

MINUTES OF THE MEETING SEPTEMBER 12, 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:

10 COUNCIL MEMBERS PRESENT: (WILLIAM SMUCKLER, JAMES BABCOCK, LOUIS GIAVASIS, GREG HAWK, BRENDA KIMBROUGH, CHRIS SMITH, ROBERT FISHER, KEVIN HALL, PETER FERGUSON & FRANK MORRIS)

TEN COUNCIL MEMBERS PRESENT. (MEMBERS SCAGLIONE, AND MEMBER MARIOL ABSENT)

CLERK WOOD: Ten present, two absent, Mr. President.

EXCUSING MEMBERS

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we excuse Member Scaglione and Member Mariol from tonight's meeting.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Member Scaglione and Member Mariol are excused from this evening's meeting. Leader.

MEMBER SMUCKLER: Mr. President, I would ask you all to please stand at this point in time for a moment of silence for Member Dougherty's...he was a Member of this Council and he was the Clerk of Council, Member Dougherty's father, uh...Jim Dougherty, who served in the Purses administration. Ummm...we lost him several days ago and you know that...I, for one, appreciated him and his very sincere welcoming people in the community and I ask you all to please arise for the moment of silence.

MOMENT OF SILENCE FOR JIM DOUGHERTY.

MEMBER SMUCKLER: Thank you, Mr. President.

PRESIDENT SHERER: And I would ask everybody to remain standing. Tonight's invocation will be given by Ward 2 Council Member, Brenda Kimbrough.

The regular meeting of Canton City Council was held on September 12, 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 2 Council Member, Brenda Kimbrough. The Pledge of Allegiance was led by President Sherer.

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PRESIDENT SHERER: Thank you, Member Kimbrough.

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 reading of Ordinances 22 through 39 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add second readings to Ordinances 22 through 39 to this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 22 through 39 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SHERER: We are now under Public Hearings and we have two for this evening. The first Public Hearing is scheduled for 7:00 p.m. and we will commence with...with that Public Hearing at this time. The second Public Hearing is scheduled for 7:31 p.m. and we'll address the Public Hearing at that time. Madam Clerk, would you please announce the Public Hearing.

CLERK WOOD: 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 WITH THE TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: 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 regards to this matter. The matter now rests in the hands of Council.

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 this evening. I would like to remind our speakers that uh...everybody is allotted three minutes to speak and our first speaker is Miss Kimberly Bell. Miss Bell, could you please state your name and residential address, please.

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KIMBERLY BELL: Yes, I will. Um...Kimberly Bell, 1733 Morris Avenue, Canton. Um...first, I'm gonna let you know I'm covered by the blood, so...whatever the Police, or whoever decides to do to me, I'm covered by the blood. Deuteronomy 31:6 says, "*He will never leave me or forsake me.*" ...and Marquetta and kids...the kids are outside...the good Lord will handle this. Tom, Robert, Chief Angelo and all that who's up there, was for this, they will uh...handle this situation. Black City Council Members, your loyalty to Tom (*Inaudible*) the coward who didn't show up, and his white friends...

PRESIDENT SHERER: Ms. Bell...Ms. Bell...

KIMBERLY BELL: ...in City Council...

PRESIDENT SHERER: (*gavel falls*). You are out of order by saying that. Please continue.

KIMBERLY BELL: The George Floyd generation is taking...is...is taking you out of your power. And once you're out, we will not let you back in. Black folks are sick and tired of the white privilege. We are coming for equality. In order to bring change, we must get rid of the same policy and procedure handbook that's been in this building for over sixty plus years. And those who keep passing the handbook to their friends, must go too. And Chris, no harm or disrespect, but please stop stepping to the mic, because it's starting to sound like a broke record to the Black community because nothing is getting done because you're one woman fighting for the whole Black community. And rather you accept it or not, we Black people will always be known as "others" to them. Not men and not women. You should know that they go home and talk about you and us behind...to their wives. Let these...let these folks, you know who I'm talking about, face us themselves and stand your ground by telling...by not...by telling them, without honor. Treat them like they treated James Williams and his wife and six children. The moment we give the...the (*Inaudible*) man a micrometer of anything, we have lost the battle or our chance for justice. Tom, you are always trying to use Black...the Black church and our faith to do your job as the man in the Black community. Do you know most our youth in Black or White or other, don't go to church as much as we try to guide them in the direction of the good Lord. (*Inaudible*), when you did what you did at my age. So, we just have to meet people where they're at. You...you tricked a whole...you tricked a lot of people who was not familiar with the law and the justice system. Robert Huber ...

PRESIDENT SHERER: Ms. Bell, you're

KIMBERLY BELL: ...decision not to

PRESIDENT SHERER: Ms. Bell, your three minutes is up, please.

KIMBERLY BELL: Okay....

PRESIDENT SHERER: Out of courtesy for the rest of the speakers, please.

KIMBERLY BELL: Excuse me?

PRESIDENT SHERER: Out of courtesy for the rest of the speakers, your allotted time of three minutes has expired.

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KIMBERLY BELL: Okay. (*Gospel music plays on her phone as she walks away*).

PRESIDENT SHERER: Thank you Ms. Bell. Our next speaker is Jolanda Jackson. Ms. Jackson, could you please state your name and residential address, please.

JOLANDA JACKSON: My name is Jolanda Jackson. I stay at 1105 Baker St. SE. That's not my address, but just for my safety, I put that as a different address. Um...right now I'm saying that because we're number two in the nation ranked for poverty and one of the most dangerous cities in America. This year we've seen our corruption...I'm sorry...this year we've seen an all-time high for corporation tax breaks and we've seen that you guys gave the city a \$5,000,000.00 loan for the Hall of Fame, but currently, our programs in our cities are being cut. Ms. Betty Mack's program just got...recently got cut and moved and she's helping the inner-city kids. We know that you guys are watching us because every time we're outside with the protesters, speaking up, we get (*Inaudible*). Look at tonight, there's ten officers in here for ten of us. This ain't fair. We know y'all listening because the pothole got fixed downtown across the street from Tusc. We know y'all listening. But y'all never want to sit at the table with us. Uhhh, but you watch us. We want to solve all these problems, because like I said, all the police ain't bad, but neither are all of us. We know that racism runs real high up here because we watched Jill...Jill Wood fight for her position, and that's hard. When you already have somebody in-house that you could have em---promoted, it was a fight for Ms. Wood. It shouldn't have been. You also know that we got another problem. One of our protesters end up saying, "F 12", and she's fighting bogus chargers right now. So, Jason, Mr. Law Director, drop Destiny Jackson's charges. The can put it to a misdemeanor, now she ain't got no court chargers. But we're still fighting for some stuff for saying "F 12". Our freedom of speech is not free. The only reason why we say it is because we get swarmed by the police every time we come downtown. Y'all don't want us to be seen, help us make these problems go away or make them a little bit easier. Every time y'all have a community police event, don't nobody know about it until a couple days before, but y'all want to do something at 8:00 in the morning. That's when the bus comes. We ain't got time to come down here. Have it in the afternoon when we get off of work so that you can communicate with us. I also know you're paying attention too because they put those cameras up in SMHA, and the crime's been down since. So, when you listen to us, when you com...communicate with each other, we can all solve this problem, but I'll tell you right now, because James Williams, that opened a lot of light in this city. It opened a lot of injustice that we're dealing with in this city. Because of James Williams' name, there's gonna be a lot of change. And I'll tell y'all right now too, we (*Inaudible*) voting. So, some of y'all, please get uncomfortable in y'all's seats because we are uncomfortable living in this city, the way it is. So, next year you won't be selected, you will be elected. Thank you.

PRESIDENT SHERER: Thank you, Ms. Jackson. Our next speaker is Ms. Conners. Ms. Conners, could you please state your name and add...residential address, please.

MONIQUE CONNERS: Absolutely. My name is Monique Conners. My address is 1702 Tuscarawas East...um...SE, Canton, Ohio 44707.

PRESIDENT SHERER: Thank you.

MONIQUE CONNERS: I'm a little thrown off here today, but I'm gonna try to think of everything I want to say within three minutes. Ummm...(Inaudible) Council, umm...all Council Members and the Williams family.

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I am really outdone with the verdict, umm...I understand what Mr. Stone was saying, how it's selected and so forth, but it just isn't fair, it isn't right and everything that has been pertaining to this case, in my opinion, has not been correct, has been overlooked, overstepped, however they want to put it. However, we do go downtown and we protest and we say things and so forth, and since I've been down there, the last three times there's been harassment by the police department. This has got to stop. It's peaceful, nobody's doing anything and it makes no sense that we've got as much crime as we have in this city that ten different police cars can keep coming past doing this and being sarcastic. Yesterday, after we left and went home, the police decided to come to my house. I don't appreciate it. I had my eleven-year-old granddaughter a birthday party. Myself, Jolanda, several people. We're out there. My brothers and things, we're having a good time. They pull up to my driveway, which does connect to the street. Opens his car door, grabs one of my guests and tells him he has a warrant. "I don't have a warrant, what are you talking about." "Yeah, you got a warrant." Kept calling him Jeremiah. His name ain't Jeremiah. We're trying to tell the officer his name is not Jeremiah; this is the wrong person. The other one grabs his gun, "Get back, get back." This is unnecessary harassment that we have to address in the city. I can't say it stemmed from me being downtown, but it's mighty strange that I've been back home over a year and a half and this stuff has started happening ever since I started standing up for James William. But however, I do want...I'm filing a complaint on it, I don't appreciate it. And then after I came out and addressing them and telling them, "I'm filing a complaint, I'm going downtown." I even threatened to call the Mayor at home. He opens the door and he says, "Oh, uh, uh...I got the wrong person." Unacceptable. I want Council to know and I want you to know...the Safety Director or whoever...whoever can deal with it. Something needs to be done about our police officers. The way this is, it's making the whole justice system in Canton look bad. I mean, we had to deal with one thing after the next, now it's beginning to be police sarcasm and harassment and it's unacceptable. Thank you.

PRESIDENT SHERER: Thank you, Ms. Connors. Our next speaker is Ms. Skylark Bruce. Ms. Bruce, could you please state your name and residential address, please.

SKYLARK BRUCE: My name is Skylark Bruce and I live at 2216 Bollinger Ave. NE. You told us to wait. You told the Williams family to be patient. You told their supports to give the process time. You said, "Let the system do its job." We now have a Grand Jury ruling and it's the worst case scenario for anyone who views James Williams as a human being. No charges at all! Nothing! Not a single drop of justice against Robert Huber for this blatant murder. As most, if not all of us knew from the beginning, this sort of ruling is as common as it is preposterous in these racist states of America. Why is this okay with the majority? We claim to be a nation of laws. Why was the entire county not out in the streets on Wednesday demanding change? It's pretty obvious. They don't think James Williams' life matters, or if they do, they don't think their voice has any impact. Any why would they? With constant over policing, not only of Black folks who are just living their lives, but also blatant demonstrations of police aggression towards citizens speaking their minds. It wasn't just the traffic ticket against a disabled activist who had stopped to pick up supplies at the protest on Wednesday, it was also the plain clothes officer in an unmarked car who pulled up to stop the protest that...as we were marching. We thought at first that it was a white supremacist coming to mow us down. He hopped out with his hand on his gun and started screaming at us while a dozen more, actually marked cars, swarmed around. Fortunately, no one actually drew their weapon. This is attempted police intimidation of citizens who are just exercising their First Amendment Rights. These are the employees of the city you claim to represent. So I ask what you're going to do about it. What are you, as Council Members, going to do to provide justice for the Williams Family? What are you going to do to make this city safer from senseless murders by police officers?

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This is hardly the first time, but you can make sure it is the last. If you drop your hands in defeat now, you will have failed in the most basic responsibility a Council Member has. What good person, in a position of authority just lets the people of their city live with this kind of justified fear? The system is designed to fail Black folks, it sure did this past week and that's not good enough. You can be part of solutions. Justice for James.

(MEMBERS OF AUDIENCE SHOUTED "JUSTICE FOR JAMES WILLIAMS" and "FIRE ROBERT HUBER")

PRESIDENT SHERER: Thank you. Thank you, Ms. Bruce. And our last speaker is Ms. Williams. Ms. Williams, could you please state your name and residential address, please.

MARQUETTA WILLIAMS: Marquetta Williams, 2307 10th St. SW, 44706. As you all know, I am Marquetta Williams, widow of the late James Williams that was gunned down and murdered here in Canton on New Year's Day by Officer Robert Huber, and left to die in front of myself and our kids and family. The Mayor isn't here, but Mr. Mayor, to date, it is known Officer Huber failed to have his patrol car lights on, of any sort. It is also known Officer Huber failed to announce himself prior to shooting and killing my husband. And to add injury to insult, Mr. Mayor, you informed the city of Canton Officer Huber were...was going to be on paid leave, pending the outcome of the investigation. Yet, two months later, we're informed sixteen days after my husband's murder, he was allowed back on the force to work in the Detective Bureau. Wow, what real compassion you have. You marched and protested here, about George Floyd, yet you or any other from the city of Canton has offered any form of compassion to my kids or myself. Then you allowed Stark...a Grand Jury from Stark County decide over a case you showed from day one, you were on the side of the police. *(Inaudible)* you and your choice of how you handled my husband's death *(Inaudible)*. You all but told the Grand Jury you don't care about the citizens of Stark County. He was Black man committing a misdemeanor. In your eyes, death is justifiable. In your eyes, *(Inaudible)* too afraid to speak up and stand up for the injustice my family is experiencing. I'm having my attorney request a full-on Federal investigation revolving around my husband's death and the way civil rights for Blacks and minorities are constantly violated in Stark County. And we the people, and the Williams family is demanding your resignation from being Mayor. You are a fraudulent, inconsiderate, not for the people, assed person, whom tax payers are wasting money paying your salary. Every interview I ever do; you will be the disgrace of a Mayor I speak specifically on. And the rest of you on Council, you're no better than the injustice you allow my kids and I to endure. God sees you all. Justice will be served. Justice for James.

(MEMBERS OF AUDIENCE SHOUTED "JUSTICE FOR JAMES WILLIAMS" and "FIRE ROBERT HUBER")

PRESIDENT SHERER: Thank you, Ms. Williams.

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: I would like to...you know...my spirit is not sitting well. Not only hearing all these comments, but of an incident I experienced a month ago with an officer out at Harmont Park. Other officers

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and firemen were kind...were fine with what we were doing. We had one officer come and be aggressive to a man who's volunteered his time to coach Midget League Football. So, I am in agreeance with everybody sitting here that something has to be done with the process, the training of our officers because this is really getting out of hand. And Mr. President, I am going to excuse myself for tonight. *(Applause)*.

PRESIDENT SHERER: Can you give Member Hall the floor, please.

MEMBER SMITH: And I'm going to excuse myself. *(Applause and yelling)*.

MEMBER MORRIS: Mr. President. Mr. President. Just for the record, myself, Member Smith and Member Hall and a couple others did request the termination... *(Applause and yelling)* ...of this police officer in January and we were told to sit back, keep our mouths shut and let the process take place. I'm excusing myself. *(Applause and yelling)*.

(COUNCIL MEMBERS HALL, SMITH AND MORRIS LEFT THE MEETING)

PRESIDENT SHERER: We need...

(AUDIENCE MEMBERS YELLING "NO JUSTICE, NO PEACE")

PRESIDENT SHERER: Order, order in the Council. *(bangs gavel)* Please, please. *(AUDIENCE CONTINUES YELLING)*

PRESIDENT SHERER: At this time...at this time...Majority Leader, I'd like to call for a five-minute recess, please. *(Bangs gavel)*.

(AUDIENCE MEMBERS CONTINUE TO YELL "NO JUSTICE, NO PEACE, ETC.")

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President. I move we excuse Member Morris, Member Hall and Member Smith from this evening's meeting. I need a second.

MEMBER BABCOCK: Uh...Second.

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

NO REMARKS

ROLL CALL 7 YEAS, 0 NAYS

CLERK WOOD: Seven yeas, Mr. President.

PRESIDENT SHERER: Member Morris, Member Hall and Member Smith are excused from this evening's meeting. Getting back to the Agenda...

MINUTES OF THE MEETING SEPTEMBER 12, 2022**INFORMAL RESOLUTIONS**

PRESIDENT SHERER: We are now under Informal Resolutions and we have three Resolutions for this evening. Madam Clerk, would you please begin with Resolution #1, by title.

1. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT THE DIRECTOR OF PUBLIC SERVICE TO OPEN ONE OR MORE PURCHASE ORDERS IN A TOTAL AMOUNT NOT TO EXCEED \$49,850.00 TO C.R.S. GENERAL CONTRACTING FOR THE DEMOLITION OF JACKSON POOL. – ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: 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 SHERER: The ayes have it. The motion carries and Informal Resolution #1 is adopted. Informal Resolution #2, please.

2. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT THE DIRECTOR OF PUBLIC SAFETY TO OPEN ONE OR MORE PURCHASE ORDERS IN A TOTAL AMOUNT NOT TO EXCEED \$41,304.00 FOR PURCHASE OF 2022 RAM 1500 CLASSIC FROM VICTORY LANE CHRYSLER DODGE JEEP RAM. – ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #2.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolu...Resolution #2. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #2 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. The motion carries and Informal Resolution #2 is adopted. Informal Resolution #3, please.

3. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT THE DIRECTOR OF PUBLIC SERVICE TO OPEN ONE OR MORE PURCHASE ORDERS IN A TOTAL AMOUNT NOT TO EXCEED \$49,066.00 TO ZENITH SYSTEMS, LLC FOR PURCHASE AND INSTALLATION OF VIDEO CONFERENCING EQUIPMENT FOR COURTROOM 2. – ADOPTED

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PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #3.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #3. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #3 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. The motion carries and Informal Resolution #3 is adopted. It is now 7:34, we are running a couple of minutes behind for a second Public Hearing. It is now time for the sec...seven...second Public Hearing for this evening. Madam Clerk, would you please announce the second Public Hearing.

CLERK WOOD: 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

PRESIDENT SHERER: Is there any...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 regards to this matter. The matter now rests in the hands of Council.

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.

4. STATEMENT OF CASH POSITION AS OF 8/31/22 - AUDITOR MALLONN
5. REQ FOR ADDT'L AMENDED CERT DATED 8/31/22 - AUDITOR MALLONN
6. REQ SUPP APPROP FOR LEGAL RESEARCH AND PROBATION SERVICES FUNDS - COURT ADMIN KOCHERA
7. REQ SUPP APPROP FOR INDIGENT INTERLOCK MONITORING AND INDIGENT TREATMENT FUNDS - COURT ADMIN KOCHERA
8. REQ TO AMEND APPROP O#68/2022 (EARLY HEAD START PROGRAM) - HEALTH COMMISSIONER ADAMS

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9. REQ DEMOLITION OF JACKSON POOL - MAYOR BERNABEI
10. REQ NEW VEHICLE FOR FIRE DEPT (2022 DODGE RAM 1500 CLASSIC) - SAFETY DIRECTOR PERRY
11. REQ VIDEO CONFERENCING FOR COURTROOM 2 - SERVICE DIRECTOR HIGHMAN
12. REQ TO AMEND APPROP O#68/2022; EMERGENCY (MARKET AVE WATER MAIN REPLACEMENT PROJ) - SERVICE DIRECTOR HIGHMAN
13. REQ MORAL OB FOR EMERGENCY ROAD REPAIR AND PAVING; EMERGENCY (105.04 EMERGENCY) - SERVICE DIRECTOR HIGHMAN
14. AUTH STARK COUNTY SANITARY SEWER CONVEYANCE AND AGMT FOR 3801 HARMONT AVE NE ANNEXATION AREA; EMERGENCY (FORMER K-MART SITE) - SERVICE DIRECTOR HIGHMAN
15. AUTH AGMTS AND CONSTRUCTION OVERSIGHT FOR REBAR AVE NE/US-62 REALIGNMENT AND KIRBY AVE NE/US-62 INTERSECTION IMPROVEMENT (AMAZON), GP1378, STA-62-27.31, PID 115836; EMERGENCY - SERVICE DIRECTOR HIGHMAN
16. AUTH ALL CONTRACTS FOR 2022 EAST TUSC STREETScape PROJ, GP 1250; APPROP TRF TO ENGINEERING; EMERGENCY - SERVICE DIRECTOR HIGHMAN
17. RPT OF PARKING METER REVENUE FOR AUG 2022 - TREASURER PEREZ
18. RPTS OF BANK REC AND CITY'S OUTSTANDING INVESTMENTS AS OF 8/31/22 - 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 #19.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #19 THROUGH #21 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#19. (1ST RDG) AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO RAISE ATTORNEY RICHARD NICODEMO'S PAY TO \$47.29 PER HOUR; AND DECLARING THE SAME TO BE AN EMERGENCY (LAW DEPT)
Referred to Personnel Committee
- O#20. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT \$18,000.00 IN GRANT FUNDS FROM THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES FOR THE 2021 PROJECT SAFE NEIGHBORHOOD GRANT; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO UTILIZE THE FUNDS FOR OVERTIME ENFORCEMENT IN THE FOCUS AREA WHICH CONSISTS OF ONE

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SQUARE MILE THAT INCLUDES THE ELLISDALE AND CHIPS HOUSING COMPLEXES AND THE SURROUNDING NEIGHBORHOODS; AUTHORIZING THE AUDITOR TO CREATE THE 2803 OCJS 2021 PROJECT SAFE NEIGHBORHOOD GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

- O#21. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ONE OR MORE CONTRACTS FOR THE PURPOSE OF NEIGHBORHOOD AND RIGHT OF WAY CLEAN UPS USING ARPA FUNDS; OR TO ALTERNATIVELY ENTER INTO ALL CONTRACTS NECESSARY FOR SAID SERVICES IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATING TO SAID CONTRACTS ENCOUNTERED PRIOR TO THE FINALIZATION OF CONTRACTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Safety & Thoroughfares and Community & Economic Development Committees

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 #22.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #22 THROUGH #39 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#22. (2ND 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
PUB HRG 9/12/22 @ 7:31 PM AND 9/19/22 @ 7:30 PM
- O#23. (2ND 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)
- O#24. (2ND 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)
- O#25. (2ND 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)

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- O#26. (2ND 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)
- O#27. (2ND 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)
- O#28. (2ND 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)
- O#29. (2ND 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)
- O#30. (2ND 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)
- O#31. (2ND 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)
- O#32. (2ND 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)
- O#33. (2ND 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)
- O#34. (2ND 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)
- O#35. (2ND 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)

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- O#36. (2ND 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 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
- O#37. (2ND 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
- O#38. (2ND 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
- O#39. (2ND 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

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 and Final Reading. Madam Clerk, would you please begin with Ordinance #40.

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NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCE #40 THROUGH ORDINANCE #44 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#40. (3rd RDG) **POSTPONED UNTIL 9/19/22.** 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

MEMBER SMUCKLER: Whoa, whoa, whoa... I wanna...I want to make a motion to postpone Ordinance #40 'til 9/19/22.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Alright, there's a motion to postpone ...Ordinance #40 to our next meeting, correct?

MEMBER SMUCKLER: Correct, 9/19/22.

PRESIDENT SHERER: Alright, alright, and it's seconded, alright. It's been moved and seconded to postpone Ordinance #40, are there any remarks? By voi...by voice vote, all those in favor signify by saying aye. Those against.

NO REMARKS

ORDINANCE #40 POSTPONED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: Motion carries and I believe it's...should have just a voice vote, Majority Leader.

MEMBER SMUCKLER: Aye...that's why I'm grimacing. That's okay?

CLERK WOOD: Yeah. All postponements are voice votes.

PRESIDENT SHERER: I believe so. Yeah, okay. So, moving on to Ordinance #41.

O#41. (3rd RDG) **POSTPONED UNTIL 9/19/22.** 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)

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: I move we postpone Ordinance #41 'til 9/19/22.

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MEMBER BABCOCK: Second.

PRESIDENT SHERER: Ordinance #42, right?

CLERK WOOD: 41.

PRESIDENT SHERER: Okay, okay. Alright. It's been moved and seconded to postpone Ordinance #41 'til our next meeting on...

CLERK WOOD: 9/19...

PRESIDENT SHERER: 9/19/22. It's been moved and seconded. Are there any remarks? By voice vote, all those in favor signify by saying aye. Those against.

NO REMARKS

ORDINANCE #41 POSTPONED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: It is approved that Ordinance #41 will be postponed to our next meeting. Madam Clerk.

*O#42. (3RD RDG) **POSTPONED UNTIL 9/19/22.** 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)*

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we postpone Ordinance #42 to 9/19/22.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you postpone Ordinance #42 to our next meeting on 9/19/22. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

ORDINANCE #42 POSTPONED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The motion carries. Ordinance #42 is postponed to our next meeting. Madam Clerk.

*O#43. (3RD RDG) **POSTPONED UNTIL 9/19/22.** 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) FRONT 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*

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PRESIDENT SHERER: Yes.

MEMBER BABCOCK. At 6:30.

PRESIDENT SHERER: Thank you, Member Babcock. And Community & Economic Development.

CLERK WOOD: Member Kimbrough, can you call C&ED?

MEMBER KIMBROUGH: I can call it. Community Development will meet, same time, same place.

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

MISCELLANEOUS BUSINESS

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

MEMBER SMUCKLER: Mr. President, I move we adjourn.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Wait, hang on there for a second.

FINANCE DIRECTOR CROUSE: I think we need to call Public Safety & Thoroughfares because you didn't vote on that...that (*Inaudible*).

PRESIDENT SHERER: Okay. Can somebody call that Committee, please?

CLERK WOOD: ...#21, Oh, she's right...

MEMBER KIMBROUGH: Alright, (*Inaudible*).

CLERK WOOD. 6:30.

PRESIDENT SHERER: 6:30.

CLERK WOOD: Calling it for next meeting.

PRESIDENT SHERER: For the next meeting.

MEMBER KIMBROUGH: Oh, next, yeah, (*Inaudible*) Public Safety & Thoroughfares at same time, same place.

PRESIDENT SHERER: Thank...thank you, Member Kimbrough. Leader.

MEMBER SMUCKLER: Before we do that, um...I think it would be appropriate, Council President, if you make an announcement about next Saturday.

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PRESIDENT SHERER: Absolutely. So, next Saturday, um...we are putting on an event called Canton Helping Canton and we haven't been able to do this for the last few years because of Covid. But back in 2019, I believe, we helped feed and did a food giveaway and a picnic for 400 – 500 people in our community. And right now there are a lot of people in need. So, the event starts at, and correct me if I'm wrong Madam Clerk, at 11:00...

CLERK WOOD: 11:00 – 1:00.

PRESIDENT SHERER: It will be right next door and uh...I encourage everybody to come down. There's gonna be the Health Department and a lot of different agencies from the community that are going to be involved in this and uh...it's gonna be, it's gonna be a really big deal. It really is. But uh...we're really gonna need some help from some Council Members and some of the employees from the city. There's gonna be a lot of work to do. And I want to thank everybody that made donations to this. Giant Eagle is one of our biggest contributors to help out doing this and umm...right now there are a lot of people in need in our community and nobody can deny that...(Yelling from audience)...so right now...that is going to start at 11:00 and everybody in our community is more than welcome to come...so...so...Leader.

MEMBER SMUCKLER: Mr. President, I move we adjourn.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adjourn. Madam Clerk, roll call, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Seven yeas, Mr. President.

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

ADJOURNMENT TIME: 7:50 PM

ATTEST:
JILL M. WOOD
CLERK OF COUNCIL

APPROVED:
WILLIAM SHERER
PRESIDENT