

**MINUTES OF THE MEETING AUGUST 14, 2017**

PRESIDENT SCHULMAN: Good evening ladies and gentlemen. Welcome to Canton City Council. Before we begin our meeting, I have a *(Inaudible)*.

LAW DIRECTOR MARTUCCIO: Thank you Mr. President. Members of Council, Members of the audience. Hundreds of thousands of words have been said and have been written about what happened on Saturday. It's ugly, let's put the blame where the blame belongs, but let's also remember that people were killed. People who came to exercise their First Amendment rights and law enforcement officers. So, if we could please have a moment of silence and contemplation of prayer for those who lost their lives in Charlottesville on Saturday.

*(MOMENT OF SILENCE)*.

PRESIDENT SCHULMAN: Thank you very much. This is getting, uh, kind of old. I'm sick of these things over and over and over again. Let's hope we can do something about it. 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: (FRANK MORRIS, CHRIS SMITH, JAMES BABCOCK, TOM HARMON, BILL SMUCKLER, GREG HAWK, NATHANIEL CHESTER, JASON SCAGLIONE, ROBERT FISHER, & KEVIN HALL)

TEN COUNCIL MEMBERS PRESENT. (MEMBERS MARIOL & MACK ABSENT).

CLERK DOUGHERTY: Ten present, two absent, Mr. President.

**EXCUSING MEMBERS**

PRESIDENT SCHULMAN: Thank you. Motion carries. Leader.

MEMBER MORRIS: Mr. President. I move we excuse Members Mariol and Members Mack from tonight's meeting.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you excuse Member Mack and Member Mariol from this evening's meeting. Is there any remark?

MEMBER MORRIS: Mr. President. I said Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MORRIS: Uh...remark...Member Mack is tied up at work this evening and was unable to get out and Member Mariol is uh...on vacation, soon to return. So, uh, that's where those two gentlemen are.

PRESIDENT SCHULMAN: Thank you very much. Any other remarks? Hearing none, motion carries. *(Inaudible)*. Roll call vote please, I'm sorry.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

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CLERK DOUGHERTY: Ten yeas Mr. President.

PRESIDENT SCHULMAN: Motion carries and those Members are excused. We'll have our invocation tonight given by my good friend and Council Member, Jim Babcock. If you'll stand and please remain standing for our Pledge of Allegiance.

*The regular meeting of Canton City Council was held on August 14, 2017 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council David Dougherty. The invocation was given by At-Large Council Member Jim Babcock. The Pledge of Allegiance was led by President Schulman.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SCHULMAN: We're now under Agenda Cor.....We're now under Agenda Corrections and Changes. Can the folks in the back hear me? Can you folks hear me back there? Clearly, or not? Okay, good. Thank you.

MEMBER MORRIS: Mr. President, I move Rule 22A be suspended to add 2<sup>nd</sup> Reading Ordinances #7 through 16.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspended Rule 22A to add 2<sup>nd</sup> Reading Ordinances 16...I'm sorry... 2<sup>nd</sup> Reading Ordinances 2 through 16 to this evening's meet...uh...meet...I'm sorry...

CLERK DOUGHERTY: 7 through 16.

PRESIDENT SCHULMAN: 7 through 16, I apologize, to this evening's agenda. Any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

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

**PUBLIC HEARINGS**

PRESIDENT SCHULMAN: Turning to Public Hearings. We have no Public Hearing tonight.

**OLD BUSINESS**

PRESIDENT SCHULMAN: We now turn to New Business...Old Business, I'm sorry. We have no Old Business this evening.

**PUBLIC SPEAKS**

PRESIDENT SCHULMAN: We turn now to Public Speaks, in which we have no public speaks tonight.

MINUTES OF THE MEETING AUGUST 14, 2017INFORMAL RESOLUTIONS

PRESIDENT SCHULMAN: We do however, turn to our Informal Resolutions and we have two this evening. Would you please read Informal Resolution 30 by Title.

#30. COUNCIL-AS-A-WHOLE: CONGRATULATING FIRST TEE OF CANTON ON THEIR 15 YR ANNIVERSARY. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #30.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution #30. Are there any remarks? Hearing none....

CLERK DOUGHERTY: Can we have that read please, Mr. President.

PRESIDENT SCHULMAN: Yes, could you please read that?

CLERK DOUGHERTY: Informal Resolution respectfully submitted by Council-as-a-Whole on this 14<sup>th</sup> day of August, 2017. Whereas, The First Tee of Canton was chartered in 2002 as a youth development program that provides young people of varying cultures, backgrounds, and skill sets, the opportunity to learn the game of golf; and Whereas, Their Mission is to impact the lives of young people by providing educational programs that build character, instill life-enhancing values, and promote healthy choices through the game of golf; and Whereas, The First Tee is built on Nine Core Values; Honesty, Integrity, Sportsmanship, Respect, Confidence, Responsibility, Perseverance, Courtesy, and Judgment. They also embrace and teach the Nine Healthy Habits of Energy, Play, Safety, Vision, Mind, Family, Friends, School, and Community; and Whereas, The number of young people impacted, influenced, and inspired has grown each year with nearly 8,800 young people in 2016; and Whereas, The growth of the golf programs and the facility upgrades are a true testament to the strength of the impact that your staff, coaches, volunteers, and Board of Directors are having on today's youth. Now Therefore Be It Resolved, that we, the Members of Canton City Council, do hereby go on public record congratulating the First Tee of Canton on their 15 year anniversary. Thanks for making a difference in the lives of young people today and the future leaders of tomorrow. *(Applause)*.

PRESIDENT SCHULMAN: Thank you, any other remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #30 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SCHULMAN: The ayes have it. The motions carries. Yes.

MEMBER HALL: We would like to present this to you as thus, the Members of the City of Canton, and City Council. Thanking you and the opportunity that you're giving young people. A vision and a thought of something else they can do with their life. We will just want to say thank you.

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ANGELA PALOMBA: Thank you. (*Applause*). Thank you.

PRESIDENT SCHULMAN: Thank you very much for your service. We very much appreciate it. We're now turning to Resolution...the next resolution. 30?

#31. COUNCIL-AS-A-WHOLE: AMENDING PROCEDURE RULE #22A AND RULE #24B, BY CHANGING DEADLINE FOR RECEIPT OF COMMUNICATIONS, INFORMAL RESOLUTIONS, FORMAL RESOLUTIONS, AND ORDINANCES FROM 4:30 P.M. TO 12:00 P.M. ON THURSDAYS EFFECTIVE AUGUST 24, 2017. - ADOPTED

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we adopt Informal Resolution #31.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Informal Resolution 31. Any remarks? Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #31 PASSED UNANIMOUSLY BY VOICE VOTE

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

**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 AUGUST 14, 2017.***

293. ANNEXATION CHAIRMAN MORRIS: REQ STATEMENT OF SERVS FOR 4229 4<sup>TH</sup> ST NW ANNEXATION. - ANNEXATION COMMITTEE

294. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 7/31/17. - RECEIVED & FILED

295. AUDITOR MALLONN: MTHLY RPT BY FUND FOR 7/1/17 THRU 7/31/17. - RECEIVED & FILED

296. AUDITOR MALLONN: YRLY RPT BY FUND FOR 1/1/17 THRU 7/31/17. - RECEIVED & FILED

297. CHIEF DEPUTY CLERK GONZALEZ: AUTHORIZE AUDITOR TO PAY \$3,332.00 OBLIGATION TO ZENITH FOR INSTALLATION OF NEW MICROPHONES IN CLERK OF COURTS OFFICE. - FINANCE COMMITTEE

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298. FINANCE DIRECTOR CROUSE: REQ TO WITHDRAW COMMUNICATION #288 FR 7/31/17 AGENDA. - RECEIVED & FILED
299. FINANCE DIRECTOR CROUSE: REQ \$15,000.00 SUPP APPROP FR UNAPPROP BAL OF 2155 CITY PARKING DECK/LOT FUND TO 2155 104040 TRAFFIC ENG/PARKING METER - PERSONNEL FOR 2017 REPAIRS TO PARKING DECKS. - FINANCE COMMITTEE
300. FINANCE DIRECTOR CROUSE: REQ \$32,900.00 APPROP TRF FR 2111 104010 - TRAFFIC SIGN AND PAINT - PERSONNEL TO 2111 104020 TRAFFIC SIGNAL - PERSONNEL, \$2,800.00 APPROP TRF FR 4501 202001 - ENGINEERING ADMIN - PERSONNEL TO 4501 202020 ENGINEER - URBAN FORESTRY - PERSONNEL, \$5,000.00 APPROP TRF FR 1001 201201 - PURCHASING ADMIN - PERSONNEL TO 1001 200501 GEN GOV'T SUPPORT - OTHER, AND \$16,500.00 APPROP TRF FR 1001 506001 - COMMUNITY DEVELOPMENT ADMIN - OTHER TO 1001 102075 POLICE - CONT PROFESS TRAINING - OTHER FOR \$15,000.00, TO 1001 501001 MAYOR ADMIN - OTHER FOR \$500.00, AND TO 1001 501101 HUMAN RESOURCE ADMIN - OTHER FOR \$1,000.00 TO MEET PAYROLL REQUIREMENTS. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
301. LAW DIRECTOR MARTUCCIO: REQ AUTHORIZATION TO SETTLE PENDING LITIGATION IN STARK COUNTY COMMON PLEAS CT. - JUDICIARY AND FINANCE COMMITTEE
302. LIQUOR CONTROL DIV (OHIO): REQ NEW D51 PERMIT FOR DOWNTOWNER DEVELOPMENT CO LLC, DBA PILEGGI'S DOWNTOWN @ 621 MARKET AVE N. - RECEIVED & FILED
303. MAYOR BERNABEI: REQ AUTH TO RE-APPT CHARLES DEGRAFF TO SARTA BOARD FOR 3 YR TERM FR 9/1/17 TO 8/31/20. - PERSONNEL COMMITTEE
304. MAYOR BERNABEI: REQ AUTH TO APPT MONIQUE MOORE TO FAIR HOUSING COMMISSION FOR 5 YR TERM EFFECTIVE 7/1/17 TO 6/30/22. - PERSONNEL COMMITTEE
305. PLANNING COMMISSION: REQ REPLAT OF OUT LOT 1336 LOCATED AT 1115 CHERRY AVE NE FOR TERRY NOLAN, STANDARD PRINTING CO (WARD 2). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
306. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR BURNHAM HILLS SANITARY SEWER REALIGNMENT PROJ, GP 1220; REQ \$182,500.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206318 BURNHAM HILLS SANITARY SEWER REALIGNMENT, GP 1220 - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
307. SERVICE DIRECTOR BARTOS: AUTHORIZE AUDITOR TO MAKE ALL NECESSARY PURCH ORDER ADJUSTMENTS AND PAY MORAL OB TO MICHAEL BAKER, JR., INC. UP

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TO AMT OF CHANGE ORDER #2 TO MAHONING RD NE CORRIDOR PROJ, PHASE 1, PID 90361, GP 1103 CONSTRUCTION ENGINEERING CONTRACT; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

308. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERV CONTRACTS AND/OR CONTRACT AMENDMENTS WITH FROST BROWN TODD LLC FOR LEGAL SRVS RELATED TO ENVIRONMENTAL MATTERS; REQ \$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207010 PUMPING - OTHER AND \$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 206005 OPERATION AND MAINTENANCE - OTHER FOR \$50,000.00 AND TO 5410 206006 COLLECTION SYSTEMS DEPT - OTHER FOR \$50,000.00; RETROACTIVELY AUTHORIZE AND RATIFY ANY ACTIONS TAKEN TO PROTECT CANTON'S ENVIRONMENTAL INTERESTS PRIOR TO PASSAGE OF ORDINANCE; AUTHORIZE AUDITOR TO PAY FROST BROWN TODD LLC ANY AND ALL MORAL OBS THAT ARISE PRIOR TO COMPLETION OF FINAL CONTRACT OR AMENDMENTS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
309. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO EMERGENCY PROF SRVS CONTRACT WITH BENNETT & WILLIAMS ENVIRONMENTAL CONSULTANTS, INC. FOR SRVS RELATED TO PROTECTION OF SUGARCREEK WELLFIELD; REQ \$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207010 PUMPING - OTHER; RETROACTIVELY AUTHORIZE AND RATIFY ANY ACTIONS TAKEN TO PROTECT CANTON'S ENVIRONMENTAL INTERESTS PRIOR TO PASSAGE OF ORDINANCE; AUTHORIZE AUDITOR TO PAY BENNETT & WILLIAMS ENVIRONMENTAL CONSULTANTS, INC. ANY AND ALL MORAL OBS THAT ARISE PRIOR TO COMPLETION OF FINAL CONTRACT; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
310. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL NECESSARY AGMTS WITH STARK COUNTY, OH PUBLIC WORKS COMMISSION AND OTHER REQUIRED AGENCIES AND/OR ENTITIES FOR GEORGETOWN ST/8TH ST NE AND SHEPLER CHURCH AVE SW RESURFACING PROJECTS; AUTHORIZE MAYOR AND/OR SERV DIR TO APPLY FOR, ENTER INTO AGMT FOR, AND RECEIVE ANY AND ALL FUNDING NECESSARY FOR THESE PROJECTS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
311. TREASURER PEREZ: RPT OF DEPOSITS AND PAY-INS TO TRANSIENT LODGING ACCT FOR 1<sup>ST</sup> QUARTER 2017. - RECEIVED & FILED
312. TREASURER PEREZ: RPT OF DEPOSITS AND PAY-INS TO TRANSIENT LODGING ACCT FOR 2<sup>ND</sup> QUARTER 2017. - RECEIVED & FILED
313. TREASURER PEREZ: MTHLY RPT OF DEPOSITS AND PAY-INS FOR AMBULANCE LOCK BOX ACCT FOR JULY, 2017. - RECEIVED & FILED

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314. TREASURER PEREZ: MTHLY RPT OF PARKING METER REVENUE FOR JULY, 2017. - RECEIVED & FILED
315. TREASURER PEREZ: INFORM COUNCIL OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 6/30/17. - RECEIVED & FILED
316. TREASURER PEREZ: INFORM COUNCIL OF BANK RECONCILIATIONS AND CITY'S OUTSTANDING INVESTMENTS AS OF 7/31/17. - RECEIVED & FILED

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

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

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$14,500.00 APPROP TRF FR 1001 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER TO 1001 201001 SERVICE DIRECTOR ADMIN - OTHER FOR \$7,000.00 AND TO 1001 501001 HUMAN RESOURCES ADMIN - OTHER FOR \$7,500.00)  
Referred to Finance Committee
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$200,000.00 SUPP APPROP FR UNAPPROP BAL OF 6041 MOTOR VEHICLE DEPT DMV FUND TO 6041 208010 SERVICE AND REPAIR - OTHER)  
Referred to Finance Committee
- #3. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$25,000.00 SUPP APPROP FR UNAPPROP BAL OF 2320 NURSING CLINIC ACTIVITY FUND TO 2320 303002 NURSING CLINIC ACTIVITY FUND - 700 - OTHER)  
Referred to Finance Committee
- 
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PARKS AND RECREATION TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE ANY AND ALL NECESSARY CONTRACTS FOR THE KING PARK RENOVATION PROJECT; OR TO ALTERNATIVELY ENTER INTO ANY AND ALL NECESSARY CONTRACTS FOR SAID PROJECT USING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Parks and Recreation and Finance Committees

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#5. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 172/2017** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION TO A CUT ABOVE TREE SERVICE, LLC; AND DECLARING THE SAME TO BE AN EMERGENCY (\$10,500.00 FOR CANTON NEIGHBORHOOD INITIATIVE PROG (NIP), PHASE III)  
\_\_\_\_\_  
Referred to Finance Committee

#6. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 173/2017** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION TO STANDARD PLUMBING AND HEATING CO.; AND DECLARING THE SAME TO BE AN EMERGENCY (\$8,354.65 FOR CITY HALL FLOODING EVENT)  
\_\_\_\_\_  
Referred to Finance Committee

PRESIDENT SCHULMAN: At this point the Chair will declare an in-house recess to hear Ordinances 5 and 6 on this evening's agenda. You are now in recess.

***(COUNCIL RECESSED AT 7:10 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCES #5 AND #6; RECONVENED AT 7:11 PM)***

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

MEMBER MORRIS: Mr. President, I move that we suspend Rule 22A to place Ordinances #5 and #6 back on this evening's agenda.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend Rule 22A to place Ordinances 5 and 6 back on this evening's agenda. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinances 5 and 6 are a legal part of your agenda. Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rules for Ordinances #5 and #6.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rules for Ordinance 5 and 6. Any remarks? Hearing none, roll call vote please.



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NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: Motion carries. Leader.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #5.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded that you adopt Ordinance #5. Any remarks under this Ordinance? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

**#5 ADOPTED AS ORDINANCE NO. 172/2017**

PRESIDENT SCHULMAN: Motion carries. Ordinance uh...passes. Ordinance #6.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #6.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #6. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

**#6 ADOPTED AS ORDINANCE NO. 173/2017**

PRESIDENT SCHULMAN: Motion carries.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SCHULMAN: We're now under Ordinances and Formal Resolutions for their Second Reading. Will you please begin with Ordinance #7.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #7 THROUGH #16 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (O#10 AND O#16 ADOPTED ON 2<sup>ND</sup> READING)***

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- #7. (2<sup>ND</sup> RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNERS IN THE HOF VILLAGE #4 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
- #8. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION & CORRECTION FOR THE RECEIPT OF THE FY 2018-2019 PROBATION IMPROVEMENT & INCENTIVE GRANT IN THE AMOUNT OF \$88,822.00; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$88,822.00 SUPP APPROP FR UNAPPROP BAL OF 2765 PROBATION IMPROVEMENT & INCENTIVE GRANT FUND TO 2765 701001 PROBATION IMPROVEMENT & INCENTIVE GRANT - PERSONNEL)
- #9. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF REHABILITATION & CORRECTION FOR RECEIPT OF THE FY 2018 COMMUNITY CORRECTIONS ACT GRANT IN AN AMOUNT NOT TO EXCEED \$170,601.00; AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$170,601.00 SUPP APPROP FR UNAPPROP BAL OF 2767 MISDEMEANANT JAIL DIVERSION GRANT FUND TO 2767 MISDEMEANANT JAIL DIVERSION GRANT FUND - OTHER)
- #10. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 174/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,163,656.00 SUPP APPROP FR UNAPPROP BAL OF 2211 COMMUNITY DEVELOPMENT FUND TO 2211 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$388,896.00 SUPP APPROP FR UNAPPROP BAL OF 2214 HOME FUND TO 2214 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$213,203.00 SUPP APPROP FR UNAPPROP BAL OF 2219 EMERGENCY SHELTER GRANT FUND TO 2219 506001 COMMUNITY DEVELOPMENT ADMIN - OTHER)
- #11. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL NOS. 224034, 244037, 229347, 244039, 244041, 244044, AND 244029 @ 2213 CLEVELAND AVE NW FROM R-1A (SINGLE-FAMILY RESIDENTIAL) AND B-3 (GENERAL BUSINESS) TO PB-4 (PLANNED SPECIAL BUSINESS DISTRICT FOR GROFFRE INVEST & JEFFRIES BROS EXCAVATING & PAVING INC.)

**PUB HRG 8/28/17 @ 7:30 PM**

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- #12. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #245005 @ 115 BROAD AVE NW FROM R-1A (SINGLE-FAMILY RESIDENTIAL) TO PB-3 (PLANNED GENERAL BUSINESS FOR STEPHANIE DONAHUE)

**PUB HRG 8/28/17 @ 7:31 PM**

- #13. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #245905 @ 2110 - 8<sup>TH</sup> ST NE FROM R-1A (SINGLE-FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS FOR MOTOR VEHICLE STORAGE)

**PUB HRG 8/28/17 @ 7:32 PM**

- #14. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING CHAPTER 1158, HALL OF FAME VILLAGE DISTRICT OF PART ELEVEN, PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES BY THE ADDITION OF SECTION 1158.19 - SIGNS PERMITTED IN HOFV ZONING DISTRICT REQUIRING A PERMIT

**PUB HRG 8/28/17 @ 7:33 PM**

- #15. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO A 5 YEAR CONTRACT FOR THE LEASE OF APPROXIMATELY 274 ACRES OF CITY OF CANTON PROPERTY AT THE SUGARCREEK WATER TREATMENT PLANT FOR FARMING PURPOSES; AND DECLARING THE SAME TO BE AN EMERGENCY

- #16. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 175/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$13,750.00 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 103501 CENTRAL COMMUNICATION ADMIN - OTHER)

PRESIDENT SCHULMAN: Leader.

MEMBER MORRIS: Mr. President, I move we suspend the Statutory Rule for Ordinances #10 and 16.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved and seconded to suspend the Statutory Rule for Ordinances 10 and 16. Any remarks? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

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CLERK DOUGHERTY: Ten yeas Mr. President.

PRESIDENT SCHULMAN: Thank you. Motion carries. Leader, you've heard the 3 readings.

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

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #10. Any remarks?  
Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas Mr. President.

#10 ADOPTED AS ORDINANCE NO. 174/2017

PRESIDENT SCHULMAN: Motion carries. The Ordinance is adopted. Ordinance, uh, 16.

MEMBER MORRIS: Mr. President, I move we adopt Ordinance #16.

PRESIDENT SCHULMAN: It's been moved and seconded to adopt Ordinance #16. Any remarks under this Ordinance? Hearing again, no...no...nothing, uh, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas Mr. President.

#16 ADOPTED AS ORDINANCE NO. 175/2017

PRESIDENT SCHULMAN: Thank you. Motion carries. Ordinance #16 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SCHULMAN: We now turn to Ordinances for their Third/Final Reading and Vote. Mr. Clerk, would you begin with Ordinance 17.

***NOTE: PRESIDENT SCHULMAN CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #17 THROUGH #19 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS.***

#17. (3<sup>RD</sup> RDG) ADOPTED AS ORDINANCE NO. 176/2017 A RESOLUTION DETERMINING THE NECESSITY TO PROCEED WITH THE IMPLEMENTATION OF THE PUBLIC SERVICE PLAN ADOPTED BY THE DOWNTOWN CANTON SPECIAL IMPROVEMENT DISTRICT; DECLARING THE NECESSITY TO PROCEED WITH A SPECIAL ASSESSMENT FOR THE FUNDING OF SAID

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PLAN FOR THE PERIOD OF FIVE YEARS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SCHULMAN: Thank you. Leader.

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? Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

**#17 ADOPTED AS ORDINANCE NO. 176/2017**

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

#18. (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 177/2017** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 41/2017; AND DECLARING THE SAME TO BE AN EMERGENCY (\$23,000.00 SUPP APPROP FR UNAPPROP BAL OF 2659 PROBATION AWARD FUND TO 2659 701001 PROBATION AWARD FUND - OTHER)

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... I'm sorry.

MEMBER MORRIS: Mr. President, I move we amend Ordinance #18 per a copy all Council Members have before them.

MEMBER SMITH: Second.

PRESIDENT SCHULMAN: It's been moved & seconded to amend Ordinance 18 before...uh...to amend the Ordinance 18, before each Member of Council. Any remarks? Hearing none, roll call vote please. Voice vote. By...sorry. You'll have to forgive me tonight, I'm having trouble with this roll...this program here. By voice vote, all those in favor signify by saying aye. Those opposed no.

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NO REMARKS AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

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

MEMBER SMITH: Second.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 18 by the substitution of the attached revised ordinance for the original proposed ordinance.*

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

NO REMARKS ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

**#18 ADOPTED AS AMENDED AS ORDINANCE NO. 177/2017**

PRESIDENT SCHULMAN: Thank you. Ordinance carries. Ordinance 19, please.

#19. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 178/2017** AN ORDINANCE ADOPTING THE CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2018; 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.

NO REMARKS ROLL CALL 10 YEAS, 0 NAYS

CLERK DOUGHERTY: Ten yeas, Mr. President.

**#19 ADOPTED AS ORDINANCE NO. 178/2017**

PRESIDENT SCHULMAN: Motion carries. Ordinance 19 has been adopted.

**MINUTES OF THE MEETING AUGUST 14, 2017****ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SCHULMAN: We now turn to Announcements of Committee Meetings. Anybody? There's no announcement?

MEMBER HAWK: Mr. President.

PRESIDENT SCHULMAN: Yes.

MEMBER MARIOL: Finance Committee will meet at 6:45 on...

MEMBER MORRIS: Sometime in August! *(Laughter)*.

MEMBER HAWK: We'll set that for August 28<sup>th</sup>. I'm sorry.

MEMBER BABCOCK: Mr. President. Personnel, same time, same place.

PRESIDENT SCHULMAN: Thank you. Any other remarks?

MEMBER SCAGLIONE: Parks & Rec, same time.

PRESIDENT SCHULMAN: Okay. Anyone else?

**MISCELLANEOUS BUSINESS**

PRESIDENT SCHULMAN: Okay, We turn to Miscellaneous Business. Is there any?

LAW DIRECTOR MARTUCCIO: Mr. President. If I can ask Council to uh, to hold a...a Claims Committee meeting with us. Not all of Council, but those affected, in advance of the Committee Meetings, at 6:30, at the next meeting. There is another pending claim that will take some time for the Majority Leader, Finance Chairperson, the Mayor and the Law Director to discuss. Thank you.

PRESIDENT SCHULMAN: At 6:30?

LAW DIRECTOR MARTUCCIO: 6:30 yes, thank you.

PRESIDENT SCHULMAN: Anyone else?

**QUOTE FOR THE WEEK**

PRESIDENT SCHULMAN: We have our quote of the year. *(Laughter)*

CLERK DOUGHERTY: We have the uh, Little League Baseball Championships going on as we speak. Of course, Mr. Morris used to coach Little Leagues, Mitey Mites. He coached my children so go ahead, feel sorry for him.

MEMBER MORRIS: I was a hell of a coach.

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CLERK DOUGHERTY: So here's the quote...from the great Yogi Berra, "*Little League Baseball is a very good thing because it keeps the parents off the streets.*" (Laughter).

PRESIDENT SCHULMAN: My friend, Leader.

MEMBER MORRIS: Move to adjourn.

MEMBER SMITH: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAY

CLERK DOUGHERTY: Ten yeas, Mr. President.

PRESIDENT SCHULMAN: (*Gavel falls*) The Motion carries.

ADJOURNMENT TIME: 7:25 P.M.

ATTEST: AUGUST 15, 2017  
DAVID R. DOUGHERTY  
CLERK OF COUNCIL

APPROVED:  
ALLEN SCHULMAN  
PRESIDENT