

MINUTES OF THE MEETING APRIL 17, 2017

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. We appreciate you all being here tonight, and with a quorum being present, the Chair calls this meeting of Canton City Council together. Roll call vote, please.

ROLL CALL TAKEN BY CLERK DOUGHERTY:

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER MACK ABSENT)

CLERK DOUGHERTY: Eleven present, one absent..

EXCUSING MEMBERS

PRESIDENT SCHULMAN: Thank you. Leader.

MEMBER MORRIS: Mr. President, I move we excuse Member Mack from tonight's meeting.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to excuse Member Mack from this evening's meeting. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Motion carries, Member Hawk is excused...Member Mack is excused from this evening's meeting. I do want the record to show that Member Mack is on business this evening and could not be here, but otherwise he obviously would be. We're going to have our invocation tonight given by Council Member-At-Large, and my good friend, Bill Smuckler. If you'll stand and remain standing for our Pledge of Allegiance.

The regular meeting of Canton City Council was held on April 17, 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 At-Large Council Member, Bill Smuckler. The Pledge of Allegiance was led by President Schulman.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SCHULMAN: Thank you Member Smuckler. We're now under Agenda Corrections and Changes.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances #9 through 15.

MEMBER SMITH: Second.

MINUTES OF THE MEETING APRIL 17, 2017

PRESIDENT SCHULMAN: It's been moved and add 2nd readings Ordinances 9 through 15 to this evening's agenda. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Rule 22A is suspended and those Ordinances are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SCHULMAN: We're now under Public Hearings and we have none this evening.

OLD BUSINESS

PRESIDENT SCHULMAN: We're now under Old Business. We have...

CLERK DOUGHERTY: Yes.

PRESIDENT SCHULMAN: We do have Old Business?

DEPUTY MAYOR WILLIAMS: Mr. President, Members of Council. At the meeting that was held on 4/10/17, there were several people that addressed Council. The first one was Mr. Frank Gerstenschlager. He had addressed Council about some annexa...annexation issues centered around Hall of Fame Village. He was referred to Director Sam Sliman, who happened to be in the audience, and met with him to resolve that. Mrs. Linda Campbell addressed Council in regards to...uh...limbs falling onto neighbor's properties and curb and tree issues. Um, that was forwarded over to Code Enforcement. Mrs. Kathy Ramsey, um, had talked about litter pickup and trash pickup in her neighborhood and also traffic enforcement at 19th and Superior. Those issues were respectively referred to Mike Parker, Director of Sanitation and the, uh, Lt. Broucker, Police Department. Uh, Mr. Chris Leach had addressed Council in regards to snow plows. Uh, he asserted that...uh...it was his believe they should be certified by the Police Department. We are...uh...still researching that and I'll continue to report back to Council on those issues. Uh, Mr. Martin Zawacky had addressed Council about litter issues around Harrison Avenue. Director Bartos met with him immediately after the meeting...also issues regarding...uh...trees being cut by AEP, and lastly but not least...uh...Mrs. Brenda Baylor had addressed Council in regards to soil and water testing, uh, near the Georgeview Estates Development. I've asked Commissioner Jim Adams from the Health Department to come. He's been giving updates to Council. I thought it would be appropriate to have the Commissioner update us on those issues as well.

PRESIDENT SCHULMAN: Thank you Deputy Mayor.

HEALTH COMMISSIONER ADAMS: Thank you Mr. President, Members of Council. Uh, in response to...uh...Brenda's concerns about water testing and soil testing, we do not have any plans to do any water testing in the area. That water is under the provision of city water, uh, has the city water supply, so...um, we don't feel a need to do ground water testing for that particular reason. The soil testing...we are still gathering information, both from the Ohio EPA and the U.S. EPA on past studies that have been done at the facility itself to assess what risk that there is in the community, so that will help us determine whether or not we're going to move forward with any kind of soil testing and what that might look like. Uh, just a brief...if I

MINUTES OF THE MEETING APRIL 17, 2017

could...just a real brief update on what...we're at with the investigation so far is, we have received two air complaints since we had our public meeting on April 4th. The first was received on April 5th. We did investigate that on three separate site visits. We weren't able to document any violations at that time. We did get a report today about metallic smell in the area, and that's still under investigation by our staff, so I don't have any update on that. I did mention that we've already con...I've talked to Environmental Scientists, both from U.S. EPA in Region 5 in Chicago, and Ohio EPA. We're getting information about site assessments that have been done at the Republic site over the past few years, and that's going to give us a lot of good information about risk in the area. Uh, the issue of epidemiology and surveillance, we are continuing to gather information about concerns from the neighbors about uh...what they...an apparent cluster of deaths they've seen in the community. Just a reminder, we're looking to have those surveillance forms completed and returned to us by the 18th, so we can do our assessment on that. So, if there's any residents that still have some forms to get to us, they should give us a call and we'll be glad to pick those up so that we can complete that assessment. We're also doing an assessment of the (*Inaudible*) surveillance for children in the area, in that particular zip code, and that surveillance assessment is going to guide us as to whether or not we would recommend further testing for children in the area. We're looking to see is there enough...do we have enough (*Inaudible*) tests in the area to kind of cover the kids that are already living there. Is it going to be worthwhile to go back and do some other...other testing or not. So...and the last thing was to continue to monitor communication. We noticed that one of...there is a Facebook page that started up about some of the concerns in the area. It's not very active right now, but we are monitoring that, and our next work group meeting that our staff is gonna have is on the 20th, and at that time we'll assess what kind of data we have and kind of move forward with how we're going to make recommendations for moving forward in the future. And I'll be glad to entertain any questions if you have a moment.

PRESIDENT SCHULMAN: Any questions? Thank you.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes, excuse me.

MEMBER MARIOL: What we've heard about is the orange dust.

HEALTH COMMISSIONER ADAMS: Correct.

MEMBER MARIOL: Any determination what that orange dust could be or is...and...

HEALTH COMMISSIONER: Well, the only, yes, the only information we have from the initial testing is that we had some dust samples taking from siding. It's difficult to assess where the dust came from on the siding because it had been on the siding for a long period of time. But we found foundry, er...um...slag residue, diesel fume residue, and pollen and mold in those samples that we did. Likely that's...you know, if you see orange dust coming from a steel mill, it's almost given that it's going to be iron oxide, some kind of rust or iron oxides. So, that would be the major component, but we haven't been able to identify that on the siding yet.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MINUTES OF THE MEETING APRIL 17, 2017

MEMBER MARIOL: Of the things...the diesel, the foundry?

HEALTH COMMISSIONER ADAMS: Uh...slag, slag dust, um hum...

MEMBER MARIOL: Is there a level that is accepted...are those measured and regulated levels, or are those unregulated, and how much can be in the air at any time?

HEALTH COMMISSIONER ADAMS: There are standards issued as part of the pro...operating permit for those operations, and so, for example, and they're most always...almost always a fugitive dust kind of emission. So there are, as part of the operation of the slag operation, for example, that's a permitted resource. It'll have limits as to the amount of dust that can be released as part of that operation. But, understand, the amount is not zero, so there still may be dust that you can see and those kinds of things. But, that's what our inspectors will assess when they're out in the field, as to whether there's a violation or not.

MEMBER HALL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER HALL: I'm concerned about the soil testing. What would we do if there was a chemical spill and we needed to test the soil right away?

HEALTH COMMISSIONER ADAMS: Are you...specifically related to this site or to Republic Steel?

MEMBER HALL: I don't understand what's the hold up on doing a soil sample.

HEALTH COMMISSIONER ADAMS: Well, in this particular case, you're looking for an environmental sample for a location that's been there for a very long time and so, we know that there's been some studies already done at the facility under the direction of the U.S. EPA and Ohio EPA. We want to look at that data first before we make our recommendations for soil testing in the neighborhood.

MEMBER HALL: But, that's on the Republic site, what about in Georgeview, just testing the soil that's there?

HEALTH COMMISSIONER ADAMS: The information that we're going to get from those studies, are going to indicate whether or not there was a likelihood there was a migration of material from the facility to the surrounding neighborhood. So, I only got those reports on Thursday, I had a brief conversation with both the office of the reports, and so we're gonna look at that information and see what we need to do and whether further testing would be warranted for that.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Member Mariol.

MEMBER MARIOL: I just have one more question. Are there mechanisms that you can install around Georgeview Estates that test the air quality, that will...um...in real time, let you know if there is a contaminant

MINUTES OF THE MEETING APRIL 17, 2017

at a higher level than acceptable in a certain area? And if so, do...have we used them and could you get us information on the cost?

HEALTH COMMISSIONER ADAMS: Sure. That's a very good questions. As part of the terms...terms and conditions of their permit that they have now, Republic is required to install what's called an ambient air monitor, which will measure the air in the community, that we breathe. That's going to be located very close to their property, right on the south...just south of their property. They're required to install and operate that monitor on a continuous basis. They have contracted with us to do the installation and the operation of that monitor. It will provide us information for emissions both, we hope particulate, but certainly for metals, not in real time but in near real time. So, you know, it's not like, uh, you know, we have these little lights that are sitting in the office and as soon as something goes off, we can see it, but you know, these...this monitor will operate for a twenty-four hour basis once every three days on a schedule that's set by us. Those get sent down to a laboratory for analysis and then we'll have information about...about...at least the ambient air.

MEMBER MARIOL: And how soon?

HEALTH COMMISSIONER ADAMS: Uh...that is expected to be in by July 1st. Yeah.

MEMBER MORRIS: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MORRIS: Uh, Director Adams, could you repeat the comment you made regarding the water testing. I'm...I'm not sure I heard that correctly.

HEALTH COMMISSIONER ADAMS: Water in that area is supplied by the city of Canton water supply, which is tested regularly for compliance by the Water Department. So, we see no need to do testing of the water.

MEMBER MORRIS: Okay. Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MORRIS: Is somebody testing the water in that particular area? So, in other words, if we have contaminants going into the water, who is...who is monitoring that at this point? I know that it...it's city water, so does that fall on our Water Department to do the testing, so if the residents are concerned about any contaminants getting into the water, are they to no longer contact the Health Department regarding that, or they go...to go to Tyler Converse and his folks?

HEALTH COMMISSIONER: Oh, I thought I heard somebody talking. Are you referencing their drinking water or are you referencing ground water that they would not normally come in contact with?

MEMBER MORRIS: Well, their drinking water is coming through the line so, I guess we would be referencing...I'm referencing ground water. And then if we are referencing ground water, then to say that they are on city water, is kind of being very evasive to the fact that there may be contaminants in the ground water,

MINUTES OF THE MEETING APRIL 17, 2017

correct?

HEALTH COMMISSIONER ADAMS: Two issues. One is ground wat...one is drinking water contamination for lead. It's the responsibility of the Water Department to monitor that. As I've said before and I think it's Tyler who's going to...would say, if he was here, that we are in full compliance with any of the lead requirements for drinking water. Let me address the ground water part, okay, 'cause that's the other part. The fac...if we're concerned about Republic, Republic has been, for a number of years, this was unknown to me up until a couple of days ago, has been for a ou...for several years, doing regular testing of ground water around their facility. So they have sampling wells and they have information about their groundwater on their facility property. Like I said, I only got those reports on Thursday, I haven't been able to really decipher all of the tables and the results they have from that, but I will know what's going on by the end of the week, with that.

MEMBER MORRIS: And you're confident that a corporation, a large corporation like Republic, wouldn't skew that information in light of having a already \$125,000.00 fine from the EPA? I don't know if I would be quick to trust their testing and if they have established testing for ground water, I think that would be smoking mirrors.

HEALTH COMMISSIONER ADAMS: Um...certainly, I'm not...I can't comment on whether they would be in compliance or not, the only thing I do know is they'll...the work that they've done on the site is under the supervision of the U.S. EPA, and I talked to the Sci...Environmental Scientist that was supervising their work.

MEMBER MORRIS: Thank you.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER SMITH: I just have a...do you mind if I have a copy of the report that you just got? So that I can really compare, because we had talked to the State EPA, and they're getting back some results to us also. So, just to compare what you have and when they make their findings...if that's okay.

HEALTH COMMISSIONER ADAMS: That's no problem at all. Yep. I have two reports I'll be able...I'll share.

MEMBER SMITH: Okay, thank you.

PRESIDENT SCHULMAN: Commissioner, when do you believe this investigation will conclude?

HEALTH COMMISSIONER ADAMS: Well, it's a multi-part investigation, so I guess it kind of depends on what part you're talking about. Uh...I would think that the air complaints will...you know, we're gonna...we will respond to any complaints we get regarding the air part of the complaints, at any time. So, it really depends on the compliance activity of the facility. So, if they operate their facilities in compliance, I would imagine that the number of complaints would go way down to be, you know, not very many, so...but you know, that's our responsibility is to monitor their compliance with the air complaints. I would anticipate that our assessment of the environmental conditions will take another few weeks to kind of, you know, determine what kind of recommendations we can have for follow-up, with that. So that may take another few weeks to do.

MINUTES OF THE MEETING APRIL 17, 2017

PRESIDENT SCHULMAN: And the uh...I think there was another potential investigation on clusters?

HEALTH COMMISSIONER ADAMS: Yes, I would include that in another two or three weeks. We're getting preliminary information from a couple of lists that we have and we've asked the neighbors in the...in the...people in the community to give us a surveillance form by the end of the week so that we can look at that assessment data. Uh, if...if that assessment shows that there is no apparent clusters, then that investigation is...would be concluded.

PRESIDENT SCHULMAN: So it sounds like you're saying to Council and the Administration then, you...giving you the benefit of the doubt, um, you're probably going to have this entire investigation concluded within...

HEALTH COMMISSIONER ADAMS: A couple of weeks...I hope.

PRESIDENT SCHULMAN: A couple weeks?

HEALTH COMMISSIONER ADAMS: I'd say two to three weeks, yeah, um hum.

PRESIDENT SCHULMAN: You'll have a...be...be able to come back and tell us your findings?

HEALTH COMMISSIONER ADAMS: It's my hope that I would provide a written summary of what our findings are, back to Council and the community.

PRESIDENT SCHULMAN: Great. Thank you very much, Commissioner.

HEALTH COMMISSIONER ADAMS: Um hum, yeah.

PRESIDENT SCHULMAN: Any other questions? Okay. Thank you Commissioner. Anything else? Thank you.

HEALTH COMMISSIONER ADAMS: Thank you for your time.

PRESIDENT SCHULMAN: Thank you very much, as always.

PUBLIC SPEAKS

PRESIDENT SCHULMAN: We're now under Public Speaks. We have one speaker this evening. My friend, *(Inaudible)*. *(Laughter)*. Now you're surprising me, here. I thought you were gonna step right up.

PETE DIGIACOMO: How would you like...

PRESIDENT SCHULMAN: Good evening and welcome.

PETE DIGIACOMO: Thank you. Uh, my name's Pete DiGiacomo. I live at 600 Dent Place SW, Canton, Ohio. Just a couple of things here. Start off with...I was listening to...seem to be a problem, like, why do the sidewalks cost as much as they do? Or for the handicapped? Government. No...no...you don't have to look any further than that. Once the government gets involved the price goes up. That's pretty simple. Um, you're gonna have a...for the shot spotter, definitely vote. Get it done...back in. Don't ever take it out. The city

MINUTES OF THE MEETING APRIL 17, 2017

needs it, the Police Department needs it and any help that they can secure...Safety Forces can get, they need it. Period. I have one other question. Communications...“Authorize the Mayor or Service Director to enter into contract with Canton Development Partnership to replace Market Avenue flower planter irrigation system.” I don’t know how...I don’t know exactly what you’re talking about there, but I know I’ve seen the irrigation system, what I’m thinking it is...one person rides in the back of a pickup truck, the other one drives it and he’s got a...(Laughter)...you laugh...am I right? I’m not right...but the guy’s watering, irrigating the plants. It’s not high...maybe it is high-tech, I don’t know, but I was just curious what that, you know. Come on...I’m trying to get eight minutes tonight! (Laughter).

PRESIDENT SCHULMAN: I like it. You’ll be...I know you’ll be here after the meeting and I’m sure that um...the Director will be happy to...

PETE DIGIACOMO: Okay, thank you.

PRESIDENT SCHULMAN: You’re welcome. That concludes Public Speaks. Thank you for sup...your questions. We always appreciate it.

INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We’re now under Informal Resolutions and we have none this evening.

COMMUNICATIONS

PRESIDENT SCHULMAN: We’re now under 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 APRIL 17, 2017.

146. CD DIRECTOR SEWARD: AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH CANTON DEVELOPMENT PARTNERSHIP TO REPLACE MARKET AVE FLOWER PLANTER IRRIGATION SYSTEM; EMERGENCY. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
147. CD DIRECTOR SEWARD: DECLARE TRF OF VARIOUS HOUSES/REAL PROP OBTAINED BY CITY OF CANTON FOR FURTHERANCE OF DEPT OF DEVELOPMENT PROG TO QUALIFIED ENTITIES FOR URBAN REDEVELOPMENT AND/OR RENEWAL PURSUANT TO ORC SEC 721.28 EXEMPTING SAID TRF FR REQUIREMENTS OF COMPETITIVE BIDDING; AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ALL CONTRACTS NECESSARY TO TRF REFERENCED HOUSES/REAL PROP; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (O#186/2013). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
148. COURT ADMIN KOCHERA: 2016 CANTON MUNICIPAL COURT ANNUAL REPORT. - RECEIVED & FILED

MINUTES OF THE MEETING APRIL 17, 2017

149. LAW DIRECTOR MARTUCCIO: AUTHORIZE EXPANSION OF HOFV ADD TO INCORPORATE RECENTLY PASSED ANNEXATIONS AND RELATED TIF DISTRICT, PURSUANT TO CHAPTERS 715 AND 5709 OF ORC RESPECTIVELY. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
150. MAYOR BERNABEI: REQ AUTH TO RE-APPT WILLIAM JONES TO FAIR EMPLOYMENT PRACTICES BRD FOR (3) YR TERM COMMENCING 5/1/17 OR UPON COUNCIL AUTH TO 4/30/20. - PERSONNEL COMMITTEE
151. SAFETY DIRECTOR PERRY: REQ APPROVAL OF SHOTSPOTTER FLEX CONTRACT (1) YR RENEWAL FR 5/29/17 THRU 5/28/18. - FINANCE COMMITTEE
152. SERVICE DIRECTOR BARTOS: REQ CONSENT LEGISLATION GRANTING ODOT ABILITY TO PERFORM GUARDRAIL REPLACEMENT WORK ON US 30 AND SR43, D04 GR2018A, PID 103678, GP1264 AT NO COST TO THE CITY; EMERGENCY. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
153. SERVICE DIRECTOR BARTOS: REQ LEGISLATION CONTAINING EXACT LANGUAGE CONTAINED IN SAMPLE ORDINANCE FR ODOT TO PARTICIPATE IN WINTER RD SALT CONTRACT REQ 9,000 TONS OF RD SALT; EMERGENCY. - FINANCE COMMITTEE
154. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCH OF (1) MEDIUM DUTY PICKUP TRUCK AND (1) HEAVY DUTY CAB AND CHASSIS FOR COLLECTION SYSTEMS DEPT; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR ABOVE PURCH IN ACCORDANCE WITH ANY COOP PURCH PROG OR PROCUREMENT PROCEDURE AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
155. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO \$23,231.31 COOP AGMT MODIFICATION NO. 1 WITH STARK CO FOR FAIR HOPE SANITARY SEWER LIFT STATION REHAB PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING.

PRESIDENT SCHULMAN: We now turn to 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 #8 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE ESTABLISHING AND DESIGNATING THE BOUNDARIES OF A

MINUTES OF THE MEETING APRIL 17, 2017

PROPOSED DOWNTOWN REDEVELOPMENT DISTRICT (DRD); APPROVING THE ECONOMIC DEVELOPMENT PLAN FOR THE PROPOSED DRD; PURSUANT TO OHIO LAW; DECLARING AN "IMPROVEMENT" TO ONE OR MORE PARCELS OF REAL PROPERTY LOCATED IN THE DISTRICT TO BE A PUBLIC PURPOSE; FINDING AND DETERMINING THAT IMPROVEMENTS TO PARCELS WITHIN THE DRD BE EXEMPTED UP TO 70% FOR TEN YEARS WITHOUT SCHOOL DISTRICT APPROVAL; OR UP TO 70% FOR THIRTY YEARS WITH EITHER SCHOOL DISTRICT APPROVAL OR SERVICE PAYMENTS TO THE SCHOOL DISTRICT(S) EQUAL TO THE TAXES EXEMPTED; ESTABLISHING AND DESIGNATING THE BOUNDARIES OF THE PROPOSED INNOVATION DISTRICT; APPROVING THE ECONOMIC DEVELOPMENT PLAN FOR THE PROPOSED INNOVATION DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development and Downtown Development Committees

- #2. (1ST RDG) 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
Referred to Judiciary Committee
- #3. (1ST RDG) AN ORDINANCE AMENDING CHAPTER 1105, HISTORIC PRESERVATION CODE OF PART ELEVEN, PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF CANTON
Referred to Judiciary Committee
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT A GRANT OF \$100,000.00 FROM THE OHIO FACILITIES CONSTRUCTION COMMISSION FOR THE CITY OF CANTON CENTRAL PLAZA MEMORIAL PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR SAID PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement Committee
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER/CONTRACT AMENDMENT NO. 1 WITH MICHAEL BAKER INTERNATIONAL IN AN AMOUNT NOT TO EXCEED \$18,432.00 FOR PROFESSIONAL ENGINEERING SERVICES FOR THE BURNHAM HILLS SANITARY SEWER REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC

MINUTES OF THE MEETING APRIL 17, 2017

SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT; ENTER INTO A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES AND 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 FOR THE 40TH STREET/GRUNDER AVENUE WATER MAIN REPLACEMENT PROJECT; AUTHORIZING THE AUDITOR TO CREATE THE 5233 40TH STREET/GRUNDER AVENUE AREA WATER MAIN REPLACEMENT PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ARCADES IN AN AMOUNT NOT TO EXCEED \$23,600.00 FOR THE MONTEBELLA-FIRST FRIENDS DETENTION BASIN DRAINAGE STUDY; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO A CONSTRUCTION CONTRACT AND TO ENTER INTO AGREEMENT(S) FOR AND RECEIVE GRANT FUNDS IN THE AMOUNT OF \$750,000.00 AND ZERO PERCENT INTEREST LOAN FUNDS IN THE AMOUNT OF \$750,000.00 FROM THE OHIO PUBLIC WORKS COMMISSION FOR THE SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJECT; AUTHORIZING THE AUDITOR TO CREATE THE 5234 SUGARCREEK WATER (TREATMENT PLANT BACKWASH WATER SLUDGE) LAGOON PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committees

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SCHULMAN: We are now under Ordinances and Resolutions...uh...Formal Resolutions for their Second Reading. Would you please begin, Mister Clerk, with Ordinance #9.

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #9 THROUGH #15 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#15 ADOPTED ON 2ND RDG):

- #9. (2ND RDG) AN ORDINANCE AMENDING ORDINANCE NO. 92/2016; AND DECLARING THE SAME TO BE AN EMERGENCY (CONTRACTS UTILIZING CDBG AND E.S.G. FUNDS)

MINUTES OF THE MEETING APRIL 17, 2017

- #10. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,514.44 SUPP APPROP FR UNAPPROP BAL OF 2763 LAW ENFORCEMENT TRUST TO 2763 102085 NOVFTF - OTHER)(PURCH EQUIP FOR POLICE DEPT TO AID IN APPREHENSION OF VIOLENT FUGITIVES)
- #11. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER/CONTRACT AMENDMENT NO. 2 WITH MICHAEL BAKER, JR., INC./MICHAEL BAKER INTERNATIONAL FOR CONSTRUCTION ENGINEERING SERVICES RELATED TO THE MAHONING ROAD NE CORRIDOR PROJECT, PHASE 1, PID 90361, GP 1103; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER NO. 4 WITH LOCKHART CONCRETE CO. FOR THE EAST SIDE INTERCEPTOR SEWER RELOCATION PROJECT, GP 1113; AND DECLARING THE SAME TO BE EMERGENCY
- #13. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ONE OR MORE SIDEWALK, STREETScape, AND/OR ADA RAMP CONSTRUCTION CONTRACTS; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$320,621.52 SUPP APPROP FR UNAPPROP BAL OF 4579 30TH ST NW RESURFACING PROJ, GP 1238 FUND TO 4579 202044 30TH ST NW RESURFACING PROJ, GP 1238 - OTHER)
- #14. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: PURCHASE SANITARY SEWERS AND TO ENTER INTO AGREEMENT(S) WITH STARK COUNTY FOR THE OWNERSHIP, OPERATION, AND/OR MAINTENANCE OF SANITARY SEWERS AND SANITARY SEWER FACILITIES SERVICING THE AREA INCLUDED IN THE GENERAL DEVELOPMENT PLAN FOR THE JOHNSON CONTROLS HALL OF FAME VILLAGE; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$300,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 202010 ENGINEER DAILY OPERATIONS - OTHER)
- #15. (2ND RDG) **ADOPTED AS ORDINANCE NO. 87/2017** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT AMENDMENT WITH BRICKER & ECKLER LLP FOR LEGAL SERVICES RELATED TO THE WATER RECLAMATION FACILITY CONSTRUCTION PROJECT; AMENDING

MINUTES OF THE MEETING APRIL 17, 2017

APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$75,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206005 OPERATIONS AND MAINTENANCE - OTHER)

PRESIDENT SCHULMAN: Leader, on Ordinance 15.

MEMBER MORRIS: Mr. President, I move that we suspend the Statutory Rules for Ordinance #15.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule for Ordinance 14, I'm sorry, Ordinance 15. *(Inaudible)*. Yes.

SERVICE DIRECTOR BARTOS: Mr. President. I noticed an issue when Mr. Moeglin was explaining Ordinance 14, so I've asked that we just hold it until next week, so we can correct any potential issues.

PRESIDENT SCHULMAN: That's fine, but we are on Ordinance 15 now.

MEMBER MORRIS: Yes we are. She second it.

MEMBER SMITH: I second it.

PRESIDENT SCHULMAN: It's already been seconded. Any remarks? Hearing none, roll call...oh, I'm sorry. We are under Ordinance 15. Are there any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Motion carries, but did we suspend the Statutory Rules?

MEMBER MORRIS: That's what we just did.

PRESIDENT SCHULMAN: Just now?

MEMBER MORRIS: Just now. And I've heard my three readings.

PRESIDENT SCHULMAN: *(Laughs)*. Okay, you've heard the three readings?

MEMBER MORRIS: Yep, and I move we adopt...er...Ordinance #15.

MEMBER SMITH: Second.

MINUTES OF THE MEETING APRIL 17, 2017

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #15. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas Mr. President.

#15 ADOPTED AS ORDINANCE NO. 87/2017

PRESIDENT SCHULMAN: Thank you, Leader. Motion...er...thank you. The Motion carries and Ordinance 15 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We now turn to Ordinances and Formal Resolutions for their Third and Final Reading and Vote. Would you please begin with Ordinance 16. (*Inaudible*). We're now under Ordinance...yeah...

NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #16 THROUGH #19 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.

#16. (3RD RDG) **RECONSIDERED & AMENDED AS ORDINANCE NO. 86/2017** AN ORDINANCE AUTHORIZING THE APPROPRIATE OFFICIAL(S): TO PURCHASE AND/OR LEASE VARIOUS TITLED VEHICLES; TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THOSE PURCHASES DESCRIBED IN EXHIBIT A THAT EXCEED ANY APPLICABLE DOLLAR AMOUNT THRESHHOLD(S); AND TO ALTERNATIVELY ENTER INTO CONTRACT FOR THE PURCHASES PURSUANT TO ANY COOPERATIVE PURCHASING AGREEMENTS AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER MORRIS: Mr. President, I move we reconsider Ordinance #86/2017, adopted April 10, 2017.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you reconsider Ordinance 86/2017, adopted on April 10, 2017. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas Mr. President.

PRESIDENT SCHULMAN: Motion carries.

MEMBER MORRIS: Mr. President I move we amend Ordinance #86/2017 per a copy all Council Members have in front of them..

MINUTES OF THE MEETING APRIL 17, 2017

MEMBER SMITH: Second.

AMENDMENT

Pursuant to Rules 41 and 36, I move to reconsider and amend Ordinance No. 86/2017 by appending Exhibit A attached hereto to the original ordinance.

PRESIDENT SCHULMAN: It's been moved and seconded that you amend Ordinance 26/2017 (*Should be 86/2017*) any remarks? Hearing none, roll call vote, please.

MEMBER MORRIS: Nope, voice.

PRESIDENT SCHULMAN: 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. Now, Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #86/2017, as amended.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance 86/2017, as amended. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas Mr. President.

#16 RECONSIDERED & AMENDED AS ORDINANCE NO. 86/2017

PRESIDENT SCHULMAN: Motion carries. Ordinance #17.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 88/2017** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE ONE RICHMOND AVENUE ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader Morris.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #17.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #17. Any remarks under this Ordinance? Hearing none, roll call vote please, Mr. Clerk.

MINUTES OF THE MEETING APRIL 17, 2017

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 88/2017

PRESIDENT SCHULMAN: Motion carries. Ordinance #17 is adopted, thank you. Ordinance 18, please.

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 89/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,786,199.00 FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206057 OWDA WRF PHOSPHORUS PROJ (MEMBRANE) #6556 - OTHER - \$1,007,989.00, TO 5410 206058 OWDA WRF PHOSPHORUS (CONSTRUCTION) #6699 - OTHER - \$1,778,210.00)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #18.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #18. Any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 89/2017

PRESIDENT SCHULMAN: Motion carries, thank you. Ordinance 18 is adopted. Ordinance 19, please.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 90/2017** AN ORDINANCE AUTHORIZING THE ADOPTION OF THE GENERAL DEVELOPMENT PLAN FOR THE HALL OF FAME VILLAGE DEVELOPMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #19.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance 19. Any remarks under this Ordinance? Hearing none, roll call vote please.

MINUTES OF THE MEETING APRIL 17, 2017

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 90/2017

PRESIDENT SCHULMAN: Motion carries and Ordinance 19 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SCHULMAN: We now turn to Announcements of Committees.

MEMBER SMITH: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER SMITH: I'd like to call the meeting at 6:00 on April 24th.

PRESIDENT SCHULMAN: Thank you.

MEMBER MARIOL: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: The Finance Committee and Public Property Capital Improvement will meet, the same time, same place.

PRESIDENT SCHULMAN: Thank you.

MEMBER BABCOCK: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER BABCOCK: Personnel, the same time, same place.

PRESIDENT SCHULMAN: Thank you. Anybody else?

PRESIDENT SCHULMAN: Turning to Miscellaneous Business.

CLERK DOUGHERTY: Hold on...hold on...hold on...hold on...hold on...we need the Downtown Development meeting called. *(Inaudible)*.

GREG HAWK: Downtown Development Committee, the same time, same place.

PRESIDENT SCHULMAN: Thank you sir. *(Inaudible)*.

CLERK DOUGHERTY: Nate, you need to call that meeting, please...

NATE: *(Inaudible)*. Does it matter? I call it at 6:00 next week.

MINUTES OF THE MEETING APRIL 17, 2017

PRESIDENT SCHULMAN: Thank you, Member Chester, very much.

CLERK DOUGHERTY: And Judiciary, please.

MEMBER MARIOL: Judiciary will meet, same time, same place.

PRESIDENT SCHULMAN: Is something going on in the room tonight?

MEMBER MORRIS: I really have to use the restroom. *(Laughter)*. That's why I'm in a hurry. *(Laughter)*.

PRESIDENT SCHULMAN: Well then, go ahead.

MISCELLANEOUS BUSINESS

PRESIDENT SCHULMAN: Miscellaneous Business. Is there any? Hearing none...oh wait a minute, sorry.

CLERK DOUGHERTY: Quote of the week. *(Laughter)*. *People take different roads seeking fulfillment and happiness. Just because they're not on your road doesn't mean they've gotten lost. H. Jackson Brown. (Laughter)*.

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: I'm taking a road to reliefment. Don't get in my way. Move to adjourn.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adjourn. Roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. Meeting's adjourned. *(Gavel falls)*. Be safe everyone. See you next week.

ADJOURNMENT TIME: 8:05 P.M.

ATTEST:

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

ALLEN SCHULMAN
PRESIDENT