

MINUTES OF THE MEETING MAY 23, 2022

PRESIDENT SHERER: ... and welcome to Canton City Council. If everyone could please turn your cellphones to vibrate. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please, Madam Clerk.

ROLL CALL TAKEN BY CLERK WOOD:

11 COUNCIL MEMBERS PRESENT: (WILLIAM SMUCKLER, JAMES BABCOCK, LOUIS GIAVASIS, BRENDA KIMBROUGH, JASON SCAGLIONE, CHRIS SMITH, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, PETER FERGUSON AND FRANK MORRIS)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER HAWK ABSENT)

CLERK WOOD: Eleven present, one absent, Mr. President.

EXCUSING MEMBERS

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we excuse Member Hawk from tonight's meeting based on he has had a knee replacement and it's very hard for him to get around right now.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Member Hawk is excused from this evening's meeting. Tonight's invocation will be given by Ward 5 Council Member, Robert Fisher. If you would all please stand and remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on May 23, 2022 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Jill M. Wood. The invocation was given by Ward 5 Council Member, Robert Fisher. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Member Fisher.

AGENDA CORRECTIONS AND CHANGES

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

MEMBER SMUCKLER: Mr. President, I move Rule 22A be suspended to add second readings of Ordinances 11 through 16 to this evening's agenda. And to add...

PRESIDENT SHERER: That's it.

MEMBER SMUCKLER: No?

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CLERK WOOD: That's it.

PRESIDENT SHERER: That should be it.

CLERK WOOD: That's it.

MEMBER SMUCKLER: Why aren't we adding first reading of the ordinance that you were just handed?

CLERK WOOD: Because that's a first reading vote, not a second reading.

MEMBER SMUCKLER: Yeah, but I'm making all the agenda corrections.

CLERK WOOD: Go ahead, go ahead.

PRESIDENT SHERER: Go.

MEMBER SMUCKLER: So, I want to add... um, also add under first readings Ordinance 10A. Yeah.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add second readings to Ordinances 11 through 16 and for the first reading of Ordinance 10A to this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 11 through 16 and the first reading of 10A are a legal part of your agenda.

PUBLIC HEARINGS

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

OLD BUSINESS

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

PUBLIC SPEAKS

PRESIDENT SHERER: We are now under Public Speaks and we have five speakers for his evening. I would like to remind our speakers that you do have three minutes under the Rules of Council. Um, our first speaker is Ms. Kimberly Bell. Ms. Bell, could you please step forward and give us your name and residential address, please.

KIMBERLY BELL: Yes, Kimberly Bell, 1733 Morris Avenue NE, Canton. Okay, when I walked in, you guys were talking about policing the streets for the juveniles. Changed my whole thing I was coming to talk about, which was James Williams and your failure to... um, Chris, Kevin, Andrea, Brenda, Jill, all of you, Martin

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Luther King died for something and you sit there and don't do anything about what he died for, but sit there and take what you take from these 17 white people up here. You have the power at this... at this day and age. You have the power. You black people who up there, but you won't use it. You have the power over these 17 white faces, but you won't use it. I don't know why. But when I walked in, you're talking about the juvenile, the... the curfew and all this and all that. First of all, they're gonna do what they're gonna do regardless if you police the streets or not for them. Tell them to stop smoking weed. That's just like trying to take candy from a baby. You... you're not gonna do that. When I got kicked out of here three years ago I was talking about the gun violence, and today kids can get a gun just as easy as they can go buy a Snickers Bar, and I... and... and you sat here when I walked in talking about the curfews, this and enforcing that for the juveniles, this/that age. I almost hit three kids, had to been no ay... no older than 11 and 13, at one o'clock in the morning on those scooters. You are adding to the problem by doing things like that, giving that... giving them access to that. No, the kids (*inaudible*) can't police, and the mom and dads can't police everything these kids do or... and for you to sit there and say you're gonna arrest them or you're gonna detain them until their parents come to the police station to get them. Are you serious, people? You created the problem with them scooters. So how do you solve that problem? Get rid of them. But back to James Williams. You... you... you haven't arrested this cop, and it... it's becoming a norm that these police officers are killing black and brown people and you're doing nothing, Chris, Jill, Andrea, Kevin, Brenda, you're doing nothing at City Council. I know you... you... you do speak up, but it's time...

PRESIDENT SHERER: Ms. Bell.

KIMBERLY BELL: It's time!

PRESIDENT SHERER: Ms. Bell.

KIMBERLY BELL: It's time!

PRESIDENT SHERER: Ms. Bell, that's enough.

KIMBERLY BELL: No.

PRESIDENT SHERER: When you're... no.

KIMBERLY BELL: I got five minutes.

PRESIDENT SHERER: Now listen, when you're addressing the Chair, you are not gonna be calling people out in this Council meeting. You're addressing myself.

KIMBERLY BELL: Well...

PRESIDENT SHERER: That's the end of it or I'm gonna ask you to leave, Ms. Bell. Thank you. Our next speaker is Mr. Dale Lamm. Is Mr. Dale Lamm present tonight? Moving on, our next speaker is Mr. Billy Bebee. Is Mr. Bebee present? Moving on, our next speaker is Ms. Skylark Bruce. Ms. Bruce, could you please step forward and give us your name and residential address, please.

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SKYLARK BRUCE: My name is Skylark Bruce and I live at 2216 Bollinger Avenue NE. The Canton Police Department cannot curfew their way into teenage safety. Without a major change in the police themselves, without Officer Huber being held accountable for murdering James Williams, what this policing effort will become is another form of racist violence against the local black community. How many of our black children will die? On Wednesday, May 18th activists exercised their Constitutional rights on the corner of Cleveland and Third Street SW, Justice for James, whether you like it or not. An angry white man walked up and attempted to glare us down. When that didn't work, he shoved his way through several activists standing on the sidewalk and crossed the street to yell at another activist, also on the sidewalk. He acted like he wanted to do a lot more than yell. Fortunately, he left without causing further harm. In this wonderful age of facial recognition software, the images of him from Wednesday link him to one Michael Slatzer... or sorry, Matthew Slatzer of Canton, Ohio. Slatzer (*pronounced with a short "a"*) or Slatzer (*pronounced with a long "a"*), I'm not sure, was released in the last two weeks from 27 months in prison related to weapons charges and domestic violence. Oh wait, 27 months was reduced to 11. Slatzer (*pronounced with a short "a"*) or Slatzer (*pronounced with a long "a"*) is also a known white supremacist who, if the police are truthful on this, has made threats against Jews and law enforcement as well. Nice guy. Salt of the Earth, this one. While the man we met on Cleveland Avenue may or may not be Slatzer (*pronounced with a short "a"*)/Slatzer (*pronounced with a long "a"*), the actual person and his Neo-Nazi buddies definitely are out and about. The only people he isn't a threat to is other white supremacists. The kind who gunned down a dozen people in Buffalo, New York. The kind who take over bird sanctuaries and walk away from heavily armed confrontations with police with nearly a scratch on them, while black folks in this city can't even celebrate the New Year without wondering if they are the next James Williams. If the Canton City Prosecutor's Office would like to do something useful, they could drop charges against black activists who exercise their Constitutional right to protest injustice in public places and they can take these white supremacists seriously, pursuing them through every legal avenue. But that might... may... that might make too much sense. And that's not how we do things here. At least not yet. There's still hope for Canton even if the... those seated in a semi-circle in this room are not it. Justice for James.

PRESIDENT SHERER: Thank you, Ms. Bruce. And our last speaker for this evening is Vicki, and is it Prunty (*pronounced "Prun-tee"*)?

VICKI PRUNTY: Prunty, yeah that's right.

PRESIDENT SHERER: Ms. Prunty, could you please state your name and residential address, please. And you're more than welcome to take your mask off if you wish.

VICKI PRUNTY: Okay, thank you. I'm good. I speak well enough, I think you'll be able to understand what I have to say. My name is Vicki Prunty. I live at 130 Pearl Street in Orrville. Um, I have been protesting in Canton and different counties and cities all over the place. Um, but in particular I'm here because of James Williams and his family. Um, I want to touch on a Neo-Nazi that assaulted our protesters. Um, in May 2020, the same person entered a Dollar Store with a hatchet and sword asking for directions for... to Kent State University because he heard that's where there were a lot of Jews. This man lives two miles from this very building. Two miles. And he's threatened law enforcement. What? But you want to arrest our protesters, our activists for saying fuck in the middle of town.

PRESIDENT SHERER: Ms... Ms. Prunty.

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VICKI PRUNTY: I'm not playing politics like this with you...

PRESIDENT SHERER: No, listen... that... listen... re...

VICKI PRUNTY: This is a word that is in our English dictionary.

PRESIDENT SHERER: You have... you are more than welcome to speak, but you will refrain from using that language in this Chamber.

VICKI PRUNTY: It is not illegal...

PRESIDENT SHERER: Please, can...

VICKI PRUNTY: ...for me to use that word...

PRESIDENT SHERER: I...

VICKI PRUNTY: ...anymore than it's illegal for them to use it in a public space. They were not anywhere that they should not have been, and the places that they were near have in their rules that it is for public speak, First Amendment. I expect those charges to be dropped. They should have been dropped a long time ago. There is video evidence that there was nobody resisting arrest. They were reacting to what was happening. And it's ridiculous to go on. *(Sighs)* We are still waiting for you to do something about Mr. Huber murdering James Williams. We have family who is still waiting for support from this community. Do you care about the family that is attached to James Williams, or do you not? His blood is on all of your hands. Justice for James.

PRESIDENT SHERER: Thank you, Ms. Prunty.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: 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.

193. AGENT FOR PETITIONER BAILEY: COPY OF ANNEXATION PETITION DOCS FILED WITH STARK COUNTY COMMISSIONER FOR THE 2525 CLEARVIEW AVE NW 2022. – RECEIVED & FILED
194. POLICE CHIEF GABBARD: RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR APRIL 2022. – RECEIVED & FILED

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195. FINANCE DIRECTOR CROUSE: AMEND APPROP O#68/2022 (\$3,200,000.00 SUPP APPROP FR UNAPPROP BAL OF 4504 2015 CONSTR/RECONSTR NOTE FUND TO 4504 201001 SERV DIR – OTHER); EMERGENCY (BUILDING IMPROVEMENT NOTES). – PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
196. FINANCE DIRECTOR CROUSE: AMEND APPROP O#68/2022 (\$250,000.00 SUPP APPROP FR UNAPPROP BAL OF 2190 HOFV FUND TO 2190 861102 PACE FINANCING – OTHER); EMERGENCY (SPECIAL ASSESSMENT FOR HOF VILLAGE HOTEL). – FINANCE COMMITTEE
197. FINANCE DIRECTOR CROUSE: AUTH AUDITOR TO CREATE 2405 ONEOHIO OPIOID FUND; AMEND APPROP O#68/2022 (\$25,000.00 SUPP APPROP FR UNAPPROP BAL OF 2405 ONEOHIO OPIOID FUND TO 2405 200501 GENERAL GOVERNMENT SUPPORT ADMIN – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (OPIOID SETTLEMENT CASE). – FINANCE COMMITTEE
198. FINANCE DIRECTOR CROUSE: ADOPT LEGISLATION RETRO AUTH APPROP IN FUND 2809 FOR AMERICAN RESCUE PLAN ACT BE BUDGETED AT FUND LEVEL TO 1/1/22; EMERGENCY. – FINANCE COMMITTEE
199. LAW DIRECTOR BATES AYLWARD: AUTH AUDITOR TO PAY MORAL OB IN AMT OF \$5,790.00 TO BAKER, DUBLIKAR, BECK, WILEY & MATHEWS FOR PROF SERVS. – FINANCE COMMITTEE
200. MAYOR BERNABEI: LTR ADVISING OF APPOINTMENT OF MAYOR THOMAS BERNABEI AND LAW DIRECTOR KRISTEN BATES AYLWARD TO REGION 6 LOCAL BOARD. (ONEOHIO MEMORANDUM OF UNDERSTANDING AND ONEOHIO SUBDIVISION SETTLEMENT AGMT). – RECEIVED & FILED
201. MAYOR BERNABEI: AUTH WAIVER OF RESIDENCY REQUIREMENT FOR MR. CHRISTOPHER HARDESTY, DIRECTOR OF ECONOMIC DEVELOPMENT; AUTH CREDIT FOR MR. CHRISTOPHER HARDESTY’S PAST SERVICE AS A CITY EMPLOYEE; EMERGENCY (CREDIT FOR 4 YEARS OF SERVICE). – PERSONNEL COMMITTEE
202. MAYOR BERNABEI: APPROVE CREATION OF HALL OF FAME VILLAGE COMMUNITY ENTERTAINMENT DISTRICT. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
203. MAYOR BERNABEI: AUTH MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH GREATER STARK COUNTY URBAN LEAGUE UTILIZING ARPA FUNDS FOR AMT NOT TO EXCEED \$574,341.39 FOR FUNDING WORKFORCE DEV PROG; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
204. SAFETY DIRECTOR PERRY: LTR ADVISING THAT FIRE DEPT AND BLDG CODE WILL USE COMPLIANCE ENGINE FOR INSPECTIONS FOR BUSINESSES IN CITY OF CANTON. – RECEIVED & FILED

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205. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO DIR'S FINAL FINDINGS AND ORDERS AGMT WITH OHIO ENVIRONMENTAL PROTECTION AGENCY FOR ISSUES PERTAINING TO MEMBRANE PROJ AT WATER RECLAMATION FACILITY; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO ANY OTHER AGMTS AND/OR TAKE ACTIONS NECESSARY TO COMPLY WITH DIR'S FINAL FINDINGS AND ORDERS; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH ENVIRONMENTAL DESIGN GROUP FOR DESIGN OF MIDDLE BRANCH NIMISHILLEN CREEK STORMWATER CONSTRUCTED WETLAND PROJ, GP 1349; AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACT FOR MIDDLE BRANCH NIMISHILLEN CREEK STORMWATER CONSTRUCTED WETLAND PRO, GP 1349; AMEND O#68/2022 (\$180,000.00 APPROP TRF FROM 5410 206006 COLLECTION SYSTEMS – OTHER TO 5410 206059 STORMWATER CONSTRUCTED WETLAND PROJ, GP 1349 – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES
206. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH CT CONSULTANTS, INC. FOR CONSTRUCTION ADMINISTRATION AND INSPECTION SERVS FOR 36TH STREET NW STORM SEWER AND ROADWAY RECONSTRUCTION PRO, PHASE 2, GP 1270; AUTH AND DIRECTS AUDITOR TO PAY ALL MORAL OBS RELATED TO CONTRACT; AMEND O#68/2022 (\$83,600.00 APPROP TRF FR 4501 202001 ENGINEERING – ADMINISTRATION – OTHER TO 4501 202058 36TH ST NW STRM, RDWY, WTR, SWR – OTHER); AMEND O#68/2022 (\$15,500.00 APPROP TRF FR 5410 202010 ENGINEERING – DAILY OPERATIONS – OTHER TO 5410 202058 36TH ST NW STRM, RDWY, WTR, SWR – OTHER). – PUBLIC PROPERTY & CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
207. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR APRIL 2022. – RECEIVED & FILED
208. TREASURER PEREZ: RPTS OF BANK REC AND OUTSTANDING INVESTMENTS AS OF 4/29/22. – RECEIVED & FILED
209. MAYOR BERNABEI: AMEND SEC 503.02 (CURFEW FOR ALL MINORS 17 & UNDER TO 11:00 PM). – JUDICIARY COMMITTEE

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Fir... First Reading. Madam Clerk, would you please begin with Ordinance No. 1.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #1 THROUGH #10A FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#1. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$16,800.00 SUPP APPROP FR UNAPPROP BAL OF 2794 PROJ SAFE NEIGHBORHOOD GRANT FUND TO 2794

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102001 POLICE ADMIN – ADV OUT) (RETURN OF ADVANCED MONEY TO GENERAL FUND)

Referred to Finance Committee

O#2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$58,756.00 SUPP APPROP FR UNAPPROP BAL OF 2793 US DEPT JUST/BUREAU ASST FUND TO 2793 102001 POLICE ADMIN – ADV OUT) (RETURN OF ADVANCED MONEY TO GENERAL FUND)

Referred to Finance Committee

O#3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH B&T ASSOCIATES, LLC AND TERYDON INCORPORATED TO PROVIDE A REAL PROPERTY TAX EXEMPTION; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON CITY SCHOOL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82(C) OF THE REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY (PURCH OF AEP BILLING CTR @ 420 4TH ST SW)

Referred to Community & Economic Development Committee

O#4. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PARKS AND RECREATION IN CONJUNCTION WITH THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACTS NECESSARY FOR THE WILLIG FIELD UPGRADES PROJECT; OR TO ALTERNATIVELY ENTER INTO ALL CONTRACTS NECESSARY PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZES THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Parks & Recreation and Finance Committees

O#5. (1ST RDG) 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) FULL SIZE CARGO VAN, ONE (1) 4X4 HEAVY DUTY CHASSIS CAB, ONE (1) HEAVY DUTY CARGO BOX AND ONE (1) 4X4 SUV; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER DEPT)

Referred to Public Property Capital Improvement Committee

O#6. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$150,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 – WATER DISTRIBUTION FUND – OTHER) (WATER PORTION OF HURSH PL NW ROADWAY AND WATER PROJ)

Referred to Finance Committee

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- O#7. (1ST RDG) **ADOPTED AS ORDINANCE NO. 115/2022** AN ORDINANCE CREATING A SENIOR SIDEWALK REPLACEMENT PROGRAM; AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE TO ESTABLISH REGULATIONS AND PROCEDURES TO ENTER INTO ANY AND ALL NECESSARY AGREEMENTS; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ANY NECESSARY CONTRACTS TO IMPLEMENT THE PROGRAM; AUTHORIZING \$300,000.00 OF ARPA MONEY TO BE DEDICATED TO THIS PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- O#8. (1ST RDG) **ADOPTED AS ORDINANCE NO. 116/2022** AN ORDINANCE AUTHORIZING THE APPROPRIATE APPOINTING AUTHORITY, DURING CALENDAR YEAR 2022, TO SELL CITY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION PURSUANT TO O.R.C. 721.15(D); AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#9. (1ST RDG) **ADOPTED AS ORDINANCE NO. 117/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO A DIRECTOR'S FINAL FINDINGS AND ORDERS AGREEMENT WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR ISSUES PERTAINING TO THE MEMBRANE PROJECT AT THE CANTON WATER RECLAMATION FACILITY; ENTER INTO ANY OTHER AGREEMENTS AND/OR TAKE ANY OTHER ACTIONS NECESSARY TO COMPLY WITH THE DIRECTOR'S FINAL FINDINGS AND ORDERS; ENTER INTO CONTRACT WITH ENVIRONMENTAL DESIGN GROUP FOR THE DESIGN OF THE MIDDLE BRANCH NIMISHILLEN CREEK STORMWATER CONSTRUCTED WETLAND PROJECT; AMENDING ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$180,000.00 APPROP TRF FROM 5410 206006 COLLECTION SYSTEMS – OTHER TO 5410 206059 STORMWATER CONSTRUCTED WETLAND PROJ, GP 1349 – OTHER)
Referred to Environmental & Public Utilities and Finance Committees
- O#10. (1ST RDG) **ADOPTED AS ORDINANCE NO. 118/2022** AN ORDINANCE WAIVING THE REQUIREMENT OF CITY RESIDENCY CONTAINED IN ORDINANCE NO. 100/2011 AND AUTHORIZING CREDIT FOR MR. CHRISTOPHER J. HARDESTY'S FOUR (4) YEARS OF SERVICE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Committee

PRESIDENT SHERER: At this time, the Chair would...

CLERK WOOD: No.

PRESIDENT SHERER: Oh, you're good? Oh, sorry about that.

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O#10A. (1ST RDG) **ADOPTED AS ORDINANCE NO. 119/2022** AN ORDINANCE AMENDING SECTION 503.02, CURFEW FOR MINORS OF CHAPTER 503 OF THE GENERAL OFFENSES CODE
Referred to Judiciary Committee

CLERK WOOD: Mr. President.

PRESIDENT SHERER: Thank you, Clerk. At this time the Chair would declare an in-house recess for Judiciary, Community... Community & Economic Development, Finance, Environment... Environmental & Public Utilities and Personnel Committees to meet in regards to Ordinances through 10A on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:28 PM FOR THE JUDICIARY, COMMUNITY & ECONOMIC DEVELOPMENT, FINANCE, ENVIRONMENTAL & PUBLIC UTILITIES AND PERSONNEL COMMITTEES TO DISCUSS ORDINANCE #7 THROUGH ORDINANCE #10A; RECONVENED AT 8:02 PM)

MEMBER SMUCKLER: Mr. President.

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to add Ordinances 7 through 10A back to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 7 through 10A 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 WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 7 through 10A are a legal part of your agenda, Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules of Ordinances 7 through 10A.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 7 through 10A. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

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

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MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #7.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #7. Are there any remarks under this Ordinance? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#7 ADOPTED AS ORDINANCE NO. 115/2022

PRESIDENT SHERER: The motion carries and Ordinance #7 has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #8.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you 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 WOOD: Eleven yeas, Mr. President.

#8 ADOPTED AS ORDINANCE NO. 116/2022

PRESIDENT SHERER: The motion carries and Ordinance #8 is adopted. Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 117/2022

PRESIDENT SHERER: The motion carries and Ordinance #9 is adopted. Leader.

MEMBER SMUCKLER: 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.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 118/2022

PRESIDENT SHERER: The motion carries and Ordinance #10 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance 10A.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#10A ADOPTED AS ORDINANCE NO. 119/2022

PRESIDENT SHERER: The motion carries and Ordinance #10A is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, will you please begin with Ordinance #11.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #11 THROUGH #16 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#15 AND O#16 ADOPTED):

- O#11. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$88,863.64 SUPP APPROP FR UNAPPROP BAL OF 2819 2019 ASSISTANCE TO FIREFIGHTERS GRANT FUND TO 2819 103001 FIRE ADMIN – OTHER; \$88,863.64 INTER-FUND ADV REPAYMENT FROM 2819 103001 FIRE ADMIN – ADVANCE OUT TO 1001 103001 FIRE ADMIN – ADVANCE IN) (REIMBURSE GEN FUND FOR PURCH OF EXHAUST SYSTEMS)
- O#12. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$218,000.00 SUPP APPROP FR UNAPPROP BAL OF 2185 URBAN TIF FUND TO 2185 871001 HISTORIC ONESTO TIF – OTHER - \$8,000.00, TO 2185 871002 INNOVATION DISTRICT TIF – OTHER - \$25,000.00 AND TO 2185 871003 BROADVIEW DEVELOPMENT TIF – OTHER - \$185,000.00) (FIRST HALF TIF PAYMENTS FOR 2022)
- O#13. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOTS 10447 AND 10448; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY, 1700 BLK 17TH ST NE)

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- O#14. (2ND RDG) AN ORDINANCE AUTHORIZING AND CONSENTING TO THE SYSTEMATIC SIGN UPGRADES INCLUDING ROUTE SHIELDS AND MILE MARKERS ON SR 43 FROM 17TH ST. N. TO THE NORTH CORP LIMIT (55TH ST.) AND FROM US 30 (EXPRESSWAY) TO THE S CORP LIMIT (WAYNESBURG DR.), ON SR 687 (FULTON AVE.) FROM THE W CORP LIMIT (CLEARVIEW AVE.) TO THE MALONE PARKWAY (US62); AND ON SR800 FROM THE S CORP LIMIT TO I77; AND DECLARING THE SAME TO BE AN EMERGENCY (D04 SIGN FY2023 (SYSTEMATIC) PID 110489)
- O#15. (2ND RDG) **ADOPTED AS ORDINANCE NO. 120/2022** AN ORDINANCE AUTHORIZING THE CANTON MUNICIPAL COURT TO ENTER INTO CHANGE ORDER #1 WITH PROTECH SECURITY IN AN AMOUNT NOT TO EXCEED \$15,690; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THIS CHANGE ORDER; AND DECLARING THE SAME TO BE AN EMERGENCY (SECURITY/ACCESS CONTROL EXPANSION)
- O#16. (2ND RDG) **ADOPTED AS ORDINANCE NO. 121/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GRANT AGREEMENT WITH COMMUNITY BUILDING PARTNERSHIP OF STARK COUNTY, INC. IN AN AMOUNT NOT TO EXCEED \$200,000 UTILIZING ISSUE 13 COMPREHENSIVE PLAN NEIGHBORHOOD FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY

CLERK WOOD: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend the Statutory Rules of Ordinance #15 and 16.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 15 and 16. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

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

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #15. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK WOOD: Eleven yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 120/2022

PRESIDENT SHERER: The motion carries and Ordinance #15 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #16. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 1 ABSTENTION
(MEMBER SCAGLIONE ABSTAINED)

CLERK WOOD: Ten yeas, one abstention, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 121/2022

PRESIDENT SHERER: The motion carries and Ordinance #16 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. Madam Clerk, will you please begin with Ordinance #17.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCE #17 THROUGH ORDINANCE #26 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#17. (3rd RDG) **ADOPTED AS ORDINANCE NO. 122/2022** A RESOLUTION AUTHORIZING THE LAW DIRECTOR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF THE 2021-2022 SUPPLEMENT TO THE CANTON CODIFIED ORDINANCES; TO AFFIX PRICE FOR THE SALE OF SAME; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: 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 WOOD: Eleven yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 122/2022

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

O#18. (3rd RDG) **ADOPTED AS ORDINANCE NO. 123/2022** AN ORDINANCE AUTHORIZING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: 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 WOOD: Eleven yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 123/2022

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

O#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 124/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A FIVE (5) YEAR SOLE SOURCE CONTRACT WITH STRYKER COT AND LOADING SYSTEMS IN AN AMOUNT NOT TO EXCEED \$22,790.30 PER YEAR FOR A TOTAL OF \$113,951.52 FOR THE CANTON FIRE DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY (FIRE DEPT)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: 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 WOOD: Eleven yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 124/2022

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

O#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 125/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A

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PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPL LTD FOR DESIGN OF THE SCHROYER AVE SW SEWER REPLACEMENT PROJECT, GP 1380; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$65,900.00 INTRA-FUND TRF FR 5410 206006 COLLECTION SYSTEMS DEPARTMENT – OTHER TO 5410 206327 SCHROYER AVE SW SANITARY SEWER, GP 1380 – OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: 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 WOOD: Eleven yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 125/2022

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

O#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 126/2022** AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE SERVICE DIRECTOR'S ENGINEERING DIVISION EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (CHIEF DEPUTY CITY ENGINEER TO REPLACE ONE OF THREE ASST CITY ENGINEERS)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: 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 under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 126/2022

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

O#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 127/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT

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CHANGE ORDER #2 - ALLEN AVENUE SE AREA SANITARY SEWER REPLACEMENT PROJECT WITH ENVIRONMENTAL DESIGN GROUP FOR DESIGN REVISIONS IN AN AMOUNT NOT TO EXCEED \$77,856.37; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THIS CHANGE ORDER THAT TOOK PLACE PRIOR TO THE FINAL COMPLETION OF SAID CHANGE ORDER; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$77,856.37 INTRA-FUND TRF FR 5410 206006 COLLECTION SYSTEMS DEPARTMENT – OTHER TO 5410 206322 ALLEN AVE SE AREA SANITARY SEWER PROJECT, GP 1332 – OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: 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 under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 127/2022

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

O#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 128/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,260,000.00 SUPP APPROP FR UNAPPROP BAL OF 5445 ALLEN AVE SANITARY SEWER PROJECT, GP 1332 TO 5445 206322 ALLEN AVE SANITARY SEWER PROJECT, GP 1332 – OTHER; \$121,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 206322 ALLEN AVE SE AREA SANITARY SEWER/WATERLINE FUND – OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: 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 under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 128/2022

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PRESIDENT SHERER: Motion carries and Ordinance #23 is adopted. Ordinance #24, please.

O#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 129/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN EASEMENT AGREEMENT WITH THE OHIO POWER COMPANY FOR UNDERGROUND ELECTRIC SERVICE FACILITIES ON PART OF CITY OUTLOT 711; AND DECLARING THE SAME TO BE AN EMERGENCY (ONGOING DEVELOPMENT OF HALL OF FAME VILLAGE)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #24.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #24. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 129/2022

PRESIDENT SHERER: Motion carries and Ordinance #24 is adopted. Ordinance #25, please.

O#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 130/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE LTD FOR DESIGN OF THE HARTER HEIGHTS WATER MAIN REPLACEMENT PROJECT, PHASE 1; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE EMERGENCY (\$104,900.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207083 HARTER HEIGHTS AREA WATER MAIN REPLACEMENT PROJECT – PHASE 1 – OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #25.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #25. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#25 ADOPTED AS ORDINANCE NO. 130/2022

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PRESIDENT SHERER: Motion carries and Ordinance #25 is adopted. Ordinance #26, please.

O#26. (3RD RDG) **ADOPTED AS ORDINANCE NO. 131/2022** AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE SERVICE DIRECTOR'S BUILDING MAINTENANCE DEPARTMENT EMPLOYED BY THE CITY OF CANTON; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 204010 OTHER BUILDINGS – PERSONNEL (CREATION OF ASST SUPERINTENDENT)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #26.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #26. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#26 ADOPTED AS ORDINANCE NO. 131/2022

PRESIDENT SHERER: Motion carries and Ordinance #26 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Our next meeting day will be June 6, and committee starts at 6:15 P.M.

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Finance will meet, is it 6:15? On June 6th here in Chambers.

PRESIDENT SHERER: Thank you, Member Mariol.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

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

PRESIDENT SHERER: Thank you, Member Scaglione.

MEMBER HALL: Mr. President.

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PRESIDENT SHERER: Member Hall.

MEMBER HALL: Community & Economic Development, same time, same place.

PRESIDENT SHERER: Thank you, Member Hall.

MEMBER MORRIS: Mr. President...

PRESIDENT SHERER: Mem...

MEMBER MORRIS: Parks & Rec, same time, same place.

PRESIDENT SHERER: Thank you, Member Morris.

MISCELLANEOUS BUSINESS

PRESIDENT SHERER: We are now under Miscellaneous Business. Is there any Miscellaneous Business for this evening? Hearing none... Law Director.

MEMBER SMUCKLER: Mister...

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Before you do, I...

PRESIDENT SHERER: Okay.

MEMBER SMUCKLER: ...just wanna... I was just waiting to make sure no one else wanted to. Uh, I want to emphasize this on curfew. Till 12:30 for 30 days. After that it changes to 11:00. And I want that straight for the record so everybody's well aware. Um, I'm not expecting mass pickups of kids, but I am expecting some enforcement that all of us have cried out for. Now, uh- Law Director, I'd like to go into Executive Session again over a lawsuit. Would you please state the or... uh, the call for Executive Session.

LAW DIRECTOR BATES AYLWARD: Yes. I... I would frame a motion for us to convene the Claims Committee and to go into Exec... Executive Session with the Claims Committee to discuss settlement of an imminent legal claim, to include of course the Mayor, myself... um, Leader Smuckler and our acting Finance Chairman Mariol. Um, I would caution all of you, however, that we still have to adjourn the meeting after our Claims Committee.

MEMBER MORRIS: Poi... point of order.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Can we not just adjourn the meeting, typically, and then as soon as we adjourn the meeting, Claims Committee can meet, then move to go into Executive Session, closed door and discuss whatever you want.

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LAW DIRECTOR BATES AYLWARD: Uh, typically, as you know, we do Claims Committee before we adjourn, so we.... (*inaudible background voices*)... would appreciate if you just give me five minutes. That's all it'll take.

MEMBER SMUCKLER: So move.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Alright. There's a motion and a second to go into Executive Session. Madam Clerk, roll call, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: Alright, so we are gonna stay right here. And I want to thank everybody for coming tonight. If you guys want to stick around for... and it's totally up to you, but I want to thank everybody for coming tonight, but we have to excuse everybody from the room right now. So...

(*Inaudible background voices*)

CLERK WOOD: No, we're staying here.

PRESIDENT SHERER: No, we're gonna stay right here. Okay?

MEMBER SMUCKLER: Um, Member Babcock's hungry, so he's... uh (*chuckles*)... he's asked me to please adjourn the meeting. Member Morris, I think you're hungry too, right?

MEMBER MORRIS: I need a cigarette (*inaudible*).

MEMBER SMUCKLER: Then... need a cigarette, okay. So, I so move that everybody but Claims Committee people, that we adjourn the meeting.

MEMBER BABCOCK: Second.

CLERK WOOD: U-mmm.

PRESIDENT SHERER: Well, we have to come out of Executive Session.

MEMBER SMUCKLER: I did.

CLERK WOOD: You guys are in right now.

PRESIDENT SHERER: Okay, so...

CLERK WOOD: Roll call.

PRESIDENT SHERER: Okay. So you're adjourning the meeting, Majority Leader?

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MEMBER SMUCKLER: Yes, that's the motion.

PRESIDENT SHERER: Alright. There's a motion and second to adjourn the meeting. You sure you're hungry, Babby? (*Laughter*)

MEMBER MORRIS: You're hungry, Babby.

PRESIDENT SHERER: Roll call vote please, Madam Clerk. (*Laughter*)

CLERK WOOD: Smuckler.

MEMBER SMUCKLER: And only because Babby's stomach's percolating over here.

CLERK WOOD: Can I get an aye?

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: Now this Meeting's adjourned, thank you for coming tonight, folks. (*Gavel falls*)

ADJOURNMENT TIME: 8:27 PM

ATTEST: 5/24/22

APPROVED:

JILL M. WOOD
CLERK OF COUNCIL

WILLIAM SHERER
PRESIDENT