

MINUTES OF THE MEETING JULY 11, 2022

PRESIDENT PRO TEM BABCOCK: Good evening. Ladies and gentlemen, welcome to Canton City Council. If everyone would please turn off 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: (JAMES BABCOCK, LOUIS GIAVASIS, GREG HAWK, BRENDA KIMBROUGH, JASON SCAGLIONE, CHRIS SMITH, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, PETER FERGUSON & FRANK MORRIS)

ELEVEN COUNCIL MEMBERS PRESENT. (PRESIDENT SHERER & MEMBER SMUCKLER ABSENT)

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

EXCUSING MEMBERS

PRESIDENT PRO TEM BABCOCK: Thank you. Leader.

MEMBER SMITH: Mr. President, I move we excuse Member... President Sherer and Member Smuckler from tonight's meeting.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM BABCOCK: It's been moved and seconded to excuse President Sherer and Member Smuckler from this evening's meeting. Are there any remarks? ...Hearing none, roll call, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT PRO TEM BABCOCK: Thank you. The motion carries. President Sherer and Member Smuckler are excused from this evening's meeting. Tonight's invocation will be given by Ward 9 Council Member, Frank Morris. If you would all please stand and remain standing for the Pledge of Allegiance.

MEMBER MORRIS: Now that the President finally was able to stand up, please bow your heads. It took you a while, Member Babcock.

The regular meeting of Canton City Council was held on July 11, 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 9 Council Member, Frank Morris. The Pledge of Allegiance was led by President Pro Tem Babcock.

PRESIDENT PRO TEM BABCOCK: Thank you, Member Morris.

AGENDA CORRECTIONS AND CHANGES

PRESIDENT PRO EM BABCOCK: We are now under Agenda Corrections and Changes. Leader.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add second reading Ordinances #25 through 29 to this evening's agenda.

MEMBER GIAVASIS: Second.

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PRESIDENT PRO TEM BABCOCK: Are there any remarks? ...Hearing none, roll call, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT PRO TEM BABCOCK: The motion carries and Ordinances #25 through #29 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM BABCOCK: We are now under Public Hearings and we have one Public Hearing for this evening. Madam Clerk, will you please announce the Public Hearing.

CLERK WOOD: AN ORDINANCE ESTABLISHING THE HALL OF FAME VILLAGE COMMUNITY ENTERTAINMENT DISTRICT AND DESIGNATING CERTAIN PROPERTY LOCATED IN THE CITY OF CANTON, OHIO AS A COMMUNITY ENTERTAINMENT DISTRICT PURSUANT TO OHIO REVISED CODE SECTION 4301.80 AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM BABCOCK: Is there anyone in the audience wishing to speak for or against this Ordinance, please step forward. I must repeat, is there anyone in the audience wishing to speak for or against this Ordinance, please step forward. Seeing no one step forward, the Chair declares the Public Hearing over in regard to this matter. The matter now rests in the hands of Council.

OLD BUSINESS

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

PUBLIC SPEAKS

PRESIDENT PRO TEM BABCOCK: Public Speaks. We are now under Public Speaks and we have three speakers this evening. Our first speaker is Tina Stevens. Would you please na... yeah. Would you please step forward and give us your name and ad... residential address, please.

TINA STEVENS: Good afternoon. My name is Tina Stevens. I reside at 929 Wertz Avenue SW, Canton, Ohio 44710. May I start?

PRESIDENT PRO TEM BABCOCK: Yeah. Yes, ma'am.

TINA STEVENS: Okay, thank you. Sorry. Um, I am here today before Council and the Mayor and everyone here. I spoke to a few Council Members, Fisher, Giavasis... um, and a few others, I believe dealing... what I'm dealing with. Um, I have a civil matter with my neighbor. Um, he has for a few years harassed me, different things like that. But anyways, moving forward, the City has come out trying to say that I am in violation of code due to my having an RV, and the description of the violation, it was for storing and hauling. It is not a trailer. I do not store or haul anything in there. There's no refrigerator, no gas, no electricity hooked up to it. Um, in 2017 my daughter dealt with a personal situation. She has hopes to be an engineer. I made an investment one year for taxes, and it's something that we work on and bond in regards to putting the RV

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(*inaudible*). You know, work on our interior design. Again, I'm House A, the complainant is House B. The neigh... the other neighbor on the other side of him is House C. House A and C both have RV's. I'm House A. When the City came out... when I purchased my RV in 2021... uh, March, my neighbor made the complaint in March... uh, January of '22. Someone came out from the City in March of '22, said I was in no violation, it was okay, I opened the RV, let him look in, everything was fine. Conveniently, this individual is now retired. So I'm guessing he did not update my file or whatever, so here you... um, he also said well... when I turned to look behind and he seen the other RV, he said well wait, well how are you in violation and he's not. I said I'm not for sure. He said, can you go back in the house, I'm gonna ask him why. He said because I'm black and I don't deserve to have an RV. Um, and one year he has called the police on me more than 50 times, to the point where I am trying to file menacing charges. So now that the police aren't coming out, he had moved to the dog warden, and now that they're not coming out, he's moved to the City. I've been there ten years, no eviction on my record. Um, I'm a pillar individual within the community, 2021 I won the Phenomenal Woman Award, Mr. Mayor has participated in my back to school functions in the community, I'm doing free hair braiding, hair cuts. Also have a non profit for kids in foster care for (*inaudible*)... Not Afraid of Success, mentorship, research and advocacy service in youth and foster care. Those are just a few examples I wanted to give about me and who I am and my character, and at this point he's defending my character, and... um, it's an approved pavement, it's not blacktop, it's concrete. Um, it's within the height and the length. Um, we do share a driveway, but however he does have access to and from. I do have pictures if you guys like to see it. I also did have a drone come out and do a top overview. Um, I only have 16 seconds. Thanks for taking the time to listen to what I'm dealing with, and I know that the only person that can stop the City from coming out or hear me is the Council. And with my last six seconds... um, my landlord is trying to give me a 30 day notice because she doesn't want to deal with the Court, but I also have text messages that she's not against it and she's fine with it. Whew!
(*Laughter*) You would like to see?

MEMBER MORRIS: Yeah.

TINA STEVENS: Oh.

MEMBER MORRIS: I'll pass them around and then you can pick them up with Chris Smith.

TINA STEVENS: Thank you.

MEMBER MORRIS: Thank you.

TINA STEVENS: Okay, I like this.

PRESIDENT PRO TEM BABCOCK: Okay, thank you.

TINA STEVENS: Do I sit down?

PRESIDENT PRO TEM BABCOCK: Yes, ma'am.

TINA STEVENS: Thank you.

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PRESIDENT PRO TEM BABCOCK: (*Chuckles*) (*Inaudible voice in background*)

TINA STEVENS: Thank you.

PRESIDENT PRO TEM BABCOCK: Our second one is Chris Mack. Would you...

CHRIS MACK: My name is Chris...

PRESIDENT PRO TEM BABCOCK: ...state your name and residential address.

CHRIS MACK: Chris Mack of 2430 4th Street. Uh, I'd like to just read a letter into the record that was written by my father, Henry C. Mack, who is sitting right there. Um... uh, "My name is Henry C. Mack. I've lived at the same home in northeast Canton for the last 60 years. Thank you for sidering... considering these comments regarding the Hall of Fame Village." Uh, and it's the review of refinancing of the conduit bonds. Um, he'd like to make three points in regards to this project. Uh... "First the City of Canton should support this refinancing even if it has higher debt servicing costs. After reviewing the publicly available information, the Hall of Fame Village does not appear to have the balance sheet to meet its currently scheduled conduit financing semul... semi annual repayment obligation. Thus, it would be prudent to refinance at this time. Importantly, while the City of Canton does have legal... uh, does not have legally binding financial risk associated with these bonds, this approval will minimize the significant reputational risk from a potential debt obligation default. Second, I would like to remind the two elected officials who also serve on the Hall of Fame Board of their fiduciary duty of care to Canton's taxpayers. In the event that the Hall of Fame is pushed in the future to declare insolvency by one or more debtors, there will be tremendous pressure for the City of Canton to creatively serve as a financial backstop to this high cost conduit financing obligation. In advance I want to encourage you to resist that pressure. Third, I want to take this opportunity to express my strong disappointment with the diversity, equity and inclusion efforts by... taken by the Hall of Fame Village. Based on publicly available information, it is difficult to see how men and women of color are having a seat at the table by participating as board members, senior executives or major suppliers. This is unacceptable given the significant support the Hall of Fame Village has received from various government entities." Thank you.

PRESIDENT PRO TEM BABCOCK: Thank you. Our next speaker is Kim Bell.

KIMBERLY BELL: Hi. You didn't say that like Ben... like... like the real president.

PRESIDENT PRO TEM BABCOCK: Oh.

KIMBERLY BELL: You didn't say my name right.

PRESIDENT PRO TEM BABCOCK: I didn't?

KIMBERLY BELL: No.

PRESIDENT PRO TEM BABCOCK: Kimberly Bell, excuse me.

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KIMBERLY BELL: Yes, thank you.

PRESIDENT PRO TEM BABCOCK: You signed in as Kim, but anyhow state your name and address, please.

KIMBERLY BELL: Hi. Yes, Kimberly Bell, 1733 Morris Avenue. Okay. Uh, first I want to read something to you. You know how... you all know how I feel about the murder of James Williams, so we not gone... I'm just gonna read this to you. Okay. I wrote this. "Hello, my name is James Williams. And I was killed by Canton Policer Officer, Robert Huber. I never saw him coming, which means he saw me and I was his target, a black man. He saw me through the window. He knew my race. My children and wife's last vision of me, I was laying on our living room floor bleeding, full of bullet holes. As they walked away from me as I was dying because their life was being threatened by the same cop who killed me, I... I was in fear that I was being left full of bullet holes. No one was helping me. I was dying. Please come back, Marquette. I'm hurt. Please, please." Marquette couldn't come back. Marquette had to go outside with her hands up with her six girls, cause the same man who killed James was trying to kill them. Justice for James.

PRESIDENT PRO TEM BABCOCK: Thank you.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM BABCOCK: Informal... we are under Informal Resolutions. We are now under Informal Resolutions. We have one for this evening. Madam Clerk, would you please read Informal Resolution #1, by title.

1. COUNCIL-AS-A-WHOLE: HONORING THOMAS EDWARD JOHN, JR. FOR HIS OUTSTANDING CONTRIBUTION TO THE SPORT OF BASEBALL. – ADOPTED

PRESIDENT PRO TEM BABCOCK: Leader.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #1.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM BABCOCK: It's been moved and seconded to adopt Informal Resolution #1. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #1 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM BABCOCK: The ayes have it, the motion carries and Informal Resolution #1 is adopted.

COMMUNICATIONS

PRESIDENT PRO TEM BABCOCK: 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.

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2. Petition documents filed with Stark County Commissioners for The Regent Ave NE – Canton Service Center Annexation – Agt for Petitioner Bailey
3. Request for Additional Amended Certificate dated 6/30/22 – Auditor Mallonn
4. Statement of Cash Position dated 6/30/22 – Auditor Mallonn
5. Issue 13 Comp Funds loan for Canton Logistics, LLC – Econ Dev Dir Hardesty
6. Supp Approp for Water Dept & Utilities Dept – Fin Dir Crouse
7. 2021 Canton City Public Health Annual Report – Health Commissioner Adams
8. Funding Canton For All People Greater Shorb Neighborhood Renaissance Project – Mayor Bernabei
9. Resigning SCLRC Appointment effective 7/1/22 – Lemuel Green, Appointee
10. Workers’ Compensation Representation by Black McCuskey Law Firm – Saf Dir Perry
11. ODOT SR43D (Walnut Ave)/SR172 (Tuscarawas), PID 102743, GP 1286 – Serv Dir Highman
12. 2022 Community Development Annual Action Plan – Serv Dir Highman
13. Health Dept Renovation and Clinic Expansion – ARPA – Serv Dir Highman
14. Final Approp of Loan Funds for Sugar Creek Water Treatment Plant Renovation Proj – Serv Dir Highman
15. Revenue Loss Approp to Engineering Dept (9th St NE Salt Storage Facility Renovations – GP 1371 and 2022 Paving Program, Phase 2 – Spot Paving) – Serv Dir Highman

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM BABCOCK: First Reading Ordinances. We are now under Ordinances and Formal Resolutions for their First Reading. Madam Clerk, would you please begin with Ordinance #16.

NOTE: PRESIDENT PRO TEM BABCOCK CALLED UPON CLERK WOOD TO READ ORDINANCES #16 THROUGH #24 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#16. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$42,000.00 SUPP APPROP FR UNAPPROP BAL OF 2155 CITY PARKING DECK FUND TO 2155 104040 TRAFFIC ENG/PARKING METER – OTHER)
Referred to Finance Committee
- O#17. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$236,500.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001

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POLICE ADMIN – OTHER FOR \$85,000.00 AND TO 1001 103001 FIRE ADMIN – OTHER FOR \$151,500.00; \$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 5601 REFUSE OPERATING FUND TO 5601 205001 REFUSE ADMIN – OTHER)
Referred to Finance Committee

- O#18. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$300,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2314 INFANT MORTALITY REDUCTION TO 2314 301001 INFANT MORTALITY REDUCTION – 700 OTHER DIRECT COSTS; \$20,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2319 EARLY INTERVENTION SERVICES TO 2319 301001 EARLY INTERVENTION SERVICES – 700 OTHER DIRECT COSTS)
Referred to Finance Committee
- O#19. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 22947 – 22949; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY, 400 BLK GIRARD AVE SE, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- O#20. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 20661 AND 20662; AND DECLARING THE SAME TO BE AN EMERGENCY (JOHN & ELLEN OGRISSEG, 1635 TANNER AVE SW, WARD 5)
Referred to Public Safety & Thoroughfares Committee
- O#21. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOT 43083 AND PART OF OUTLOT 672; DEDICATION OF RIGHT-OF-WAY ALONG THE WEST SIDE OF RAFF RD SW; AND DECLARING THE SAME TO BE AN EMERGENCY (DANIEL VALOT, 939 & 955 RAFF RD SW, WARD 3)
Referred to Public Safety & Thoroughfares Committee
- O#22. (1ST RDG) AN ORDINANCE AMENDING SECTION 151.10 HEALTH AND WELFARE BENEFITS OF CHAPTER 151 OF THE ADMINISTRATIVE CODE
Referred to Judiciary Committee
- O#23. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A SUBAWARD GRANT AGREEMENT WITH CANTON FOR ALL PEOPLE ACQUISITION AND HOLDINGS LLC UTILIZING \$1 MILLION DOLLARS IN ARPA FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- O#24. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LOAN AGREEMENT, AND ANY OTHER RELATED AGREEMENTS, IN AN AMOUNT NOT TO EXCEED \$300,000 OF ISSUE 13 COMPREHENSIVE FUNDS WITH CANTON LOGISTICS, LLC IN ORDER TO PROVIDE GAP FINANCING FOR A NEW CONSTRUCTION PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance and Community & Economic Development Committees

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CLERK WOOD: Mr. President.

PRESIDENT PRO TEM BABCOCK: Thank you.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM BABCOCK: We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, will you please begin with Ordinance #25.

NOTE: PRESIDENT PRO TEM BABCOCK CALLED UPON CLERK WOOD TO READ ORDINANCES #25 THROUGH #29 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#25. (2ND RDG) AN ORDINANCE ADOPTING THE CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2023; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#26. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,402,700.00 APPROP TRF FR 5413 206059 WRF ELECTRICAL IMPROVEMENTS – OTHER TO 5413 206053 WRF ELECTRICAL IMPROVEMENTS – OTHER)
- O#27. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL PROFESSIONAL SERVICE CONTRACTS FOR CANTON MEMORIAL CIVIC CENTER FACILITY NEEDS ASSESSMENT STUDY IN AN AMOUNT NOT TO EXCEED \$125,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#28. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ACCEPT THE USPCA AKC REUNITE K9 GRANT IN THE AMOUNT OF \$13,500.00 AND TO ENTER INTO CONTRACT FOR THE PURCHASE OF TWO (TWO) POLICE K9'S IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#29. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL NECESSARY AGREEMENTS FOR THE ISSUANCE AND PAYBACK OF A LOAN, NOT TO EXCEED \$5,000,000.00, TO HALL OF FAME RESORT & ENTERTAINMENT CO. FOR INFRASTRUCTURE CONSTRUCTION OF PHASE II OF THE HOFV PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY

CLERK WOOD: Mr. President.

PRESIDENT PRO TEM BABCOCK: Thank... thank you.

MINUTES OF THE MEETING JULY 11, 2022**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT PRO TEM BABCOCK: We are now under Ordinances and Formal Resolutions for their Third and Final Reading and Vote. Madam Clerk, will you please begin with Ordinance #30.

NOTE: PRESIDENT PRO TEM BABCOCK CALLED UPON CLERK WOOD TO READ ORDINANCE #30 THROUGH ORDINANCE #35 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

*O#30. (3rd RDG) **POSTPONED UNTIL 7/25/22** 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*

PRESIDENT PRO TEM BABCOCK: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #30.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM BABCOCK: It's been moved and seconded to adopt Ordinance #30. Are there any remarks?

MEMBER HALL: Mr. President, (*inaudible*) for one second. (*Pause*) (*Inaudible voices*)

PRESIDENT PRO TEM BABCOCK: We'd like to make a motion to entertain it.

MEMBER MORRIS: Mister... Mr. President.

PRESIDENT PRO TEM BABCOCK: Go ahead, Member Morris.

MEMBER MORRIS: I would like... since it's in my committee, I would like to make the motion that we hold this and postpone it until, uh...

PRESIDENT PRO TEM BABCOCK: The 25th?

MEMBER MORRIS: The 25th, if we could?

PRESIDENT PRO TEM BABCOCK: No... no problem.

MEMBER MORRIS: Can I get somebody to second?

MEMBER SMITH: Second.

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PRESIDENT PRO TEM BABCOCK: Okay, roll call, please.

MEMBER MORRIS: (*Inaudible*)

MEMBER HAWK: Mr. President.

PRESIDENT PRO TEM BABCOCK: Member Hawk.

MEMBER HAWK: Why are we holding it in committee or setting it back?

MEMBER MORRIS: Mr. President.

PRESIDENT PRO TEM BABCOCK: Member Morris.

MEMBER MORRIS: Uh, first off, Mister... or Member Hawk, I don't believe the votes are to... there to get it through, and rather than kill it, we would like to explore other options and get a little more information and some clarity.

MEMBER HAWK: Thank you very much for the explanation. Greatly appreciate it, sir.

PRESIDENT PRO TEM BABCOCK: Alright, there's been a motion and second. Could we have a roll call, please.

CLERK WOOD: No, no...

PRESIDENT PRO TEM BABCOCK: Oh.

CLERK WOOD: This is a postpone. (*Inaudible*)... say it right there.

PRESIDENT PRO TEM BABCOCK: Oh, okay. It's been moved and seconded to postpone Ordinance #31 indef... for two weeks until eight...

CLERK WOOD: August 8th.

UNIDENTIFIED VOICE: 25.

PRESIDENT PRO TEM BABCOCK: No, it's 7/25.

UNIDENTIFIED VOICE: 7/25.

PRESIDENT PRO TEM BABCOCK: 7/25.

CLERK WOOD: Not two meetings?

PRESIDENT PRO TEM BABCOCK: No, two weeks, 7/25...

MEMBER MORRIS: That'd be the next meeting...

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CLERK WOOD: 7/25.

PRESIDENT PRO TEM BABCOCK: ...2022. Are there any remarks?

MEMBER MARIOL: 7/25?

PRESIDENT PRO TEM BABCOCK: Right. Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed.

NO REMARKS POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM BABCOCK: Ayes have it, motion carries. Alright.

CLERK WOOD: We're on #32.

PRESIDENT PRO TEM BABCOCK: 31.

CLERK WOOD: That was 31.

PRESIDENT PRO TEM BABCOCK: Uh, yeah. Leader. Or, I'm sorry.

CLERK WOOD: #32.

PRESIDENT PRO TEM BABCOCK: Yeah, 31.

UNIDENTIFIED VOICE: 31.

CLERK WOOD: 31 is the one we just postponed.

PRESIDENT PRO TEM BABCOCK: No, 30 we postponed.

CLERK WOOD: Oh, I thought we postponed 31. I'm sorry. I apologize.

O#31. (3RD RDG) **ADOPTED AS ORDINANCE NO. 155/2022** AN ORDINANCE ESTABLISHING THE HALL OF FAME VILLAGE COMMUNITY ENTERTAINMENT DISTRICT AND DESIGNATING CERTAIN PROPERTY LOCATED IN THE CITY OF CANTON, OHIO, AS A COMMUNITY ENTERTAINMENT DISTRICT PURSUANT TO OHIO REVISED CODE SECTION 4301.80; AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 7/11/22 @ 7:00 PM**

PRESIDENT PRO TEM BABCOCK: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #31.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM BABCOCK: Are there any remarks? ...Hearing none, roll call vote, please.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#31 ADOPTED AS ORDINANCE NO. 155/2022

PRESIDENT PRO TEM BABCOCK: Motion carries and Ordinance #31 is adopted. Ordinance #32, please.

O#32. (3RD RDG) **ADOPTED AS ORDINANCE NO. 156/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$185,000.00 APPROP TRF FR 5410 206006 COLLECTION SYSTEMS DEPARTMENT – OTHER TO 5410 206323 VIOLA ESTATES SANITARY SEWER PROJECT, GP 1336 – OTHER)

PRESIDENT PRO TEM BABCOCK: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #32.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM BABCOCK: It's been moved and seconded to adopt Ordinance #32. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#32 ADOPTED AS ORDINANCE NO. 156/2022

PRESIDENT PRO TEM BABCOCK: Motion carries and Ordinance #32 is adopted. Ordinance #33, please.

O#33. (3RD RDG) **ADOPTED AS ORDINANCE NO. 157/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) CLOSED CIRCUIT TELEVISION CAMERA VAN FOR THE COLLECTION SYSTEMS DEPARTMENT; OR TO ALTERNATIVELY PURCHASE SAID VEHICLE PURSUANT TO ANY COOPERATIVE PURCHASING AGREEMENT AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM BABCOCK: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #33.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM BABCOCK: It's been moved and seconded to adopt Ordinance #33. Are there any remarks? ...Hearing none, roll call vote... vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK WOOD: Eleven yeas, Mr. President.

#33 ADOPTED AS ORDINANCE NO. 157/2022

PRESIDENT PRO TEM BABCOCK: Motion carries and Ordinance #33 is adopted. Ordinance #34, please.

O#34. (3RD RDG) **ADOPTED AS ORDINANCE NO. 158/2022** AN ORDINANCE AMENDING SECTION 919.04, RESPONSIBILITIES OF CITY AND PROPERTY OWNERS AND SECTION 919.06, APPLICATION PROCEDURES OF CHAPTER 919 OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE

PRESIDENT PRO TEM BABCOCK: Leader Smith.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #34.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM BABCOCK: It's been moved and seconded to adopt Ordinance #34. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#34 ADOPTED AS ORDINANCE NO. 158/2022

PRESIDENT PRO TEM BABCOCK: Motion carries and Ordinance #34 is adopted. Ordinance #35, please.

O#35. (3RD RDG) **ADOPTED AS ORDINANCE NO. 159/2022** 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 ALL CONTRACTS NECESSARY FOR THE WEIS PARK TENNIS COURT RECONSTRUCTION; ALTERNATIVELY ENTER INTO ALL CONTRACTS NECESSARY FOR SAID PROJECT; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM BABCOCK: Leader.

MEMBER SMITH: Mr. President, I move we adopt Ordinance #35.

MEMBER GIAVASIS: Second.

PRESIDENT PRO TEM BABCOCK: It's been moved and seconded to adopt Ordinance #35. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

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PRESIDENT PRO TEM BABCOCK: Thank you. Motion carries and Ordinance #35 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM BABCOCK: We are now under Announcement of Committee Meetings. Next meeting day is July 25 at 6:30.

MEMBER HAWK: Mr. President.

PRESIDENT PRO TEM BABCOCK: Member Hawk.

MEMBER HAWK: Finance Committee will meet Monday, July 25th at 6:30.

PRESIDENT PRO TEM BABCOCK: Thank you.

MEMBER GIAVASIS: Mr. Chairman, Judiciary will meet same time, same place.

PRESIDENT PRO TEM BABCOCK: Thank you.

MEMBER HALL: Mr. President.

PRESIDENT PRO TEM BABCOCK: Yes, sir.

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

PRESIDENT PRO TEM BABCOCK: Thank you.

MEMBER KIMBROUGH: Mr. President.

PRESIDENT PRO TEM BABCOCK: Yes, ma'am.

MEMBER KIMBROUGH: Public Safety & Thoroughfares will meet the same time also.

PRESIDENT PRO TEM BABCOCK: Thank you.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM BABCOCK: We are now under Miscellaneous Business. Is there any Miscellaneous... Miscellaneous Business?

MEMBER MORRIS: Mr. President.

PRESIDENT PRO TEM BABCOCK: Member Morris.

MEMBER MORRIS: Question for the Mayor. Actually, maybe it's just something the Mayor can look into me for. Uh, we just passed this legislation here about the sidewalk and curb replacement. People who have applied for the grant money have not heard anything as of yet. I've had three calls, so if you could get us an update on where that sidewalk program is for the seniors, and also with the City 50-50 program, a lot of my constituents are saying that they're only able to get two prices and the program requires three quotes. Is there someway that

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Engineering can make an exemption and let them provide just two quotes since they... everybody is having trouble getting that third quote.

MAYOR BERNABEI: Uh, Member Morris and Members of Council, first I... I know that the... of course, we adopted the legislation regarding the \$300,000.00 sidewalk program. I know that that has moved forward. Uh, I can't specifically comment on whether we received any applications or not. I think that our Service Director, who is absent today, can update us on that, and we will be glad to do so with an e-mail even before we get to the next meeting. Uh, with regard to the 50-50 program, or... or Mark may... go ahead, Mark.

FINANCE DIRECTOR CROUSE: On the senior program, I opened eight PO's last week for projects, and we have another, I think, eight that are waiting for the cement company to give us the pricing for those projects. So... um, we're working our way through the list.

MEMBER MORRIS: Thank you.

PRESIDENT PRO TEM BABCOCK: Anybody else?

MAYOR BERNABEI: And then...

PRESIDENT PRO TEM BABCOCK: Did you want...

MAYOR BERNABEI: Just to... just to finish that discussion then. The three quotes is part of the chapter that we just amended tonight, so that is a different part of the chapter that's contained in it, so we would actually... we would be willing to go to two quotes, but it's something that Council would have to change by Codified Ordinance, and we would be glad to consider that immediately. Um, the second thing I would add is I think this... the idea and what we adopted tonight is a great idea, and that is to allow the homeowners... uh, 50% of this to be paid, you know, over a number of years by special assessment. I think that will probably lead to the improvement of, you know, many more sidewalks than we have had done in the past.

MEMBER MORRIS: Thank you, Mayor, and I'll get with the Law Director on trying to amend that whether it be permanently or temporarily.

PRESIDENT PRO TEM BABCOCK: Any other questions.

MEMBER KIMBROUGH: Mr. President.

MEMBER GIAVASIS: Mr. President. Oh...

PRESIDENT PRO TEM BABCOCK: Member Giavasis, or Member Kim... Member Kimbrough.

MEMBER KIMBROUGH: Oh, I just wanted to thank... uh, we're gonna have the We Love Canton thing at the Nimisilla Park. This will be Wednesday at 3:00, so I'm excited about that. And also a town hall meeting on Ward 2 for home improvements through the Community Build Partner... Building Partners. Thank you. It's at 6:00 at the main library.

PRESIDENT PRO TEM BABCOCK: Member Giavasis.

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MEMBER GIAVASIS: Yeah, a couple things. Um, the complaint about the RV, I think the... the ma'am... the lady, she has a legitimate complaint about what's going on there. The one thing I wanted to bring up to Council, this is not the first time that I've had a resident call me that they've been visited about a complaint and the adjacent property owners are in violation themselves, and to be told that they hadn't received a complaint about the other properties adjacent and turn a blind eye to that and leave. If they're there, they see something that not's in... in code, they should take care of that while it's there and not wait for a complaint from somebody. Cause I think everybody saw the pictures there. She has a legitimate concern and it should be addressed. Number two, I brought it up to the Law Director before the meeting because I heard of the e-mail, and to clear up any ambiguity... ambugit... okay. Are there any members, elected officials on this Council, a member of the Hall of Fame Board?

MAYOR BERNABEI: That information, Member Giavasis, was incorrect. There are no elected officials on the Hall of Fame Village Board. Uh, the only city or area resident on that Board is Ed Roth from Aultman Hospital. Other than Michael Crawford, everyone... and we all know Stu Lichter because he's the financier of this. Other than that, these are all national... regional and/or national people on that particular Board.

MEMBER GIAVASIS: Just think that needs to be on record because the accusation was made and it just needs to be made clear on record that there are no elected officials sitting on either one of those Boards.

PRESIDENT PRO TEM BABCOCK: Thank... thank you. Uh, Safety Director.

SAFETY DIRECTOR PERRY: Mr. President, to Councilman Giavasis, I did go and give my number to Ms. Stevens to let her know to give me a call. But without looking at all of the information... I... I am aware that there are pictures, but I don't want to guess, so I asked her to give me a call and I will look into it and go from there. It will be addressed.

PRESIDENT PRO TEM BABCOCK: Thank you. Anyone else?

MAYOR BERNABEI: Mr. President.

PRESIDENT PRO TEM BABCOCK: Mayor.

MAYOR BERNABEI: Aud... Andrea, would you like to announce the meetings with the police coming up this particular week?

SAFETY DIRECTOR PERRY: Um, thank you, Mayor. Uh, Mr. President, to all of Council, Member Kimbrough touched on it, but we have a We Believe in Canton with Fire and the Police Department and various city departments to take place on July 13th at Nimisilla Park beginning at 3:00 PM. So please come and join us. Thank you.

PRESIDENT PRO TEM BABCOCK: Thank you.

MAYOR BERNABEI: And Mr. President.

PRESIDENT PRO TEM BABCOCK: Mem... Mayor.

MAYOR BERNABEI: And... and one additional item tonight, and I think it's good news to everyone. We have finally finalize... finally closed the purchase of the Canton Inn. The City of Canton, or rather the CIC, is

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the owner of the property as of last Friday. Uh, steps are taking forward with regard to the abatement of asbestos and the demolition, and we would anticipate that the abatement should occur within approximately 30 days and that, depending on scheduling of the demolition, that will happen in mid to late September. So we will provide you more update on that, but that is finally closed.

PRESIDENT PRO TEM BABCOCK: Thank you. Anyone else?

MEMBER SCAGLIONE: Mr. President.

PRESIDENT PRO TEM BABCOCK: Lea... oh, I'm sorry. Member Scaglione.

MEMBER SCAGLIONE: Andrea, if you would, I'm gonna make sure she also has my business card. Make sure I'm in the loop on whatever's going on with this RV, please.

PRESIDENT PRO TEM BABCOCK: Anyone else? Thank you. Leader Smith.

MEMBER SMITH: Uh, I don't want this on the record, but the next time we have to substitute, can we not use Giavasis. *(Laughter)* Mr. President, I move we adjourn.

UNIDENTIFIED VOICE: Second it.

UNIDENTIFIED VOICE: That was on the record.

MEMBER MORRIS: Second that, Louie.

PRESIDENT PRO TEM BABCOCK: Louie, are you gonna second it?

MEMBER GIAVASIS: I did.

PRESIDENT PRO TEM BABCOCK: You did? *(Laughter)* It's been moved and seconded to adjourn. Madam Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT PRO TEM BABCOCK: Thank you. This meeting's adjourned. *(Gavel falls)*

ADJOURNMENT TIME: 7:40 PM

ATTEST: 7/13/25

APPROVED:

JILL M. WOOD
CLERK OF COUNCIL

JAMES BABCOCK
PRESIDENT PRO TEM