there's an incredible story happening in Canton here with everything that... that's coming to... coming to be with the

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football village and, you know, what we expect to bring to Canton. But I think we really need to show the world that we pay attention to it, that we care about the world outside our borders as well if we want to be bringing people into our borders. Um, and so I've given you all a copy of this kind of brief of a vision we have for Nimisilla Park and to make it, you know, a model of the world we want. Uh, I've spoken a bit about that before, but I think it's time that we really need to own this. And we're in a state of transition in the park and we, you know, we can decide whether we have to... whether we're gonna hold onto the old world or plant the new one, and by planting the new one and making a commitment to that, it will, you know, help us to gain media awareness and, you know, attention and really bring a whole new level of philanthropy to our tables I believe. Um, as I said there's a story happening here and I think that we can better use the medium of entertainment to tell our story, and that will help us to achieve all our collective goals here, so... And I understand that this is Thomas West's last night at Council, moving on to the State House, and I just want to express my appreciation for, you know, working with him for so many years. Since 2008 I've been working with him and, you know, toward this vision in Nimisilla Park that we have, and just hope that you'll carry that forward in... um, in the State in representing us and helping us to achieve our goals, and to remember again that Ohio's state motto is with God all things are possible. And just to walk in faith, you know, because I think that it's not hard to understand God's vision. If you look at that mural out here in the lobby, it shows Canton deeply rooted in heaven and connected to everything, right? So if we just, you know, embrace that vision I think it will bring us some great things, but we need to walk in faith it achieve that. So Merry Christmas to all and I hope in the new year that we will all see Canton as the heart of the heartland. And thank you. (*Applause*)

PRESIDENT SCHULMAN: Thank you very much, Mr. Stone, as always. Our next speaker, and I apologize I'm gonna try to do my best with the last name, but it's Amy (*pronounced "Shler-ni-tavee"*)? You'll have to correct me, please. I'm sure I ruined your name.

AMY SCHLERNITZAUER: Hello, I'm Amy Schlernitzaur, 4460 15th Street NW, Canton.

PRESIDENT SCHULMAN: Welcome.

AMY SCHLERNITZAUER: Thank you. Um, I'm here tonight to congratulate my mentor who made history this year. 2016 is ending on a good note deeming the fact that this gentleman here who served the city of Canton and Ward 2 for the past 13 years, I'm sure many of you witnessed all the positive and absolutely dynamic things that occurred in Ward 2 during that time, so congratulations. (*Applause*) But additionally, I... Thomas came to me and offered me the opportunity to assist on the campaign as the field representative. And I did everything from door knocks to phone calls to attending the events and of course the radio ads. Um, through this experience, it's been a once in a lifetime experience. I have met so many people. I really got out... out of my realm. I thought that I knew about Canton, then this year has completely changed my outlook on that, and we have a lot of potential and opportunity here, and I hope that people continue to see that and grow upon it. 49th District is no joke, and I think it's seriously a fundamental part of Stark County, and I think that we all spoke when we made our vote and elected Tom to the 49th District. I know he'll serve us well in the State and I just wanted to congratulate him. He's a great friend and a great mentor. (*Applause*)

PRESIDENT SCHULMAN: Thank you very much. Our next speaker is Joy Bragg. Good evening, welcome. If you'll step forward and give us your name and your residential address, please.

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JODY BRAGG (SPURRIER): Hello, my name is Jody Spurrier and my address is 4521 Packard Avenue, Canton, Ohio 44709.

PRESIDENT SCHULMAN: Did you say your name... what was your name again?

JODY BRAGG (SPURRIER): Bragg is my maiden name.

PRESIDENT SCHULMAN: Okay. Sorry. Thank you.

JODY BRAGG (SPURRIER): So that she put it in, sorry. (*Chuckles*) I just want to first of all step up here and thank each and every one of you guys for the job that you do on a daily basis. Through this year of working with Mr. Thomas West, who I've known for 27 years, I see the work that goes into Canton, Ohio, and it's not an easy job. You guys are looked upon with discrepancies. You guys are looked upon greatness of things that you may do right that people recognize you for, but myself I would like to thank all of you for every opportunity that you gave me this year to be a part of this campaign for Mr. West. Uh, Team West was definitely a non traditional group and we fit well together. We didn't have titles, we just did what come to... that needed done that particular day. In our team we held passion, we held much support from all of you. Um, I did have something written that I'd like to say. Uh, Team West was here to prove that actions definitely speak louder than words. And in our campaign if you recognized any of the... the different fun... our fund raisers and such as that, that we did, they were always passion, pure passion. Um, upon the grace with the principals of hope we had that spirit that we was gonna win and we did win, and we won with making history, and I'm so proud to be a part of Team West. I'm proud to be a part of what's going forth... what's coming in the... for us in the State. (*Chuckles*) I'm sorry. But, you know, with Tom there was a... he had made a comment talking about you can't surround yourself with negativity and expect positive results. With that being said, those that... those... that spoke more so about his heart that he shows on a daily basis regardless if he can help that person or he may not. He directs them where they need to go. Um, you know, Tom West is in the second phase of his... um, where he wanted to be and this is headed to the State, and I'm proud to be a part to be with him and the rest of Team West that's here today. And the thankfulness for his family, and, you know, he gives a lot of his time that he didn't get to see his children in events, but he gave, you know... hopefully everybody appreciates what he did for them in the 13 years that he's been with you and the 27 years in the other. So God bless you, and God bless all of you for everything you do on a daily basis. Thank you. (*Applause*)

PRESIDENT SCHULMAN: Thank you very much. Our last speaker is Leonard Steven. Mr. Steven, good evening, welcome to Canton City Council. If you'll give us your name and your residential address, please.

LEONARD STEVEN: Good evening, Mr. President and Members of the Council. My name is Leonard Stevens, I'm the brother of Jill Wood. My address is 5349 Mosswood Circle NE, Canton, Ohio. I'm the president of the Stark County Minority Business Association, and we currently have about 50 business members, and on behalf of our members I'd like to thank Councilman Thomas West for helping us to establish the Stark County Minority Business Assistance Center located at the Southeast Community Center. Without Councilman West's help we... we would never have been able to get this center up and running. I would also like to thank Councilman West for his help with our Greater Stark County Martin Luther King, Jr. Commission, in helping us to make an impact here in Stark County. Again Councilman West, thanks for all of your help and good luck with all of your future endeavors. Thank you.

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PRESIDENT SCHULMAN: Thank you, Mr. Stevens. (*Applause*) Thank you to all our speakers tonight. We appreciate it.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We're now under Informal Resolutions. Leader, we can get Informal Resolution #69, please.

69. COUNCIL-AS-A-WHOLE: CONGRATULATING BAKER'S CAFÉ '33 ON THEIR SUCCESSFUL RE-OPENING OF A CANTON LANDMARK. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #69.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 69. Any remarks? It's a spectacular restaurant. We are so happy it's back in our community. Want to wish them the very very best. Any other remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #69 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motion carries. Turning to Informal Resolution 69, please. 70, sorry.

70. COUNCIL-AS-A-WHOLE: SUPPORTING THE EHDOC CANTON APARTMENTS CHARITABLE CORPORATION'S HOUSING TAX CREDIT APPLICATION TO THE OHIO HOUSING FINANCE AGENCY. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #70.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution #70. Any remarks?

MEMBER WEST: Yeah, Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER WEST: Yes, I wanted to tell everybody, this is the senior high rise that they... on Market Avenue and 17th. Uh, Member Morris and I met last year with them trying to get this project under way, so they're coming back and I believe they're applying for this grant to see if they can make that a reality. So they need a

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letter of support to make that happen.

PRESIDENT SCHULMAN: Thank you Member West. Any other remarks? By voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #70 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, motion carries, and Informal Resolution 70... 70 is adopted. Informal Resolution 71, please.

71. PERSONNEL COMMITTEE: RECOMMENDATION OF APPOINTMENT OF DAVID R. DOUGHERTY AS CLERK OF COUNCIL. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #71.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that we're adopting Ordinance... I'm sorry, Informal Resolution 71. Any remarks? Well we wish him all the best. We know he's got the brains and the... and the abilities and the caring necessary for this job. So, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #71 PASSED BY MAJORITY VOICE VOTE
(MEMBER DOUGHERTY ABSTAINED)

PRESIDENT SCHULMAN: The ayes have it. Congratulations, Member Dougherty. (*Applause*)

COMMUNICATIONS

PRESIDENT SCHULMAN: We now turn to Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED DECEMBER 19, 2016.

463. COURT ADMIN KOCHERA: COURT CAPITAL/SPECIAL PROJECTS FUND REPORT FOR 2017. - RECEIVED & FILED
464. COURT ADMIN KOCHERA: MUNICIPAL PROBATION SERVICES FUND REPORT FOR 2017. - RECEIVED & FILED
465. DEPUTY MAYOR WILLIAMS: AUTHORIZE MR. ROLLIN SEWARD TO RECEIVE TEN (10) DAYS OF VACATION PER YEAR BEGINNING 2017, UNTIL CITY ACCRUED TIME CORRELATES WITH APPLICABLE CITY VACATION SCHEDULE.-PERSONNEL COMMITTEE

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466. MAYOR BERNABEI: REQ AUTHORIZATION TO RE-APPT MS. MAUREEN AUSTIN TO TREE COMMISSION COMMENCING 3/1/17 - 12/31/18. - PERSONNEL COMMITTEE
467. MAYOR BERNABEI: REQ AUTHORIZATION TO RE-APPT MS. LOIS ELLIS TO TREE COMMISSION COMMENCING 3/1/17 - 12/31/18. - PERSONNEL COMMITTEE
468. MAYOR BERNABEI: REQ AUTHORIZATION TO RE-APPT MS. PATRICIA KIRK TO TREE COMMISSION COMMENCING 3/1/17 - 12/31/18. - PERSONNEL COMMITTEE
469. PARK DIRECTOR GORDON: AUTHORIZE CANTON PARK COMM TO MAKE NECESSARY PURCH IN AMT NOT TO EXCEED \$70,000.00 TO COMPLETE BATHROOM REPLACEMENT PROJ IN STADIUM PARK; AUTHORIZE PARKS & REC DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH OF ONE (1) RESTROOM UNIT; AUTHORIZE PARKS & REC DIR TO ENTER INTO CONTRACT FOR PURCH DESCRIBED VIA ANY COOP PURCH AGMT AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PARKS & RECREATION AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
470. PARK COMMISSIONER SLIMAN: AUTHORIZE CANTON PARK COMM TO ENTER INTO AGMT WITH J.BABE STERN COMMUNITY CENTER (JBSC) TO PROVIDE FUNDING FOR REC SERVICES AT JBSC; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND PARKS & RECREATION COMMITTEES
471. PARK COMMISSIONER SLIMAN: AUTHORIZE CANTON PARK COMM TO ENTER INTO PROF SERVS AGMT FOR MGT OF EDWARD "PEEL" COLEMAN COMMUNITY CENTER WITH YMCA OF CENTRAL STARK CO; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND PARKS & RECREATION COMMITTEES
472. PLANNING COMMISSION: REQ CITY WIDE ZONE CHANGE OF APPROX 5.7 ACRES ON HARVARD AVE NW - AT ROUTE 62 - PARCELS 284873, 280680, AND 280678 - CS TO R-4 IN WARD 7; APPROX .12 ACRES AT 1525 HENRY AVE SW - PARCEL 201012 - R-1 TO R-1A IN WARD 5; APPROX .42 ACRES ON 4TH ST NE AND WARNER RD NE - PARCELS 211607, 211608, 284909, 284918, 284910, 284911, & 284912 - R-1A TO OS INI WARD 4; APPROX .85 ACRES ON BELLFLOWER AVE SW AND WEST TUSCARAWAS ST. - PARCELS 202509, 234681, 244892, & 214105 - PB-3 & R-4 TO B-3 IN WARD 3. - JUDICIARY COMMITTEE
473. SAFETY DIRECTOR PERRY: AUTHORIZE AUDITOR, ON BEHALF OF CITY OF CANTON, TO RENAME FUND 2770 TO THE 2016 LOCAL SOLICITATION BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT; MAKE \$36,572.50 SUPP APPROP FR UNAPPROPRIATED BAL 2770 - 2016 LOCAL SOLICITATION BYRNE GRANT TO 2770 102001 POLICE ADMIN - OTHER. - FINANCE COMMITTEE
474. SERVICE DIR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE

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BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH OF THREE (3) SMALL SPORT UTILITY VEHICLES AND ONE (1) PASSENGER VAN FOR WATER RECLAMATION FACILITY; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR PURCH DESCRIBED VIA ANY COOP PURCH AGMT AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

475. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER NO. 1 WITH PROFESSIONAL SERVICE INDUSTRIES, INC. IN AMT OF \$7,490.00 FOR DESIGN, ENGINEERING, CONTRACT ADMIN, AND OTHER PROF SERVS FOR THE SERVICE CENTER BUILDING C ROOF REPAIR/REPLACEMENT PROJECT; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
476. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ALL CONTRACTS, AGMTS, ETC. WITH ENERVEST OPERATING, LLC, AS CONTRACT OPERATOR AND AGENT FOR CGAS PROPERTIES, L.P., OR ANY OTHER NECESSARY ENTITIES IN ORDER TO CHANGE THE CITY'S INTEREST IN TEN (10) OIL AND GAS WELLS FR A "WORKING INTEREST" TO A "ROYALTY INTEREST"; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SCHULMAN: We now turn to First Reading Ordinances and Formal Resolutions for their First Reading. Mr. Clerk, would you please begin with Ordinance #1.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCES #1 THROUGH #4 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

(COUNCIL RECESSED AT 7:57 P.M. FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #1; RECONVENED AT 8:00 P.M.)

- #1. (1ST RDG) **ADOPTED AS ORDINANCE NO. 253/2016** AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A COLLABORATION AGREEMENT WITH THE BOARD OF STARK COUNTY COMMISSIONERS, THE CITY OF ALLIANCE, THE CITY OF MASSILLON, AND STARK METROPOLITAN HOUSING AUTHORITY FOR THE FY 2019-2023 ASSESSMENT OF FAIR HOUSING; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

(COUNCIL RECESSED AT 8:00 P.M. FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #2; RECONVENED AT 8:06 P.M.)

- #2. (1ST RDG) **ADOPTED AS ORDINANCE NO. 254/2016** AN ORDINANCE SUSPENDING AUTOMATIC WAGE INCREASES FOR ALL CITY MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL AND ELECTED OFFICIALS FOR 2017; AND

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DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee***(COUNCIL RECESSED AT 8:06 P.M. FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES TO DISCUSS ORDINANCES #3 AND #4; RECONVENED AT 8:10 P.M.)***

- #3. (1ST RDG) **ADOPTED AS ORDINANCE NO. 258/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO A CONSTRUCTION CONTRACT FOR THE 38TH STREET NW WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJECT, GP 1240; ALSO AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION ENGINEERING SERVICES, ENTER INTO AGREEMENT(S) WITH CANAAN PROPERTIES, LLC, FOR THE PURCHASE OF TWO EASEMENTS AND TO ENTER INTO AGREEMENT(S) FOR AND RECEIVE GRANT FUNDS IN THE AMOUNT OF \$900,000.00 AND ZERO PERCENT INTEREST LOAN FUNDS IN THE AMOUNT OF \$600,000.00 FROM THE OHIO PUBLIC WORKS COMMISSION; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4582 38TH STREET NW WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJECT, GP 1240 FUND; AMENDING THE ORDINANCE ADOPTING TEMPORARY APPROPRIATIONS FOR THE OPERATING AND CAPITAL EXPENDITURES OF THE CITY OF CANTON, OHIO, FOR FISCAL YEAR 2017; AND DECLARING THE SAME TO BE AN EMERGENCY

Public Property Capital Improvement and Finance Committees

- #4. (1ST RDG) **ADOPTED AS ORDINANCE NO. 255/2016** AN ORDINANCE AMENDING EXHIBIT A OF ORDINANCE NO. 168/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (MAHONING RD NE CORRIDOR PROJ, PHASE 2, G.P. 1103, PID 90365, RIGHT-OF-WAY ACQUISITION AUTH)

Referred to Public Property Capital Improvement Committee

PRESIDENT SCHULMAN: At this time the Chair would declare an in-house recess for the Economic... Community & Economic Development Committee, the Finance Committee and the Public Property Capital Improvement Committees to meet in regard to these Ordinances 1, 2, 3 and 4 on your agenda this evening. You're now in recess. Chairman.

(RECESS)

PRESIDENT SCHULMAN: Council will reconvene after its recess. Leader.

MEMBER MORRIS: Mr. President, I move we suspend Rule 22A to place Ordinances #1, 2, 3 and 4 back on this evening's agenda.

MEMBER SMITH: Second.

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PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Rule 22A to place Ordinances 1, 2, 3 and 4 on this evening's agenda. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT SCHULMAN: Motion carries. The Ordinances are a legal part of your agenda. Leader.

MEMBER MORRIS: Mr. President, I move we suspend Statutory Rules for Ordinance #1, 2, 3 and 4.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule... to suspend the Statutory Rules on Ordinances 1, 2, 3 and 4. Any remarks? Hearing none...

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 #1.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #1. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#1 ADOPTED AS ORDINANCE NO. 253/2016

PRESIDENT SCHULMAN: Ordinance 1 is adopted. Ordinance 2, please.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #2.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 2. Any remarks under this Ordinance? Hearing none...

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#2 ADOPTED AS ORDINANCE NO. 254/2016

PRESIDENT SCHULMAN: Motion carries. Ordinance is adopted. We're going to now turn to Ordinance 4. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #4.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #4. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#4 ADOPTED AS ORDINANCE NO. 255/2016

PRESIDENT SCHULMAN: Motion carries. Ordinance 4 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We now turn to Second Reading Ordinances and Formal Resolutions for their Second Reading. Would you please begin with Ordinance #5.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ ORDINANCES #5 THROUGH #10 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCES #8 AND #9 ADOPTED AS AMENDED ON 2ND READING; ORDINANCE #10 ADOPTED ON 2ND READING):

- #5. (2ND RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE PILOT ANNEXATION AREA CONTAINING APPROXIMATELY 17.5163 ACRES; ASSIGNING SAID TERRITORY TO WARD 4 OF THE CITY; ZONING SAID TERRITORY AS B-4 (SPECIAL BUSINESS); AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 1/9/17 @ 7:30 P.M.**
- #6. (2ND RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE TRUMP SCHOOL ANNEXATION AREA CONTAINING APPROXIMATELY 10.726 ACRES; ASSIGNING SAID TERRITORY TO WARD 4 OF THE CITY; ZONING SAID TERRITORY AS I-1 (LIGHT INDUSTRIAL); AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 1/9/17 @ 7:31 P.M.**
- #7. (2ND RDG) A RESOLUTION CONSIDERING AND APPROVING THE PETITION FOR RENEWAL OF THE OPERATING ASSESSMENT OF THE DOWNTOWN CANTON

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SPECIAL IMPROVEMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY (SID)

- #8. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 256/2016** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 44/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (\$18,285.00 SUPP APPROP FR UNAPPROP BAL OF 3011 GENERAL OBLIGATION DEBT FUND TO 3011 801001 GENERAL OBLIGATION DEBT - OTHER)
- #9. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 257/2016** AN ORDINANCE ADOPTING TEMPORARY APPROPRIATIONS FOR THE OPERATING AND CAPITAL EXPENDITURES OF THE CITY OF CANTON, OHIO, FOR FISCAL YEAR 2017; AND DECLARING THE SAME TO BE AN EMERGENCY
- #10. (2ND RDG) **ADOPTED AS ORDINANCE NO. 259/2016** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEES, TO ENGAGE IN ALL OFFICIAL ACTIONS NECESSARY TO APPROPRIATE THE ESTATES AND/OR INTERESTS IN THE PROPERTIES DESCRIBED IN EXHIBIT A FOR THE PURPOSES ALSO DESCRIBED IN SAID EXHIBIT, IN FURTHERANCE OF THE CONSTRUCTION OF THE MAHONING RD. NE CORRIDOR PROJECT, PHASE 2, GP 1103; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules for Ordinances #8, 9, and 10.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you suspend the Statutory Rules for Ordinances 8, 9, and 10. Any remarks? Hearing none...

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 #8.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #8. Any remarks under this Ordinance?

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MEMBER MORRIS: Mr. President, I move we amend Ordinance #8 per a copy all Council Members have in front of them.

MEMBER SMITH: Second.

AMENDMENT

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

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance #8 as a result of the... uh, the amendment. Any remarks? 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. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #8 as amended.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #8 as amended. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#8 ADOPTED AS AMENDED AS ORDINANCE NO. 256/2016

PRESIDENT SCHULMAN: Ordinance #8 is adopted... Ordinance #8 as amended is adopted. Ordinance #9, please.

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?

MEMBER MORRIS: Mr. President, I move we amend Ordinance #9 per a copy all Council Members have in front of them.

MEMBER SMITH: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 9 by the substitution of the attached revised Exhibits for the pending current versions.

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PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance #9 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 #9 as amended.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 9 as amended. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#9 ADOPTED AS AMENDED AS ORDINANCE NO. 257/2016

PRESIDENT SCHULMAN: Motion carries, and Ordinance #9 as amended is adopted. Ordinance #10.

COUNCIL VOTE OF FIRST READING ORDINANCE #3

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #3.

PRESIDENT SCHULMAN: I'm sorry. We're gonna amend...

MEMBER MORRIS: As long as...

PRESIDENT SCHULMAN: We're gonna adopt...

MEMBER MORRIS: As long as the Assistant Leader doesn't talk to me I'm good.

PRESIDENT SCHULMAN: It's been moved... it's been moved to adopt Ordinance... go back to Ordinance #...

MEMBER SMITH: Excuse me, second. *(Laughter)*

PRESIDENT SCHULMAN: It's been moved and seconded to go back to Ordinance #3 on your agenda. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#3 ADOPTED AS ORDINANCE NO. 258/2016

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PRESIDENT SCHULMAN: Ordinance #3 is adopted. Leader, on #10.

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?
Hearing none...

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#10 ADOPTED AS ORDINANCE NO. 259/2016

PRESIDENT SCHULMAN: Thank you. Ordinance #10 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We now turn to Third Reading Ordinances and Formal Resolutions for their Third/Final Reading and Vote. Mr. Clerk, would you begin with Ordinance #11.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK SHOWES TO READ THE FOLLOWING ORDINANCES #11 THROUGH #14 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#11. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 260/2016** AN ORDINANCE DECLARING A DESIGNATED AREA OF THE CITY OF CANTON AS A TOURISM DEVELOPMENT DISTRICT FOR THE PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT, PURSUANT TO OHIO REVISED CODE SECTION 715.014; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #11.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #11. Any remarks?
Leader.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER SMUCKLER: I'd just like to make a couple quick remarks. Over the years as long as I've been here in City Council, Pro Football Hall of Fame rivaled Cooperstown, New York as a sleepy side area that very little residents visited, and those that came from out of town came here quickly and left quickly. We are now to the point of creating an area that two hundred million dollars is being invested in. That's really something. Three

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years ago the Pied Piper showed up, and before that there was Steve Perry and Ron Dougherty who came here and asked us for a street to be fixed or a line to be painted, but we never did much with the Hall of Fame. The Pied Piper, David Baker, has got us all believing that we've got a project here that not only we can all be proud of, that we can sell to the outside community to come here, visit, and stay here. And I know that this is a long drawn out process, that when we're done by, Mr. Lichter, 2020 that everyone will be proud of this process. When I voted to invest five million dollars here I caught holy hell from a lot of the people that support me. But now that when you're making your announcements for hundreds of millions of dollars coming from the outside, now people are excited. And people can't wait to be a part of this, and people can't wait to see this open. I have been to downtown Disney. I know what downtown Disney looks like, and I can honestly say that this is a large step for taking us out of the Cooperstown realm and into something big on a national basis. Thank you, Mr. Baker.

MEMBER WEST: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER WEST: I'd just like to add a comment. You know, at the State level when I was on my orientation, one thing really stuck out. I had the director of tourism for the State of Ohio, who was doing a presentation. And it's really interesting because, I mean he was talking about the theme of the State and was talking about how Ohio was gonna be great in tourism, never mentioned Hall of Fame or anything like that. So I brought up the question, I said, you know, we're putting hundreds of millions of dollars into the Hall of Fame, the Pro Football Hall of Fame in Canton, and what is the State going to do to assist us in that project. The guys eyes got really big, huge, and he says that project, he says I was there a week ago, and he said that project is global. It's beyond the State. And he said we're... we will... we're looking at that project. He says we're not only looking at what we can do in tourism, but we're looking at other departments as well. And I'm hoping that they... I'm gonna hold them to that, but I gotta say this, all eyes are on Canton, Ohio with the Hall of Fame. We can't miss the boat on this. The TDD is a very important step to that process. We got to move forward on it, so thank you, Mr. Baker. Thank you, Hall of Fame. Thank you, City Council, for doing your due diligence and looking after the constituents and our tax dollars. But let's make this step... let's make this step together. Thank you.

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

MEMBER HARMON: Mr. President.

PRESIDENT SCHULMAN: There... there's going to be some amendments, but go ahead. Go ahead.

MEMBER HARMON: Am I cutting in front of..

PRESIDENT SCHULMAN: Not at all.

MEMBER HARMON: Mr. President, I'm going to enthusiastically vote yes for this TDD legislation today, and if I ever had any doubts about it they've certainly been answered now. I think we'd be remiss not to acknowledge the efforts of some of the people in the chambers today that have... first of all and foremost the leadership of our Mayor, Thomas Bernabei. He saw things that frankly, I don't like to admit my shortcomings, that I didn't notice in October when I was getting familiar with this legislation, that Mayor Bernabei worked really hard and logged a lot of hours and a lot of difficult negotiations, I'm sure, to get to the point where I think this is the best partnership possible with this legislation. And it isn't just the Mayor. Uh, you know, Law Director Martuccio, I know you were under the gun a lot, Bill Bartos, Deputy Mayor Williams, some of my

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colleagues here. Edmond Mack, I know was very dedicated to the process, John Mariol, and you, Mr. President, I know you contributed a lot. So yes, we thank the Hall of Fame and the developer, thank you very much, but I also want to make sure that we're not losing sight of the extra effort and leadership that was put into making this the very best piece of legislation it could be. And with that I just thank you.

PRESIDENT SCHULMAN: Thank you, Member Harmon. (*Applause*) Any other remarks?

MEMBER MORRIS: Yeah, Mr. President. Uh, very excitedly I'd like to move to amend.

MEMBER SMITH: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 11 as follows:

- 1) *Exhibit A, Description of Tourism Development District, as currently attached shall be substituted and amended by the updated Exhibit A attached hereto; and*
- 2) *A new Section 9 shall be added as follows:*

Section 9. This ordinance is subject to the condition subsequent that the city of Canton and HOF Village, LLC shall execute a Development Agreement and an Operations and Maintenance Agreement ("Agreements"), concerning the current and future development and operations and maintenance issues associated with the Hall of Fame Village, not later than December 31, 2017. The execution of a Development Agreement and an Operations and Maintenance Agreement by the Mayor or Director of Public Service, as applicable, shall be conclusive evidence of the satisfaction of the foregoing condition subsequent as of the date of such Agreements. Should the Agreements not be fully executed by December 31, 2017, Council's foregoing authorization of the TDD shall automatically expire and this ordinance shall be null and void in its entirety.

PRESIDENT SCHULMAN: Well, there's a motion to... and a second, sorry, to amend...

MEMBER MORRIS: That's the best part of this legislation is the amendment that everybody worked so hard.

PRESIDENT SCHULMAN: ...Ordinance #11. Would somebody like to clarify that? Or all you all satisfied? Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Mr. President, Majority Leader, Members of Council, the amendment before you accomplished two purposes. The first is procedural. It amends the exhibit that was originally attached to the original ordinance to include some new parcels along with the names of the owners of those parcels and their addresses. All of the people who wanted to come in to the tourism... tourism designated district had to petition to come and we have all those petitions. They are also updated maps in that new Exhibit A. So the first is mechanical. Exhibit A is updated to reflect all the new parcels, all the new names, and all the maps that define the territory around the TDD. The second amendment is adding a new Section 9, a new last paragraph to the ordinance that was originally presented to you. It follows the last previous section, which is the emergency section saying if this legislation is passed with the three quarters vote it becomes an emergency upon the Mayor's signature. Section 9 modifies it to include what the Administration and so many folks that Mr. Harmon has mentioned that worked on, along with their private partners and their attorneys is... is what we could call a sunset or a contingency clause. It was very important to Council, especially to the Administration

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and again all the people that worked on it, that we had a clear understanding that a capital development agreement was essential to this process as was an operations and maintenance agreement. Uh, those are now part of that Section 9, that new Section 9 that will be added to the end of the ordinance to say that the Mayor or Service Director have to enter into those with... with our partners, Hall of Fame Village LLC, to HOF technically... yes, and technically HOFV, LLC, HOF Village, LLC in order to effectuate those agreements. Now along with that, this was all described at some detail at committee meetings. One of the questions was why is a sunset clause in there for December 31st of 2017. That part is in there to say that those two essential major agreements which define what work will be done within... within the boundaries of the TDD, that the maintenance and the operations of the infrastructure, the development and all the funding that goes into it, that will take some time to... to do, so this provision gives the parties enough time to secure their financing in the public and private sector. It will be followed again by the revenue stream ordinances that will come down next month, the taxes that allow for additional sales, admissions and lodging. Anyway again, 9 to sum it up includes the authority for the Mayor or Service Director to enter into a development agreement and an operations and maintenance agreement with the HOF Village, LLC. If that is not... the ordinance becomes effective tonight. Let me make that really clear. The ordinance will become effective upon passage tonight, which will allow the pursuit of the financing and the revenue streams and all those things that are essential to making this happen. But there is an extra incentive in there that these agreements have to be entered into by the conclusion of this coming year or the ordinance becomes null and void at that point. Is there anything, Mayor, you or Administration would like to add to our understanding of the clauses that you all worked so hard on? Any... any other questions or thoughts? I trust that is an adequate summary, Mr. President?

PRESIDENT SCHULMAN: Great. Thank you very much, Law Director. Okay. It's been moved and seconded to amend Ordinance #11 per the copy before each Member of Council. Any other remarks? Hearing none, by voice vote, all those in favor signify by saying aye. All 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 #11 as amended.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #11 as amended. Any remarks? Other than I would only add that this is probably one of the most significant pieces of legislation in the history of this city, and it will... it's that important, it's that big. And we all hope and pray that it comes to fruition. We are going to work diligently. I know the Mayor, his staff, City Council, has and will continue to work diligently to make this vision a reality because it deserves to be a reality. We cannot thank our partners any more than we have, and we're looking forward to this exploration together. So, thank you again. Mr. Clerk.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#11 ADOPTED AS AMENDED AS ORDINANCE NO. 260/2016

PRESIDENT SCHULMAN: Motion carries. Ordinance #11 as amended is adopted. Congratulations. (*Applause*) Ordinance #12, please.

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- #12. (3RD RDG) **ADOPTED AS ORDINANCE NO. 261/2016** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (CITYWIDE: 3000 BLOCK OF KASPER ST NE - WARD 6 - PARCEL NO. 306265 FR R-1A (SINGLE FAMILY RESIDENTIAL) TO R-3 (GARDEN & TOWNHOUSE APARTMENT DISTRICT); 9TH ST. SW & CAMDEN AVE SW - WARD 5 - PARCEL NOS. 205703, 244602, 208263, 214865, 204900, 205706, AND 205699 FR I-1 (LIGHT INDUSTRIAL DISTRICT) TO R-4 (MULTI-FAMILY RESIDENTIAL DISTRICT); 600 BLOCK OF LINWOOD AVE. SW, WARD 3 - PARCEL NOS. 214110, 214111, 214112, 214113, 214114, 241785, 218240, AND 218241 FR R-1A (SINGLE FAMILY RESIDENTIAL) AND B-3 (GENERAL BUSINESS DISTRICT) TO R-4 (MULTI-FAMILY RESIDENTIAL DISTRICT) **PUB HRG 1/9/17 @ 7:30 P.M.**

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #12.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #12. Any remarks?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER HAWK: Quickly. Uh...

PRESIDENT SCHULMAN: Member Hawk.

MEMBER HAWK: As I expressed in committee meetings, I'm not a fan of bulk zone changes coming down like this because it doesn't give us the opportunity to weigh out what we need to do with each individual one. And to that end I will begin attending the Planning Commission's meeting because one of the main concerns I have about zone changes is do they comply with the Comprehensive Plan that we've paid a lot of money for, and will they fit the adoption of that plan. I think this is an issue that we need to follow carefully and closely because it is our future, and like what we're doing with the Hall of Fame I think all this is very important to make the city cohesive and everything work together. So, I will vote for this one this evening, but I will definitely sit in Planning Commission meetings and ask the question why.

PRESIDENT SCHULMAN: Thank you, Member Hawk, very much. Any other remarks?

MEMBER MACK: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MACK: I know this body knows this, but just kinda to go over it one more time. These zone changes come through Judiciary, and so if there are any zone changes in anyone's ward that they're not particularly in love with, let me know, and then we'll work through it together, because this is important and I

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think Member Hawk's point is very well taken. We have to be thinking about the Comprehensive Plan, and hopefully the Planning Commission does, but, you know, we're the ones on the streets. So, your Judiciary Committee's always gonna be here for you if there are any of these that do create problems.

PRESIDENT SCHULMAN: Thank you very much, Chairman Mack. Any other remarks? Ordinance #12. I think we've already done that, haven't we? Yeah, we've moved and seconded. It's vote time now.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#12 ADOPTED AS ORDINANCE NO. 261/2016

PRESIDENT SCHULMAN: Ordinance #12 has been adopted. Ordinance 13, please.

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 262/2016** AN ORDINANCE PROVIDING FOR THE ISSUANCE OF A NOTE BY THE CITY OF CANTON IN ANTICIPATION OF THE COLLECTION AND PAYMENT OF INCOME TAXES, GENERAL PROPERTY TAXES, AND MISCELLANEOUS OTHER SOURCES TO THE CITY OF CANTON; DECLARING THE NECESSITY OF THE ISSUANCE OF SAID NOTE PROCEEDS OF WHICH WILL BE USED FOR THE PAYMENT OF CURRENT EXPENDITURES AND OPERATION EXPENSES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #13.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 13. Any remarks? Hearing none...

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#13 ADOPTED AS ORDINANCE NO. 262/2016

PRESIDENT SCHULMAN: Motion carries. Ordinance 13 is adopted. Ordinance 14, please.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 263/2016** AN ORDINANCE AUTHORIZING THE MAYOR, AS CHIEF EXECUTIVE OFFICER OF THE CITY OF CANTON, TO SUBMIT AN APPLICATION TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND TO RECEIVE FUNDS FROM THE 2016 ENHANCED EDUCATION AND OUTREACH PARTNERSHIP GRANT FOR FAIR HOUSING; AUTHORIZING THE AUDITOR TO CREATE THE 2217 2016 PARTNERSHIP GRANT FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

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PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #14.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 14. Any remarks under this Ordinance? Hearing none...

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

#14 ADOPTED AS ORDINANCE NO. 263/2016

PRESIDENT SCHULMAN: Motion carries. Ordinance 14 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We now turn to Announcement of Committee Meetings. No, we have no committee meetings.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: We're now to Miscellaneous Business. Is there any?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Hawk.

MEMBER HAWK: If I may again take a moment of your time.

PRESIDENT SCHULMAN: Sure.

MEMBER HAWK: There's a gentleman in the audience, if my memory serves me correctly, spent his entire career with the Hall of Fame, and he's soon retiring. I'd like to recognize Dave Motz, a gentleman who's devoted his whole life, his whole bus... excuse me, corporate life to us. Thank you so much, Dave. Appreciate it. (*Applause*) Stand up please, sir. Thank you.

PRESIDENT SCHULMAN: We all share in that, that's for sure. Thank you, Mr. Motz, for all your efforts. Any other remarks?

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER DOUGHERTY: Just as matter of record I'll be sending a letter of resignation from City Council to City Council and other departments in the next two days, in order so everyone knows as I... as I leave it'll be at the end of the year. Thank you.

PRESIDENT SCHULMAN: Thank you, very much.

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MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: I just wanted to say...

PRESIDENT SCHULMAN: Chairman Mariol.

MEMBER MARIOL: ...you know, I... working with our Clerk Kellen I've built a friendship with him, and I have to tell you that the changes that he made, specifically with the technology aspect of the office, and, you know, I think he did a great job. City Council is better off for having Kellen, so I think that's... that's something that he should be commended as, for doing, and I want to tell you that I've really, really enjoyed getting to know you, working next to you, and I wish you all the... all the best in your future endeavors. And come back. Come back a lot to see us. (*Applause*)

MEMBER DOUGHERTY: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER DOUGHERTY: Yes, I also am gonna miss Kellen. Uh, he was always... once he got here, he always answered my calls, took care of things when I needed them taken care of really quick. So appreciate all that you've done. Good luck to you.

LAW DIRECTOR MARTUCCIO: Mr. President.

PRESIDENT SCHULMAN: Yes.

LAW DIRECTOR MARTUCCIO: Thank you. First of all, again many thanks and congratulations to this extraordinary partnership between the Administration, the private sector, and the Council. It... it... their extraordinary effort... extraordinary efforts at work for this extraordinary vision, and it'll continue with work. I want to also thank Karen and Pete DiGiacomo for their gift of culinary love and Italian confections and... and baked goods. It's an annual thing that we greatly look forward to. Kellen, I'm gonna miss you. Thank you for your diligence, your fresh eyes, and I will miss those late night talks after Council. Thomas West... oh, and Kevin Motz, before I get to... thank you. You've been a pleasure to work with over the years. Kevin, I'm... Dave Motz. I'm switching gears go quickly. Thank you. We wish you the best.

MEMBER MORRIS: Unplug him.

LAW DIRECTOR MARTUCCIO: Thomas, thank you so much for bringing us your enthusiasm, your smile, your energy, your devotion, your constituents. We will miss you. Congratulations to you, your family, your team on your extraordinary win, and we wish you the best on the State level. We know you'll represent us well. Thank you. (*Applause*)

PRESIDENT SCHULMAN: On January 9th, they'll be a Water Department presentation. It will take approximately a half an hour. It's very important. Hope you all will attend. Are there any other remarks?

MEMBER MORRIS: Yes. Mr. President.

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PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: To Mr. West. Sir, this is your last official meeting as a Councilman. Member Dougherty, your last official meeting. Forty years of public service in these chambers and tonight's your last night. Member West, you're off to bigger and better things. Well deserved. It's been a pleasure working with you. Uh, your humility, your... your calmness. I will watch over Nimisilla park until we figure out who your replacement is and if they're worthy and up to the challenge. If not, myself and Member Smith, we will take it on as if it were our own. We wish you the best of luck in Columbus. We know you'll do a great job representing us. Member Dougherty, I'm now your boss. *(Laughter)* This is fun. Kellen, best of luck. We've had these conversations. Never condemn a young man for trying to better himself. Make us proud in Columbus. If you need a free lunch, call Member West. He will be in Columbus. *(Laughter)* But the best of luck to you.

MEMBER SMITH: Mr. President. Thomas, I'd like to say as I did that night, congratulations. And I hope you keep those lines open the way you kept them open for Ward 2 so I can call you at any time. And I know you'll do great because you was great here. So best of luck. And to Kellen, thank you so very much for all that you've done. I always enjoyed talking to you, and best of luck in your endeavor.

PRESIDENT SCHULMAN: Any other remarks?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SCHULMAN: Yes, Member Smuckler.

MEMBER SMUCKLER: Before I say anything, Member West, would you take the opportunity, and it just seems like yesterday that I went to dinner with you and your wife and my wife and I and talked about the two older children in the front row. Would you like to introduce them.

MEMBER WEST: I would. I was gonna plan on doing that. But, my children, Thomas and Telia, please stand, and my wife, Lisa. Will you guys please stand, please. *(Applause)* And I'll hold my comments for a second. I'll...

MEMBER SMUCKLER: I was gonna say, you don't have the floor yet. *(Laughter)* Kellen, thank you, and Thomas, like I said it doesn't seem like it was that long ago when we went to dinner and talked about Montessori, a whole long time ago. Um, I think that you'll do a wonderful job as long as you continue to send money back to Canton. *(Laughter)* *(Comment from unidentified voice)* And Councilman Dougherty, I'll reserve my remarks for the first of the year for you when we talk about your leaving. Thank you.

PRESIDENT SCHULMAN: Member West.

MEMBER WEST: Mr. President, you know, although I'm very extremely excited winning the election and, of course, going to the State of Ohio, I'm deeply saddened to leave this group. I mean, we've done some serious legislation over the 13 years. We've taken on some challenges from things that, you know, wasn't too politically correct, traffic cameras, charter government, things of that nature. But we tackled them. We brought them to the forefront and let people vote, let people talk about it and discuss it, and I think that's what legislation's all about. You know, I enjoyed being on City Council and I'm really sad to leave. You know, I love Ward 2. Ward 2 is still on the move, and coming into Ward 2 as Member Smuckler said my kids was just... just born. I think we were holding Thomas and Telia in our arms as we sworn in, and I was trying to

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figure out where we were gonna send them to school. What school should be send them to? Bill Smuckler was there and said, and his wife said, you know, Portage Montessori... or Montessori is a good way to go and we did that, and now my daughter's in McKinley, excuse me, freshman academy, and Thomas is early college, excuse me. See, he's about to jack me up, watch. And of course Thomas is still at Portage Montessori. This is his last year. Um, but I'm thankful of my family for allowing me the opportunity to serve the community. Uh, you know, my wife is a strong supporter and she holds the fort down to allow me to do what I do. And that's why I do so much is because of she's able to hold the fort down. So I thank her for all her support and... and guidance. Um, but also to all of you. I mean, Member Morris, you know, when you came on Council you brought a lot of humor and a lot of vigor and I appreciate you and I appreciate you taking on a different task, and... and even when there's of course myself going toe to toe, I really appreciate that because again it brings... it elevates me for who I am, and it elevates each one... each and every one of us. Member Smith, you and I are ace coon boon. We worked... our ward are pretty much alike in a lot of ways. So I do appreciate your support, and I definitely plan on helping out Ward 4 and... and taking you to another level. Okay. Member Babcock, I appreciate you and all the support you've given. Many people said well, why would you support Babcock, and I said you know what, Babcock supports me in each and every endeavor, and it's true. (*Laughter*) No, it's true. When it comes down to somebody... I say that... when... no, I say that jokingly but I will say this, each and every time I've called Bacock... Babcock, he was always there. He never interfered in a ward. He always came to me first. If there was a situation going on, he called me first, and I thought that was... that's what you need in an at-large person. When you're gone you have somebody to watch your back, and that's what at-large members do. And I appreciate that. Tom, I appreciate your support. You're new, working with you for the first... first couple years, but I appreciate your support and all the different legislation that came through. Member Smuckler, I said a few things about you, what I still believe that you're one of the most educated people, and when it come down to city government there's nobody that knows it more than you. Um, so I appreciate your support over the years. Member Hawk, my adversary on most of the part for 13 years, but I gotta tell you I loved that because it challenges me. Okay. Someone being able to have another prospective, Ward 1 next door to me in Ward 2. So I appreciate your support over the years. Member Dougherty, capital project wouldn't be... our streets and our roads and our sidewalks wouldn't be so strong if it had not have been for your over the years. So I appreciate your support, your leadership. You know, when we were doing the planning before the Comprehensive Plan, we had plans within our ward and Dave, you was very helpful with helping the Council get their capital needs met, as well as every issue. And I appreciate your support. Member Mariol, young, excited, energetic and eager, I love it. Um, I love what you bring to the table especially with finance, and your... um, your youthfulness and our energy, especially when it comes down to Market Square. You know, your passion towards helping us get that done. You know, when we brought that out and tried to rename it and, you know, it was... it was heck doing that right at... I mean, it was a lot of work. Um, but you came in and you jump... you joined forces. Mack, you joined forces, and I think Market Square is definitely gonna go forward with your leadership. Member Mack, charter government (*chuckles*). Actually charter government, the downtown drinking district, again I think when it comes down to charter government, you know, you and I, even though we disagreed, it was a really healthy discussion, and I really appreciate you and all of you... your wisdom and your guidance, your legal opinions. I think there's not a piece of legislation that doesn't come down from the Law Department that you don't have your eyes on, and I know you're gonna do well in the future. So I really appreciate your support. Um, Jason and Member Fisher, although you guys are new, I do appreciate your support and look forward to working with you in the future. Administration, thank you. Tom Bernabei, I came into Council with you, and we was working on housing projects and all of those things. I still want those done, okay? (*Laughter*) No, I'm just joking. I... I appreciate the Administration. Fonda, you know, Service Director, Andrea Perry and your support. I mean, Ward 2 would not be where we're at if it had not been for a strong Administration. So I thank you too. Allen Schulman, finally, I want to say this and... and Allen, you have been a big support to me. And not just representing me over that, you know, getting a hundred thousand that I know we're gonna see, but I really appreciate your leadership on this Council. You know, when Ray Denczak, you

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know, of course left us, left this Earth, you stepped right in and did a profound job. So I appreciate you and all that you do. Thank you.

PRESIDENT SCHULMAN: Any other remarks? Leader.

MEMBER MORRIS: Move to adjourn.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: Motion to adjourn.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK SHOWES: Twelve yeas, sir.

PRESIDENT SCHULMAN: *(Gavel falls)*. Meeting is adjourned. Safe journeys, everyone, and a very healthy happy holiday.

ADJOURNMENT TIME: 8:51 P.M.

ATTEST:

APPROVED:

DAVID DOUGHERTY
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT