

**MINUTES OF THE MEETING FEBRUARY 4, 2019**

PRESIDENT SHERER: With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please, Mr. Clerk.

*ROLL CALL TAKEN BY CLERK DOUGHERTY:*

11 COUNCIL MEMBERS PRESENT: (CHRIS SMITH, JAMES BABCOCK, COREY MINOR SMITH, BILL SMUCKLER, GREG HAWK, NATHANIEL CHESTER, JASON SCAGLIONE, ROBERT FISHER, JOHN MARIOL, PETER FERGUSON & FRANK MORRIS)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER HALL ABSENT)

CLERK DOUGHERTY: Ten present, two absent, Mr. President. (MEMBER HALL ABSENT, MEMBER MINOR SMITH PRESENT, BUT NOT IN HORSESHOE)

**EXCUSING MEMBERS**

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: Mr. President, I move we excuse Member Hall from tonight's meeting, and also, Minor Smith had an emergency and had to run to the restroom. She is here.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to excuse Member Hall from this evening's meeting. Are there any remarks?...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS  
(MEMBER MINOR SMITH PRESENT, BUT NOT IN HORSESHOE)

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

PRESIDENT SHERER: Motion carries and Member Hall is excused from this evening's meeting. Tonight's invocation will be given by Ward 7 Council Member, John Mariol. If you would all please stand and remain standing for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on February 4, 2019 at 7:00 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 7 Council Member, John Mariol. The Pledge of Allegiance was led by President Sherer.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SHERER: Thank you, Member Mariol. We are now under Agenda Corrections and Changes. Leader Smith.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2<sup>nd</sup> Reading Ordinances 9 through 13 to this evening's agenda.

MEMBER BABCOCK: Second.

**MINUTES OF THE MEETING FEBRUARY 4, 2019**

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add the 2<sup>nd</sup> Reading Ordinances 9 through 13 to this evening's agenda. Are there any remarks?

MEMBER MINOR SMITH: Mr. President.

PRESIDENT SHERER: Member Minor Smith.

MEMBER MINOR SMITH: Corey Minor Smith is present, for the record. Thank you.

PRESIDENT SHERER: Thank you. 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 SHERER: The motion carries and Ordinances 9 through 13 are a legal part of your agenda.

**PUBLIC HEARINGS**

PRESIDENT SHERER: We are now under Public Hearings, and we have none for this evening.

**OLD BUSINESS**

PRESIDENT SHERER: We are now under Old Business. Deputy Mayor Williams, is there any Old Business for this evening?

**PUBLIC SPEAKS**

PRESIDENT SHERER: We are now under Public Speaks and we do not have any speakers for this evening.

**INFORMAL RESOLUTIONS**

PRESIDENT SHERER: We are now under Informal Resolutions and we have none tonight.

**COMMUNICATIONS**

PRESIDENT SHERER: We are now under Communications. Let the journal show that all Communications are received as read.

***NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED FEBRUARY 4, 2019.***

41. AUDITOR MALLONN: CERT OF TOTAL AMT FR ALL SOURCES FOR 2019. - RECEIVED & FILED
42. MAYOR BERNABEI: LTR ADVISING OF RE-APPT OF AUDREY LAVIN TO PLANNING COMMISSION COMMENCING RETRO TO 1/1/19 THRU 12/31/24. - RECEIVED & FILED
43. MAYOR BERNABEI: LTR ADVISING OF APPTS OF INDIVIDUALS TO BD OF TRUSTEES

**MINUTES OF THE MEETING FEBRUARY 4, 2019**

OF CANTON COMMUNITY IMPROVEMENT CORP (CCIC) PURSUANT TO ARTICLE III, SECS 1 AND 4 OF CODE OF REGULATIONS. - RECEIVED & FILED

44. SAFETY DIRECTOR PERRY: FORMALIZE AMENDMENTS TO EXISTING CPPA CONTRACT TO RUN FR 1/1/19 THRU 12/31/19 SUBJECT TO WAGE AND HEALTHCARE ARTICLE REOPENERS. - PERSONNEL AND FINANCE COMMITTEES
45. SERVICE DIRECTOR HIGHMAN: WRF 2018 ANNUAL REPORT OF OPERATION. - RECEIVED & FILED
46. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ONE-YR CONTRACT, WITH OPTION OF (3) ONE-YR RENEWALS AT SOLE DISCRETION OF CITY, FOR EVALUATION OF WATER DISTRIBUTION VALVES; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
47. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDERS 4 THRU 10 TOTALING \$524,310.34, BRINGING TOTAL CONTRACT AMT TO \$9,531,464.70 FOR MAHONING RD CORRIDOR PHASE 2, GP 1103, PID 90365 PROJ; REQ \$278,935.41 SUPP APPROP FR 4566 MAHONING RD CORRIDOR PRJ GP 1103 (UNAPPROP BAL) TO 4566 202079 MAHONING ROAD CORRIDOR PROJECT (OTHER); REQ \$236,121.91 SUPP APPROP FR 5410 SEWER OPERATING (UNAPPROP BAL) TO 5410 202079 MAHONING ROAD CORRIDOR PROJECT (OTHER); REQ \$9,253.02 SUPP APPROP FR 5201 WATER WORKS - OPERATING (020) (UNAPPROP BAL) TO 5201 202079 MAHONING ROAD CORRIDOR PROJECT (OTHER); RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN PRIOR TO FINALIZATION OF SAID CHANGE ORDERS TO FACILITATE PROJ AND AUTHORIZE AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED THERETO; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their First Reading. Mr. Clerk, please begin with Ordinance #1.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #8 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING CHAPTER 1131, DEFINITIONS, OF TITLE SEVEN, INTERPRETATION OF REGULATIONS AND CHAPTER 1187, SIGNS OF TITLE TWENTY-ONE, SITE DESIGN REQUIREMENTS OF PART ELEVEN, PLANNING & ZONING CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

**MINUTES OF THE MEETING FEBRUARY 4, 2019**Referred to Judiciary Committee**PUB HRG 2/25/19 @ 7:00 PM**

- #2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$1,343.50 TO ORIANA HOUSE; AND DECLARING THE SAME TO BE AN EMERGENCY (MUNI CT, GPS & ELECTRONIC MONITORING OF DEFENDANTS)  
Referred to Finance Committee
- #3. (1<sup>ST</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 (DEPT 20WT, PUBLIC WORKS WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIV, TECH V CLASS, POSITION #469)  
Referred to Personnel Committee
- #4. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$160,000.00 APPROP TRF FR 1001 204010 OTHER BUILDINGS - PERSONNEL TO 1001 204010 OTHER BUILDINGS - OTHER)  
Referred to Finance Committee
- #5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS IN AN AMOUNT NOT TO EXCEED \$343,300.00; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$377,600.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207057 PERRY/TUSCARAWAS/WOODLAWN AREA WATER MAIN REPLACEMENT PROJ PHASE I - OTHER)  
Referred to Finance and Environmental & Public Utilities Committees
- #6. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS IN AN AMOUNT NOT TO EXCEED \$128,700.00; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$141,600.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207058 PERRY/TUSCARAWAS/WOODLAWN AREA WATER MAIN REPLACEMENT PROJ PHASE II - OTHER)  
Referred to Finance and Environmental & Public Utilities Committees
- #7. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE WATERLINE CONSTRUCTION ALONG THE US 62 FRONTAGE ROAD; AND DECLARING THE

**MINUTES OF THE MEETING FEBRUARY 4, 2019**

SAME TO BE AN EMERGENCY

Referred to Environmental & Public Utilities and Finance Committees

- #8. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 10/2019** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS FOR MEDICAL AND PHARMACY EXPENSES RESULTING PRIOR TO THE PASSAGE OF THIS ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

PRESIDENT SHERER: At this time the Chair would declare an in-house recess for the Finance Committee to meet in regard to Ordinance #8 on your agenda for this evening. You are now in recess.

***(COUNCIL RECESSED AT 7:07 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #8; RECONVENED AT 7:09 PM)***

PRESIDENT SHERER: Council is reconvening after the recess. Leader.

MEMBER SMITH: Mr. President, I move we adopt...excuse me...I move we suspend Rule 22A to place Ordinance #8 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinance #8 back on this evening's agenda. 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 SHERER: Ordinance #8 is a legal part of your agenda. Leader.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rules on Ordinance #8.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: There's a motion to suspend the Statutory Rules on Ordinance #8. 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 SHERER: You've heard the three readings, Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #8, as amended. *(Member Smith should*

**MINUTES OF THE MEETING FEBRUARY 4, 2019**

*have not said "as amended.")*

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #8. Are there 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.

**#8 ADOPTED AS ORDINANCE NO. 10/2019**

PRESIDENT SHERER: Ordinance #8 is adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading. Mr. Clerk, please begin with Ordinance #9.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #9 THROUGH #13 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

#9. (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 3083, 3084 AND PART OF LOTS 6226, 6227, 6228 AND 6229; VACATING A 12' UNNAMED ALLEY; AND DECLARING THE SAME TO BE AN EMERGENCY (NW CORNER 9<sup>TH</sup> ST AND THE O'JAYS PKWY NE, WARD 2) **PUB HRG WAIVED**

#10. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE FOR A REQUEST FOR PROPOSALS FROM INTERESTED VENDORS FOR THE IMPLEMENTATION OF ENERGY CONSERVATION MEASURES FOR SPECIFIED CITY BUILDINGS PURSUANT TO O.R.C. 717.02; AND DECLARING THE SAME TO BE AN EMERGENCY ("SMART CITIES")

#11. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE 33<sup>RD</sup> STREET NW AREA WATER MAIN REPLACEMENT PROJECT AND TO EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; RECEIVE GRANT FUNDS IN THE AMOUNT OF \$900,000 AND A ZERO PERCENT INTEREST LOAN IN THE AMOUNT OF \$600,000 FROM THE OHIO PUBLIC WORKS COMMISSION; AUTHORIZING THE AUDITOR TO CREATE THE 5239 33<sup>RD</sup> ST NW AREA WATER MAIN REPLACEMENT PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE

**MINUTES OF THE MEETING FEBRUARY 4, 2019**

SAME TO BE AN EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5239 33<sup>RD</sup> STREET NW AREA WATER MAIN REPLACEMENT PROJ FUND TO 5239 207052 33<sup>RD</sup> STREET NW AREA WATER MAIN REPLACEMENT PROJ - OTHER; \$565,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207052 33<sup>RD</sup> STREET NW AREA WATER MAIN REPLACEMENT - OTHER)

- #12. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTACT FOR THE BUILDING OF AN AGGREGATE SHELTER AND RELATED UPGRADES; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$220,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 WATER DISTRIBUTION - OTHER)
- #13. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT AND TO EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES FOR THE RIDGEWOOD EAST WATER MAIN REPLACEMENT PROJECT PHASE II; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,064,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207047 RIDGEWOOD PHASE II WATER MAIN REPLACEMENT PROJ - OTHER)

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

PRESIDENT SHERER: We are now under Ordinances and Informal Resolutions for their Third/Final Reading and Vote. Mr. Clerk, please begin with Ordinance #14.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #14 THROUGH #21 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #14. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 11/2019** A RESOLUTION WITHDRAWING CANTON'S OBJECTION TO THE TRANSFER OF A LIQUOR PERMIT LOCATED WITHIN THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY (FAMILY DOLLAR 5497, 1207 12<sup>TH</sup> ST NW, WARD 1)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

**MINUTES OF THE MEETING FEBRUARY 4, 2019**

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #14. Are there any remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#14 ADOPTED AS ORDINANCE NO. 11/2019**

PRESIDENT SHERER: Motion carries and Ordinance #14 is adopted. Ordinance #15, please.

#15. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 12/2019** A RESOLUTION WITHDRAWING CANTON'S OBJECTION TO THE TRANSFER OF A LIQUOR PERMIT LOCATED WITHIN THE CITY; AND DECLARING THE SAME TO BE AN EMERGENCY (FAMILY DOLLAR 1348, 2901 MAHONING RD NE, WARD 6)

PRESIDENT SHERER: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #15.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt 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.

**#15 ADOPTED AS ORDINANCE NO. 12/2019**

PRESIDENT SHERER: Motion carries and Ordinance #15, is adopted. Ordinance #16, please.

#16. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 13/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH IBI GROUP FOR DESIGN OF THE CLEVELAND AVENUE NW WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$174,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207055 CLEVELAND AVE NW WATER MAIN REPLACEMENT PROJ - OTHER)

PRESIDENT SHERER: Leader.



**MINUTES OF THE MEETING FEBRUARY 4, 2019**

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to adopt Ordinance #16. Are there any remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#16 ADOPTED AS ORDINANCE NO. 13/2019**

PRESIDENT SHERER: Motion carries and Ordinance #16 is adopted. Ordinance #17, please.

#17. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 14/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE FOR DESIGN OF THE MARKET AVENUE NORTH WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$87,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207054 MARKET AVE NORTH WATER MAIN REPLACEMENT PROJ - OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to adopt Ordinance #17. Are there any remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#17 ADOPTED AS ORDINANCE NO. 14/2019**

PRESIDENT SHERER: Motion carries and Ordinance #17 is adopted. Ordinance #18, please.

#18. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 15/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH CT CONSULTANTS, INC. FOR DESIGN OF THE SPANGLER STREET NE

**MINUTES OF THE MEETING FEBRUARY 4, 2019**

AREA WATER MAIN REPLACEMENT PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$154,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207056 SPANGLER ST NE AREA WATER MAIN REPLACEMENT PROJ - OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #18. Are there any remarks?...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. 15/2019**

PRESIDENT SHERER: Motion carries and Ordinance #18 is adopted. Ordinance #19, please.

#19. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 16/2019** 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 (DEPT 20WT, SERV DIR'S PUBLIC WORKS WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIV, WATER QUALITY CONTROL CHEMIST AND BACTERIOLOGIST)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #19. Are there any remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#19 ADOPTED AS ORDINANCE NO. 16/2019**

**MINUTES OF THE MEETING FEBRUARY 4, 2019**

PRESIDENT SHERER: Motion carries and Ordinance #19 is adopted. Ordinance #20, please.

#20. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 17/2019** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 20WT, SERV DIR’S PUBLIC WORKS WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY & TREATMENT DIV, SUPERVISOR DISTRIBUTION CLASS AND ASST SUPERVISOR DISTRIBUTION CLASS)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to adopt Ordinance #20. Are there any remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#20 ADOPTED AS ORDINANCE NO. 17/2019**

PRESIDENT SHERER: Motion carries and Ordinance #20 is adopted. Ordinance #21, please.

#21. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 18/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT AND EXECUTE AN ENGINEERING PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; ESTABLISHING THE FAIR MARKET VALUE OF REAL PROPERTY; AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, OR DESIGNEE TO ENTER INTO AGREEMENTS FOR THE PURCHASE/ACQUISITION OR DONATION/ACQUISITION OF THESE PARCELS; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACQUIRE THREE PARCELS OF DELINQUENT VACANT LAND THROUGH THE STARK COUNTY LAND REUTILIZATION CORP.; AUTHORIZES THE CITY TO RECEIVE AND ENTER INTO AGREEMENT FOR GRANT FUNDS FOR THE 3<sup>RD</sup> ST. SE BRIDGE PROJECT, G.P. 1167; AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THE 4588 3<sup>RD</sup> ST. SE BRIDGE PROJECT, GP 1167, PID 91972 FUND; AND DECLARING THE SAME TO BE AN EMERGENCY

**MINUTES OF THE MEETING FEBRUARY 4, 2019**

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #21. Are there any...any remarks?

MEMBER SMITH: Yes...Mr. President. I would just like to say to Ms. Roberta. I really do appreciate you coming down and asking us to save the 3<sup>rd</sup> Street Bridge, but I do find it necessary that we move forward with this project and that um...it is for the betterment of the area. But I want you to know that I do appreciate you coming down. Thank you.

PRESIDENT SHERER: Thank you, Leader Smith. Are there any additional remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#21 ADOPTED AS ORDINANCE NO. 18/2019**

PRESIDENT SHERER: Motion carries and Ordinance #21 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SHERER: We are now under announcements of Committee Meetings.

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Chairman Morris.

MEMBER MORRIS: Finance will meet February 11, 2019 at 6:30 p.m.

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

PRESIDENT SHERER: Thank you, Member Babcock.

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

PRESIDENT SHERER: Thank you, Member Mariol.

MEMBER FISHER: Mr. President. Environment & Public Utilities, same time, same place.

**MISCELLANEOUS BUSINESS**

PRESIDENT SHERER: Thank you, Member Fisher. We're now under Miscellaneous Business. Is there

**MINUTES OF THE MEETING FEBRUARY 4, 2019**

any Miscell...Miscellaneous Business for tonight?

MEMBER SMITH: Yes, Mr. President.

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: I'd just like to make everybody aware that this is Black History Month. There are a lot of activities going on in the city and I would hope that all of you all attend them. One of them, most of you have in front of you, and that's Jenelle Freeman, and she's being honored for Black History Month at the Mt. Olive Baptist Church. For further information, please see me. Thank you.

PRESIDENT SHERER: Thank you, Leader Smith.

MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Thank you. I'd like to congratulate Member Fisher and the Youth Council on the exceptional job they did last Friday evening during the First Friday events and raising money, putting on a very good program. They conducted and ran the whole thing themselves and did an exceptional job and we should all be very proud of them. Thank you Rob for taking the time and energy in that process.

PRESIDENT SHERER: Is there any other Miscellaneous Business for this evening?

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Service Director, as I brought up in Committee, but now here's the right place to bring it up. Beautiful day out today...beautiful...and I notice that on 19<sup>th</sup> Street, south side of the street, there are huge cracks running across the pave...the new asphalt. That isn't uh...Member Mariol, what...six, eight months old? Yeah, I mean, we're talking significant, probably anywhere from three-quarters to an inch wide. So, if you could please get with the Engineer, let me know when you gentlemen can meet me out there. I would love to look at that with you. Thank you.

PRESIDENT SHERER: Is there any other Miscellaneous Bu...Business for this evening?...Hearing none, Clerk Dougherty, our quote for the week, please.

CLERK DOUGHERTY: Thank you Mr. President. Also, happy birthday to Member Ferguson, tomorrow.

PRESIDENT SHERER: Forty...Forty-eight again! *(Inaudible)*. *(Laughs)*.

CLERK DOUGHERTY: This is from Will Rogers. *"Too many people spend money they haven't earned, to buy things they don't want, to impress people they don't like."*

**MINUTES OF THE MEETING FEBRUARY 4, 2019**

PRESIDENT SHERER: Thank you, Clerk Dougher...Dougherty. Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adjourn. Mr. Clerk, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: This meeting is adjourned. *(Gavel sounds)*.

ADJOURNMENT TIME: 7:25 PM

ATTEST: 2/6/19  
DAVID R. DOUGHERTY  
CLERK OF COUNCIL

APPROVED:  
WILLIAM SHERER II  
PRESIDENT