

**MINUTES OF THE MEETING MARCH 13, 2017**

PRESIDENT SCHULMAN: Good evening. Good evening, ladies and gentlemen. Welcome to Canton City Council. We're gonna try to move this meeting along. You know, there's a major storm coming, so we hope it misses us, but if it doesn't, be safe and be smart. Uh, 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 DOUGHERTY:

10 COUNCIL MEMBERS PRESENT: (CHRIS SMITH, JAMES BABCOCK, TOM HARMON, BILL SMUCKLER, GREG HAWK, NATHANIEL CHESTER, JASON SCAGLIONE, ROBERT FISHER, KEVIN HALL & EDMOND MACK)

TEN COUNCIL MEMBERS PRESENT. (MEMBER MORRIS AND MEMBER MARIOL ABSENT)

CLERK DOUGHERTY: Ten yeas, two nays.

**EXCUSING MEMBERS**

PRESIDENT SCHULMAN: Thank you. Leader.

MEMBER SMITH: Mr. President, I move we excuse Members Mariol and Morris from tonight's meeting.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Members Mariol and Morris from this evening's meeting. I can tell you that our Leader Morris is very sick tonight, cause unfortunately he's got that flu that's going around. Member Mariol had another engagement that he could just not miss, so with that, any other remarks? Hearing none, roll call please, Mr. Clerk.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries, and Members Morris and Mariol are excused from this evening's meeting. We'll have our invocation given tonight by my, is it...?

MEMBER SMITH: Mack.

PRESIDENT SCHULMAN: Mem- Member Mack, right. If you'll all stand and remain standing, please, for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on March 13, 2017 at 7:30 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, David R. Dougherty. The invocation was given by Ward 8 Council Member, Edmond Mack. The Pledge of Allegiance was led by President Schulman.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: Thank you very much, Member Mack. We are now under Agenda Corrections and Changes. Leader.

**MINUTES OF THE MEETING MARCH 13, 2017**

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add Second Reading Ordinances 5 through 9 and 11 through 17. Ordinance #4 and 10 will be retained in committee.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to add second reading Ordinances 5 through 9 and 11 through 17 to this evening's agenda. Ordinance 4 and Ordinance 10 will be retained in committee. Are there any remarks? Hearing none, roll call vote please, Mr. Clerk.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you, Mr. Clerk. Rule 22A is suspended, and the Ordinances 5 through 9 and 11 through 17 are a legal part of your agenda. And Ordinances 4 and 10 have been retained in committee.

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**PUBLIC HEARINGS**

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

**OLD BUSINESS**

PRESIDENT SCHULMAN: We turn now to Old Business. We do have some Old Business.

DEPUTY MAYOR WILLIAMS: Mr. President, members of Council, at our March 6<sup>th</sup> meeting we heard from various residents from Georgeview Estates in regards to some of their concerns with a neighboring property owner. Uh, Member Smith and several other members of Council convened by meeting after City Council with several of those residents. Our Health Department was contacted. Um, tonight we have Jim Adams present to give an update to all members of Council and the audience. Thank you.

PRESIDENT SCHULMAN: Thank you.

HEALTH COMMISSIONER ADAMS: That was my queue?

PRESIDENT SCHULMAN: Good evening, welcome.

HEALTH COMMISSIONER ADAMS: Welcome, thank you. Members of Council, yes. We were contacted about the concerns that residents of Georgeview Estates had about Republic Steel in that area. Uh, just a little bit of background history. The Health Department is a delegated authority from the Ohio EPA for all of Stark County. So we have a contract with the Ohio EPA to undertake all the air pollution control activities within Stark County, including the city of Canton. So part of those activities is... is first of all operating a monitoring network so that we measure our compliance with the Clean Air Act. Along with that, we will occasionally operate speciality monitors as required by various permits from industries to assure their compliance with the terms of their permit. We also do inspections of facilities to make sure they are complying with the terms of their permits, and then finally we do draft permits for approval by the director of the Ohio EPA. So we're kind of a full service agency. We write the permits, we do the inspections. We also do air quality monitoring for compliance with Federal ambient air quality standards. Uh, we also have the responsibility of investigating comp... air pollution complaints within the community, of which we take this very seriously. So

**MINUTES OF THE MEETING MARCH 13, 2017**

as part of this followup, we are working with Member Smith, along with the Clerk of Council, to set up a community meeting. We want to be able to invite the members of not only those of Georgeview Estates, but the surrounding neighborhoods that could be impacted by this facility, so that we clearly understand what their... the nature of their concerns and how... what the scope of it is, how far that goes, so it'll enable us to do an efficient investigation of what's going on. So we're committed to finding out what the concerns are, and we're committed to trying to work to some equitable resolution under the law as to what we can do with that. And I'll entertain any questions if...

MEMBER SMUCKLER: Mr. President.

HEALTH COMMISSIONER ADAMS: If you want to take the time, yeah.

MEMBER SMUCKLER: As an arm of the EPA, do you inspect Republic Steel regularly?

HEALTH COMMISSIONER ADAMS: Yes, we do.

MEMBER SMUCKLER: Have you found any violations in the past?

HEALTH COMMISSIONER ADAMS: We have found violations in the past.

PRESIDENT SCHULMAN: Any other questions?

MEMBER HALL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER HALL: How is the monitoring done? Is it over days straight, or is it just during business hours?

HEALTH COMMISSIONER ADAMS: Our ambient air monitors for the community are continuous monitors, so they run twenty-four hours a day, seven days a week.

MEMBER HALL: Cause my concern was... I talked with a few other people, and a lot of this happens at night, and that was my concern that this is being done, you know, throughout numerous days and not just one day or two days.

HEALTH COMMISSIONER ADAMS: M-hum. Yeah, from what I understand from the nature of the complaints, our ambient air monitors are probably not going to pick up on the concerns that I have also heard from the community about that. Uh, we are installing a monitor for lead that might be emitted from the facility. Lead is an alloy they use in their metal process. That will be a continuous monitor that will be operated by our department to assure they're complying with the terms of their permit.

PRESIDENT SCHULMAN: How long do you think this will take to bring back a report to us?

HEALTH COMMISSIONER ADAMS: We are hoping to have a meeting early, like in the first week of April, and so I would expect that we could come back to Council within a week or so after that initial public meeting for the community.

**MINUTES OF THE MEETING MARCH 13, 2017**

PRESIDENT SCHULMAN: I don't think it needs to be stated, but if you would, just briefly tell us why is lead significant. Why... what is the danger in lead?

HEALTH COMMISSIONER ADAMS: Well, lead... lead is significant because it is a neurotoxin, and it affects children more significantly than it does for adults. So, we are con... we are very concerned about lead in the environment. I think we all know that in the... some of us know that in the seventies we eliminated lead from gasoline because of it's toxus... toxic affects. We are still seeing those affects in the community because the lead deposited from that leaded gasoline is in the surrounding dust and soil in the community. We've heard a lot about lead poisoning related to drinking water, right? So, thanks to our excellent super... superintendent of our water system, the city of Canton has no known lead water connections. We think that our... our system is a very, very extremely low risk for lead contaminated water. However, we do continue to see children that are poisoned by lead from exposure to homes, paint that has been applied to homes over the years. So we still see some lead poisoning contamination. The most common source of... of a risk is with a home. That's by and far the largest. But it is a neurotoxin, it affects young children at a very young age. Usually the symptoms are not evident at all, but it can cause some cognitive changes, changes in learning, changes in behavior over a period of time. I don't know if that directly answered your question or not, but...

MEMBER HALL: Mr. President.

PRESIDENT SCHULMAN: Member Hall.

PRESIDENT SCHULMAN: Yes. How is the... when you do your inspections, do they... do you inspect the baghouses?

HEALTH COMMISSIONER ADAMS: Yes, we do. We are able to go through the entire facility, both exterior and interior, when we do an inspection. And to kinda of... if I could follow up on that just a little bit. Let's say somebody makes a complaint about dust or fumes or vapors that they observe coming out of the building. There are calibrated methods that we use to assess their compliance with... with that emission, so under terms of a permit some emissions might be permitted depending upon the terms of commit... permit. But there are established methods that our staff undergoes and are certified for, and they're able to... we call it smoke reading. They are able to read those emissions to see if they're in violation of... of any rules.

MEMBER HALL: So on your inspections, are they notified when you're coming...

HEALTH COMMISSIONER ADAMS: No.

MEMBER HALL: ...or is this a surprise inspection?

HEALTH COMMISSIONER ADAMS: It's a surprise inspection, that's right.

MEMBER HALL: Thank you.

HEALTH COMMISSIONER ADAMS: Yeah.

PRESIDENT SCHULMAN: Thank you.

**MINUTES OF THE MEETING MARCH 13, 2017**

TREASURER PEREZ: Mr. President.

PRESIDENT SCHULMAN: Law... Law Director Martuccio.

LAW DIRECTOR MARTUCCIO: Thank you, Mr. President. I just wanted Council and folks in the audience to know that I happened to be at the Board of Health meeting today, and the Health Commissioner and his board were very enthusiastic in hearing from their various department heads about their conversations with Mr. Zachary and the others already, and very open to using whichever divisions and whichever methods are appropriate in this. Uh, weather permitting, they'll be doing some testing, and they're even open to medical testing should... should it be there. But I just want to let you know the Health Commissioner and his board were... were very engaged today in talking with all the department heads about this.

PRESIDENT SCHULMAN: Thank you. Treasurer.

TREASURER PEREZ: Jim, is that... uh, is the dust house stuff, can you investigate on if it's being shipped out like it normally was?

HEALTH COMMISSIONER ADAMS: You mean...

TREASURER PEREZ: For years all the dust that was collected had to be shipped out cause it was considered toxic, and it usually went to Pennsylvania and made into briquettes. Is it still being shipped out, or what are they doing with the dust that they're collecting?

HEALTH COMMISSIONER ADAMS: I can certainly put them on the list for looking at. Off hand I don't really know whether that's under the scope of our delegated authority because of the air pollution contract. So I'm not a hundred percent sure of whether that's under the purview of our air pollution permit as to the disposition of the waste generated as part of the air collection activities. Certainly that is an Ohio EPA responsibility though. Cause what I'm thinking... what I'm hearing you saying is we've got potential for hazardous waste from the baghouse dust collections, and that has to be handled according to the state rules for hazardous waste.

TREASURER PEREZ: Yeah, it's to my understanding...

HEALTH COMMISSIONER ADAMS: Yeah.

TREASURER PEREZ: ...that they're not even shipping the dust out anymore, so they have to be doing something with it, so...

HEALTH COMMISSIONER ADAMS: Stock piling it somewhere. Okay.

PRESIDENT SCHULMAN: Thank you. Commissioner, thank you very much. If you'll get on this right away, I'm sure... I know you're on it already, but we appreciate a response.

HEALTH COMMISSIONER ADAMS: Anytime. Thanks for the opportunity.

**MINUTES OF THE MEETING MARCH 13, 2017**

PRESIDENT SCHULMAN: We now turn to public hearings. We have none this evening. Turning now to old business. Uh, we had the old business.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: Turning now to Public Speaks. We do have four speakers this evening. The first is Roger Zachary. Mr. Zachary, as always it's a pleasure to have you here. If you'll step forward, give us your name and your residential address, please.

ROGER ZACHARY: Uh, good afternoon, President of Council, Council... uh, Council people, audience. My name is Roger Zachary. I live at 2621 Wood Owl Street NE, Canton, Ohio. Starting tonight, I... Republic Steel pulled this in 2004 to run leaded steel. Uh, I have pictures of 2005 where that smoke and that dust is just rolling out the place entire area, and the entire community. So with that, I wanna... I'm not good at talking so I'm gonna read this. According to information found on the EPA website, lead can be a beneficial use. It can also be toxic to humans and animals causing health affects. Lead can be found in all parts of our environment, the air, the soil, the water, and even inside our homes. Even lead based paints in homes is considered a hazard. Congress passed a residential lead based paint hazard reduction act of 1992, also known as Title X, to protect families from exposure to lead from paint, dust and soil. Lead can also be admitted into an environment from industrial sources such as Republic Steel. Uh, the permit was granted to EPA for 2004. Who has been monitoring this facility from two thou... who... who has been monitoring this facility from 2004 to 2017? Where are the admission reports since 2004 testing levels? Who is monitoring the admission levels from 6:00 A.M. to 6:00 P.M.? Who is responsible for a community being notified a health hazard? You guys notify us when we got a sex offender in our area, you can't notify us when... when... when... when places like this are admitting lead, poison? EPA was called, no one responded with a follow up call, and if they say they were, I tell them to tell my wife because I called. And if it's the city health department, I called. Officials from EPA recently said a little bit of lead won't hurt nobody, and I know that to be a fact because they told me. And yes, I'm pissed off. I had my grandkids go to the doctor today so they could be checked for lead poison.

PRESIDENT SCHULMAN: Thank you, Mr. Zachary, very much. Thank you. (*Applause*) Our next speaker is Kathryn Ramsey. Ms. Ramsey, good evening. Welcome to Canton City Council. If you'll give us your name and your residential address, please.

KATHRYN RAMSEY: Good evening. My name is Kathryn Ramsey, aka Kathy. I live at 2322 16<sup>th</sup> Street NE, Canton. Thank you for the opportunity to speak because this is my last avenue for getting my voice heard. My radio host for venting my frustrations with the world has been silenced. Ron Ponder has been silenced by WHBC. I am calling for a protest and a boycott of manager Larry Gawthrop's policies. While I realize it is his prerogative to manager his station however he pleases, you would think that the listeners... he would have taken the listeners into account before making such a rash decision. The cowardly method used by not allowing Mr. Ponder to say goodbye to all of his faithful listeners was despicable. Whatever happened to the two week notice? Or is this the new modus operandi for silencing the voice of the people and the media? Politics as usual. The entertaining and informative program which all of the community, and I do mean all, young, old, black, white, housebound, poor, unable to afford cable TV and a daily newspaper, all inclusive unbiased, presented by a giant in our community, Ron Ponder. The program has given way to giggling, immature facsimile of an informative program. Yes, WHBC is going in a new direction, down the drain at my house, and hopefully yours. Thank you. (*Applause*)

**MINUTES OF THE MEETING MARCH 13, 2017**

PRESIDENT SCHULMAN: Thank you very much, Ms. Ramsey. I know there are a number of people in the audience that share your view. Our next speaker is Maria Bennett. Ms. Bennett, good evening, welcome to Canton City Council. If you'll step forward and give us your name and your residential address, please.

MARIA BENNETT: Uh, hello. My name is Maria Bennett. I live at 1037 23<sup>rd</sup> Street NW, Canton, Ohio. Um, last time I was here was about a year and a half ago, two summers ago, and I addressed some issues that I was dealing with, with a couple landlords in the city, bed bug issues. Today I'm here on behalf of two very close friends of mine who are going through the same situation. They moved into a home on Frazer Avenue on February 26<sup>th</sup>. My friends and I went and loaded up a U-Haul, moved their belongings in. Um, one's a single mother with a three year old who moved here from North Canton. The other is a four month old... I mean a four month pregnant woman who's dealing with a very serious health problem during her pregnancy. They moved in together thinking that they would be able to, you know, move into a nice big house in Canton, all of that, and two nights after living there were being eaten by bed bugs, found three or four of them crawling on the walls. Um, the home has been treated twice by a local exterminator, and my friend just found one crawling on the pillow while she was reading a book to her three year old last night. They have given their landlords over three thousand dollars since the month of February between two month's worth of rent, security deposit, and a pet deposit. Uh, I think it is absolutely disgusting that people would move into homes and have to deal with a bed bug infestation, or broken windows, or anything other than just being able to move into their home and enjoy their new residence, because they have paid in full every penny that their landlords have asked for, and now they are met with psychological issues, stress. I mean, it's just... if you've never dealt with it, you have no idea what it's like. It is the worst thing you could possibly ever ask for, and I would never wish it on my worst enemy, and the fact that two years later people (*unintelligible*) are dealing with the same exact thing that I had to deal with two years ago. It just... it doesn't make any sense to me, and there's nowhere that they can go for help. If they get a lawyer, it's a thousand dollar retainer up front to deal with it through the courts, and there's no guarantee that anything's even going to come of that. Um, there's just... there's nowhere for them to go. There's nowhere for tenants to go still to address issues with landlords. If a landlord has an issue, it's a pretty simple process that they go through to evict their tenants, but when a tenant has an issue there's literally nowhere for them to turn, and so I'm not going to stop advocating about this because if it's happened to me and it's happened to someone I know, then I know that there are a lot of other people in the city that's it's happening to. I don't know what needs to happen. If there needs to be somewhere that people can go to be more educated on bed bugs, if homes needs to be sprayed before people even move in. I don't know what needs to happen, but something has to happen because this is... it's just... I... I... there are no words. So, thank you.

PRESIDENT SCHULMAN: Before you... before you sit down, who... who were the landlords?

MARIA BENNETT: Um, it's S-S-S-L Property, some place on North Main Street. There's a property manager. I have all the information written down. Uh, it... I don't know, it sounds kinda...

PRESIDENT SCHULMAN: Well, if you... if you have the information written down, don't leave before giving it to us.

MARIA BENNETT: I... okay. Okay.

PRESIDENT SCHULMAN: Will you please?

MARIA BENNETT: Absolutely. Thank you.

**MINUTES OF THE MEETING MARCH 13, 2017**

PRESIDENT SCHULMAN: Thank you very much. Thank you. (*Applause*) The last speaker is Patricia Kirk. Ms. Kirk, good evening. As always, welcome to Canton City Council. It's good to see you. If you'll give us your name and your residential address, please.

PATRICIA KIRK: My name is Patricia Kirk. I live at 131 Fifth Street NE, and tonight I am going to speak about a place that had a pollution in their storm water problem. Happened to be in Vancouver, and they ended up using Silva Cells as part of the solution. Now, the pollution in the storm water went into the creek, and further pollution was also drained directly into the water from business areas and living areas. They finally decided that if they design a tree lawn, an area lawn, between the curb and the sidewalk and parking to serve as a bioretention swale to slow down and treat storm water runoff prior to entering Mosquito Creek. However, they thought maybe this would be muddy if there was ground on top of this. So what they decided to do is use Silva Cells. Silva Cells are called that because they usually come in a one or two cells like this, ground is put in between for the trees so that the trees do not uproot any cement of anything. And then on top of the cells they put a deck. In here the picture that he sent me, this is from Mr. Key who has dealt in Ohio, the picture that they sent me, they put ground on top of the dock instead of just pavement, and then they planted grass there. The Silva Cells underneath prevent the water from going and being muddy for people that might walk over it from their parking on the side street. I have the pictures here that shows the process of it being built, I just need to know who to give this to. This copy here.

PRESIDENT SCHULMAN: Probably the arborist. We'll take it for sure.

PATRICIA KIRK: Yeah, okay. Alright.

PRESIDENT SCHULMAN: Yes, thank you so much.

PATRICIA KIRK: Thank you.

PRESIDENT SCHULMAN: Thank you. And as always, thank you for your interest. Appreciate it.

PATRICIA KIRK: Thank you. (*Applause*)

**INFORMAL RESOLUTIONS**

PRESIDENT SCHULMAN: Okay. We now turn to Informal Resolutions. We do have one this evening. Mr. Clerk, would you please begin with Informal Resolution 19.

#19. PERSONNEL COMMITTEE: CONFIRMING MAYOR'S APPT OF KATELYN S. REINHART TO TAX INCENTIVE REVIEW BOARD FR 3/13/17 TO 12/31/17. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER SMITH: Mr. President, I move that we adopt Informal Resolution #19.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Informal Resolution 19. Any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

**MINUTES OF THE MEETING MARCH 13, 2017**

NO REMARKS

RESOLUTION #19 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it, the motion carries, and Informal Resolution 19 has been adopted.

**COMMUNICATIONS**

PRESIDENT SCHULMAN: We now turn to Communications. Let the journal show that all Communications have been 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 MARCH 13, 2017.***

99. CLERK DOUGHERTY: WITHDRAWING OBJECTION TO TRF OF LIQ PERMIT FOR MARK A MILLS DBA MILLS TAVERN, FRONT HALF & PATIO @ 1649 HARRISON AVENUE SW. - JUDICIARY COMMITTEE
100. COUNCIL MEMBER MORRIS: AMEND SECTION 521.08, LITTERING AND DUMPING, OF CITY OF CANTON CODIFIED ORDINANCES. - JUDICIARY COMMITTEE
101. FINANCE DIRECTOR CROUSE: AMEND APPROP O#41/2017; EMERGENCY (\$10,000.00 SUPP APPROP FR UNAPPROP BAL OF 2217 505010 FAIR HOUSING DEPT - OTHER) (PARTNERSHIP GRANT FUND). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
102. LAW DIRECTOR MARTUCCIO: REQ AUTHORIZATION TO AMEND CODIFIED ORDINANCE CHAPTER 505 (DOGS AND CATS). - JUDICIARY COMMITTEE
103. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO PAY MORAL OB IN AMT OF \$4,207.00 TO COUNTY FIRE PROTECTION FOR INSPECTION AND MAINTENANCE ON FIRE TRUCK LADDERS AND AERIALS. - FINANCE COMMITTEE
104. SAFETY DIRECTOR PERRY: AMEND APPROP O#41/2017; EMERGENCY (\$35,420.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102075 POLICE PROFESSIONAL TRAINING - OTHER) (MANDATED STATE TRAINING). - FINANCE COMMITTEE
105. SERVICE DIRECTOR BARTOS: 105.01(B)(5) PROJECT LABOR AGREEMENT REPORT - MAHONING ROAD NE CORRIDOR PROJECT, PHASE 2, GP 1103, PIDS 90365 (ROADWAY) AND 91594 (UTILITIES). - RECEIVED & FILED
106. SERVICE DIRECTOR BARTOS: AUTHORIZE AUDITOR TO PAY MORAL OB TO GPD GROUP IN AMT NOT TO EXCEED \$75,859.05. AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (MAHONING RD NE CORRIDOR PROJ, PHASE 2, GP 1103, PIDS 90365 (ROADWAY) AND 91594 (UTILITIES),

**MINUTES OF THE MEETING MARCH 13, 2017**

ENGINEERING DESIGN MORAL OBLIGATION). - FINANCE COMMITTEE

107. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXTEND WATER MAIN TO 322 LAKE AVENUE NE IN THE VILLAGE OF HARTVILLE; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMTS, INCLUDING EASEMENT AGMTS, FOR WATER MAIN EXTENSION; EMERGENCY. - ENVIRONMENTAL & PUBLIC UTILITIES
108. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH CANTON COMMUNITY IMPROVEMENT CORPORATION FOR SALE OF CITY PROP NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND KNOWN AS CANTON CITY LOT NO. 42846, PARCEL #247982; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING.**

PRESIDENT SCHULMAN: Turning now 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 DOUGHERTY TO READ ORDINANCES #1 THROUGH #3 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 NEGOTIATE AND ENTER INTO A UTILITY EASEMENT AGREEMENT WITH THE EAST OHIO GAS COMPANY, DBA DOMINION EAST OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY (12" GAS LINE ON 3<sup>RD</sup> ST SE BRIDGE RUNNING OVER NIMISHILLEN CREEK TO BE RELOCATED UNDER SAID CREEK, SOUTH OF BRIDGE AND ACROSS PORTION OF LEE PARK)  
Referred to Environmental & Public Utilities Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE LEASE OF APPROXIMATELY FORTY-FIVE (45) TO FIFTY (50) ACRES OF PROPERTY IN PIKE TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY (WRF)  
Referred to Finance Committee

***(COUNCIL RECESSED AT 8:00 PM. FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO DISCUSS ORDINANCE #3; RECONVENED AT 8:01 PM)***

- #3. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 50/2017** AN ORDINANCE AMENDING EXHIBIT A OF ORDINANCE NO. 168/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (ADDT'L APPRAISALS AND/OR NEGOTIATED PURCH AMTS FOR MAHONING RD. NE CORRIDOR PROJ, PHASE 2, G.P. 1103, PID 90365)

**MINUTES OF THE MEETING MARCH 13, 2017**

Referred to Public Property Capital Improvement Committee

PRESIDENT SCHULMAN: And at this point we'll call a recess for the committee to meet. Mr. Chairman.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Ms. Chairman.

(RECESS)

PRESIDENT SCHULMAN: Council will reconvene after the recess, Leader Smith.

MEMBER SMITH: Mr. President, I move we suspend Rule 22A to place Ordinance 3 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinance 3 back on this evening's agenda. Any remarks? Hearing none, Mr. Clerk.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Motion carries and Ordinance #3 is a legal part of your agenda. Leader.

MEMBER SMITH: Mr. President, I move we... to suspend the Statutory Rules on Ordinance #3.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule for Ordinance #3. Any remarks? Hearing none, roll call vote please, Mr. Clerk.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Passes. Leader, you've heard the three readings.

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

MEMBER BABCOCK: Second.

**MINUTES OF THE MEETING MARCH 13, 2017**

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #3. Any remarks?  
Hearing none again, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

**#3 ADOPTED AS ORDINANCE NO. 50/2017**

PRESIDENT SCHULMAN: Motion carries and Ordinance #3 is adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We now turn to Ordinance... uh, reading ordinances two. Or, I'm sorry. Ordinances and Formal Resolutions for their Second Reading. Mr. Clerk, will you please begin with Ordinance #4.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #4 THROUGH #17 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCES #4 AND #10 WERE RETAINED IN COMMITTEE):***

CLERK DOUGHERTY: Ordinance #4 is held in committee.

- #4. (2<sup>ND</sup> RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AMENDING CHAPTER 551 OF THE GENERAL OFFENSES CODE (HIGH GRASS, NOXIOUS WEEDS & LITTER)
- #5. (2<sup>ND</sup> RDG) AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,300,000.00, FOR THE PURPOSE OF PAYING THE COSTS OF REVITALIZATION WITHIN THE CITY AND ADDRESSING PROPERTY CONDITIONS THAT ARE DELETERIOUS TO THE PUBLIC HEALTH AND SAFETY THROUGH THE DEMOLITION OF DETERIORATING STRUCTURES AND THE IMPROVEMENT OF THOSE SITES, THEREBY ENABLING THE USE OR REUSE OF LANDS WITHIN THE CITY
- #6. (2<sup>ND</sup> RDG) AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,100,000.00 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY A COURT-APPROVED SETTLEMENT OF A CLAIM AGAINST THE CITY
- #7. (2<sup>ND</sup> RDG) AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$5,000,000.00 TO PROVIDE FUNDS TO PAY A PORTION OF THE COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING, FURNISHING OR EQUIPPING AN ECONOMIC DEVELOPMENT PROJECT IN THE CITY; AUTHORIZING RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING MARCH 13, 2017

- #8. (2<sup>ND</sup> RDG) AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,500,000.00 FOR THE PURPOSE OF PAYING THE COST OF ACQUIRING, CONSTRUCTING, RECONSTRUCTING AND IMPROVING CITY BUILDINGS, INCLUDING, WITHOUT LIMITATION, THE REPLACEMENT OF THE CITY HALL ROOF, THE CIVIC CENTER ROOF AND IMPROVEMENTS TO OTHER CITY FACILITIES
- #9. (2<sup>ND</sup> RDG) AN ORDINANCE RENAMING GONDER AVENUE SE IN THE CITY OF CANTON, HATTIE REE AVENUE SE
- #10. (2<sup>ND</sup> RDG) ***RETAINED IN COMMITTEE*** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$38,500.00 SUPP APPROP FR UNAPPROP BAL OF 2766 MUNICIPAL PROBATION SERVICES FUND TO 2766 701001 MUNICIPAL PROBATION SERVICES - OTHER)
- #11. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION TO CANTON TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY (\$46,844.80 UNPAID TAXES FOR 1530 RAFF RD SW, PPC ANNEX)
- #12. (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOTS 1616 AND 1617; AND DECLARING THE SAME TO BE AN EMERGENCY (NW CORNER FULTON RD NW & W TUSC FOR SRO RESTAURANT)
- #13. (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF AND RENUMBERING PLAT OF ALL OF LOTS 42872, 42873, AND 42874; AND DECLARING THE SAME TO BE AN EMERGENCY (SW CORNER OF 8<sup>TH</sup> ST & BELDEN AVE NE FOR HABITAT FOR HUMANITY; WARD 4)
- #14. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (HEALTH BENEFITS ADMIN & PERSONNEL ASST)
- #15. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS FOR DESIGN OF THE 44<sup>TH</sup> STREET NW WATER MAIN REPLACEMENT PROJECT, AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$109,100.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207046 44<sup>TH</sup> ST NW WATER MAIN REPLACEMENT PROJ - OTHER)

**MINUTES OF THE MEETING MARCH 13, 2017**

- #16. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH CT CONSULTANTS, INC. FOR DESIGN OF THE FAIRMOUNT AREA WATER MAIN REPLACEMENT PROJECT, AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$96,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207045 FAIRMOUNT AREA WATER MAIN REPLACEMENT PROJECT, PHASE 1 - OTHER)
- #17. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH IBI GROUP FOR DESIGN OF THE RIDGEWOOD EAST WATER MAIN REPLACEMENT PROJECT, AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$68,980.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207047 RIDGEWOOD EAST WATER MAIN REPLACEMENT PROJECT, PHASE II - OTHER)

CLERK DOUGHERTY: Also was not mentioned, Ordinance #10 was held in committee.

PRESIDENT SCHULMAN: Thank you very much, Mr. Clerk.

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

PRESIDENT SCHULMAN: We turn to Ordinances and Formal Resolutions for their Third/Final Reading and Vote, and there is none this evening.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: Turning now to Announcements of Committee Meetings.

MEMBER HARMON: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER HARMON: Finance Committee and Environmental and Public Utilities Committee will both meet at 6:45.

PRESIDENT SCHULMAN: 6:45, on...? On the date... date?

MEMBER HARMON: March 20<sup>th</sup>.

PRESIDENT SCHULMAN: Thank you. Anything else?

MEMBER HARMON: (*Inaudible*) (*Laughter*)

PRESIDENT SCHULMAN: Miscellaneous Business, is there any?

MEMBER MACK: Oh, I'm sorry. One more committee meeting, Mr. President.

**MINUTES OF THE MEETING MARCH 13, 2017**

PRESIDENT SCHULMAN: Oh, sorry.

MEMBER MACK: Judiciary is gonna meet at the same time, same place.

PRESIDENT SCHULMAN: Thank you, Mr. Chairman. Anything else?

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: Turning now to Miscellaneous Business. Do we have any? Other than a storm coming in.

SERVICE DIRECTOR BARTOS: Mr. President.

PRESIDENT SCHULMAN: Uh, Leader.

SERVICE DIRECTOR BARTOS: Oh, Mr. President.

PRESIDENT SCHULMAN: Yes.

SERVICE DIRECTOR BARTOS: Just real quick.

PRESIDENT SCHULMAN: Yeah, sure.

SERVICE DIRECTOR BARTOS: In relation to the storm, there is a parking ban in effect as of about five minutes ago at 8:00 P.M. So for those of you who can park in a garage or in your driveway, please do so. For those of you who live on an alley or a street that doesn't... or you don't have access to a driveway or garage, please park on the side of the street with the even... uh, or the... where the houses are evenly numbered. Uh, this is at the request of both the Police Department and the Street Department. This'll be from 8:00 P.M. tonight until 8:00 P.M. on Wednesday night to help aid the Street Department in their clearing of the roads from the snow that we anticipate. So, from 8:00 P.M. tonight until 8:00 P.M. Wednesday, and everybody just be safe and be careful out there, and your appreciate... uh, we really appreciate your cooperation with this. Thank you.

PRESIDENT SCHULMAN: What is the best idea of the snow that we're gonna receive. Do you know?

SERVICE DIRECTOR BARTOS: I... I think the last... the last estimate was four to seven inches. So... but it... but it is... it has been... it has been varying by the day. But I think currently looking at the radar it's right on top of us right now, so I... I anticipate we're gonna walk out to snow, so...

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT SCHULMAN: Yes, (*inaudible*).

DEPUTY MAYOR WILLIAMS: Uh, I just want to inform all members of Council that your cars were towed already is all. (*Laughter*)

SERVICE DIRECTOR BARTOS: Especially Babby's. (*Laughter*)

MEMBER SMITH: Mr. President.

**MINUTES OF THE MEETING MARCH 13, 2017**

PRESIDENT SCHULMAN: Yes.

MEMBER SMITH: I just wanted to commend the Street Department. We had several trees down when the wind was blowing very, very hard. And they really attended to it like ASAP, so I want to thank you for that. I also would like to recognize a superstar in the audience. (*Laughs*) Hey, don't look around, Ray. (*Laughs*) For those of you who do not know, that is Ray Ellis in the audience. So glad to have you here. Welcome home! Alright! (*Applause*)

PRESIDENT SCHULMAN: Mr. Ellis, thank you very much for being here. Thanks for all of you being here. Please be safe and... um, that's it. Thank you, folks. Oh, I'm sorry. Forgot one thing. Sorry. Thought for the day. We have a thought for the day.

CLERK DOUGHERTY: Thought for the week.

PRESIDENT SCHULMAN: Thought... thought for the week.

CLERK DOUGHERTY: In the end our society will be defined not only by what we create, but by what we refuse to destroy.- John Sawhill, Author, Energy Conservation.

PRESIDENT SCHULMAN: Thank you very much, Mr. Clerk. Leader.

MEMBER SMITH: Mr. President, I move we adjourn.

MEMBER BABCOCK: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adjourn. Leader. Or, I'm sorry. You are our leader.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: (*Gavel falls*). Meeting's adjourned. Please drive carefully, everyone. Be... be safe this week.

ADJOURNMENT TIME: 8:12 P.M.

ATTEST:

APPROVED:

DAVID R. DOUGHERTY  
CLERK OF COUNCIL

ALLEN SCHULMAN  
PRESIDENT