

MINUTES OF THE MEETING MARCH 27, 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.

EXCUSING MEMBERS

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 3 Council Member, Jason Scaglione. 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 March 27, 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 3 Council Member, Jason Scaglione. There was a moment of silence for the Hawk family. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Member Scaglione, and if we could keep the thoughts and prayers, I guess there was another school shooting down in Tennessee. So, if we could keep those families in our prayers also.

AGENDA CORRECTIONS AND CHANGES

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

MEMBER SMUCKLER: Mr. President, I move Rule 22A to be suspended to add second readings of Ordinances 6 through 15 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 6 through 15 to this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 6 through 15 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SHERER: We are now under Public Hearings and have no Public Hearings for this evening.

OLD BUSINESS

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

PUBLIC SPEAKS

PRESIDENT SHERER: PRESIDENT SHERER: We are now under Public Speaks and we have three speakers for this evening. I would like to remind our speakers that you do have three minutes at Public Speaks, and our first speaker tonight is Mr. James Parker. Mr. Parker, could you please state your name and residential address, please.

JAMES PARKER: James Parker, 2953 Beverly Avenue NE, Canton, Ohio. Good evening, Council President William Sherer. First, Plato said, "Who will guard the guardians?" Now I'm not talking about Spring baseball. I'm hoping, William, that you will convey a message to our beloved Safety Director, Andrea Perry, and Chief of Police Gabbard. Appearing here is... and speaking is a sure way to make a public record of my sentiments and concerns for everyone involved in this important matter. My main concern is that parking violation tickets are being administered in a style and manner incorrect to the Canton City ordinance upon which it is meant to uphold, thereby invalidating the alleged infractions under the provisions granted in Canton City Ordinance 353.10 and specifically Section 1 (a). This codified ordinance was passed in 1964, you know, when Babby's dad was the boss man, the Canton Kennedy. I enter into the record Canton City Ordinance 353.10, quote, "It shall be the duty of the police officers of the city, acting in accordance with instructions issued by the Chief of Police and the Director of Public Safety to report: (a) The number of each parking meter which indicates that a vehicle occupying a metered parking zone adjacent to such a parking meter is or has been parked in violation of the provisions of this chapter. And any other facts, Part (d)." I also enter into... Section 361.04 (1)(b), "The officer shall personally sign or digitally sign the ticket." So does putting Officer 400 count as a personal signature? And foremost, I've yet to see a parking meter violation listed with the meter number as required by aforementioned law. And I viewed over twelve random samples. I encourage you to do so. Now, I respectfully ask you, William, and I'd be happy to submit samples, also to conference with Law Director, Jason Reese, to your direct left. Because of prima facie, these tickets filled out incorrectly without a meter number or signature are all invalid. They are de facto nullified, and unless you'd like the ACLU attorneys threatening a class action lawsuit on behalf of all citizens who have received the bogus tickets and our demanding their money back, citizen duress as well, I suggest these glaring oversights be addressed. It's as simple a comparison to Miranda rights violations, search warrant irregularities or mistakes, or as simple as when we all knew to use a number two pencil or black ink and not blue ink at the top of the test or we didn't get the grade...

PRESIDENT SHERER: Mis... Mis... Mister...

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JAMES PARKER: Because the instructions...

PRESIDENT SHERER: Mr. Parker, could you please finish your comments, please.

JAMES PARKER: It's a matter of fundamentals. It makes me wonder if this person has passed the Civil Service exam. In closing, Massillon has no parking meters at all since their new revitalization. I dare you take a look down there and see how it operates. Good night.

PRESIDENT SHERER: Thank you, Mr. Parker. Our next speaker is Mr. David Kerestes. Mr. Kerestes, could you please state your name and residential address, please.

DAVID KERESTES: Uh, my name's David Kerestes. I am now homeless. I'm here tonight to speak of a woman named Tonya calling me up over at the Refuge of Hope and telling me how she had a great and wonderful home for me. Uh, I was kinda in a hurry to get... from being homeless and so we drove over to Whipple and signed a lease and I believed that this home was adequate. When I got to this home, it was in violation of railing systems. Um, it had a new kitchen, bathroom, furnace, and all these things are all brand new, but when I reached out to Rick Hoffman at the Building Department, there were no permits. Nobody was paying the assessed taxes that were proper to be assessed because they never pulled any permits. And I'm looking at probably fifty, sixty thousand dollars worth of work that they did on the back of the City. Um, as I reached out on that, I got evicted. Quite frankly, legally. Um, when I got to court, I tried to speak to the judge, and I think the biggest thing in this whole incident was I moved in there on the 23rd out of the Refuge of Hope, and I'm on cameras all month long, but if you look in the file over at the court, it says I moved in on the 1st and it's notarized by a state notary. But I didn't move in there on the 1st. And then they collected \$2200.00 for moving two of us in there, and quite frankly the contract said they couldn't be under any violations of anything and they were under many. And so as I reached out to get help for these things, to get the taxes assessed and wondering how these people collected \$2200.00 out of a fund immorally, I've been nothing but harassed in this city. I went into Metropolitan Housing trying to get in and told the guy on the phone, and I videotaped it, I need to find... I want to spot... speak with your boss to find out who signed me up for that cause all I did was move in there and three days later they claimed that I was destroying the place under Chapter 2517 of the Ohio Revised Code which falls under 2503, means I'm destroying it. But I got receipts for \$300.00 in paint, new curtains, new sweeper, and... uh, I'll just leave it at that. And I'm gonna go get help for that. But back to, while you were speaking of fires, this is a three prong plug. Um, when I was at 3500 Lincoln Way East, what I seen was people like Jim Guero and Marine Electrician, they're coming in and they're doing things without permits and they're putting in three prong plugs on two phase wire systems. Same thing Matt Schuring did over here. Difference is when he plugged in a heater that was a 180 square foot heater melting the electric, I was smart enough to take a ground wire from the ground on the prong and fasten it to the box so I didn't burn. But that's probably what's going on, people are doing electrical work...

PRESIDENT SHERER: Mr. Kerestes, your...

DAVID KERESTES: ...and then when you plug in a three phase wire system, it causes a fire.

PRESIDENT SHERER: Mr. Kerestes, your three minutes...

DAVID KERESTES: Thank... thank you.

PRESIDENT SHERER: Thank you.

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DAVID KERESTES: But that might help you figure out why everything's burning.

PRESIDENT SHERER: Thank you for comments, Mr. Kerestes. And our last speaker for tonight is Ms. Wanda Jackson. Ms. Jackson, could you please state your name and residential address, please.

WANDA JACKSON: My name is Wanda Jackson. My address is 616 Riley Circle SE here in Canton, Ohio. Good evening, ladies and gentlemen.

PRESIDENT SHERER: Thank you.

WANDA JACKSON: I'm here on behalf of an incident that happened on yesterday. All you guys are aware that we lost power. I am a caregiver to my mom who is 78 years old, who stays in Queen Esther. Seniors lost... they lost power. Seniors had nowhere to go. I thank goodness for Ms. Chris Smith. I did call her to contact her about trying to get some things for our seniors who had nowhere to go, nothing to eat for 24 hours because they couldn't cook. Um, we called the number they told us to call, 2-1-1. This number does not service Canton, Ohio. I need... our people need to know where they can go when we have emergencies like this that's going on in our cities, where can they go stay. I had to take my mother to the hospital, they're sick, because she's on oxygen to plug in to make sure she had enough air to get her from... uh, to get her until the... uh, electric got turned back on. This was 24 hours later. I'm concerned about our seniors because something needs to be put in place where if something goes on, they can contact somebody, talk to somebody that will help them to get what they need so they're not left out here. That was her in that section, but there's other seniors around the city that don't know where to go, don't know who to contact. So we need to get that and be proactive when we have these emergencies in our cities, so they can be able to find some type of comfort, some type of safety to know what's going on. Thank you.

PRESIDENT SHERER: Ms. Jackson, if you could call the Council Office tomorrow and talk to Clerk Wood.

WANDA JACKSON: Okay.

PRESIDENT SHERER: Um, she will give you as much information as we possibly can.

WANDA JACKSON: Okay.

PRESIDENT SHERER: But thank you... thank you for coming down.

WANDA JACKSON: Thank you.

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 MARCH 27, 2023.

1. COMPARISON RPT OF CASH RECEIPTS AS OF FEBRUARY 28, 2023. – TREASURER PEREZ

MINUTES OF THE MEETING MARCH 27, 2023**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 #2.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #2 THROUGH #5 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#2. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ACCEPT AN AMERICAN RESCUE PLAN ACT FIRST RESPONDER WELLNESS, RECRUITMENT, RETENTION & RESILIENCY GRANT AND ENTER INTO A GRANT AGREEMENT WITH THE INTERNATIONAL ASSOCIATION OF FIREFIGHTERS TO PROVIDE HEALTH AND WELLNESS SERVICES TO INCREASE THE MENTAL HEALTH AND WELLNESS OF OUR FIREFIGHTERS IN AN AMOUNT NOT TO EXCEED \$15,750.00; AUTHORIZE THE AUDITOR TO CREATE THE 2822 ARPA FIRST RESPONDER WELLNESS GRANT FUND; AMENDING THE 2023 FINAL APPROPRIATION ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$15,750.00 SUPP APPROP FR UNAPPROP BAL OF 2822 ARPA FIRST RESPONDER WELLNESS GRANT FUND TO 2822 103001 FIRE ADMIN – OTHER)
Referred to Community & Economic Development Committee
- O#3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ACCEPT AN AMERICAN RESCUE PLAN ACT FIRST RESPONDER WELLNESS, RECRUITMENT, RETENTION & RESILIENCY GRANT AND ENTER INTO CONTRACT WITH LEGACY OF HONOR FOR SERVICES TO INCREASE THE MENTAL HEALTH AND WELLNESS OF OUR POLICE OFFICERS IN AN AMOUNT NOT TO EXCEED \$124,400.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- O#4. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE SAFETY DIRECTOR’S FIRE DIVISION MANAGEMENT AND NON-BARGAINING PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Committee
- O#5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER NO. 1 FOR THE SUGAR CREEK WATER TREATMENT PLANT RENOVATION PROJECT WITH THE GREAT LAKES CONSTRUCTION COMPANY TO COMPLY WITH THE DAVIS-BACON PREVAILING WAGE RATE FOR “BUILDING CONSTRUCTION” IN AN AMOUNT NOT TO EXCEED \$136,960.51; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THIS CHANGE ORDER; AMENDING THE 2023 FINAL APPROPRIATION ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$136,960.51 SUPP APPROP

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FR UNAPPROP BAL OF 5421 SUGAR CREEK WATER TREATMENT PLANT
RENOVATION PROJECT TO 5241 207069 SUGAR CREEK WATER TREATMENT
PLANT RENOVATION PROJECT – OTHER)

Referred to Finance Committee

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 read Ordinance #6.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #6 THROUGH #15 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #15 ADOPTED AS AMENDED):

- O#6. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; AND RECEIVE GRANT FUNDS IN THE AMOUNT OF \$600,000 AND A ZERO PERCENT INTEREST LOAN IN THE AMOUNT OF \$900,000 FOR THE 34TH STREET NW AREA WATER MAIN REPLACEMENT AND ROADWAY IMPROVEMENTS PROJECT; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR RELATED CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5251 34TH STREET WATER MAIN REPLACEMENT PROJECT FUND; AMENDING THE 2023 FINAL APPROPRIATION ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5251 34TH STREET WATER MAIN REPLACEMENT PROJECT FUND TO 5251 207067 34TH STREET WATER MAIN REPLACEMENT PROJECT – OTHER; \$1,333,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207067 34TH STREET WATER MAIN REPLACEMENT PROJECT – OTHER)
- O#7. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; AND RECEIVE GRANT FUNDS IN THE AMOUNT OF \$750,000 AND A ZERO PERCENT INTEREST LOAN IN THE AMOUNT OF \$750,000 FOR THE FAIRMOUNT AREA WATER MAIN REPLACEMENT PHASE II AND ROADWAY IMPROVEMENTS PROJECT; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR RELATED CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5250 FAIRMOUNT AREA WATER MAIN REPLACEMENT PROJECT FUND PHASE II; AMENDING THE 2023 FINAL APPROPRIATION ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5250 FAIRMOUNT AREA WATER MAIN REPLACEMENT PROJECT FUND – PHASE II TO 5250 207050 FAIRMOUNT

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AREA WATER MAIN REPLACEMENT PROJECT – PHASE II – OTHER;
\$1,344,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO
5201 207050 FAIRMOUNT AREA WATER MAIN REPLACEMENT PROJECT –
PHASE II – OTHER)

- O#8. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICES TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) ½ TON PICKUP TRUCK WITH PLOW PACKAGE AND ONE (1) LARGE DUMP TRUCK; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#9. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS NEEDED TO RECORD THE EXPENSES FOR THE LAST LOAN PAYMENT FOR THE SHOOK CONSTRUCTION CO. PORTION OF THE WATER RECLAMATION FACILITY PHOSPHORUS/TOTAL NITROGEN PROJECT— CONTRACT NO. 26 OWDA LOAN; RETROACTIVELY APPROVES ALL ACTIONS TAKEN IN ORDER TO CLOSE OUT THE ABOVE NAMED PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#10. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT WITH ARCADIS TO PERFORM THE WATER TRANSIENT MODELING AND SURGE MITIGATION EVALUATION PHASE II IN AN AMOUNT NOT TO EXCEED \$48,100; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#11. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO SUBMIT ANY SUBSTANTIAL AMENDMENT TO THE CITY’S 2021 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMELY EXPENDITURE OF CDBG AND HOME PROGRAM FUNDS; AND ENTER INTO ALL CONTRACTS NECESSARY TO ALLOW FOR EFFECTIVE OPERATION OF THE PROGRAM DURING THE GRANT PERIOD USING ANY AND ALL PROCUREMENT PROCESSES AUTHORIZED IN THE CODIFIED ORDINANCE OR OHIO REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO SUBMIT ANY SUBSTANTIAL AMENDMENT TO THE CITY’S 2022 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMELY EXPENDITURE OF CDBG AND HOME PROGRAM FUNDS; AND ENTER INTO ALL CONTRACTS NECESSARY TO ALLOW FOR EFFECTIVE OPERATION OF THE PROGRAM DURING THE GRANT PERIOD USING ANY AND ALL PROCUREMENT PROCESSES AUTHORIZED IN THE CODIFIED

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ORDINANCES OR OHIO REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY

- O#13. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE OR DESIGNEE TO FILE WITH HUD A 2023 ANNUAL ACTION PLAN FOR THE 2023 COMMUNITY DEVELOPMENT BLOCK GRANT, 2023 HOME INVESTMENT PARTNERSHIP, AND 2023 EMERGENCY SOLUTIONS GRANT PROGRAMS; RATIFYING SUBMISSION AND FILING OF SAID PLAN; AUTHORIZING THE MAYOR TO EXECUTE GRANT AGREEMENTS WITH HUD AND TO ACCEPT FUNDING FOR THE THREE PROGRAMS; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMELY EXPENDITURE OF COMMUNITY DEVELOPMENT BLOCK GRANT, EMERGENCY SOLUTIONS GRANT, AND HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS TO IMPLEMENT THE 2023 ACTION PLAN UTILIZING ANY PROCESS AUTHORIZED BY THE OHIO REVISED CODE OR CANTON CODIFIED ORDINANCES; AMENDING THE 2023 FINAL APPROPRIATION ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,408,989.00 SUPP APPROP FR UNAPPROP BAL OF 2211 COMMUNITY DEV FUND TO 2211 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER; \$1,158,833.40 SUPP APPROP FR UNAPPROP BAL OF 2214 HOME FUND TO 2214 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER; \$228,145.00 SUPP APPROP FR UNAPPROP BAL OF 2219 EMERGENCY SHELTER FUND TO 2219 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER; \$50,000.00 SUPP APPROP FOR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 506001 COMMUNITY DEVELOPMENT ADMIN – TRANSFER OUT; \$50,000.00 INTER-FUND TRF FR 1001 TRANSFER OUT TO OTHER FUND TO 2211 TRANSFER IN FROM OTHER FUND)
- O#14. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT FOR THE 30TH STREET AND CROMER AVENUE WATER MAIN REPLACEMENT AND SEWER IMPROVEMENTS PROJECT; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; AMENDING THE 2023 FINAL APPROPRIATION; AND DECLARING THE SAME TO BE AN EMERGENCY (\$850,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS FUND TO 5201 207088 30TH STREET AND CROMER AVENUE WATER MAIN REPLACEMENT & SEWER IMPROVEMENTS PROJECT – OTHER; \$67,100.000 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 207088 30TH STREET AND CROMER AVENUE WATER MAIN REPLACEMENT & SEWER IMPROVEMENTS PROJECT – OTHER)
- O#15. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 50/2023** AN ORDINANCE AUTHORIZING THE APPROPRIATE OFFICIAL(S) TO: PURCHASE AND/OR LEASE VARIOUS TITLED VEHICLES; ENTER INTO CONTRACT OR GOVERNMENTAL LEASES/LOANS TO ASSIST WITH THE PURCHASE OF

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VEHICLES AND EQUIPMENT; ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THOSE PURCHASES AND ANY PROJECTS DESCRIBED IN EXHIBIT A THAT EXCEED ANY APPLICABLE DOLLAR AMOUNT THRESHOLD(S); ALTERNATIVELY ENTER INTO CONTRACT FOR THE PURCHASES AND PROJECTS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; ENTER INTO ALL PROFESSIONAL SERVICES CONTRACTS DESCRIBED IN EXHIBIT A; WAIVES THE INFORMAL RESOLUTION REQUIREMENTS OF CANTON CODIFIED ORDINANCE 105.09 FOR PURCHASES APPROVED THROUGH THIS ORDINANCE; PAY ALL MORAL OBLIGATIONS FOR CONSTRUCTION CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14 WITHIN THE ESTABLISHED DOLLAR AMOUNT THRESHOLDS; AMENDING THE 2023 FINAL APPROPRIATION ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,673,950.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 102001 POLICE ADMIN – OTHER – \$260,650.00, TO 4501 103001 FIRE ADMIN – OTHER – \$563,000.00, TO 4501 202210 STREET MAINTENANCE – OTHER – \$95,000.00, TO 4501 204010 OTHER BUILDINGS – OTHER - \$542,800.00, TO 4501 208001 MOTOR VEHICLE ADMIN – OTHER – \$38,500.00, TO 4501 504010 INFORMATIONAL TECHNOLOGY – OTHER – \$55,000.00, TO 4501 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER - \$15,000.00, TO 4501 701001 JUDGES ADMIN – OTHER - \$22,000.00, TO 4501 753001 LAW ADMIN – OTHER - \$ 7,000.00, TO 4501 852001 TREASURER ADMIN – OTHER – \$75,000.00; \$888,750.00 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 102001 POLICE ADMIN – OTHER - \$437,750.00, TO 4502 103001 FIRE ADMIN – OTHER - \$118,000.00, TO 4502 202001 ENGINEERING ADMIN – OTHER - \$45,000.00, TO 4502 202210 STREET MAINTENANCE – OTHER - \$230,000.00, TO 4502 204010 OTHER BUILDINGS - OTHER - \$58,000.00; \$61,300.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 200501 GENERAL GOV'T SUPPORT ADMIN – TRF OUT; \$61,300.00 SUPP APPROP FR UNAPPROP BAL OF 7601 HEALTH FUND TO 7601 301011 HEALTH ASSETS – OTHER; \$61,300.00 INTER-FUND TRF FR 1001 200501 GENERAL GOV'T SUPPORT ADMIN – TRF OUT TO 7601 301011 HEALTH ASSETS – TRF IN)

CLERK WOOD: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUKLER: Mr. President, I move we suspend Statutory Rules on Ordinance #15.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinance #15. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #15.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #15. Are there any remarks under this Ordinance? Leader.

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #15 per the copy before every Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #15 per the copy before each of you. Are there any remarks?

FINANCE DIRECTOR CROUSE: Mr. President.

PRESIDENT SHERER: Finance Director.

FINANCE DIRECTOR CROUSE: Um, I would just like to point out what the amendment is on this ordinance. Um, we have a project within this... the original capital ordinance for 15th Street Bridge Project. Um, it's in the Fifth Ward. Mr. Fisher is well aware of it. In... in that... um, ordinance, we should have asked for a fund to be created, so this ordinance... the amendment is asking for a fund to be created for that bri... bridge project. It also is asking for additional appropriations for that bridge project, \$1.8 million. Ninety-five percent of that project is a grant... is paid for by a grant.

PRESIDENT SHERER: Are there any additional remarks? ...Hearing none by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #15, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 15 by the substitution of the attached amended ordinance for the original pending ordinance.

PRESIDENT SHERER: It's been moved & seconded to adopt Ordinance #15, as amended. Are there any remarks under this Ordinance as amended? ...Hearing none, roll call vote please.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#15 ADOPTED AS AMENDED AS ORDINANCE NO. 50/2023

PRESIDENT SHERER: Motion carries, and Ordinance #15, as amended, 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 #16.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCE #16 FOR ITS THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#16. (3rd RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 51/2023** AN ORDINANCE ADOPTING THE 2023 ANNUAL APPROPRIATIONS FOR THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #16. Are there any remarks?
Leader.

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #16 with the amendment before every Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #16 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 UNANIMOUSLY BY VOICE VOTE

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

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

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 16 by the substitution of the attached amended exhibits for the original pending exhibits.

MINUTES OF THE MEETING MARCH 27, 2023

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#16 ADOPTED AS AMENDED AS ORDINANCE NO. 51/2023

PRESIDENT SHERER: The motion carries, and Ordinance #16, as amended, has been adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Our next meeting date will be Monday, April 3rd, and Committee starts at 6:30 P.M. Member Hall.

MEMBER HALL: Mr. President...

PRESIDENT SHERER: Member...

MEMBER HALL: Community & Economic Development will meet at 6:30 PM on April...

PRESIDENT SHERER: Third.

MEMBER HALL: Third.

PRESIDENT SHERER: (*Chuckles*) Thank you, Member Hall.

MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Finance Committee will meet at the same time and same place.

PRESIDENT SHERER: Thank you, Member Hawk.

MEMBER BABCOCK: Mr. President.

PRESIDENT SHERER: Member Babcock.

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

PRESIDENT SHERER: Thank you, Member Babcock.

MISCELLANEOUS BUSINESS

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

MEMBER SMUCKLER: Member Smith.

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MEMBER SMITH: Yes.

MEMBER SMUCKLER: Would you like to make an announcement?

MEMBER SMITH: *(Inaudible) (Laughter)*

PRESIDENT SHERER: I'm just here to help.

MEMBER SMITH: Thank you so very much. On Saturday, April the 8th, we'll be hosting the Annual Easter Egg Hunt which will be located at Crenshaw Park. It if rains, we will be on the inside. It turned out really nice last year because it rained, and... uh, if you would like to donate candy, please see me or call the Center. And I'm hoping that you will tell all the kids in the neighborhood to come out and share this Easter hunt with us. It's from twelve to two at the Southeast Community Center. Thank you.

PRESIDENT SHERER: Thank you, Member Smith. 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... or roll call 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 adjourned. *(Gavel falls)*

ADJOURNMENT TIME: 7:30 PM

ATTEST: March 28, 2023

APPROVED:

JILL M. WOOD
CLERK OF COUNCIL

WILLIAM SHERER
PRESIDENT