

MINUTES OF THE MEETING AUGUST 29, 2022

PRESIDENT SHERER: Good evening, ladies and gentlemen, and welcome to Canton City Council. If everyone could please turn your cell phones 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, GREG HAWK, BRENDA KIMBROUGH, JASON SCAGLIONE, CHRIS SMITH, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, PETER FERGUSON & FRANK MORRIS)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER GIAVASIS ABSENT)

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

EXCUSING MEMBERS

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we excuse Member Giavasis this evening.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to excuse Member Giavasis 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 Giavasis is excused from this evening's meeting. Tonight's invocation will be given by Ward 1 Council Member, Greg Hawk. If you would all please stand and remain standing for the Pledge of Allegiance, please.

The regular meeting of Canton City Council was held on August 29, 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 1 Council Member, Greg Hawk. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Member Hawk.

AGENDA CORRECTIONS AND CHANGES

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinances 24 back on this evening's... I'm... yeah, to place Ordinance 24 back on this evening's agenda.

CLERK WOOD: No.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Uh...

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MEMBER SMUCKLER: I'm sorry. To place Ordinances 27 through 31 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 20... 22A to add second readings to Ordinances 27 through 31 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 27 through 31 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 four speakers for tonight, and our first speaker is Miss Kimberly Bell. And I would like to remind all of our speakers that you do have three minutes per the Rules of Council. Miss Bell, could you please state your name and residential address, please.

KIMBERLY BELL: Yes. Uh, Kimberly Bell, 1733 Morris Avenue. Um, okay. First, I want to address... uh, how... you know, I've been saying... calling out certain... a certain race, and I think I'll... I'll back off of that for awhile. But... um, the... the... the... the killing of James Williams, you... you had us all fooled. You had me fooled too, that you were for the black community. And... um, but you showed us that you weren't when you did not arrest Robert Huber and put him in jail until the best... investigation... the BCI finished their investigation, but you had us all fooled, Mayor, that you was for us. But when you didn't... did... when you let that man come back to work 16 days later, when you were out there, you would... you... you act like you were with... for the black community when... when George Floyd was killed. You was out there protesting and marching with the protesters and... and... and demanding justice and saying there's a racist issue going on, but you sat there and let that man come back to work 16 days later, after he killed James Williams. And again, you had us all fooled. You... you didn't do any... we haven't heard no... no... uh, news conference... press conference or anything since this happened. And you should have put that man in jail until you saw if the... he was gonna be prosecuted. You should have put in jail, plain and simple.

PRESIDENT SHERER: Miss Bell, please direct your...

KIMBERLY BELL: Okay. Now, next thing.

PRESIDENT SHERER: Direct your comments to the Chair, please.

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KIMBERLY BELL: Be... you... I... I walked in about... talking about money going to the West side again, over by the Hall of Fame, Shorb area. Bring some money to the East side. I gave you all... I made you all a booklet about... when I took pictures of the East side, and Mr. Mack and his son and then a gent... another gentleman came and spoke about putting money into the east side. We have no supermarket, we have no gas station. Go to... go... go to the young... go to the man you owns Dave's Supermarket so we don't have to travel to Akron. Go to Da... go to him and ask him to bring... he got all kind of supermarkets in the black area, in Akron and Cleveland. Bring Dave's Supermarket to Canton. And the reason why we are... we... black people are tired and so we are speaking up, and it's because of the years of mistreating us and killing us. You know, we... the black... the black man and the black... the black race is the strongest race. We have dealt with slavery, poverty. We've dealt with so much in... in prison. We've dealt with so much and we are... and we still survive. We... you built the projects for us...

PRESIDENT SHERER: Miss Bell.

KIMBERLY BELL: ...because you didn't want to see us in your neighborhood, so...

PRESIDENT SHERER: Miss Bell, thank you.

KIMBERLY BELL: You're welcome.

PRESIDENT SHERER: Your time is up, thank you. Our next speaker is Miss Inman?

CHELLE INMAN: Yes.

PRESIDENT SHERER: Could you please state your name and residential address, please.

CHELLE INMAN: Hi, my name is Chelle Inman and I reside at 717 O'Jays Parkway NE. And... um, I'm here because I acquired a property in November at 310 Glen Place NW, and... um, I've had personal issues with having COVID and things like that until January, then I lost my job. And I also was studying for my boards in between time as I accum... uh, achieve last month in July. More... moving forward, I have this inspector that's... um, seems to be concerned with the Ward 3 Councilman, concerns with trash around that particular place on Glen Place, but it has been vacant for some time before I even acquired the place, and it's attached to an apartment building that has seven apartments with a small dumpster for seven families. And... um, recently this inspector deemed my place unsafe, which you know, the roof is coming in, but more so I feel like he got it on the demo list and now it's gonna cost me more money for repairs where the City'll hold \$10,000.00 of my money when it could be going towards repairs. And... um, he would like for me to get permits and things that I cannot provide because I'm not a... it's not residential, it's commercial. So I'm asking you guys if there's some way you can help me with... um, either give me an extension... like I said, I only had the property eight months, so I haven't had time to look into exactly what all I need to do other than get a contractor out there, and I've done... I've had four different contractors out there so I can't submit some plans without exactly knowing what I need to do structurally first. I just spoke to the Safety Director. She asked me to give her a call, but I just ask that... um, it be more Council Members that has... that want to be neighborly. If you find out someone in your neighborhood just come along and moved in or acquired a place, reach out to them where out... if won't have to get this far. And... um, give me advice on what you expect from me and maybe the next people who

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have already been there for some time before me, because I reached out to... the guy's name is Jack. If the Sheriff's there, well that is more of a safety concern than my vacant, safe boarded-up building being unsafe. There's children going down the stairs. They're asking me, well since you're the building owner, who will I sue? That's more important to me with kids coming down the stairwell and my neighbors not being very neighborly. So, is there...

PRESIDENT SHERER: Thank you. I would encourage you, Miss Inman, if you could stick around until after the meeting.

CHELLE INMAN: Thank you.

PRESIDENT SHERER: But thank you for your comments.

CHELLE INMAN: Thank you.

PRESIDENT SHERER: Thank you. Alright, our next speaker is the one and only, Dan Fonte. Mr. Fonte, could you please step forward and give us your name and residential address, please.

DAN FONTE: I didn't know I was the one and only, but I guess I am. Uh, my name is Dan Fonte and I reside at 4415 Dawnridge Circle NW here in Canton. And the reason I'm here tonight, and I didn't know anything about it till I read it in the paper, was this new utility payment options. I guess I have four questions. Number one, can we still do it the way we're doing it right now? We get a paper bill in the mail, we write a check and mail it and... or take it down to the drop box, and with no added fees. Is... that's number one. Will there be any loss of employees due to this change? Number three, is there any plans to go paperless and change... and charge people a fee if they don't? Now that happened... the Repository did that. And I had to meet with Porter and got him squared around that there's a lot of seniors that don't do computers and stuff like that, so we gotta be cognizant, and you know Stark County and the city of Canton is getting old. So, be careful of that, and that's what my fear is, we're gonna all lean down that sliding slope. And how much money is gonna be saved by making this change? And I guess that's the four questions I have and my concerns. Thank you.

PRESIDENT SHERER: Thank you, Mr. Fonte. And our last speaker for this evening is Pastor Wilbur Allen. Mr. Allen, could you please state your name and residential address, please.

WILBUR ALLEN: My name is Wilbur Allen. I reside at 1555 Gateway Blvd SE in Canton. I've come to address this body because I have a concern, which I've communicated with Mayor Bernabei as well as Member Chris Smith. Next to the church that I pastor is a deteriorating Jackson Pool property. For 16 plus years it has sat there and the property has just declined. As a matter of fact, there are even trees that are growing on the roof. In such a... in a... in a comical way, the City comes by to cut the grass every so often. And I when I look at that, I wonder why are they cutting the grass when I have put forth a request that the City would demo the bath house, fill in the pool and maintain the property, which is the responsibility of the city of Canton. Just 1.6 miles away from the pristine Centennial Plaza, there is this property which is an eyesore in the middle of a residential community. So what comes to mind for me is why. Why has this been allowed to happen for almost nearly 20 years? Is it because it's in a low income neighborhood? Or is it surrounded by a dense population of subsidized housing? The question is why. Our church serves the community. We have a pantry, we have

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served the community in Ward 4 for more than 12 years. Unfortunately, at the conclusion of a Sunday worship, as I traverse out of the church, I look and I see this deteriorating property. For me personally, as a person who lives in the ward, it's a slap in the face. And I hasten to say to each and to every one of you, if this property was located at the intersection of 25th and Harvard NW, it would have been addressed years ago. However, it is allowed to sit in the condition it is for almost 20 years. In conclusion, me as a preacher, the Bible tells me that God is a God of justice and equality. What I tell you this Jackson property tells me is it is indicative of inequality. So I say to this board, I say to this body, to the Mayor, specifically to Member Chris Smith, deal with this issue. It's not necessary for it to sit this way in our community. We are tired. Thank you. (*Applause*)

PRESIDENT SHERER: Thank you, Pastor Allen.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: We are now under Informal Resolutions and we have no Informal Res... Resolutions 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.

1. REQ FOR TAX INCREMENT FINANCING (TIF) DESIGNATION FOR PARCELS 8400018 AND 8400027 (TERRADIOL OHIO, LLC) – ECONOMIC DEV DIR HARDESTY
2. REQ FOR TAX INCREMENT FINANCING (TIF) DESIGNATION FOR PARCELS 10014440 AND 10014441 (AMAZON FACILITY) – ECONOMIC DEV DIR HARDESTY
3. AUTH RAISE FOR SECOND BUILDING & CODE PROSECUTOR – LAW DIRECTOR BATES AYLWARD
4. REQ D5 STOCK TRF TO JUNCTION TAVERN INC. @ 3009-13 TUSCARAWAS ST W – LIQUOR CONTROL DIV (OH)
5. REQ NEIGHBORHOOD AND RIGHT OF WAY CLEANUPS USING ARPA FUNDS – MAYOR BERNABEI
6. AUTH ACCEPTANCE OF 2021 PROJECT SAFE NEIGHBORHOOD GRANT FROM OCJS – SAFETY DIRECTOR PERRY
7. COMPARATIVE RPT OF CASH RECEIPTS AS OF 7/31/22 – TREASURER PEREZ

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their First Reading. Madam Clerk, would you please begin with Ordinance #8.

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NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #8 THROUGH #26 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#8. (1ST RDG) AN ORDINANCE ENLARGING THE BOUNDARIES OF THE AREA OF THE CITY OF CANTON DESIGNATED AS THE HOF VILLAGE TOURISM DEVELOPMENT DISTRICT FOR THE PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT, PURSUANT TO OHIO REVISED CODE SECTION 715.014, AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee **

PUB HRG 9/12/22 @ 7:31 PM AND 9/19/22 @ 7:30 PM

**** Note: President Sherer inadvertently states that this Ordinance was referred to Finance Committee, and does correct himself at the end of First Readings.**

O#9. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$156,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 852002 TREASURER – GROWTH INIT SETTLEMENT - OTHER

Referred to Finance Committee

O#10. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOTS 827 AND 828; AND DECLARING THE SAME TO BE AN EMERGENCY (1453 HOUSEL AVE SE, HABITAT FOR HUMANITY)

Referred to Public Safety & Thoroughfares Committee

O#11. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 1956 AND 1957; AND DECLARING THE SAME TO BE AN EMERGENCY (1400 BLK HOUSEL AVE SE, HABITAT FOR HUMANITY)

Referred to Public Safety & Thoroughfares Committees

O#12. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 34151 AND 34152; AND DECLARING THE SAME TO BE AN EMERGENCY (2400 BLK ENDROW AVE NE, HABITAT FOR HUMANITY)

Referred to Public Safety & Thoroughfares Committee

O#13. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 21482, 21485-21489, AND PART OF LOTS 21481 AND 21483; AND DECLARING THE SAME TO BE AN EMERGENCY (1700 BLK ROOT AVE NE (HABITAT FOR HUMANITY)

Referred to Public Safety & Thoroughfares Committee

O#14. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 23677, 23678 & 23679; AND DECLARING THE SAME TO BE AN EMERGENCY (2200 BLK FREDERICK AVE SW, DONALD GRIMM)

Referred to Public Safety & Thoroughfares Committee

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- O#15. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 32469, 32470, 32485 & 32486; AND DECLARING THE SAME TO BE AN EMERGENCY (2734 12TH ST SW, RICHARD BOWER)
Referred to Public Safety & Thoroughfares Committee
- O#16. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 6145; AND DECLARING THE SAME TO BE AN EMERGENCY (1018 14TH ST NW, PAUL HALL)
Referred to Public Safety & Thoroughfares Committee
- O#17. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 42789 AND 42790; AND DECLARING THE SAME TO BE AN EMERGENCY (5700 BLK QUARRY LAKE DR SE, FONDA & PAMELA WILLIAMS)
Referred to Public Safety & Thoroughfares Committee
- O#18. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 8904; AND DECLARING THE SAME TO BE AN EMERGENCY (1507 ROWLAND AVE NE AND 1217 15TH ST NE, KENNETH PATTERSON FOR MORNING GLORY PROP GRP LLC)
Referred to Public Safety & Thoroughfares Committee
- O#19. (1ST RDG) AN ORDINANCE VACATING A PORTION OF ORCHARD AVENUE NE BETWEEN 2ND ST NE & 3RD ST NE; APPROVING AND ACCEPTING THE REPLAT OF LOTS 43370, 295, 296 AND 297 AND THE VACATED PORTION OF ORCHARD AVE NE; AND DECLARING THE SAME TO BE AN EMERGENCY (DUANE WYKOFF FOR REFUGE OF HOPE)
Referred to Public Safety & Thoroughfares Committee
- O#20. (1ST RDG) AN ORDINANCE VACATING A PORTION OF ORCHARD AVENUE NE BETWEEN 2ND ST NE & TUSCARAWAS ST E; APPROVING AND ACCEPTING THE REPLAT OF LOT 779, PART OF LOT 778 AND THE VACATED PORTION OF ORCHARD AVE NE; AND DECLARING THE SAME TO BE AN EMERGENCY (DAVID HOUT FOR RIVERTREE CHRISTIAN CHURCH)
Referred to Public Safety & Thoroughfares Committee
- O#21. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE SERVICE DIRECTOR'S DEPARTMENT OF COMMUNITY DEVELOPMENT EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (FINANCIAL RECORDS ADMIN)
Referred to Personnel Committee
- O#22. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE 31ST STREET NE WATERLINE REPLACEMENT AND STORM SEWER PROJECT, GP 1398; ENTER INTO SAID CONTRACT USING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND EXECUTE ONE OR MORE PROFESSIONAL SERVICES CONTRACTS FOR

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DESIGN AND CONSTRUCTION OVERSIGHT SERVICES; AUTHORIZING 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 Environmental & Public Utilities Committee

- O#23. (1ST RDG) A RESOLUTION PURSUANT TO CHAPTER 719 AND CHAPTER 163 OF THE OHIO REVISED CODE DECLARING THE INTENT OF THE CITY OF CANTON TO APPROPRIATE THE ESTATES AND/OR INTERESTS IN THE PROPERTY DESCRIBED IN EXHIBIT A IN FURTHERANCE OF THE 11TH ST SE INTERSECTION AND ROADWAY IMPROVEMENT PROJECT, GP 1144, PID 90465; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement Committee

- O#24. (1ST RDG) **ADOPTED AS ORDINANCE NO. 188/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$12,168.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER)
Referred to Community & Economic Development Committee

- O#25. (1ST RDG) AN ORDINANCE ESTABLISHING “EASTRIDGE ROAD (WEST) EXTENSION NON-SCHOOL TIF,” AUTHORIZING FINANCING OF PUBLIC INFRASTRUCTURE IMPROVEMENTS UNDER SECTION 5709.40, ET SEQ, OF THE OHIO REVISED CODE, AND AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A TAX INCREMENT FINANCING COOPERATIVE DISBURSEMENT AGREEMENT WITH HARMONT HOLDINGS, LLC AND MCKINLEY DEVELOPMENT COMPANY, LTD; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

- O#26. (1ST RDG) AN ORDINANCE DECLARING IMPROVEMENT TO REAL PROPERTY OWNED BY KIRBY INDUSTRIAL, LLC, LOCATED IN THE CITY OF CANTON, TO BE A PUBLIC PURPOSE; EXEMPTING ONE HUNDRED PERCENT OF THE IMPROVEMENT FROM TAXATION FOR A PERIOD OF THIRTY YEARS; AUTHORIZING THE MAINTENANCE AND CONSTRUCTION OF PUBLIC INFRASTRUCTURE IMPROVEMENTS UNDER SECTION 5709.40, ET SEQ, OF THE OHIO REVISED CODE; REQUIRING SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING THE AMAZON TIF FUND; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER ALL AGREEMENTS NECESSARY FOR THE MAINTENANCE AND CONSTRUCTION OF PUBLIC INFRASTRUCTURE; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

PRESIDENT SHERER: I previly... previously stated Ordinance #8 was under Finance Committee. It's... for the record, it's under Community & Economic Development Committee. At this time the Chair would declare

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an in-house recess for the Community & Economic Development Committee to meet in regards to Ordinance #24 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:27 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #24; RECONVENED AT 7:31 PM)

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

MEMBER SMUCKLER: Mr. President, I move we susp... uh, we suspend Rule 22A to place Ordinance #24 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 20... 22A to place Ordinance #24 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 Ordinance #24 is a legal part of your agenda, Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules on Ordinance #24.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinance #24. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President. **

***** Note: Clerk Wood inadvertently says "nine" yeas, however there were "eleven" yeas.***

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

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

MEMBER BABCOCK: Second.

CLERK WOOD: *(Inaudible)*... sorry, that was eleven yeas.

PRESIDENT SHERER: Okay, you're good. It's been moved and seconded that you adopt Ordinance #24. 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.

#24 ADOPTED AS ORDINANCE NO. 188/2022

PRESIDENT SHERER: The motion carries and Ordinance #24 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, would you please begin with Ordinance #27.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #27 THROUGH #31 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#27. (2ND RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE 2525 CLEARVIEW AVE NW 2022 ANNEXATION AREA CONTAINING APPROXIMATELY .0138 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 7 OF THE CITY; ZONING SAID TERRITORY AS B-3 GENERAL BUSINESS; AND REQUIRING THE OWNER OF THE ANNEXED TERRITORY TO PROVIDE A BUFFER SEPARATING THE USE OF THE ANNEXED TERRITORY AND THE ADJACENT LAND REMAINING WITHIN THE TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY
PUB HRG 9/12/22 @ 7:00 PM
- O#28. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$4,029.61 SUPP APPROP FR UNAPPROP BAL OF 2780 FY 2019 BULLETPROOF VEST PARTNERSHIP FUND TO 2780 102001 POLICE ADMIN – ADV OUT)
- O#29. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR THE PRO FOOTBALL HALL OF FAME INCLUDING EXPENSES RESULTING PRIOR TO THE PASSAGE OF THIS ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$110,000.00 SUPP APPROP FR UNAPPROP BAL OF 2421 CENTENNIAL PLAZA MAINT FUND TO 2421 200501 GENERAL GOVERNMENT SUPPORT ADMIN – OTHER)
- O#30. (2ND 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) REAR LOADING PACKER; OR TO ALTERNATIVELY PURCHASE SAID ITEM PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$360,000.00 SUPP APPROP FR UNAPPROP BAL 5601 REFUSE OPERATION FUND TO 5601 205001 REFUSE ADMINISTRATION – OTHER)
- O#31. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH NEOTREKS, INC. FOR ROUTE

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PUBLIC WORKS; AND DECLARING THE SAME TO BE AN EMERGENCY

CLERK WOOD: Mr. President.

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, would you please begin with Ordinance #32.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCE #32 THROUGH ORDINANCE #36 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#32. (3rd RDG) **ADOPTED AS ORDINANCE NO. 189/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,500.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 601002 CANTON HELPING CANTON – OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #32. 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.

#32 ADOPTED AS ORDINANCE NO. 189/2022

PRESIDENT SHERER: Motion carries, and Ordinance #32 is adopted. Ordinance #33, please.

O#33. (3rd RDG) **ADOPTED AS ORDINANCE NO. 190/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$870,000.00 SUPP APPROP FR UNAPPROP BAL OF 6017 HEALTH & LIFE INSURANCE FUND TO 6017 201001 SERVICE DIRECTOR ADMIN – OTHER; \$2,750,000.00 SUPP APPROP FR UNAPPROP BAL OF 2120 INCOME TAX FUND TO 2120 852101 INCOME TAX ADMIN – OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #33. Are there any remarks under this Ordinance? ...Hearing none, Madam Clerk roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#33 ADOPTED AS ORDINANCE NO. 190/2022

PRESIDENT SHERER: Motion carries and Ordinance #33 is adopted. Ordinance #34, please.

O#34. (3RD RDG) **POSTPONED UNTIL 9/19/22** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE AND DELIVER A COOPERATIVE AGREEMENT BY AND AMONG THE CITY, THE STARK COUNTY PORT AUTHORITY, HOF VILLAGE NEWCO, LLC AND THE HUNTINGTON NATIONAL BANK, AS TRUSTEE, IN ORDER TO SUPPORT THE PORT AUTHORITY'S ISSUANCE AND SALE OF PORT AUTHORITY REVENUE BONDS TO FUND OR PAY OR TO REIMBURSE PERSONS FOR FUNDING OR PAYMENT OF, COSTS OF TOURISM FACILITIES LOCATED OR TO BE LOCATED IN THE TOURISM DEVELOPMENT DISTRICT ESTABLISHED BY THE CITY PURSUANT TO ORDINANCE NO. 260/2016; APPROVING AND AUTHORIZING CERTAIN RELATED MATTERS; AND DECLARING AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #34. Are there any remarks? Leader.

MEMBER SMUCKLER: Mr. President, I move we postpone Ordinance 34 until September 19, 2022.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to postpone Ordinance #34 until September 19, 2022. Are there any remarks? ...Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The motion carries and Ordinance #34 is postponed until September 19, 2022. Ordinance #35, please.

O#35. (3RD RDG) **ADOPTED AS ORDINANCE NO. 191/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE AGENCIES LISTED ON EXHIBIT A FOR THE RESPECTIVE PROGRAMS OUTLINED; AMENDING APPROPRIATION ORDINANCE NO.

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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 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Excuse me, I've got to ask an important question. But, I move we adopt #35.

MEMBER BABCOCK: Second.

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

NO REMARKS

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

CLERK WOOD: Eleven yeas, one abstention, Mr. President. **

#35 ADOPTED AS ORDINANCE NO. 191/2022

**** Note: Clerk Wood inadvertently says "eleven" yeas, however there were "ten" yeas.**

PRESIDENT SHERER: Motion carries and Ordinance #35 is adopted. Ordinance #36, please.

O#36. (3RD RDG) **ADOPTED AS ORDINANCE NO. 192/2022** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONSTRUCTION AND ENGINEERING SERVICES RELATED TO THE EDGEFIELD PHASE II WATER MAIN REPLACEMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #36.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #36. Are there any remarks under this Ordinance? ...Hearing none, Madam Clerk roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#36 ADOPTED AS ORDINANCE NO. 192/2022

PRESIDENT SHERER: Motion carries and Ordinance #36 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Our next meeting day will be September 12, 2022 and committee starts at 6:00 P.M.

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MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Finance Committee will meet Monday, September 12th at 6:00 PM.

PRESIDENT SHERER: Thank you, Member Hawk.

MEMBER BABCOCK: Mr. President.

PRESIDENT SHERER: Member Babcock.

MEMBER BABCOCK: Personnel will meet same time, same place.

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Alright, that's fine. Member Hall, I apologize.

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

PRESIDENT SHERER: Thank you, Member Hall.

MEMBER FISHER: Mr. President.

PRESIDENT SHERER: Member Fisher.

MEMBER FISHER: Environmental & Public Utilities, September 12th, 6:00 PM.

PRESIDENT SHERER: Thank you, Member Fisher.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

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

PRESIDENT SHERER: Thank you, Member Scaglione.

MEMBER KIMBROUGH: Mr. President.

PRESIDENT SHERER: Member Kimbrough.

MEMBER KIMBROUGH: Public Safety & Thoroughfares, same place, same time, the 12th at 6:00 o'clock.

PRESIDENT SHERER: Thank you, Member Kimbrough.

MAYOR BERNABEI: And Mr. President. Mr. President.

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PRESIDENT SHERER: Mayor.

MAYOR BERNABEI: And... and I think that the 6:00 time will permit us because many of those second readings are... are replats for Planning Commission, which will be quick, but depending on his availability, I would like to have Mr. Terrance Jones come in and give Council an update or a... a wrap-up of the Summer Employment Program... of our Youth Summer Employment Program that we looked at very thoroughly.

PRESIDENT SHERER: Thank you, Mayor.

MISCELLANEOUS BUSINESS

PRESIDENT SHERER: We are now under Miscellaneous Business. Is there any Miscellaneous Business for this evening?

MEMBER SMITH: Mr. President.

PRESIDENT SHERER: Member Smith.

MEMBER SMITH: Yes. First of all, I'd like to thank Pastor Wilbur Allen for coming down and speaking about Jackson Pool. I'd also like to acknowledge the other ministers in the audience also from Ward 4. I appreciate you all being here too. On... uh, the 20th we had a meeting and in that meeting, I think I invited all of you all, and I know that, you know, you didn't come, but I would like to give you an update, and especially on Jackson Pool because it was discussed there. And anytime you have a... uh, a concern or issue, and especially when it's contained into something in the 4th Ward and especially Jackson Pool, just call me and I can give you an update on it. And if you could stay afterwards, I'll give you that update tonight. Thank you.

PRESIDENT SHERER: Thank you, Member Smith. Member Ferguson.

MEMBER FERGUSON: Yeah, I'd like to remind everybody that the ribbon cutting for the cancer... uh, building at Aultman Hospital is on the 7th at 10:00. And would you please let me know if you can be there. Two people have told me they... three people have told me they are. Please if you can be there, let me know so they can plan on greeting you. Thank you.

PRESIDENT SHERER: Thank you, Member Ferguson. Member Kimbrough.

MEMBER KIMBROUGH: Yes. Uh, I just wanted to invite everybody that... at Centennial Plaza on Sunday the 4th, 9:00 o'clock AM is gonna be the... uh, uh... the Gospel Interfaith Service on Sunday. That's September 4th, 9:00 o'clock to 10:30 at Centennial Plaza as part of the Black College Classic Weekend. And also I'm inviting everyone who would like to come to the 40th celebration of WATOES Annual Awards Program. And that's gonna be Saturday, September 3rd and it's going to be at 2:00 o'clock at the Canton Art Museum.

PRESIDENT SHERER: Thank... thank you, Member Kimbrough. Is there any other Miscellaneous Business for this evening?

SERVICE DIRECTOR HIGHMAN: Mr. President.

PRESIDENT SHERER: Service Director.

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SERVICE DIRECTOR HIGHMAN: Real quick, on... on Paymentus, just for the group, so I'll answer the... Mr. Fonte's questions for everyone. Uh, if you are receiving a paper bill and would like to either mail it in or drop it off like you always have, there is no change. No employees are... uh, being let go or no reduction in staff as a result of this change. Um, there will... also in terms of the cost, we won't know... and Mike McEnaney left... he... he could explain better. We won't... oh no, Mike is over here. Sorry, Mike. We won't know, and Mike can correct me when I say this wrong, we won't know what the cost savings is to us until we kinda see who uses what, because it pertains to our bank fees and we used to have other fees for other transactions that we won't have now depending on the use here. So I can't really speak to that. Um, what I can say though is if someone is making a payment using one of the... um, either a credit card, debit card, Apple Pay, one of those things... uh, the pre... we were only previously able to accept credit and debit, now we accept pretty much anything. The fee used to be a \$5.00 convenience fee, it's now a \$2.50 convenience fee. And the final question was about future plans. Uh, there are no future plans to force people to go paperless, so... um, everything stays the same for folks who want it. For folks who want to use this, it's a whole heck of a lot cheaper.

PRESIDENT SHERER: Thank you, Service Director. Is there any other Miscellaneous Business for this evening?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Um, you see on the sheets in front of you about Aultman, that the RSVP has come and passed. So please, tomorrow morning very quickly if you change your mind and want to be there, please contact this office or Dr. Ferguson immediately and make your presence known for this. Number two, on the... the lighter side of things... um, you see the office being redone in there and there's been some problems with the flooring, and I got a phone call, I think it was last week or the week before, and said do you know that we have to redoor... do the floor, there was tile underneath it. Based to my long tenure here, I actually can remember the tile. So, Jill was sort of shocked by that. I don't know why. And... um, last but not least, we begin every week starting the next meeting. So if you're not going to be here, please get hold of the Clerk in advance. Not minute of, not one minute before, but in advance and please try to let her know that you will not be attending. I appreciate all your cooperation and I move we adjourn.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: And Leader, before we adjourn, I'd like to make one comment. This will be... uh, and sad to see him go, but this will be Mr. Dunbar's last meeting in Council. And we... I just want to... I'd like to wish you the best, Timmy.

ADMINISTRATIVE ASSISTANT DUNBAR: Thank... thank you.

PRESIDENT SHERER: Whatever you decide to do. Wish you would stay, but...

ADMINISTRATIVE ASSISTANT DUNBAR: (*Chuckles*) Thank you.

PRESIDENT SHERER: Yeah, so...

MEMBER SMITH: Good luck.

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

ADJOURNMENT TIME: 7:49 PM

ATTEST: August 31, 2022

APPROVED:

JILL M. WOOD
CLERK OF COUNCIL

WILLIAM SHERER
PRESIDENT