

MINUTES OF THE MEETING MARCH 18, 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:

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: Tonight's invocation will be given by Majority Leader, Corey Minor Smith. If you would all please stand and remain standing for the Pledge of Allegiance.

MEMBER MINOR SMITH: Just correction for the record, City Council At Large, Corey Minor Smith, with the invocation.

MEMBER SMITH: Thank you.

MEMBER MINOR SMITH: You're welcome, Majority Leader.

The regular meeting of Canton City Council was held on March 18, 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 Member-at-Large, Corey Minor Smith. The Pledge of Allegiance was led by President Sherer.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SHERER: We are now under Agenda Corrections and Changes, Leader.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances 10 through 12 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add the 2nd Reading of Ordinances 10 through 12 to this evening's agenda. Are there any remarks? ... Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 10 through 12 are a legal part of your agenda.

MINUTES OF THE MEETING MARCH 18, 2019**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, and there is no Old Business for tonight.

PUBLIC SPEAKS

PRESIDENT SHERER: We are now under Public Speaks and we have one speaker tonight. Our speaker is Pete DiGiacomo. Pete, would you please step forward and give us your name and your resident... residential address, please.

PETE DIGIACOMO: Pete DiGiacomo, 600 Dent Place, Canton, Ohio. Uh, I want to talk about illegal dumping. Last Wednesday I called three different places to find out about illegal dumping and I'm... uh, specifically used tires. I called Street Department. They said if it's blocking the street, they would remove them. They're still there. They also said that if... cause I told them some of them are in the bushes at this building. They said nope, we don't touch them. I said okay. They said do you know who the owner is? I said yes, I found that out, Coon Restoration. They have warehouses down there and this is not the first time the tires have been dumped back there. Second call went to Coon's. Spoke with a lady there. Told her the exact location, what can... you know, can... it's on your property. That's what, you know, because it's not blocking the street. Okay, we'll get somebody on it. They're still there. Last resort I called the Canton Police Department and I asked... spoke with a lady... uh, I believe it's McClure, and I said I just want to... is there anybody up there that I can speak with about illegal dumping? And she wanted to know where at. I told her. She said what's your address? I told her. I told her that this is an ongoing problem. This isn't just... happened just one time. There's over a dozen tires laying all around down there. She asked me again, well, are these on your property? I said no, they're on the Coon's property, Coon Restoration. They... they're on that alley that... the alley doesn't even have a name. I told her it's the... on High Avenue. The Pennsyl... or the train tracks that are down there. You head north, very first alley, they're there. You can see them. Okay, what's your address? Three times she asked me for my address. Tires are still there. So if each one of you would go up there and pick up a tire, I could get them all cleaned up. But it's not happening. I'd like to get the... the neighborhood's not that nice to begin with. It looks like hell with a bunch of God damn tires laying around, and I'll have to do what I'm doing to try to get them removed. Thank you.

PRESIDENT SHERER: Thank you, Pete.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: We are... we are now under Informal Resolutions and we have none for this evening.

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 MARCH 18, 2019.

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95. FINANCE DIRECTOR CROUSE: AMEND APPROP O#276/2018 (\$79,044.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 852001 TREASURER ADMIN - OTHER; \$21,078.40 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 852001 TREASURER ADMIN - OTHER; \$5,269.60 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASE FUND TO 4502 852101 INCOME TAX ADMIN - OTHER); EMERGENCY (INCOME TAX COLLECTION - 2016 JEDD AGMT WITH JACKSON TWP AND STOLLE MACHINERY). - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
96. MAYOR BERNABEI: AUTHORIZE MGMT AND NON-BARGAINING UNIT EMPLOYEES TO RECEIVE 2% COST OF LIVING RAISE RETRO TO 1/1/19 AT DISCRETION OF APPOINTING AUTHORITIES; AUTHORIZE WAGE CAP TO BE RAISED BY 2% FOR EMPLOYEES WHO HAVE REACHED MAX SALARY PERMITTED BY SALARY RANGE, AT DISCRETION OF RESPECTIVE APPOINTING AUTHORITIES. - PERSONNEL AND FINANCE COMMITTEES
97. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF SELF-CONTAINED BREATHING APPARATUS AND RELATED WARRANTIES AND ACCESSORIES FOR FIRE DEPT; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCH OF ITEMS IN ACCORD WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZE AUDITOR TO RENAME FUND 2811 - COURT SECURITY FUNDING GRANT TO FUND 2811 - 2017 ASSISTANCE TO FIREFIGHTERS GRANT; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; AMEND APPROP O#64/2018 (\$166,000.00 SUPP APPROP FR UNAPPROP BAL OF 2811 2017 ASSIST TO FIREFIGHTERS GRANT TO 2811 103001 FIRE ADMIN - OTHER); EMERGENCY. - FINANCE COMMITTEE
98. SERVICE DIRECTOR HIGHMAN, SAFETY DIRECTOR PERRY: AMEND OR REPEAL O#100/2011 AND O#94/2013 AS NECESSARY TO ESTABLISH EXHIBIT D AS CLASSIFICATION PLAN FOR NON-BARGAINING PERSONNEL; ESTABLISH EXHIBIT E AS PERSONNEL GUIDELINES FOR RECRUITING, HIRING AND RETAINING NON-BARGAINING PERSONNEL; SET ANNUAL SALARY OF INCUMBENT HUMAN RESOURCES DIR AND BLDG MAINT SUPT AT \$70,644.00 RETRO TO 1/1/19 IN LIEU OF ALL OTHER COST OF LIVING SALARY ADJUSTMENT ORDINANCES PASSED DURING CALENDAR YR 2019; SET ANNUAL SALARY OF TWO (2) INCUMBENT CRIMINALISTS AT \$50,533.00 RETRO TO 1/1/19 IN LIEU OF ALL OTHER COST OF LIVING SALARY ADJUSTMENT ORDINANCES PASSED DURING CALENDAR YR 2019; REPEALS ANY ORDINANCES INCONSISTENT WITH THESE PROVISIONS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - PERSONNEL 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

MINUTES OF THE MEETING MARCH 18, 2019***ORDINANCES #1 THROUGH #9 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$29,416.73 TO STARK COUNTY COMMUNITY ACTION AGENCY; AND DECLARING THE SAME TO BE AN EMERGENCY (FOR WORK PERFORMED AS PART OF EMPLOYMENT READINESS & SKILLS TRAINING AND ENRICHMENT & ACADEMIC MENTORING PROGRAMS FOR YOUTH)
Referred to Community & Economic Development and Finance Committees
- #2. (1ST RDG) AN ORDINANCE ADOPTING THE 2019 ANNUAL APPROPRIATIONS FOR THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (GENERAL FUND BUDGET)
Referred to Finance Committee
- #3. (1ST 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 (COMPETITIVE STARTING SALARY FOR CADETS IN POLICE DEPT)
Referred to Personnel and Finance Committees
- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE SHADYSIDE AVE SW SANITARY SEWER REPLACEMENT PROJECT, GP 1221; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$87,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206321 SHADYSIDE AVE. SW SANITARY SEWER REPLACEMENT PROJECT, G.P. 1221 - OTHER; \$58,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING (020) FUND TO 5201 206321 SHADYSIDE AVE. SW SANITARY SEWER REPLACEMENT PROJECT, G.P. 1221)
Referred to Finance and Environmental & Public Utilities Committees
- #5. (1ST RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO MINOR BRIDGE WORK TO SFN760652 STA-IR-77 6.41, SFN7603304 STA-IR-77 7.57 AND SFN7603312 STA-IR-77 8.28 IN THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DECK SEALING ON BRIDGES AT FAIRCREST ST, DUEBER AVE AND CLEVELAND AVE)
Referred to Public Safety & Thoroughfares Committee
- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND

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ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR THE PURCHASE OF TWO (2) REAR LOADING PACKER TRUCKS FOR THE SANITATION DEPARTMENT; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY THE OHIO REVISED CODE AND/OR CANTON CODIFIED ORDINANCES; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance and Public Property Capital Improvement Committees

- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE FOR THE PREPARATION OF A CAPITAL IMPROVEMENT PLAN FOR THE CANTON WATER DEPARTMENT'S SUGAR CREEK WATER TREATMENT PLANT; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$99,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207060 SUGAR CREEK WATER TREATMENT PLANT IMPROVEMENTS - OTHER)

Referred to Finance and Public Property Capital Improvement Committees

- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE APPROPRIATE OFFICIAL(S) TO: PURCHASE AND/OR LEASE VARIOUS TITLED VEHICLES; ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THOSE PURCHASES AND PROJECTS DESCRIBED IN EXHIBIT A THAT EXCEED ANY APPLICABLE DOLLAR AMOUNT THRESHOLD(S); ALTERNATIVELY ENTER INTO CONTRACT FOR THE PURCHASES AND PROJECTS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; WAIVES THE INFORMAL RESOLUTION REQUIREMENTS OF CANTON CODIFIED ORDINANCE 105.09 FOR PURCHASES APPROVED THROUGH THIS ORDINANCE; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,686,265.00 SUPP APPROP FR UNAPPROP BALANCE OF 4501 CAPITAL PROJECTS FUND TO 4501 102001 POLICE ADMIN - OTHER - \$44,000.00, TO 4501 103001 FIRE ADMIN - OTHER - \$184,000.00, TO 4501 103501 CENTRAL COMMUNICATION ADMIN - OTHER - \$17,200.00, TO 4501 202001 ENGINEERING ADMIN - OTHER - \$1,674,000.00, TO 4501 202210 MAINTENANCE - OTHER - \$90,000.00, TO 4501 204010 OTHER BUILDINGS - OTHER - \$307,315.00, TO 4501 208001 MOTOR VEHICLE ADMIN - OTHER - \$40,000.00, TO 4501 301001 HEALTH ADMIN - OTHER - \$124,930.00, TO 4501 504010 INFORMATIONAL TECHNOLOGY - OTHER - \$99,600.00, TO 4501 753001 LAW ADMIN - OTHER - \$7,510.00, TO 4501 801001 AUDITOR ADMIN - OTHER - \$74,000.00, TO 4501 852001 TREASURER ADMIN - OTHER - \$23,710.00; \$1,265,825.00 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR

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VEHICLE PURCHASES FUND TO 4502 102001 POLICE ADMIN - OTHER - \$265,625.00, TO 4502 103001 FIRE ADMIN - OTHER - \$600,000.00, TO 4502 202210 MAINTENANCE - OTHER - \$400,200.00; \$572,000.00 INTRA-FUND TRF FR 2175 200501 GENERAL GOV'T ADMIN - OTHER TO 2175 202001 ENGINEERING ADMIN - OTHER)

Referred to Public Property Capital Improvement and Finance Committees

#9. (1ST RDG) **ADOPTED AS ORDINANCE NO. 37/2019** AN ORDINANCE APPROVING THE AMENDMENTS OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND THE FRATERNAL ORDER OF POLICE; AND DECLARING THE SAME TO AN EMERGENCY (HEALTHCARE COSTS & 2% WAGE INCREASE)

Referred to Personnel Committee

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: At this time the Chair would declare an in-house recess for the Personnel Committee to meet in regard to Ordinance 9 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:10 PM FOR THE PERSONNEL COMMITTEE TO DISCUSS ORDINANCE #9; RECONVENED AT 7:11 PM)

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

MEMBER SMITH: Mr. President, I move we suspend Rule 22A to place Ordinance 9 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinance #9 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: Ordinance #9 is a legal part of your agenda. Leader.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rules on Ordinance #9.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinance #9. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: You've heard the three readings, Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #9.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to... that you adopt Ordinance #9. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 37/2019

PRESIDENT SHERER: Ordinance #9 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 #10.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #10 THROUGH #12 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #10 ADOPTED):

#10. (2ND RDG) **ADOPTED AS ORDINANCE NO. 38/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT \$10,314.75 IN GRANT FUNDS FROM THE OHIO LAW ENFORCEMENT BODY ARMOR PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMITH: Mr. President, I move we suspend the Statutory Rules on Ordinance #10.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinance #10. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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PRESIDENT SHERER: You've heard the three readings, Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #10. Are there any remarks under this Ordinance? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 38/2019

PRESIDENT SHERER: Ordinance #10 is adopted. Ordinance #11, please.

#11. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR THE PURCHASE OF ONE (1) SINGLE AXLE DUMP TRUCK, ONE (1) FULL SIZE CARGO VAN, ONE (1) 4X4 PICKUP TRUCK AND ONE (1) BACKHOE OR TO ALTERNATIVELY ENTER INTO CONTRACT(S) FOR THE PURCHASES PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER DEPT)

#12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR THE PURCHASE OF ONE (1) TANDEM AXLE TRUCK AND THE CORRESPONDING DUMP BODY/SNOW REMOVAL PACKAGE OR TO ALTERNATIVELY ENTER INTO CONTRACT(S) FOR THE PURCHASES PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT OF PUBLIC WORKS)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Third/Final Reading and Vote. Mr. Clerk, please begin with Ordinance #13.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #13 THROUGH #23 FOR THE THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 39/2019** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION

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NOTES, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$650,000.00 FOR THE PURPOSE OF PAYING THE COSTS OF REVITALIZATION WITHIN THE CITY AND ADDRESSING PROPERTY CONDITIONS THAT ARE DELETERIOUS TO THE PUBLIC HEALTH AND SAFETY THROUGH THE DEMOLITION OF DETERIORATING STRUCTURES AND THE IMPROVEMENT OF THOSE SITES, THEREBY ENABLING THE USE OR REUSE OF LANDS WITHIN THE CITY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #13. Are there any remarks?... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#13 ADOPTED AS ORDINANCE NO. 39/2019

PRESIDENT SHERER: Motion carries and Ordinance #13 is adopted. Ordinance #14, please.

#14. (3RD RDG) **ADOPTED AS ORDINANCE NO. 40/2019** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OR REVENUE BOND ANTICIPATION NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$4,250,000.00 TO PROVIDE FUNDS TO PAY A PORTION OF THE COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING FURNISHING OR EQUIPPING AN ECONOMIC DEVELOPMENT PROJECT IN THE CITY; AUTHORIZING RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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

#15. (3RD RDG) **ADOPTED AS ORDINANCE NO. 41/2019** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,500,000.00 FOR THE PURPOSE OF PAYING THE COST OF ACQUIRING, CONSTRUCTING, RECONSTRUCTING AND IMPROVING CITY BUILDINGS, INCLUDING, WITHOUT LIMITATION, THE REPLACEMENT OF THE CITY HALL ROOF, THE CIVIC CENTER ROOF AND IMPROVEMENTS TO OTHER CITY FACILITIES

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 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 41/2019

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

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 42/2019** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$900,000.00 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY A COURT-APPROVED SETTLEMENT OF A CLAIM AGAINST THE CITY

PRESIDENT SHERER: Leader.

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 12 YEAS, 0 NAYS

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CLERK DOUGHERTY: Twelve yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 42/2019

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

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 43/2019** AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$1,700,000.00 TO PROVIDE FUNDS TO MAKE A LOAN FOR ECONOMIC DEVELOPMENT IN THE CITY; AUTHORIZING RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY

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 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 43/2019

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

ASST LAW DIRECTOR REESE: Mr. President, pursuant to Rule 36, I move to amend Agenda Item #18 by amending the caption and Section 1.

MEMBER SMITH: After it's read.

PRESIDENT SHERER: We... we gotta go through the motions first.

CLERK DOUGHERTY: I have to read this first.

PRESIDENT SHERER: Okay.

MEMBER SMITH: To read it first.

PRESIDENT SHERER: Okay.

#18. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 44/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO PROFESSIONAL SERVICES AGREEMENTS

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WITH JOHN DODOVICH, ARCHITECT, TO SERVE AS THE CITY OF CANTON CHIEF BUILDING OFFICIAL IN AN AMOUNT NOT TO EXCEED \$74,880.00 PER YEAR AND WITH RITO ALVAREZ TO PROVIDE PLANS EXAMINATION SERVICES IN AN AMOUNT NOT TO EXCEED \$54,080.00 PER YEAR; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader Smith.

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? Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's moved... it's been moved and seconded to amend Ordinance #18 per the copy before each of you. Are there any remarks? Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. The motion carries. Leader Smith.

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

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 18 by amending the caption and Section 1 to change the words "John Dodovich, Architect" to Synergia, LLC" and by amending the caption and Section 2 to change the words "Rito Alvarez" to "R A Engineering Inc."

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #18, as amended. Are there any remarks under this Ordinance as amended?

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: I have a question. Maybe our Law Director or our Safety Director can answer

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this. According to the amendment, it was two individual's names listed, now we're using two company names. One's an engineering... R A Engineering, Inc. and the other one is an LLC. Now, we... we love when we don't have to pay benefits and we get services from people, but I'm kinda confused and would like something clarified. This is a professional service agreement with these two individuals or their companies, okay, to serve as the City's Chief Building Official. Are these individuals bonded and insured, or if they screw up are we on the hook?

MAYOR BERNABEI: Mr. President, I can answer that. Number one, the purpose of the amendment is that the letter, as written, was for John Dodovich to serve as CBO. He will serve as CBO, but he has formed an LLC to take better advantage of tax and other laws and so forth. Um, but it's proper that we have our professional services agreement with a consultant. The consultant is the LLC. It's the same thing with Rito Alvarez. Both agreements provide several things. Both of them provide that... John Dodovich's company provides that John Dodovich, as an employee of his company, will be the only person that will serve our contract, so he is the sole person from Synergia, LLC that can do the work. And number two, there is an insurance policy that... uh, that provides full coverage to the City in the case of malpractice or other... any covered events. And the same is the case also with Rito Alvarez.

MEMBER MORRIS: Thank you, Mayor. That's what I wanted to hear.

PRESIDENT SHERER: Are there any other remarks under this Ordinance as amended? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#18 ADOPTED AS AMENDED AS ORDINANCE NO. 44/2019

PRESIDENT SHERER: Ordinance #18, as amended, is adopted. Ordinance #19, please.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 45/2019** 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 10BC - SAF DIR'S DEPT OF CODE ENFORCEMENT)

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.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 45/2019

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

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 46/2019** 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 10PO - SAF DIR'S POLICE DIVISION)

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 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 46/2019

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

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 47/2019** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$5,120.55 TO KEMPTHORN MOTORS, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY (REPAIR OF PATROL CAR #97)

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 remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK DOUGHERTY: Twelve yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 47/2019

PRESIDENT SHERER: Motion carries and Ordinance #21 is adopted. Ordinance #22, please.

#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 48/2019** AN ORDINANCE AMENDING SECTION 551.01, PROHIBITION AGAINST HIGH GRASS, NOXIOUS WEEDS AND LITTER AND SECTION 551.06, APPEALS OF THE GENERAL OFFENSES CODE

PRESIDENT SHERER: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #22.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to adopt Ordinance #22. Are there any remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 48/2019

PRESIDENT SHERER: Motion carries and Ordinance #22 is adopted. Ordinance #23, please.

#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 49/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH THE THRASHER GROUP FOR DESIGN OF THE FINAL SITE PLAN FOR THE CANTON WATER DEPARTMENT’S DISTRIBUTION SHOP; AMENDING APPROPRIATION ORDINANCE NO. 276/2018; AND DECLARING THE SAME TO BE AN EMERGENCY (\$65,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207059 WATER SHOP IMPROVEMENTS - OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #23.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to adopt Ordinance #23. Are there any remarks?...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK DOUGHERTY: Twelve yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 49/2019

PRESIDENT SHERER: Motion carries and Ordinance #23 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Finance will meet March 25, 2019 at 5:45.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

MEMBER SCAGLIONE: Public Property Capital Improvement will meet same time, same place.

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

PRESIDENT SHERER: Thank you, Member Fisher.

MEMBER BABCOCK: Mr. President.

PRESIDENT SHERER: Member Babcock.

MEMBER BABCOCK: Personnel, same time, same place.

MEMBER MINOR SMITH: Mr. President.

PRESIDENT SHERER: Member Minor Smith.

MEMBER MINOR SMITH: Community... Community & Economic Development will also meet at 5:45 on March 25th. Thank you.

PRESIDENT SHERER: It's Member, not Majority, right?

MEMBER MINOR SMITH: Correct, At-Large.

PRESIDENT SHERER: Yeah, there you go. Thatta, girl. Member Hawk.

MEMBER HAWK: Public Safety & Thoroughfares will meet (*inaudible*).

PRESIDENT SHERER: Thank you.

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CLERK DOUGHERTY: Mr. President, there will also be a presentation... uh, there will be a little budget presentation to go along with the Ordinance, but also from Community & Economic Development Department there will be a presentation given. That's why we're meeting so early. Same time, same night.

PRESIDENT SHERER: Okay.

MISCELLANEOUS BUSINESS

PRESIDENT SHERER: We are... we are now under Miscellaneous Business. Is there any Miscellaneous Business tonight?

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: Uh, I had Christian Ball come from the Parks and Recs. I wanted her to give us all some knowledge on some of the programs that the Park and Rec has for the youth.

CHRISTIAN BALL: Good evening, everyone. I'm Christian Ball from Canton Parks and Recreation. I'm the Marketing Coordinator. Um, I brought out Program Guide, our Spring/Summer 2019 Program Guide. Um, there's a bag with information for each Council Member. Also, we have thousands of them, so if you have a business or an organization that you would be grateful enough to allow us to put Program Guides out, we'd be thankful for that. Um, last month we had our Father/Daughter Dance that was a beautiful time. Um, this Friday we have a Mother/Son Dance coming up. Our next big event will Mar... May 18th. It's a fishing derby at Westbrook, and it's free and open to the public. So we'll love some help spreading the word on that. And as you know, Parks and Rec didn't have a Marketing Coordinator for a little bit over a year, so we're working really hard to bring more programs, not only to youth but adults in Enrichment because we all know that not everyone is into sports. Um, so we just want to bring a variety of programs for everyone to have. Thank you for having me.

PRESIDENT SHERER: Thank you. I would also like to take a moment to welcome Thomas Mankowski from Boy Scout Troop #4. *(Applause)* Welcome, Thomas. Is there any other Miscellane... Miscellaneous Business for tonight? Clerk Dougherty, our quote for the week, please.

CLERK DOUGHERTY: Thank you, Mr. President. Remember, "*Behind every great man is a woman rolling her eyes.*" -Jim Carrey *(Laughter)*

MEMBER SMITH: Amen.

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: Could you repeat that, please? *(Laughter)* 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.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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

ADJOURNMENT TIME: 7:30 P.M.

ATTEST: 3/20/19

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

WILLIAM SHERER II
PRESIDENT