

**MINUTES OF THE MEETING JANUARY 9, 2023**

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.

PRESIDENT SHERER: Leader.

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

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 6 Council Member, Kevin Hall. 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 January 9 2023 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 6 Council Member, Kevin Hall. The Pledge of Allegiance was led by President Sherer.*

PRESIDENT SHERER: Thank you, Member Hall.

**AGENDA CORRECTIONS AND CHANGES**

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

MEMBER SMUCKLER: Mr. President, I move Rule 22A be suspended to add second readings of Ordinances 14 through 18, 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 14 through 18, to this evening's agenda. 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.

PRESIDENT SHERER: The motion carries and Ordinances 14 through 18 are a legal part of your agenda.

**PUBLIC HEARINGS**

PRESIDENT SHERER: We are now under Public Hearings and we have one Public Hearing for this evening. Madam Clerk would you please announce the public hearing.

CLERK WOOD: AN ORDINANCE CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA AND ESTABLISHING REQUIREMENTS TO ENSURE PUBLIC HEALTH AND SAFETY WITHIN SUCH AREA AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Is there anyone in the audience wishing to speak for this ordinance...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.

KIMBERLY BELL: Hi.

PRESIDENT SHERER: Ms. Kimberly Bell, can you please state you name and residential address please.

KIMBERLY BELL: Kimberly Bell...um...the com...the the umm...the up and coming Mayor. My address 1733 Morris Avenue. Is this giving me my time for this too?

PRESIDENT SHERER: You're speaking on specifically with this ordinance.

KIMBERLY BELL: Oh, ok ok. Well...I di...I wanted to sp...speak about that because the last time we meet, last year at the end of December. I seen...uh...Mike Crawford here and...it it dawned on me cause after I...I got in here and saw everything, I was like, him again he's asking for money for what now? He...he...he like that one relative that only comes when he wants a drank or when he wants something. Why is ya'll keep giving this man money? Tell him the atm is closed. Don't give him another dime for that Hall of Fame. We live in Canton and don't even go to the Hall of Fame, it's too expensive to buy anything there or to take our families. Stop it with this Hall of Fame.

PRESIDENT SHERER: Thank you Miss. Bell. Is there anyone else in the audience wishing to speak for or against this ordinance, please step forward. Seeing no one step forward, or no one else step forward, the Chair declares the public hearing in regards to this matter. The matter now rest in the hands of council.

**OLD BUSINESS**

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

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PRESIDENT SHERER: We are now under Public Speaks and we have 5 speakers for this evening. I would like to remind our speakers that you do get 3 minutes under public speaks. And Miss Bell, you are going to be our first speaker. Could you please state your name and residential address, please.

KIMBERLY BELL: Ye..yes my name is Kimberly Bell 1733 Morris Avenue. Um...Mr. President, being that you and I are running for the same office, and I would ask that you...either...step down for while I'm up here or...don't say anything when I'm speaking because we're running...we're competing against each other. That's all I ask. Ok, 6 democrats, are ya'll serious? Is...it ain't but 2 Democrats that belong on that ballot, me and Mr. President. I am very disappointed on...on...on...on all these people that's running for Mayor. Had Tom said he was going to run for Mayor not one of you woul...would've went against him. But...you...your not going to answer. Tom, back when...um...I was coming to City Council you and I...you allowed me to take you over a relative friend's house cause their son was killed. And...I thought...ok this...he...he...he's doing something for the black community. I said, "He might be...he might be the one, he might be the real deal." So, but as the...you proved me wrong as time as passed with Ja...the murder of James Williams. With some of the things you went against and...you gave me my answer. But when you asked me...in that car ride, you said how can we keep our youth in school or...and to go to college and I didn't have a answer at the time. But after seeing Council Members went against...went...saw...two black faces running for Mayor and they jumped in the ring to run against us. How is that showing equality and...and...and justice for all, that we salute to this flag every time we come in here. How is that giv...give me a chance. Give me the same chance each and every one of you have. I changed my lifestyle, I went to a Paralegal School, but when I got you and you and all these other ones running against me...I'll never have a chance. And you know my...my...my...my ancestors and my...and my...and my elders would always say this to me, "Don't you trust that white man, he dirty." And I had thought about that it. I graduated from Canton South and...and...I...I saw good people and I see good people in this room. But after what...what you shown me, I mean how can...we as the adults and the leaders for the youth, how can we stop them from being rebellious and reb...and...and disappointed in us when we're doing this. We...we going up against the black people who's running. How can we teach them anything, if you're not... if we're constantly defeating the purpose and defeating their future?

PRESIDENT SHERER: Thank you Miss Bell. Our next speaker is Edwin Cleveland. Is Mr. Cleveland in the audience? Seeing that Mr. Cleveland is not present, we will move on to...Mrs. Kris Bates Aylward, the former Law Director. Mrs. Ay...Aylward could you please state you name and residential address, please.

Kris Bates Aylward: Yes I will. So weird to be on this side, I just have to say. Um... Kris Bated Aylward, 3433 Culver Circle NW Canton, Ohio. And I just wanted to talk to you very briefly. First of all, wanted to thank everyone...all my fellow citizens here, up here and back here who were kind enough to sign my petition for Council President. Thank you. And I how ya'll understand how important it is. Whether you vote for me or you don't... you are allowing me to engage in a Democratic process. We have a Democratic process in this country and it worked here in Canton, Ohio ok. And when you sign someone's petition...again whether you are going to vote for them or not doesn't matter. You're saying you matter, you get to participate. Your name can be on this ballad and it's so important. So I just wanted to thank you to all of you who did that. The other thing is that I just want to briefly say, is that you all know all just retired...and it's awesome. And I love it, but I...when I retired, I knew I wanted to give back to the city that has given me so much. I knew that I was going to continue and I was looking, in fact, I talked to the directors and I talked to different...people about...you know different boards. But when this presented itself that it was going to be an open seat due to the President running for Mayor, I thought...I think its calling to me. Like, I think it's presenting itself to me. Sometimes the universe presents things to you, so...um...thank you all very much. I do hope you will vote for me, but whether you do

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or you don't, thank you for at least allowing me to participate in this awesome process. And thank you all very much. Bye. See you didn't have to beep me or anything.

PRESIDENT SHERET: Thank you, Mrs. Aylward. Our next speaker is going to be Mr. Michael Heard. Mr. Heard can you please state your name and residential address, please.

MICHAEL HEARD: My name is Michael Heard. I live at 1021 7<sup>th</sup> Street. I am a home owner and I'm a member of the Cherry Avenue Neighborhood Development. Better known as the Canton (*inaudible*) Neighborhood Association in Ward 2. I'm a member and associated. I would like to bring to...to the concerns...um...1015 7<sup>th</sup> Street...a house that infested with animals (*inaudible*) and everything. Not only animals, but infested with whores and prostitutes. Not only infested with that, anyone that want to come and live...can live there. They have kicked the doors in, and...uh...people that just come in there. The city came out and red tagged it, and the front had fell in last year. We were sitting on the porch, a big raccoon fell out. And I mean they cut the electric to it and everything. This house is a fire hazard, is a place that has been empty for 4 years. I have contacted the homeowner about it. I've contacted Mrs. Brenda Kimbrough, which is our Council Lady. We're trying to improve our neighborhood. We're trying to move on make our neighborhood a better neighborhood. A place to live for our kids. We're trying to bring it up were we can have decent neighborhood around there, but it's just an eyesore to our neighborhood. I...I'm on the Board of Appeals here for the city and I've talk to them about it. And they told me I had to talk to the Council Lady so, I've talk to her. But we really need to do something about that house and just...it's just messed up and I've just built a house there. And my house is now getting infested with field mice and all that, and groundhogs and all that. I'm tired of running them. Tired of shooting at them and all this other stuff. So I'm asking City Council, would ya'll please look into doing something about tearing that house down, about getting rid of it or doing something. I'm a tax payer and I need you all's help, and...asking for you all's help. Happy New Year to ya and may God bless you. Thank you.

PRESIDENT SHERER: Thank you Mr...Mr. Heard and Mr. Heard just to clarify with the address with the issues. It's...it's 1015 7<sup>th</sup> Street NE?

MICHAEL HEARD: Yes Sir.

PRESIDENT SHERER: Ok I just want to clarify that address for the Law Director.

MICHAEL HEARD: Yes sir. Thank you.

PRESIDENT SHERER: Tha...thank you.

MICHAEL HEARD: Thank you for hearing me.

PRESIDENT SHERER: No, thank you. And our last speaker tonight is our newly elected...State Representative for the 49<sup>th</sup> District, Jim Thomas. Jim could you please state your name and residential address please.

JIM THOMAS: Yes, my name is Jim Thomas and my address is 5566 Foxboro Avenue NW Canton, Ohio. I...ju...thank you for the opportunity. Uh...it's a pleasure for me to be here tonight...uh...I know some of you but not all of you and I just wanted to...want you...uh...put your...face with a name and I just wanted to talk briefly. Um...First of all I'm humbled and I'm honored to represent the City of Canton...um...in the Ohio House of Representatives. Um...my father was born and raised on the Northeast end...um...and he was a medical doctor in the City of Canton for about 40 years. Uh...I grew up...uh well...and he started his second business at the Hall of Fame Fitness Center, also in the City of Canton. I grew up there pretty much...uh...and

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so that was a great place to grow up. And I also spent a lot of time at the Stadium Park...uh...beautiful park and also Weis Park. So I...I basically grown up in the City of Canton. So...I just wanted too...um...you know...I...hum...again I'm humbled and honored to be here and represent...represent...uh...the city and I look forward to working with all of you. I think the city is moving forward and doing a really nice job and I commend all of you for your hard work. Uh...and...um...I look forward helping...uh...as best I can. So thanks for your time and look forward to working with you.

PRESIDENT SHERER: Thank you, Mr. Thomas and congratulations. (*Applause*)

**INFORMAL RESOLUTIONS**

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

1. PERSONNEL COMMITTEE: CONFIRM APPOINTMENT OF MR. CARL BLISS TO TREE COMMISSION COMMENCING RETRO TO 1/1/23 – 12/31/23. - ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Informal 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.

**COMMUNICATIONS**

PRESIDENT SHERER: We are now under Communications. Let the journal show that all Communications are received as read.

***NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY, IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED JANUARY 9, 2023.***

2. REQ FOR ADDT'L AMENDED CERTIFICATE DATED 12/30/22. - AUDITOR MALLONN
3. STATEMENT OF CASH POSITION DATED 12/30/2022. - AUDITOR MALLON
4. REW FOR C2, C2X, D6 LIQUOR PERMIT TRF TO DNH INVESTMENTS LLC, DBA INVESTMENT LLC @ 2535 W TUSCARAWAS ST. – LIQUOR CONTROL DIV (OHIO)
5. REQ TO AMEND SEC 151.06, HOLIDAYS, OF COD ORD TO ADD JUNETEENTH (June 19) AS PAID CITY HOLIDAY BEGINNGING 2023. – MAYOR BERNABEI
6. REQ DEMO OF 914 RAFF RD SW.; EMERGENCY (105.04 EMERGENCY REPORT). – SAFETY DIRECTOR PERRY

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7. RATIFY TENTATIVE AGMT BETWEEN CANTON AND AFSCME LOCAL 3449 FROM 1/1/23 TO 12/31/24; EMERGENCY (FIRE DEPT). – SERVICE DIRECTOR HIGHMAN, SAFETY DIRECTOR PERRY

**ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING**

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

***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #8 THROUGH #13 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- O#8. (1<sup>st</sup> RDG) AN ORDINANCE VACATING A PORTION OF SADIE COURT NW; APPROVING AND ACCEPTING THE REPLAT OF LOTS 15228-15229 AND LOTS 15265-15267; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Safety & Thoroughfares Committee
- O#9. (1<sup>st</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 42460-42463, PART OF OUTLOT 1106, PART OF OUTLOT 1107, OUTLOT 1030 AND OUTLOT 1031; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Safety & Thoroughfares Committee
- O#10. (1<sup>st</sup> RDG) AN ORDINANCE AUTHORIZING THE TREASURER TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH DOING BETTER BUSINESS INC. AND SHAFFER TECHNOLOGIES FOR DEVELOPMENT AND IMPLEMENTATION OF A MUNICIPAL INCOME TAX SCANNING-IMPORTING PROCESS THROUGH LASERFICHE CLOUD SOLUTIONS IN AN AMOUNT NOT TO EXCEED \$32,887.50 WITH AN ANNUAL RENEWAL OF \$20,733.50 IN YEAR 2; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- O#11. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 1/2023** A FINAL RESOLUTION ADOPTING PLANS, AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO COOPERATE WITH AND REQUEST THE DIRECTOR OF TRANSPORTATION TO PROCEED WITH THE PLACEMENT OF WET REFLECTIVE PAVEMENT MARKINGS ON U.S. 30 BETWEEN SLM 16.46 AND SLM 18.75 AND U.S. 62 BETWEEN THE CANTON CORPORATION LIMITS LOCATED AT SLM 25.79 AND SLM 27.64 LYING WITHIN THE CITY OF CANTON; AUTHORIZING THE AUDITOR TO PAY ANY MORAL OBLIGATIONS TO ODOT AS A RESULT OF THE CITY'S FINAL COST SHARE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Safety & Thoroughfares Committee
- O#12. (1<sup>ST</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 2/2023** AN ORDINANCE APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND AFSCME LOCAL 3449 AND OHIO COUNCIL 8; AND DECLARING THE SAME TO BE AN EMERGENCY

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Referred to Personnel Committee

O#13. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 3/2023** AN ORDINANCE AMENDING ORDINANCE NO 40/2000, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE SAFETY DIRECTOR'S FIRE DIVISION EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Personnel Committee

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the Public Safety & Thoroughfares and Personnel Committees to meet in regards to Ordinances 11 through 13 on your agenda this evening. You are now in recess.

***(COUNCIL RECESSED AT 7:24 PM FOR THE PUBLIC SAFETY & THOROUGHFARES AND PERSONNEL COMMITTEES TO MEET IN REGARDS TO O#11 THROUGH O#13; RECONVENED AT 7:30 PM)***

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinances 11 through 13 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 11 through 13 back on this evening's agenda. Are there... are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 11 through 13 are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules on 11...Ordinances 11 through 13.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: There's a motion to suspend the Statutory Rules on Ordinances 11 through 13. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

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

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #11.

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MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #11. 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.

**#11 ADOPTED AS ORDINANCE NO. 1/2023**

PRESIDENT SHERER: The motion carries and Ordinance #11 has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #12.

MEMBER BABCOCK: Second.

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

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #12 per the copies before all Council Members.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #12 per the copy before each of you. Are there any remarks? ...Hearing none by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED BY MAJORITY VOICE VOTE  
(MEMBER MARIOL ABSTAINED)

PRESIDENT SHERER: The ayes have it. The motion carries. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #12, as amended.

MEMBER BABCOCK: Second

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 12 by the substitution of the attached amended Exhibit A for the original pending Exhibit A.*

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #12, as amended. Are there any remarks under this Ordinance, as amended? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 1 ABSTAIN  
(MEMBER MARIOL ABSTAINED)

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

**MINUTES OF THE MEETING JANUARY 9, 2023****#12 ADOPTED AS AMENDED AS ORDINANCE NO. 2/2023**

PRESIDENT SHERER: The motion carries, and Ordinance #12, as amended, has been adopted.  
Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #13. 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.

**#13 ADOPTED AS ORDINANCE NO. 3/2023**

PRESIDENT SHERER: The motion carries and Ordinance #13 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 #14.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #14 THROUGH #18 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- O#14. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH IBI GROUP FOR DESIGN OF THE PERRY HEIGHTS WATER MAIN REPLACEMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#15. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH ENVIRONMENTAL DESIGN GROUP FOR DESIGN OF THE CROYDON DRIVE AREA AND BROOKPARK CIRCLE WATER MAIN REPLACEMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#16. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS FOR DESIGN OF THE GROSS AVENUE NE AREA WATER MAIN REPLACEMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#17. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE APPROPRIATE APPOINTING AUTHORITY, DURING CALENDAR YEAR 2023, TO SELL CITY OWNED PERSONAL PROPERTY WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY

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INTERNET AUCTION PURSUANT TO O.R.C. 721.15(D); AND DECLARING THE SAME TO BE AN EMERGENCY

- O#18. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR TO ENTER INTO A TWO YEAR PROFESSIONAL SERVICES AGREEMENT WITH THE CANTON REGIONAL CHAMBER OF COMMERCE IN AN AMOUNT NOT TO EXCEED \$75,000.00 PER YEAR FOR THE YEARS 2023 AND 2024 FOR THE PURPOSE OF DOWNTOWN EVENT PROGRAMMING AND ECONOMIC DEVELOPMENT SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY

CLERK WOOD: Mr. President.

PRESIDENT SHERER: Thank you, Madam Clerk.

**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 #19.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCE O#19 THROUGH #21 FOR ITS THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- O#19. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 4/2023** AN ORDINANCE CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA AND ESTABLISHING REQUIREMENTS TO ENSURE PUBLIC HEALTH AND SAFETY WITHIN SUCH AREA; AND DECLARING THE SAME TO BE AN EMERGENCY  
**PUB HRG 1/9/23 @ 7:00 PM**

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #19.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #19. Are there any remarks? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

**#19 ADOPTED AS ORDINANCE NO. 4/2023**

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

- O#20. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 5/2023** AN ORDINANCE AMENDING ORDINANCE NO 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE AUDITORS OFFICE

**MINUTES OF THE MEETING JANUARY 9, 2023****MANAGEMENT AND NON-BARGAINING PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY**

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #20.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #20. Are there any remarks? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

**#20 ADOPTED AS ORDINANCE NO. 5/2023**

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

O#21. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 6/2023** AN AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE SALE OF CITY OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND TO ENTER INTO ALL CONTRACTS NECESSARY TO FACILITATE SAID SALES; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #21.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #21. Are there any remarks? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

**#21 ADOPTED AS ORDINANCE NO. 6/2023**

PRESIDENT SHERER: Motion carries and Ordinance #21 has been adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Our next meeting date will be Janur...Monday, January 23<sup>th</sup> and Committee starts at 6:30 PM.

MEMBER HAWK: Mr. President.

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PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Finance Committee will meet Monday, January (*inaudible*) at 6:30 PM in the council chambers.

PRESIDENT SHERER: Thank you, Member Hawk.

MEMBER KIMBROUGH: Um...the Public Safety & Thoroughfares will also meet at the same time and same place.

PRESIDENT SHERER: Thank you, Member Kimbrough.

**MISCELLANEOUS BUSINESS**

PRESIDENT SHERER: We are now under Miscellaneous Business. Is there anything under Miscellaneous Business?

MEMBER SMITH: Yes. Mr...Mr. President.

PRESIDENT SHERER: Member Smith.

MEMBER SMITH: I would like to invite each and every one of you that is present...uh...to two events that is coming up. We have on Thursday morning, the Mayor's Breakfast. I would like to invite each and every one of you there, that's going to be at the DoubleTree. Also...uh... Monday, Martin Luther King Day, I would like to invite you all there also to the program and it's our 48<sup>th</sup> one. And it'll be at 12 noon at Southeast Community Center. That's located in the 4<sup>th</sup> Ward.

PRESIDENT SHERER: The...the 4<sup>th</sup> Ward.

CLERK WOOD: She didn't give a time.

MEMBER SMITH: Ya'll waiting on some questions to be answered?

CLERK WOOD: The time for the breakfast?

MEMBER SMITH: The breakfast is 7:45.

PRESIDENT SHERER: Thank you, Member Smith.

UNKNOWN PERSON: Is it free?

MEMBER SMITH: No it is not free. The tickets are...um. (*inaudible*)

CLERK WOOD: I'll send an email tomorrow.

MEMBER SMITH: Yeah, send an email out. Yes, you can send the one about Monday too. Thank you.

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

**MINUTES OF THE MEETING JANUARY 9, 2023**

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Majority Leader.

MEMBER SMUCKLER: Just for the record...uh...I want to go on record that the outdoor refreshment area is not costing the city a dime. And...um...also...uh...I think that you will not compete with downtown and it's a whole new ball game up there. Um...I wish you all...a health and Happy New Year. Now that we're back um... with the exception of some Holidays please remember we meeting every Monday, except those Holidays. Anybody has any questions please call into the Council Office. I move we adjourn.

MEMBER BABCOCK: Second.

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

ADJOURNMENT TIME: 7:42 PM

ATTEST: 1/11/2023  
JILL M. WOOD  
CLERK OF COUNCIL

APPROVED:  
WILLIAM SHERER  
PRESIDENT