

**MINUTES OF THE MEETING NOVEMBER 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, CHRISTINE SCHULMAN, BILL SMUCKLER, GREG HAWK, BRENDA KIMBROUGH, JASON SCAGLIONE, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, PETER FERGUSON & FRANK MORRIS)

TWELVE COUNCIL MEMBERS PRESENT.

PRESIDENT SHERER: Tonight's invocation will be given by At -Large Council Member, James Babcock.

CLERK DOUGHERTY: Twelve members present, Mr. President. Sorry.

PRESIDENT SHERER: If you would all please stand and remain standing for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on November 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 James Babcock, Council Member-at-Large. The Pledge of Allegiance was led by President Sherer.*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SHERER: Thank you, Member Babcock. 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 3 through 13 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add 2<sup>nd</sup> Readings to Ordinances 3 through 13 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 3 through 13 are a legal part of your agenda.

**PUBLIC HEARINGS**

PRESIDENT SHERER: We are now under Public Hearings and we have no Public Hearings this evening.

**OLD BUSINESS**

PRESIDENT SHERER: We are now under Old Business and there is no Old Business for this evening.

**MINUTES OF THE MEETING NOVEMBER 18, 2019****PUBLIC SPEAKS**

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

PETE DIGIACOMO: Pete DiGiacomo, 600 Dent Place SW, Canton, Ohio. I was gonna speak on two things but I only need to do one. Got the answer for the other. Um..in this past election, I noticed that...I won't name the name or anything like that, but there was a uh...auditor running for our auditor that we have now, and they made some remarks. Anybody can make remarks about somebody else, but if you don't have what you're saying, to back it up, keep your mouth shut. That's all.

PRESIDENT SHERER: Thank you Pete. *(Applause)*.

PETE DIGIACOMO: Thank you, thank you!

**INFORMAL RESOLUTIONS**

PRESIDENT SHERER: Alright. We are now under Informal Resolutions and we have two for this evening. Mr. Clerk, would you please read Resolution #36 by title.

#36. COUNCIL-AS-A-WHOLE: CONGRATULATING DELIVERANCE CHRISTIAN CHURCH ON ITS 40<sup>TH</sup> ANNIVERSARY. - ADOPTED

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #36.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #36. Are there any remarks?

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: After it passes, could we have that read in full, please?

PRESIDENT SHERER: Absolutely. Are there any additional remarks? ... Hearing none, by voice vote all those in favor signify by saying aye. Those opposed, no.

NO REMARKS

RESOLUTION #36 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #36 is adopted. Mr. Clerk, would you please read Resolution #36 in its entirety.

CLERK DOUGHERTY: An Informal Resolution Respectfully Submitted By Council-As-A-Whole on this

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18th day of November, 2019. **Whereas**, The mission, as given by God to Pastor Warren P. Chavers: Luke 4:18 “Preaching deliverance to the captives.” In 1979 Deliverance Missionary Baptist Church was formed with eleven members: Connie & Marjorie Chavers, Wallace, Rhoda and Louise Luke, Robert, Joan and Robert Watson, Jr., Brenda Maske, Becky Carr and Ester Travis; and **Whereas**, Worship services began in a store front unit located on Harmont Ave. NE, but due to the quick increase in members, it was relocated to 1004 4<sup>th</sup> St. NE, and later to a larger facility at 2130 31<sup>st</sup> St. NW, where the church established a daycare, open mic nights, put on extraordinary Resurrection Plays, and gave outstanding choir concerts; and **Whereas**, In 1986, not wanting any denominational rules and regulations to control how God wanted the church to operate, Pastor Chavers, called for a vote on December 17, 1986 and the church was renamed Deliverance Christian Church. Due to the Pastor becoming ill and other unforeseen circumstances, the church suffered extreme hardships, including the loss of its name and became Deliverance Christian Ministries; and **Whereas**, Under the direction of Gabriel Chavers, Pastor Warren’s son, Deliverance worshiped in space rented from Sherrick Rd. Church of God in Christ with approximately 50 members until they purchased a location on Cleveland Avenue; and **Whereas**, On August 25, 2013 Gabriel Chafers was installed as the Pastor of Deliverance Christian Ministries, located at 2631 Harvard Ave. NW. Under his tutelage, a Food Pantry, International Ministry, Studio, Annual Hall of Fame Weekend, Gospel Film Festival and Annual Community Thanksgiving were established and a food truck was purchased; and **Whereas**, In February 2015, after only 2 years, Deliverance paid off its mortgage and in December of the same year, the name, Deliverance Christian Church was restored. **Now, Therefore be it Resolved:** That we, the Members of Canton City Council, do hereby go on public record congratulating Deliverance Christian Church on its 40<sup>th</sup> Anniversary and long history of service to the Canton community. Congratulations. (*Applause*).

MEMBER MARIOL: It’s on behalf of Canton City Council, uh...we want to congratulate you on forty years. Um...my wife and I had a chance to attend a service with Pastor Chafers, celebrating 40 years and 40 years sounds like a long time. But the amount of lives that you have touched in that time, from being at your service, I know that that is a...a...just a massive amount to fit into forty years. So I know that what you’re going to do in the next forty years, serving this community is very exciting. Uh...operating a community center now, at the former Jewish Center now, the Kingdom Center. A huge thing that we need in the Northern part of the city. We’re very thankful for that, so we are all very, very happy to thank you for your commitment to this community and congratulate you on forty years.

GABRIEL CHAFERS: Thank you very much. Appreciate it. (*Applause*). I just want to thank you so much for this resolution. Thank you for acknowledging...uh...I’ve been at this for a very short time in the forty years...seven years. My father did a lot of the heavy lifting, if you will, to make Deliverance...uh...what a lot of you know it to be. Um...I just want to ask for your continued prayers...uh...and support...um...as we desire to support the city of Canton as well. Thank you so much. God bless you. (*Applause*).

PRESIDENT SHERER: (*Inaudible*). You’re more than welcome to stay for the meeting, but you’re not obligated to, but congratulations. (*Laughter*).

GABRIEL CHAFERS: Thanks!

MEMBER SMITH: Mr. President. Excuse me, Mr. President.

PRESIDENT SHERER: Leader Smith.

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MEMBER SMITH: I would just like to acknowledge the first lady of Deliverance Church, also. (*Applause*).

PRESIDENT SHERER: Mr. Clerk, Resolution #37, please.

#37. MAJORITY LEADER SMITH: AUTHORIZING AND DIRECTING SERVICE DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL AMOUNT NOT TO EXCEED \$39,150.00 TO BACHTEL EXCAVATING, INC. FOR 27<sup>TH</sup> ST NW STORM SEWER INSTALLATION- ADOPTED

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #37.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #37. Are there any remarks? ...Hearing none, by voice vote all those in favor signify by saying aye. Those opposed, no.

NO REMARKS

RESOLUTION #37 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #37 is adopted.

**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 NOVEMBER 18, 2019.***

367. AUDITOR MALLONN: MTHLY RPT BY FUND FOR 10/1/19 THRU 10/31/19. - RECEIVED & FILED
368. AUDITOR MALLONN: YRLY RPT BY FUND FOR 1/1/19 THRU 10/31/19. - RECEIVED & FILED
369. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 10/31/19. - RECEIVED & FILED
370. AUDITOR MALLONN: REQ \$140,000.00 SUPP APPROP FR UNAPPROP BAL OF 6023 COMPENSATED ABSENCES CLAIM FUND TO 6023 801001 AUDITOR - PERSONNEL, \$125,000.00 SUPP APPROP FR UNAPPROP BAL OF 6010 WORKERS COMP FUND TO 6010 801001 AUDITOR - PERSONNEL AND \$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 7502 PAYROLL CLEARING TO 7502 801001 AUDITOR - PERSONNEL. - FINANCE COMMITTEE

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371. BOARD OF DIRECTORS CIC: ADOPTION OF RESOLUTION BY CANTON COMMUNITY IMPROVEMENT CORP PROPOSING THAT \$3,500,000.00 LOAN BE MADE TO HOF VILLAGE II, LLC FOR THE ACQUISITION AND RENOVATION OF THE MCKINLEY GRAND HOTEL. - RECEIVED & FILED
372. DEPUTY MAYOR WILLIAMS: AUTHORIZE AUDITOR TO MAKE \$40,000.00 MORAL OB PAYMENT TO CANTON EX-NEWSBOYS ASSOC AS PART OF "NO CHILD SHALL MISS SCHOOL FOR THE NEED OF SHOES OR CLOTHING" PROG AND TO ALLOW UNPAID INVOICES FOR SAID PROG TO BE HONORED AS MORAL OB. - FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
373. DEPUTY MAYOR WILLIAMS: REQ \$6,000.00 SUPP APPROP FR UNAPPROP BAL OF 2219 EMERGENCY SHELTER GRANT TO 2219 506001 EMERGENCY SHELTER GRANT - OTHER. - FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
374. DEPUTY MAYOR WILLIAMS: AUTHORIZE AUDITOR TO PAY \$12,705.60 MORAL OB TO DIANE CITRINO OF GIFFEN & KAMINSKI FOR FAIR HOUSING COMMISSION LEGAL SERVICES. - FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
375. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROFESSIONAL SERVICES FUNDING AGMT WITH STARTUPSTARK IN AMT OF \$180,000.00 TO RENOVATE 9,115 SQ FT OF SPACE ON SECOND STORY OF 555 MARKET AVE N BLDG. - FINANCE AND DOWNTOWN DEVELOPMENT COMMITTEES
376. FINANCE DIRECTOR CROUSE: REQ \$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 2190 HOFV FUND TO 2190 861101 HOFV - TOURISM DEVELOP DISTRICT - OTHER. - FINANCE COMMITTEE
377. HEALTH COMMISSIONER ADAMS: REQ \$50,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2314 INFANT MORTALITY REDUCTION TO FUND 2314 301001 INFANT MORTALITY REDUCTION - 700 OTHER DIRECT COST, \$1,234.31 SUPP APPROP FR UNAPPROP BAL OF FUND 2326 HEALTHY START TO FUND 2326 301001 HEALTHY START - 700 OTHER DIRECT COST AND \$15.33 SUPP APPROP FR UNAPPROP BAL OF 2355 INFECTIOUS WASTE REGISTRATION TO FUND 2355 301001 INFECTIOUS WASTE REGISTRATION - 700 OTHER DIRECT COST. - FINANCE COMMITTEE
378. MAJORITY LEADER SMITH: AUTHORIZE REAPPT OF JOHN GIUA AND APPT OF DARREN MAYLE TO INCOME TAX REVIEW BD COMMENCING 1/1/20 TO 12/31/21. - PERSONNEL COMMITTEE
379. MAYOR BERNABEI: AUTHORIZE REAPPT OF RODNEY MEADOWS TO CANTON ARCHITECTURAL REVIEW BD COMMENCING 1/1/20 TO 12/31/23. - PERSONNEL COMMITTEE
380. MAYOR BERNABEI: AUTHORIZE REAPPT OF DAWN M. DEVINE AND PATRICK

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MCCARTHY TO INVESTMENT BD COMMENCING 1/1/20 TO 12/31/21. - PERSONNEL COMMITTEE

381. MAYOR BERNABEI: ADVISE OF APPT OF LINDA PATTERSON TO CIVIL SERVICE COMMISSION COMMENCING IMMEDIATELY TO 12/31/21. - RECEIVED & FILED
382. MAYOR BERNABEI: ADVISE OF REAPPT OF MAUREEN AUSTIN TO CANTON PARK COMMISSION COMMENCING 1/1/20 TO 12/31/22. - RECEIVED & FILED
383. MAYOR BERNABEI: AUTHORIZE REAPPT OF RAY FETE TO COMMUNITY REINVESTMENT AREA HOUSING COUNCIL COMMENCING 1/1/20 TO 12/31/22. - PERSONNEL COMMITTEE
384. SAFETY DIRECTOR PERRY: REQ \$151,028.00 SUPP APPROP FR UNAPPROP BAL OF 2811 2017 ASSIST TO FIREFIGHTERS GRANT TO 2811 103001 FIRE ADMIN - OTHER AND \$151,028.00 INTER-FUND TRF/ADV FR 2811 103001 FIRE ADMIN - OTHER - ADV OUT TO 1001 103001 FIRE ADMIN - OTHER - ADV IN. - FINANCE COMMITTEE
385. SAFETY DIRECTOR PERRY: REQ \$1,846.25 SUPP APPROP FR UNAPPROP BAL OF 2778 CANTON AUXILIARY POLICE FUND TO 2778 102001 POLICE ADMIN - OTHER (HOF MARATHON). - FINANCE COMMITTEE
386. SAFETY DIRECTOR PERRY: REQ \$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001.103001 FIRE ADMIN - OTHER AND \$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 6041 MOTOR VEHICLE DEPT DMV TO 6041.103001 FIRE ADMIN - OTHER FOR REPAIRS TO TWO FIRE TRUCKS. - FINANCE COMMITTEE
387. SERVICE DIRECTOR HIGHMAN: REQ INFORMAL RESOLUTION AUTHORIZING SERV DIR TO OPEN PURCH ORDER IN AMT OF \$39,150.00 TO BACHTEL EXCAVATING, INC. FOR 27<sup>TH</sup> ST NW STORM SEWER INSTALLATION. - RECEIVED & FILED
388. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO LETTER OF INTENT (LOI) WITH AMERESCO, INC. FOR ENERGY EFFICIENCY AUDIT OF CITY HALL, SEARS AND CIVIC CTR BLDGS FOR ENERGY CONSERVATION RPT AT NO COST TO CITY PURSUANT TO ORC 712.02. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE

**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 AND #2 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

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- #1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE MEADOWLAKE ANNEXATION AREA CONTAINING APPROXIMATELY 55.840 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 8 OF THE CITY; ZONING SAID TERRITORY AS GENERAL BUSINESS (B-3 DISTRICT) AND OS (OPEN SPACE); AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Annexation Committee **PUB HRG 12/2/19 @ 7:00 PM**
  
- #2. (1<sup>ST</sup> RDG) AN ORDINANCE RETROACTIVELY AUTHORIZING ALL ACTIONS TAKEN IN REGARDS TO CHANGE ORDER #1 WITH MICHAEL BAKER JR., INC. FOR CONSTRUCTION ADMINISTRATION AND OVERSIGHT SERVICES RELATED TO THE MAHONING ROAD CORRIDOR PROJECT, PHASE 2, GP 1103; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THE SAME; AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$95,687.20 SUPP APPROP FR UNAPPROP BAL OF 4566 MAHONING RD CORRIDOR PRJ GP 1103 FUND TO 4566 202079 MAHONING RD CORRIDOR PROJECT - OTHER)  
Referred to Public Property Capital Improvement and Finance Committees

**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 #3.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #3 THROUGH #13C; FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#12 ADOPTED AS AMENDED; O#13 AMENDED; O#13A, O#13B & O#13C ADOPTED ):***

- #3. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$160,000.00 SUPP APPROP FR UNAPPROP BAL OF 6023 COMPENSATED ABSENCES CLAIM FUND TO 6023 801001 AUDITOR - PERSONNEL)
  
- #4. (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF LOTS 4934 AND 4935; AND DECLARING THE SAME TO BE AN EMERGENCY (646 GARFIELD AVE SW, PARCELS 208440, 229367 & 218117, FOR STEVEN E. BAIZE, WARD 5)
  
- #5. (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 878; AND DECLARING THE SAME TO BE AN EMERGENCY (1450 HOUSEL AVE SE, PARCELS 201295 & 220027, FOR HABITAT FOR HUMANITY, WARD 4)

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- #6. (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOTS 1916 AND 1917; AND DECLARING THE SAME TO BE AN EMERGENCY (1412 SYCAMORE AVE SE, PARCEL 244669, FOR HABITAT FOR HUMANITY, WARD 4)
- #7. (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF LOTS 24339, 24400, 24403 AND 24404; AND DECLARING THE SAME TO BE AN EMERGENCY (2400 BLOCK OF 21<sup>ST</sup> ST NE, PARCELS 204172, 204173, 204174 & 204175, FOR HABITAT FOR HUMANITY, WARD 6)
- #8. (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 2801 AND ALL OF LOT 2802; AND DECLARING THE SAME TO BE AN EMERGENCY (1400 BLOCK OF WILLET AVE SE, PARCELS 216172 & 216173, FOR HABITAT FOR HUMANITY, WARD 4)
- #9. (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF LOTS 43392, 43393 AND 43394; AND DECLARING THE SAME TO BE AN EMERGENCY (3000 BLOCK OF RICHMOND AVE NE FOR ONE RICHMOND AVE CO LLC, WARD 6)
- #10. (2<sup>ND</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF OUT LOT 239; AND DECLARING THE SAME TO BE AN EMERGENCY (1120 15<sup>TH</sup> ST NW, PARCEL 280008, FOR CANTON COMMUNITY IMPROVEMENT CORP, WARD 1)
- #11. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE SERVICE DIRECTOR'S WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY AND TREATMENT DIVISION (WATER DEPARTMENT) MANAGEMENT AND NON-BARGAINING PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
- #12. (2<sup>ND</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 212/2019** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 68/2019, AS AMENDED, THE CLASSIFICATION PLAN FOR NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
- #13. (2<sup>ND</sup> RDG) **AMENDED** AN ORDINANCE AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THE 1157 MCKINLEY GRAND HOTEL PROJECT FUND; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL NECESSARY AGREEMENTS FOR THE ISSUANCE AND PAYBACK OF A \$3,500,000 LOAN FOR THE



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PURCHASE AND RENOVATION OF THE MCKINLEY GRAND HOTEL;  
AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND  
DECLARING THE SAME TO BE AN EMERGENCY (\$3,500,000.00 SUPP  
APPROP FR UNAPPROP BAL OF 1157 MCKINLEY GRAND HOTEL  
FUND TO 1157 201001 SERVICE DIRECTOR ADMIN - OTHER)

PRESIDENT SHERER: Leader Smith.

LEADER SMITH: Mr. President, I move we suspend the Statutory Rules on Ordinances #12 and 13.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances #12 and 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.

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

LEADER SMITH: Mr. President, I move we adopt Ordinance #12.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #12. Are there any remarks? Leader Smith.

MEMBER SMITH: Mr. President, I move we amend Ordinance #12 per the copy that all Members have before them.

MEMBER BABCOCK: Second

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #12 per the copy before each of you. Are there any remarks? ...If not, 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 #12, as amended.

MEMBER BABCOCK: Second.

**MINUTES OF THE MEETING NOVEMBER 18, 2019****AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 12 by amending the Caption and Section 1 to change the ordinance number from "68/2019" to "100/2011".*

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #12, as amended. Are there any remarks under this Ordinance, as amended?

MEMBER SMUCKLER: Point, Mr. President.

PRESIDENT SHERER: Member Smuckler.

MEMBER SMUCKLER: Aren't we amending Ordinance 13, not Ordinance 12? (*Inaudible*). Alright, because 12 doesn't say amend on it, and I'm just questioning this.

CLERK DOUGHERTY: It came in late in the day.

MEMBER SMUCKLER: Okay, that's all I needed. Thanks.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #12, as amended. Are there any additional 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.

**#12 ADOPTED AS AMENDED AS ORDINANCE NO. 212/2019**

PRESIDENT SHERER: Ordinance #12, as amended, has been adopted. Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to...that you adopt Ordinance #13. Are there any remarks? Leader Smith.

MEMBER SMITH: Mr. President, I move we amend Ordinance #13 per the copy that all Members have before them.

MEMBER BABCOCK: Second

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #13 for the...per the copy before each of you. Are there any remarks?

MEMBER HALL: Mr. President.

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PRESIDENT SHERER: Member Hall.

MEMBER HALL: I just want it to be said that I was one that, at the beginning of this thing, was against this, but as we look at this, I mean...in my opinion, we need to invest in downtown and without us putting our part in also, uh...we would end up with everything, you know...south....northwest of here, instead of including downtown and all of these projects. So, I hope everyone takes that into account on their vote (*Inaudible*).

PRESIDENT SHERER: I totally agree Member Hall, thank you. Are there any additional remarks?

LAW DIRECTOR AYLWARD: Can we take just a brief time-out (*Inaudible*).

PRESIDENT SHERER: Okay.

***(COUNCIL TOOK A BRIEF RECESS)***

LAW DIRECTOR AYLWARD: Thank you, Mr. President.

PRESIDENT SHERER: You're welcome, Law Director.

LAW DIRECTOR AYLWARD: ...Yeah...I'm sorry everyone. Just so...to enlighten everyone, we have discussed all the segments of these ordinances already and had the readings. Due to the fact that we went to an external note instead of an internal note, we had to break them up into separate ordinances but it's all the same subject matter that we've been discussing, obviously, along these several weeks. But, what we've decided to do, is we will vote on each of these separate segments of the ordinance separately. So you're going to vote, even though we discussed them as one ordinance because we went to the external note, we had to do a separate bond ordinance, we're going to vote on them separately. We'll vote on the loan document authorization. You'll vote on the bond ordinance authorization and the establishment of the McKinley Fund again, which we have been discussing. So it's no different subject matter, but due to legal considerations with an external bond and going out to do that, we have had to split them up for legal reasons. So...are there any questions about that, as we discussed that?

MEMBER SMUCKLER: So, are you telling us then that we need another ordinance besides the two we've got here, or...

LAW DIRECTOR AYLWARD: Yep, we actually...no, we have them on here. What happened is we have them as one ordinance, which was legally permissible while we were going to do an internal bond. Because we found out that we needed to an external bond where we're going out, we're selling the bond, we had to do them separately for legal reasons So, instead of one covering the subject matter that we've all talked about, there's gonna have to be three separate ones doing the same thing, but they have to be separate for legal reasons, because of the external bond versus the internal bond.

MEMBER SMUCKLER: We have a rule in our Council books, to split the question.

LAW DIRECTOR AYLWARD: Umhmm....

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MEMBER SMUCKLER: Would that suffice or do we have to redo all of these ordinances.

LAW DIRECTOR AYLWARD: On no, you don't have to redo anything. The only thing that we're talking about...no...there is...and to be quite frank, voting for less than all three makes no sense because you either support the three or you don't. You know, establishing a fund obviously does no good if you're not going to fund it and voting for a loan that you're not going to fund makes no sense. But for legal reasons, we did have to make them into three ordinances, which are before you now, but what we're gonna do, just to be very, very clear because these had to be split, is hold a separate vote on each of them and I believe that's 13A, B and C, Mr. Clerk?

CLERK DOUGHERTY: Yes. I'll read each one first, when we're done with these three, we'll...we'll finish the vote on #13, the Amendment.

LAW DIRECTOR AYLWARD: Okay. Okay. Are there any questions?

MEMBER MORRIS: Yes...

LAW DIRECTOR AYLWARD: It's a little bit confusing, it's been an unusual procedure.

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Law Director. Say I have a question with segment B, I sure don't want to vote for part A, but don't get the right answer on part B. So, if we're going to divide these three ways, I...I...I have a question pertaining to the actual bond. So, how do we address just answering our questions and then moving into a vote?

CLERK DOUGHERTY: We're going to vote on them separately, so when that comes up, that's when you'll have your questions. Just like you vote on a regular ordinance.

MEMBER MORRIS: Alright...

CLERK DOUGHERTY: Yep. So, I'll...I'll read, you'll know which one I'm on.

LAW DIRECTOR AYLWARD: And then you can ask...yeah...you can ask your questions on each of the separate segments.

PRESIDENT SHERER: Are there any additional questions or remarks? Clerk Dougherty.

CLERK DOUGHERTY: This will be 13A.

#13A. (2<sup>ND</sup> RDG) **#13A ADOPTED AS ORDINANCE NO. 213/2019** AN ORDINANCE  
AUTHORIZING THE AUDITOR TO ESTABLISH AND CREATE THE 1157  
MCKINLEY GRAND HOTEL PROJECT FUND AS PERMITTED BY O.R.C.

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SECTION 5705.09; AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 1157 MCKINLEY GRAND HOTEL FUND TO 1157 201001 SERVICE DIRECTOR ADMIN - OTHER)

PRESIDENT SHERER: Leader Smith.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#13A ADOPTED AS ORDINANCE NO. 213/2019**

PRESIDENT SHERER: Clerk Dougherty.

#13B. (2<sup>ND</sup> RDG) **#13B ADOPTED AS ORDINANCE NO. 214/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL NECESSARY AGREEMENTS FOR THE ISSUANCE AND PAYBACK OF A \$3,500,000.00 LOAN CONTINGENT ON THE ISSUANCE OF BONDS UNDER A SEPARATE ORDINANCE FOR THE PURCHASE AND RENOVATION OF THE MCKINLEY GRAND HOTEL; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader Smith.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #13B. Are there any remarks?

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Somebody from the Administration, can you please clarify section 2, paragraph B...uh...according to Deputy Mayor, the 6% is passed through to the borrower. Uh, since we are going

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outside on the bonding, is that to tell me that there are 6% added on to the \$3.5 million aid bi-annually, being June 1<sup>st</sup> and December 1<sup>st</sup>?

DEPUTY MAYOR WILLIAMS: Mr. President.

PRESIDENT SHERER: Deputy Mayor.

DEPUTY MAYOR WILLIAMS: Uh, Member Morris, bond fees are typically passed on to the end user. Uh, what this section speaks to is the estimated...um...annual...um, one second...put my eyes back on. What this section speaks to is the estimated rate of 6% per year...uh...which is...shall be payable as to principle in ten installments from December 1<sup>st</sup> of each year, so that's separate from actual bond fees.

MEMBER MORRIS: What exactly is the 6%? Is it 6% of \$3.5 million? Is it 6% of the fees? What is the 6%? That's what I'm confused about.

DEPUTY MAYOR WILLIAMS: This is 6% of the \$3.5 million that's being borrowed.

MEMBER MORRIS: Now, we collect that 6% or that is to be paid on the bond and then we pass it through to the borrower?

DEPUTY MAYOR WILLIAMS: This is the estimated rate, per year, of the interest.

MEMBER MORRIS: We pay on the bond?

DEPUTY MAYOR WILLIAMS: That the bond pays.

MEMBER MORRIS: Okay.

PRESIDENT SHERER: Are there any additional remarks on Ordinance 13B? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#13B ADOPTED AS ORDINANCE NO. 214/2019**

PRESIDENT SHERER: Ordinance 13B is adopted. Clerk Dougherty, Ordinance 13C, please.

#13C. (2<sup>ND</sup> RDG)

**#13C ADOPTED AS ORDINANCE NO. 215/2019** ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$3,500,000.00 TO PROVIDE FUNDS TO MAKE A LOAN FOR ECONOMIC DEVELOPMENT IN THE CITY; AUTHORIZING RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY

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PRESIDENT SHERER: Leader Smith.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#13C ADOPTED AS ORDINANCE NO. 215/2019**

PRESIDENT SHERER: Ordinance 13... Ordinance 13C is adopted. So all the amendments have been explained with these ordinances so we're going back to Ordinance 13, as amended, and we did have a motion and a second on Ordinance #13, as amended, per the copy before each of you. Are there any additional remarks on Ordinance 13, as amended? If not, 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 #13, as amended.

MEMBER BABCOCK: Second.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 13 by the substitution of the attached amended ordinances for the original pending ordinance."*

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #13, as amended. Are there any 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.

**#13 ADOPTED AS AMENDED**

PRESIDENT SHERER: Ordinance #13, as amended, has been adopted.

**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...Mr. Clerk, please begin with Ordinance #14.

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***NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #14 AND #15 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

#14. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 216/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO: ENTER INTO AGREEMENT FOR AND ACCEPT \$31,000.00 IN GRANT FUNDS FROM THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES FOR THE 2018 PROJECT SAFE NEIGHBORHOOD GRANT AND ENTER INTO CONTRACT FOR THE PURCHASE OF CAMERAS AND HARDWARE TO BE TIED INTO THE CITY’S EMERGING WI-FIBER NETWORK; AMENDING APPROPRIATION ORDINANCE NO. 50/2019; 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.

**#14 ADOPTED AS ORDINANCE NO. 216/2019**

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

#15. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 217/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE PURCHASE OF ONE (1) COMBINATION SEWER CLEANER, ONE (1) TRUCK CAB AND CHASSIS ONE (1) TRACK-MOUNTED SEWER CLEANER, AND ONE (1) TRACK LOADER; OR TO ALTERNATIVELY PURCHASE SAID EQUIPMENT PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND TO TRADE IN ONE (1) S300 BOBCAT SKID LOADER AND ONE (1) BOBCAT 24-INCH WHEEL SAW TOWARDS SAID PURCHASES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader Smith.

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

MEMBER BABCOCK: Second.



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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. 217/2019**

PRESIDENT SHERER: (*Inaudible*). Motion carries and Ordinance #15 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

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

MEMBER FERGUSON: Mr. President.

PRESIDENT SHERER: Member Ferguson.

MEMBER FERGUSON: Uh, Economic Development Committee Meeting will meet at 6:30.

PRESIDENT SHERER: Thank you, Member Ferguson.

MEMBER BABCOCK: Mr. President.

CLERK DOUGHERTY: November 25<sup>th</sup>.

PRESIDENT SHERER: Member Babcock.

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

PRESIDENT SHERER: Thank you, Member Babcock.

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Annexation will meet November 25<sup>th</sup>, 6:30.

MEMBER MORRIS: Finance, same time, same place.

PRESIDENT SHERER: Thank you, Member Morris.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

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

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PRESIDENT SHERER: Thank you.

MEMBER SMITH: Mr. President.

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: There will be an Organizational Meeting also held that night, at 5:30.

PRESIDENT SHERER: Thank you, Leader Smith.

**MISCELLANEOUS BUSINESS**

PRESIDENT SHERER: We are now under Miscellaneous Business. Is there any Miscellaneous Business for this evening? I would like to recognize our Veterans. At our last Council Meeting, was prior to Veteran's Day and I would like to...any of our Veterans that are in the audience today, I just want to thank them for their service. And I would also like to recognize Joey Mattas. Joey is a boy scout working on a merit badge today, and I wanna...I'd like to thank you for coming tonight, Joey. *(Applause)*. Is there any other Miscellaneous Business for this evening. Hearing none...Clerk Dougherty, our quote for the week, please.

CLERK DOUGHERTY: As basketball season begins...*"I've missed more than 9000 shots in my career. I've lost almost 300 games. 26 times I've been trusted to take the game winning shot and missed. I've failed over and over and over again in my life. And that is why I succeed."* - Michael Jordan. One of the greatest.

PRESIDENT SHERER: Thank you, Clerk Dougherty.

MEMBER SMITH: Mr. President, I'm so sorry. I should have mentioned this, but there is an 11 year old football team in the city of Canton and on this weekend they went to Chicago and they are the National Champs and they are all from middle schools, such as Crenshaw...um...and the middle schools in the area and they are 11 years old. They have the opportunity now to compete in Florida in December and they have won all of their games, undefeated, all of them. And they are the Spartans, in case y'all want to know. So...thank you.

PRESIDENT SHERER: Thank you, Leader Smith.

MEMBER SMITH: Yeah, *(Inaudible)* my grandson.

MEMBER BABCOCK: I hear you. *(Laughter)*

PRESIDENT SHERER: 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.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: This meeting is adjourned. Thank you for coming this evening. (*Gavel falls*).

ADJOURNMENT TIME: 7:35 PM

ATTEST:  
DAVID R. DOUGHERTY  
CLERK OF COUNCIL

APPROVED:  
WILLIAM SHERER, II  
PRESIDENT