

**MINUTES OF THE MEETING FEBRUARY 13, 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:*

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

TEN COUNCIL MEMBERS PRESENT. (MEMBER MARIOL AND MEMBER FERGUSON ABSENT)

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

**EXCUSING MEMBERS**

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to excuse Member Mariol and Member Ferguson from this evening's meeting. 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 Member Mariol and Member Ferguson are excused from this evening's meeting. Tonight's invocation will be given by Council Member-at-Large Bill Smuckler and Majority Leader. 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 February 13, 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 Council Member-at-Large and Majority Leader Bill Smuckler. The Pledge of Allegiance was led by President Sherer.*

PRESIDENT SHERER: Thank you, Member Smuckler.

**AGENDA CORRECTIONS AND CHANGES**

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

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

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add second readings to Ordinances 18 through 22 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 18 through 22 are a legal part of your agenda.

**PUBLIC HEARINGS**

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

CLERK WOOD: AN ORDINANCE NO. 55/77 AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; 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 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.

**PUBLIC SPEAKS**

PRESIDENT SHERER: We are now under Public Speaks and we have one speaker for this evening. And our only speaker for this evening is Miss Kimberly Bell. Miss Bell, could you please state your name and residential address, please.

KIMBERLY BELL: Yes, Kimberly Bell 1733 Morris Ave. Um...I want to bring to attention again. Once again...Mayor you and I drove down this street and it's 6<sup>th</sup> and Cherry and 6<sup>th</sup> and WC Henderson. You have to drive down the middle of the street on both sides of the street because the road is so bumpy. You was suppose too... you said you were going take care of it when drove down that street. And it hasn't been taken care of. Noth..Nothing has been done about it. And then as you go from Ira Turpin up to O'Jay Parkway to 6<sup>th</sup> St. , same thing. You've got to drive in the middle of the street because it's so lumpy and it's got so many hol..potholes. I mean...them putting...uh...a black tar down is not doing nothing but making it worse when the winter comes. And that needs to be fixed. And then where I live, The Mahoning Manor, the street...when we...when you pull into the parking lot off of...off of 19<sup>th</sup>, and you pull in there to go get your mail it's like...you...your whole car is going to sink into the ground. They need to fix that street. And then the trees are hanging...Stark Metropolitan nobody's cleaning up that area. The trees...are...are they've been down. The wind or whatever has knocked the trees down and it's just mess. And it's just trash everywhere. And it's causing rodents to come to those areas and to get into our apartments. And uh...lets see...and...and...Billy, I only fear you. The other ones I'm not worried about. And by the grace of God if you win, I hope you don't use the same handbook and the same...sa...I hope you make your own footprints. And don't use the same handbook that all the other Mayors done passed down because if I get there I'm going to make my footprints. And I hope you toss that handbook out and make your own. But please get up...please come off the 8<sup>th</sup> floor, Tom, and drive in the area

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where I live. It's terrible over there. The trees are knocked down and they're just laying in the land right there. And it's just...and the trash is terrible. You've got mattress, you've got trash, you've just got everything. Nobody cares about how we living over here. Just long as the Hall of Fame area and Shorb area...wer...going towards the Hall of Fame is good. We have no...you're not giving us no attention. And like I said all the money goes West. Nothing comes East. And you need to come off the 8<sup>th</sup> floor and come visit us.

PRESIDENT SHERER: Thank you, Miss Bell.

**INFORMAL RESOLUTIONS**

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

1. MAJORITY LEADER SMUCKLER: PO TO HILSCHER – CLARKE ELECTRIC CO. FOR REPAIR/REPLACEMENT OF ELECTRICAL CONDUIT THAT FEEDS HIGHWAY LIGHTS ADJACENT TO CHERRY AVE SE AND US RT 30. – 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. Informal Resolution #2 please.

2. PERSONNEL COMMITTEE: COMFIRING REAPPT OF MS. CLEO LUCAS TO CANTON CITY BOARD OF HEALTH COMMENCING 4/1/23 TO 3/21/28. – ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal 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.

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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 FEBRUARY 13, 2023.***

3. REO NEW D1, D3 LIQUOR PERMIT FOR 2 SCOOPZ OF OHIO LLC, DBA 2 SCOOPZ @ 132 5TH ST NW. - LIQUOR CONTROL DIV (OHIO)
4. AUTH CONTRACT FOR CITYWIDE FIBER NETWORK ARPA PROJ. - MAYOR BERNABEI
5. ADVISE OF RESIDENTIAL RENTAL DEVELOPMENT PROJ AT ROBERTS AVE NW, ADJACENT TO HOF FITNESS CTR (ROBERTS STATION). - PIVOTAL DEVELOPMENT LLC
6. REO LEGISLATION AMENDING WATER DEPT MANAGEMENT AND NON-BARGAINING CLASSIFICATION PLAN; EMERGENCY (UTILITY BILLING & FISCAL MANAGER). - SERVICE DIRECTOR HIGHMAN
7. AUTH WATER DEPT VEHICLE PURCHASES; EMERGENCY. - SERVICE DIRECTOR HIGHMAN
8. AUTH WATER MAIN EXTENSION TO HOLT ST SE IN CANTON TWP; EMERGENCY. - SERVICE DIRECTOR HIGHMAN
9. REO FOR ELECTRICAL CONDUIT REPAIR AT CHERRY AVE SE AND US RT 30. - SERVICE DIRECTOR HIGHMAN
10. ADVISE OF RESIDENTIAL RENTAL DEVELOPMENT AT 1300 CHRISTMAS SEAL DR NW (PARKWAY LOFTS). - SPIRE DEVELOPMENT

**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 #11.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #11 THROUGH #17 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- O#11. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Judiciary Committee
- O#12. (1<sup>ST</sup> RDG) AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$900,000 TO PROVIDE FUNDS TO MAKE A LOAN FOR ECONOMIC DEVELOPMENT IN THE CITY; AUTHORIZING

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RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY (HERCULES DEVELOPMENT PROJECT)

Referred to Finance Committee

- O#13. (1<sup>st</sup> RDG) AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$2,250,000 TO PROVIDE FUNDS TO PAY A PORTION OF THE COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING, FURNISHING, OR EQUIPPING AN ECONOMIC DEVELOPMENT PROJECT IN THE CITY; AUTHORIZING RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY (HALL OF FAME VILLAGE)

Referred to Finance Committee

- O#14. (1<sup>st</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH DOWNTOWN CANTON PARTNERSHIP, INC. IN AN AMOUNT NOT TO EXCEED \$250,000 PER YEAR FOR TWO YEARS, FOR THE PERIOD MARCH 1, 2023 THROUGH FEBRUARY 28, 2025 UTILIZING ISSUE 13 COMPREHENSIVE PLAN FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

- O#15. (1<sup>st</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT \$26,050.79 IN GRANT FUNDS FROM THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE PURCHASE OF NINE (9) MOTOROLA/ WATCHGUARD V300 BODY-WORN CAMERAS WARRANTY, BATTERIES, AND CLOUD-BASED STORAGE IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZING THE AUDITOR TO RENAME THE 2786 POLICE EMS TRAINING AND EQUIP GRANT FUND TO 2786 2023 STATE OF OHIO BODY-WORN CAMERA GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 290/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$26,050.79 SUPP APPROP FR UNAPPROP BAL OF 2786 2023 STATE OF OHIO BODY-WORN CAMERA GRANT FUND TO 2786 102001 POLICE ADMIN – OTHER; \$26,050.79 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN – ADV OUT; \$26,050.79 INTER-FUND ADV FR 1001 102001 – ADV OUT TO OTHER FUND TO 2786 102001- ADV IN)

Referred to Finance Committee

- O#16. (1<sup>st</sup> RDG) **ADOPTED AS ORDINANCE NO. 22/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO RESPOND TO THE 606 6<sup>TH</sup> ST. NE (EAST BUILDING) DEMOLITION; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS FROM RESPONDING TO THIS EMERGENCY SITUATION; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

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O#17. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 23/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO ANY AND ALL CONTACTS NECESSARY TO RESPOND TO THE 820 8<sup>TH</sup> ST. NW DEMOLITION; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS FROM RESPONDING TO THIS EMERGENCY SITUATION; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the Finance Committee to meet in regards to Ordinances 16 and 17 on your agenda this evening. You are now in recess.

***(COUNCIL RECESSED AT 7:12 PM FOR THE FINANCE COMMITTEE TO MEET IN REGARDS TO O#16 AND O#17; RECONVENED AT 7:17 PM)***

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinances 16 and 17 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 16 and 17 back on 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 16 and 17 are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules on Ordinances 16 and 17.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 16 and 17. 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: You've heard the three readings, Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

**#16 ADOPTED AS ORDINANCE NO. 22/2023**

PRESIDENT SHERER: The motion carries and Ordinance #16 has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #17.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #17. Are there any remarks under this Ordinance? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

**#17 ADOPTED AS ORDINANCE NO. 23/2023**

PRESIDENT SHERER: The motion carries and Ordinance #17 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 #18.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #18 THROUGH #22 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #22 ADOPTED):***

- O#18. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION AND RETENTION AGREEMENT WITH MIDWEST INDUSTRIAL SUPPLY, INC. PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#19. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION AND RETENTION AGREEMENT WITH UNION METAL INDUSTRIES CORPORATION PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#20. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT \$11,000.00 IN GRANT FUNDS FROM THE OFFICE OF CRIMINAL JUSTICE SERVICES, EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT; AUTHORIZING

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THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE PURCHASE OF TWO WATCHGUARD CAMERA SYSTEMS AND VIRTUAL TRAINING IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 290/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$11,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN – OTHER)

- O#21. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER CONTRACT CHANGE ORDER NO. 1 WITH WENGER EXCAVATING, INC. IN AN AMOUNT NOT TO EXCEED \$330,582.60; AUTHORIZING THE AUDITOR TO PAY MORAL OBLIGATIONS RELATED TO THIS CHANGE ORDER THAT TAKE PLACE PRIOR TO THE FINALIZATION OF SAID CHANGE ORDER; AMENDING APPROPRIATION ORDINANCE NO. 290/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$285,582.60 APPROP TRF FR 4501 202001 ENGINEERING – ADMINISTRATION – OTHER TO 4501 207068 HARVARD AVE AREA WTR MN REPLAC – OTHER)
- O#22. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 24/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO RETURN THE \$150,000.00 GRANT PREVIOUSLY RECEIVED FROM THE SISTERS OF CHARITY FOUNDATION OF CANTON AND TO TRANSFER/GRANT THE \$100,000.00 RECEIVED FROM THE HOOVER FOUNDATION TO CFAP – GONDER, LLC FOR THE SOUTHEAST COMMUNITY GONDER AVE. INVEST HEALTH/ COMMUNITY HEALTH CENTER PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules on Ordinance 22.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinance 22. 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. You've heard the three readings, Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #22.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #22. Are there any remarks under this ordinance? ... Hearing none, roll call vote, please.



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NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

**#22 ADOPTED AS ORDINANCE NO. 24/2023**

PRESIDENT SHERER: The motion carries and Ordinance #22 has been adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Third, Final Reading and Vote. Madam Clerk, would you please begin with Ordinance #23.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCE O#23 THROUGH #25 FOR ITS THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***O#23. (3<sup>rd</sup> RDG) **ADOPTED AS ORDINANCE NO. 25/2023** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #23.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance...Ordinance #23. Are there any remarks under this Ordinance? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

**#23 ADOPTED AS ORDINANCE NO. 25/2023**

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

O#24. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 26/2023** AN ORDINANCE RE-ESTABLISHING THE STOREFRONT REINVESTMENT PROGRAM ("SRP") AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO SRP GRANT AGREEMENTS IN A TOTAL AMOUNT NOT TO EXCEED \$200,000.00 OF ISSUE 13 COMPREHENSIVE PLAN FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

**#24 ADOPTED AS ORDINANCE NO. 26/2023**

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

O#25. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 27/2023** AN ORDINANCE RE-ESTABLISHING THE PUBLIC REALM REINVESTMENT PROGRAM ("PRRP") AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICES TO ENTER INTO CONTRACTS WITH APPROVED PUBLIC REALM BUSINESSES IN A TOTAL AMOUNT NOT TO EXCEED \$100,000.00 OF ISSUE 13 COMPREHENSIVE PLAN FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

**#25 ADOPTED AS ORDINANCE NO. 27/2023**

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

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Just a reminder that next Monday is President's Day. The Council Office will be closed and there is no Council Meeting that night. Due to the observed holiday. Our next meeting date will be Monday, February 27<sup>th</sup> and committee will start at 6:00 PM. I believe uh...Service Director Highman you will be giving a presentation...okay.

MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Finance Committee will meet Monday, February 27<sup>th</sup> at 6:00 PM in Council Chambers.

PRESIDENT SHERER: Thank you, Member Hawk.

CLERK WOOD: C&ED

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

PRESIDENT SHERER: Thank you, Member Hall.

CLERK WOOD: Judiciary.

MEMBER GIAVASIS: Uh...we will be meeting same time, same place. I apologize.

PRESIDENT SHERER: Thank you, Member Giavasis.

**MISCELLANEOUS BUSINESS**

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

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris

MEMBER MORRIS: Going to see if our Law Director can help me out on this. We spent \$130,000.00 tearing down other people's property. Now if... if you buy a car, and you pull off the lot, you have to have insurance. If...you buy a house your mortgage company makes you insure it. And I understand that these properties were probably paid off. Is there anyway, by Ordinance, we can force these people who own these investment properties/commercial properties to at least maintain enough insurance to pay for it? So it's not on the backs of these tax payers when something like this happens. Because in both of these pieces of legislation, it said due to arson. Ok, so that tells me that if someone burned it down and it's under investigation, their insurance would've paid to tear it down. Well the one's a rental property and the other one is a commercial property.

LAW DIRECTOR REESE: You're assumption is that they have insurance. What we find in a lot of these, is they don't. As far as whether or not we can force some person to do that, I can look in...in to that for you and I can let you know.

MEMBER MORRIS: I'm assuming they didn't have insurance.

LAW DIRECTOR REESE: Of course they didn't have insurance Counselor Morris. My life would be significantly easier if they did. But as I...I said we have found on these properties we have filed the liens. The have been filed and we've had especially the one, the first one I forget the address right now. But um...the way that it's set up that if they sell any property we're able to collect our money.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: To carry what M...Member Morris was just saying. As a residential rental property, couldn't we make that part of...their...um...yearly to prove that they have insurance on them? The reall...yearly renewal.

LAW DIRECTOR REESE: Again, I would have to look into that. Um...part of the problem you'll face is how do we as a city enforce or how do we check that portion of the program. To simply because we have an Ordinance or we tell someone they must do something, as you know Member Hall, folks don't necessarily do what we tell them to do. But I can look into that for you as well.

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MEMBER SMITH: Mr. President.

PRESIDENT SHERER: Member Smith.

MEMBER SMITH: Um...just for last minute to let you all know that...um...the Stark County Urban League Black and White Gala, our guest speaker is going to be...the newly elected Congresswoman, Emilia Sykes. And if you are still interested in going, I really would like to know before this week is out because we are in the final stage of doing our seating. Thank you.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

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

ADJOURNMENT TIME: 7:30 PM

ATTEST: February 15, 2023  
JILL M. WOOD  
CLERK OF COUNCIL

APPROVED:  
WILLIAM SHERER  
PRESIDENT