

**MINUTES OF THE MEETING AUGUST 7, 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, LOUIS GIAVASIS, BRENDA KIMBROUGH, JASON SCAGLIONE, CHRIS SMITH, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, PETER FERGUSON & FRANK MORRIS)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER HAWK ABSENT)

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

**EXCUSING MEMBERS**

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to excuse Member Hawk 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 Hawk is excused from this evening's meeting. Tonight's invocation will be given by Ward 5 Council Member, Robert Fisher. If you would all please stand and remain standing for the Pledge of Allegiance, please.

*The regular meeting of Canton City Council was held on August 7, 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 5 Council Member, Robert Fisher. The Pledge of Allegiance was led by President Sherer.*

PRESIDENT SHERER: Thank you, Member Fisher.

**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 21 through 25 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 25... 21 through 25 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 21 through 25 are a legal part of your agenda.

**PUBLIC HEARINGS**

PRESIDENT SHERER: We are now under Public Hearings and we have two Public Hearings for this evening. Madam Clerk, would you please read the first Public Hearing.

CLERK WOOD: AN ORDINANCE AMENDING SECTION 1188, WALL MURALS OF PART ELEVEN PLANNING AND ZONING CODE

PRESIDENT SHERER: Is there anyone in the audience wishing to speak for or against this Ordinance, please come 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... over in regards to this matter. The matter now rests in the hands of Council. The Ordinance will follow later this evening. Madam Clerk, would you please read the second Public Hearing.

CLERK WOOD: AN ORDINANCE AMENDING CHAPTER 1131, DEFINITIONS; CHAPTER 1198, CONDITIONAL USES; AND CHAPTER 1147, PERMITTED USES BUSINESS AND INDUSTRIAL ZONING DISTRICTS OF PART ELEVEN PLANNING AND ZONING CODE

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 and the Ordinance will follow later this evening.

**OLD BUSINESS**

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

**PUBLIC SPEAKS**

PRESIDENT SHERER: We are now under Public Speaks and we have four speakers for this evening. I would like to remind our speakers, out of respect for the other speakers that signed up tonight, everybody does get three minutes during Public Speaks. And our first speaker is Miss Kimberly Bell. Miss Bell, could you please state your name and residential address, please.

KIMBERLY BELL: Yes, Kimberly Bell, 1733 Morris Avenue. Um, I had told you guys maybe a month or so about my childhood. My sister came with me, the one I told you who was shot. She's still dealing with challenges. I was eight years old, she was like 19 or 20, and as you see, I gave you guys some... some papers on reparations. It was a white woman's daughter who shot my sister. Nothing came of it. She... the family didn't talk about it. All I remember is doing a lot of testing with psycholo... uh, psychiatrists and everything after. Like I said, I was the one that opened up the door and she fell through on her face, and she's still dealing with challenges. Um, with some of the pellets in her bod... back and... and everything, and I'm trying to find a way since this was 70... 1972 or '74. I'm trying to see just... Jason, is there any way she can get some victim's

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assistance? There was never anything done. The woman, I'm pretty sure when I say her name, Fredericka Stewart, my (*inaudible*) face... is a white woman. Fredericka wrote a book about it or wrote it... put it on a DVD. Nothing ever came of my sister getting justice for this. The family buried it, but I couldn't bury it. That's why I had so many problems as a child, into adulthood, but I've gotten counseling for it and I'm talking about it more and... but my... like I said, my sister, she's dealing with a lot of challenges still from this and I was wondering is there a way to get victim's assistance to retroacted or something? Or do you want me to see you, call you, Jason?

LAW DIRECTOR REESE: Yes.

KIMBERLY BELL: Okay. Thank you.

PRESIDENT SHERER: Thank you, Miss Bell. Our next speaker is Mr. Howard Bower.

KIMBERLY BELL: Her name is Patricia Bell.

PRESIDENT SHERER: Mr. Bower, could you please state your name and residential address, please.

HOWARD BOWER: I'm Howard Bower.

PRESIDENT SHERER: Can you... uh, you can lower the mic down a little bit. There you go. Thank you.

HOWARD BOWER: I'm Howard Bower, and I came talking ways to lower crime rate. What happened, my bicycle was stolen. When I went out to get my bike, it wasn't there. I thought why do people do this kind of stuff.

PRESIDENT SHERER: Mr. Bower, could you... you're gonna have to speak up a little bit so everybody can... everybody can... you could take the mic out of the holder. It'll slide right out. There you go.

HOWARD BOWER: That close enough?

PRESIDENT SHERER: Okay.

HOWARD BOWER: Well, when I went... so my bike was gone. Why do people do this? And the answer came to me. Well, all these kids that... uh, they've never been taught right and wrong. They've come from a one-parent family, and if we could just train these... rehabilitate these... uh, people. And... uh, teach them how to... uh, respect other people, care for other people, and if we put them in a program, just... uh, don't just put them in a program, tell them what to do. Let them think what to do. If they say what they want to do, they'll probably follow you more. And by living it... being in an atmosphere where there's more tenderness and love and kindness, they'll probably respond to you more. And when they do this, they need to be fined for it, and if they find out that it's gonna cost them more to... to steal, they won't do that either. And one thing they do when they steal, they're taking somebody else's... uh, freedom away from them. And that's unconstitutional, so that could be (*inaudible*) our gift to them, but what we want to do is rehabilitate these people, try to get them living another life by doing that. We... we connect with them, be kind to them and respect them and they will respect you back. Rather than tell them what to do, let them decide what to do and if it's good, then go with it and let them make some of the decisions too. So, we just got to... if we do this, let people be people instead of... uh, a criminal. They will respond a lot more. And... uh, I've got some things that we can do there. It... well, (*inaudible*) things and put them in a work program, find out what they do... like to do and put them in that

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program, and more than likely they'll follow it because that'll be what their gifts are. And if you just follow through on this... uh, if it... put them in jail, they need to see a movie on the pros and cons of stealing... cons of not stealing. If they learn these things, they might change their whole behavior, and you'll... uh, and this is what we're gonna do to get some of these (*inaudible*) off the street, not put them in jail but teach them right and wrong. And I think they'll go a lot farther than just putting them in jail.

PRESIDENT SHERER: Are you done, Mr. Bower?

HOWARD BOWER: Yep.

PRESIDENT SHERER: Okay, thank you. Thank you for coming tonight. Our next speaker is Mr. Thomas Robinson. Mr. Robinson, could you please state your name and residential address, please.

THOMAS ROBINSON: Thomas L. Robinson, 330 Brad SE, Canton, Ohio 44707.

PRESIDENT SHERER: Thank you.

THOMAS ROBINSON: And my concern, which I'm gonna address tonight, goes back when... even when Joe Biden was on the Senate Judiciary Committee, which I had an opportunity that I spoke to Joe Biden the same problems that we're having in the city, state in this country, abuse. It was very difficult getting him to the phone, and he's the same Joe Biden everybody else hear on national TV. He... he agreed, but he didn't do nothing, and now I learnt that the Safety Service Director, Andrea Perry, never misses a meeting. She's not here unless she's in disguise. Where you at?

PRESIDENT SHERER: She is... she is present tonight.

THOMAS ROBINSON: Well, okay. To Andrea Perry, I don't know you personally and you've alluded me for years.

PRESIDENT SHERER: Mis... Mr. Robinson, you have to address your comments to the Chair, please, if you would.

THOMAS ROBINSON: Yes, well...

PRESIDENT SHERER: And thank you.

THOMAS ROBINSON: An... Andrea Perry alluded in reference to Robinson versus Hartsell, a case in which I defeated an attorney on two counts. They confiscated... if you get evicted, they put your property on the streets. That's not what they did in Robinson versus Hartsell. They put my stuff in storage, what they didn't steal or damage. And Miss... to the Chair.

PRESIDENT SHERER: Yeah.

THOMAS ROBINSON: Now, I'm... the Safety Service Director had promised... we're working on a settlement. It's easy to dodge and dog somebody when you don't come to the phone. You said you're working on a settlement. Unless you're making it out of concrete, I want my two weapons that you have no right to not return. I'm not a felon, I'm not a crack head, I don't mess with drugs and speaking of drugs, but I still want my weapons back. And you say you're working on a settlement. Yeah, you can dodge me over the phone and you

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said you're working on a settlement. Where I stay, I'm surrounded my crack houses, and since the ward council in that... in my area, since she's been in office, they done sprouted up like wildflowers. I've lived near three preachers and one of them is one of the biggest drug dealers there is, and I'm tired of smelling that. I'm tired of the vandalism. The... seems like she's got the police in her back pocket. They don't want to touch Donna Wilson Mabry. They don't want to touch her, and I'm tired of the vandalism. And my rights is just as good as anybody in this room. Is that my time?

PRESIDENT SHERER: Yeah.

THOMAS ROBINSON: It's not on the board.

PRESIDENT SHERER: Um, it just expired. Thank you, Mr. Robinson for coming tonight. And our la... last speaker is Tra Sean Foster? Hopefully I got that right. Hopefully, I did. Mr. Foster, could you please state your name and residential address, please.

TRA SEAN FOSTER: My name is Tra Sean Foster. I stay at 1100 Charles Ede Blvd SE. Um, I come here to speak to all of you all today about what happened to me on July 28<sup>th</sup> with the police. Um, I was driving home from getting food, and I was coming up to a traffic... a stop sign actually, and I turned my turn signal on to go to... away, and the cops was following me, and I'm driving downtown going the speed limit, all of that. Uh, I get by the Double Tree Hotel, that's like... across like over there. Um, they pull me over, and when they pull me over, there were two cops approaching the right side of the vehicle and then it was a copy approaching the left side and when he pulled me over, he asked if I had any weapons or drugs on me and I told him I do not. Like I leave for college tomorrow, I don't do... I don't do drugs, I don't own none of that. Um, he told me to give me my license. I gave him my license, and he kept asking me, have you been smoking? I told him no and he said if you've been smoking, just be honest with me. All we're gonna do is just take it and then you can be on your way. And I told him for like the third time I was not smoking or I wasn't doing none of that. So he told me there was a new protocol where they had to search me and search my vehicle, so I was scared but I still proceeded with caution. Um, they took me to the back of the cop car. Um, they patted me down. Um, I felt like I was violated because he touched my groin area and I felt very uncomfortable, and he put me in... inside the back of a cop car and they're asking like for my social and all that and looking at my records, and they're searching my vehicle and the vehicle wasn't even mine, it was my grandpa's. And I had food and I had a present for my grandma there that they looked through and they unraveled all my stuff, looked in my drink, all of that just to find nothing. And when I got out the cop car, they told me the reason why they pulled me over is because I turned my turn signal on too early, so I just want to know, like I never knew that was a new law or whatever. Um, I feel like I don't deserve that an neither should other people in the world to... because that's wrong to me, and for me to be this young, I'm only 18 years old, I... that messed me up mentally and physically. I couldn't sleep for about three days after that. And the only thing I just want to say is I hope there can be some changes because I don't want to see no kids or adults go through the same situation I went through. Ah, thank you. I thank you all for my time.

PRESIDENT SHERER: Mr. Foster, thank you for coming tonight.

**INFORMAL RESOLUTIONS**

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

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## 1. COUNCIL-AS-A-WHOLE: OPPOSING OHIO LEGISLATURE'S CREATION OF AN ILLEGAL AUGUST SPECIAL ELECTION. – ADOPTED

CLERK WOOD: An Informal Resolution respectfully submitted by Council-as-a-Whole on the 7<sup>th</sup> day of August, 2023. **Whereas**, Ohioans have had the right to amend their Ohio Constitution through a simple majority for over 110 years and voted to grant themselves, with a simple majority, the freedom to place Constitutional Amendments directly on the ballot in response to a legislature that had become one of the most corrupt in the country and refused to heed the will of the people; **Whereas**, Issue 1 would end majority rule in Ohio by raising the threshold for passage of a constitutional amendment to 60 percent, thus giving 40 percent of the voters the ability to block the will of the majority, undermining the sacred principle of one person one vote; **Whereas**, Ohioans have not abused the right to place constitutional amendments on the ballot, with just 71 citizen-initiated amendments on the ballot since 1913; **Whereas**, The Ohio General Assembly all but outlawed August Special Elections during Lamé Duck session in December 2022 with the passage of HB 458; **Whereas**, The legislature has called for a low-turnout Special Election for Issue 1 on August 8, at the behest of special interests and out-of-state donors that will waste millions of precious Ohio tax dollars. The process to place a constitutional amendment on the ballot is already an onerous task, requiring the collection of hundreds of thousands of valid signatures from 44 of Ohio's 88 counties, which almost guarantees that only extremely wealthy out of state interests will be able to afford to try to amend our Ohio constitution; **Now, therefore be it resolved:** That we, the Members of Canton City Council, go on record opposing the Ohio legislature's creation of an illegal August Special Election. **Be it further resolved** That we, the Members of Canton City Council, will do everything in our power to make our citizens aware of the August 8th Special Election. We believe that citizens should vote NO on Issue 1 to maintain Ohioans' freedom to place constitutional amendments on the ballot, uphold the sacred principle of "one person, one vote", and curtail this blatant power grab by corrupt politicians.

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?

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: We have just about 24 hours before the polls close tomorrow, and I think it's in everybody's best interest to reach out to your constituents, whether it be phone, via social media, whatever it takes. There is a lot of confusion about this Issue 1 and it is pretty simple. Our Clerk did an outstanding job of outlining it, but this could be catastrophic if it takes a turn and this does pass. So, I appreciate everybody supporting it and apprec... appreciate everybody putting this on the agenda. So, thank you.

PRESIDENT SHERER: Thank you, Member Morris. And I agree one hundred percent. Are there any additional remarks. ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

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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: CONFIRMING REAPPOINTMENT OF MS. MYRA WATKINS TO STARK AREA REGIONAL TRANSIT AUTHORITY (SARTA) BOARD COMMENCING RETROACTIVE TO 7/24/23 – 8/31/28. – ADOPTED

CLERK WOOD: Is that right? Twenty-four... that doesn't sound right.

PRESIDENT SHERER: Is it 24?

CLERK WOOD: Let's go with 24.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Point of information. Is this 2024 or 2023, and do we need an amendment?

*(Inaudible discussion between Clerk and Admin Asst.)*

PRESIDENT SHERER: One second, Majority Leader.

MEMBER SMUCKLER: Thank you.

CLERK WOOD: That... I'm sorry, that should be 2028. It was a typo. 2028.

MEMBER SMUCKLER: Mis... uh, Mr. President, I move that we amend Resolution #2 to read 8/31/2028.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Informal Resolution #2. And I want to make sure I get the day right, with 8/31/2028.

CLERK WOOD: Correct.

MAYOR BERNABEI: Excuse me. Excuse me... uh, Mr. President.

PRESIDENT SHERER: Mayor.

MAYOR BERNABEI: If I may clarify again, the request in this particular case was for Myra Watkins to be appointed and that her term would expire, although it's an odd date, August 31, 2020 date... 2028. Although that does sound like an unusual date.

CLERK WOOD: It's okay. That one's okay.

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PRESIDENT SHERER: Are there... Are there any remarks regarding res... amended Resolution... Resolution #2?

MEMBER SMUCKLER: This will be just for the amendment?

PRESIDENT SHERER: Yeah. All those in favor, signify by saying aye. Those opposed no.

NO REMARKS AMENDMENT TO RESOLUTION #2 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: I move we adopt Resolution #2 as amended.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Res... Resolution #2 as amended. Are there any remarks for this Resolution as amended? ...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 and the motion carries, and Informal Resolution #2, as amended, has been adopted. Informal Resolution #3.

3. PERSONNEL COMMITTEE: CONFIRMING APPOINTMENT OF MS. REBECCA EAGLE-MALONE TO CANTON TREE COMMISSION COMMENCING RETROACTIVE TO 7/24/23 – 12/31/23. - ADOPTED

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.

**COMMUNICATIONS**

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



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***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 AUGUST 7, 2023.***

4. REQ FOR ADDT'L AMENDED CERT DATED 7/31/23. – AUDITOR MALLONN
5. STATEMENT OF CASH POSITION DATED 7/31/23. – AUDITOR MALLONN
6. RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR JUNE, 2023. – CHIEF BENNETT
7. REQ AUTH FOR VACATION OF PORTION OF MINERVA CT NW (SOUTH RIGHT-OF-WAY OF 15<sup>TH</sup> ST NW TO THE NORTHWESTERLY LINE OF MASON PL NW; LOTS 4308-4313, WARD 2). – E. KEMPTHORN FOR KEMPTHORN MOTORS **PUBLIC HEARING WAIVED**
8. AMEND APPROP ORDINANCE #51/2023; EMERGENCY (SUPP APPROP TO 6017 201001 SERVICE DIRECTOR ADMIN – OTHER). – FINANCE DIRECTOR CROUSE
9. REQ NEW C1 LIQUOR PERMIT FOR FAMILY DOLLAR STORES OF OHIO LLC. DBA FAMILY DOLLAR #32246 @ 1272 HARRISON AVE SW, WARD 5. – LIQUOR CONTROL DIV
10. RECOMMENDS APPROVAL OF PROPOSED MINERVA CT NW VACATION (SOUTH RIGHT-OF-WAY OF 15<sup>TH</sup> ST NW TO THE NORTHWESTERLY LINE OF MASON PL NW; LOTS 4308-4313, WARD 2). – PLANNING COMMISSION
11. REQ LEG FOR WEST PARK BIKE PARK. – PARKS AND RECREATION DIR FOLTZ AND SERVICE DIRECTOR HIGHMAN
12. REQ LEG FOR PIKE TOWNSHIP PROPERTY JOINT FACILITY DEVELOPMENT AND USE AGREEMENT WITH STARK COUNTY PARKS DISTRICT; EMERGENCY. – SERVICE DIRECTOR HIGHMAN
13. REQ LEG FOR WATER MAIN EXTENSION TO SPARWOOD FARMS DEVELOPMENT IN PLAIN TOWNSHIP. – SERVICE DIRECTOR HIGHMAN

**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 #14.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #14 THROUGH #20 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- O#14. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PARKS AND RECREATION IN CONJUNCTION WITH THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE SCHREIBER PARK PICKLEBALL COURT PROJECT OR TO ALTERNATIVELY ENTER INTO ANY CONTRACTS NECESSARY FOR THE PROJECT; AUTHORIZES THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO

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CANTON CODIFIED ORDINANCE 105.14 WITHIN THE ESTABLISHED DOLLAR AMOUNT THRESHOLDS; 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 SERVICE TO ENTER INTO A SUPPLY CONTRACT WITH ACLARA TECHNOLOGIES AS A SOLE SOURCE PROVIDER FOR THE PURCHASE OF 2,016 METER TRANSMITTING UNITS AT A COST NOT TO EXCEED \$262,080.00; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$157,248.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207003 BILLING AND RECORDS – OTHER; \$104,832.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 207003 BILLING AND RECORDS – OTHER)  
Referred to Finance Committee
- O#16. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS NECESSARY TO PURCHASE STARK COUNTY AUDITOR PARCEL NUMBER 285462; DEDICATING SAID PARCEL AS A PORTION OF CORNELIA PARK; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee
- O#17. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER #2 WITH WENGER EXCAVATING, INC. IN AN AMOUNT NOT TO EXCEED \$223,164.28 FOR THE COLONIAL BLVD RECONSTRUCTION PROJECT, PHASE 1, GP 1206; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THIS CHANGE ORDER THAT TAKE PLACE PRIOR TO THE FINALIZATION OF SAID CHANGE ORDER; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$223,164.28 APPROP TRF FR 4501 202001 ENGINEERING – ADMINISTRATION – OTHER TO 4501 202062 COLONIAL BLVD PHASE 1 – OTHER)  
Referred to Public Property Capital Improvement Committee
- O#18. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 99/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$10,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 753001 LAW ADMIN – OTHER)  
Referred to Finance Committee
- O#19. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 100/2023** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY MONTROSE FORD A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$46,188.00; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

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O#20. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 101/2023** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS TO SIMPLY YOUTH FOR THE CAMP CHAMP PROGRAM IN AN AMOUNT NOT TO EXCEED \$70,000.00 AND ALL MORAL OBLIGATIONS TO SIMPLY YOUTH FOR THE MIDDLE SCHOOL ENRICHMENT PROGRAM IN AN AMOUNT NOT TO EXCEED \$103,000.00; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$173,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND – OTHER TO 1001 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER)  
Referred to Community & Economic Development Committee

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the Finance and Community & Economic Development Committees to meet in regards to Ordinances 18 through 20 on your agenda this evening. You are now in recess.

***(COUNCIL RECESSED AT 7:31 PM FOR THE FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES TO MEET IN REGARDS TO O#18 THROUGH O#20; RECONVENED AT 7:37 PM)***

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A and add Ordinances 18 through 20 back to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 18 through 20 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 18 through 20 are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President I move we suspend Statutory Rules of Ordinances 18 and 20.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 18 through 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.

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

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MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #18.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #18. 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.

**#18 ADOPTED AS ORDINANCE NO. 99/2023**

PRESIDENT SHERER: The motion carries and Ordinance #18 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #19. 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.

**#19 ADOPTED AS ORDINANCE NO. 100/2023**

PRESIDENT SHERER: The motion carries and Ordinance #19 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you 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. 101/2023**

PRESIDENT SHERER: The motion carries and Ordinance #20 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 #21.

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***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #21 THROUGH #25 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- O#21. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 102/2023** AN ORDINANCE AMENDING CHAPTER 503, JUVENILE OFFENSES; PARENTAL RESPONSIBILITY OF THE GENERAL OFFENSES CODE; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#22. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023 AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,088.11 SUPP APPROP FR UNAPPROP BAL OF 2776 POLICE DONATION FUND TO 2776 102005 K-9 UNIT – OTHER; \$7,532.36 APPROP TRF FR 2776 102001 POLICE – ADMIN – OTHER TO 2776 102005 K-9 UNIT – OTHER)
- O#23. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 103/2023** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY SMITHS DETECTION A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$11,149.02; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#24. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 104/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$39,000.00 SUPP APPROP FR UNAPPROP BAL OF 2312 STD CONTROL FUND TO 2312 303001 STD CONTROL PROGRAM – 600 SALARY AND WAGES \$13,000.00, – 700 OTHER DIRECT COST \$26,000.00)
- O#25. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 105/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 5413 SEWER REPLACEMENT FUND TO 5413 202074 15<sup>TH</sup> ST. BRIDGE REPL PROJ GP 1299 – OTHER; \$32,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS FUND TO 5201 202074 15<sup>TH</sup> ST BRIDGE REPL PROJ GP 1299 – OTHER; \$550,757.00 APPROP TRF FR 4501 202001 ENGINEERING – ADMINISTRATION – OTHER TO 4501 202074 15<sup>TH</sup> ST. BRIDGE REPL PROJ GP 1299 – OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend the Statutory Rules of Ordinance 21, 23 and 25.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been...

CLERK WOOD: Through 25.

PRESIDENT SHERER: What's that?

CLERK WOOD: Through 25... 21 through 25.

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PRESIDENT SHERER: Okay. One correction, Leader. It's gonna be Ordinance...

MEMBER SMUCKLER: I'm sorry, I just saw it.

PRESIDENT SHERER: Okay.

MEMBER SMUCKLER: Ordinances 21 through Ordinances 25, I so move.

PRESIDENT SHERER: Okay.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Okay. Just for a point of clarification, it's been moved and seconded to suspend the Statutory Rules on Ordinance #21, Ordinance 23 through 25. 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 #21.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #21. Are there any remarks?

MEMBER SMITH: Mr. Pres... Mr. President.

PRESIDENT SHERER: Member Smith.

MEMBER SMITH: Um, just for clarity one more time. Uh, Law Director, cause you know I'm still not... um, up with what we planning on doing with this ordinance. I'm still not clear on it. I... I know that I probably won't support it because I still feel that parents, grandparents, great grandparents are even raising these children nowadays, and I would hate to see one of them have anything tied to their record whereas the juvenile that's in their possession and they have to take fault for it. So if you could just explain that a little more for my clarity. Thank you.

LAW DIRECTOR REESE: Sure. It's a way of... uh, Mr. President, Members of Council. Sure, it's a way of clarification so you understand. Under Ohio Law, an adult guardian or parent is responsible for their children. The purpose of this ordinance would be to hold parents responsible or a guardian responsible in a situation where we've had a repetitive individual who's violated this ordinance. So, to put that in easy person's speak, if we have a situation where we have a juvenile continually violating this section, we would have the option to charge the parent. It does not mean we have to. So this would be community policing at its best. It gives us an opportunity to meet with the parent, to talk with the parent, to determine what's going on. As we all know, we were all children once and we all know that sometimes we weren't very truthful to our parents. So the purpose of this would be to meet with the parent, find out what's going on and only charge individuals who where...

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where that we've met with, that we've talked with, that we've tried to give an opportunity not to have this happen, and if it's a situation where we have a parent who's like look, I tell my kid what to do, but my kid still chooses not to follow my orders, then we have the Juvenile Court available to us to allow us to get that child through the Juvenile Court to... to put Wraparound Services, to meet with, whether it's a probation officer or to be in front of the court. As long as the parent is cooperating and working with us and telling us we're doing the best we can, but little Johnnie is just not listening to us, we would not charge that parent. This is for the parent who we met with, who we've talked with, who continually chooses not to help us help their child. That would be the purpose of this. I hope that explains it, Councilman Smith.

MEMBER SMITH: It explains it, so why would we have to go that deep to charge the parent? If you done talked to me and you talked to little Johnnie, and little Johnnie is still doing what little Johnnie wants to do, then why should the parent be responsible? I mean, why would you give them a record because of what little Johnnie is doing?

LAW DIRECTOR REESE: Mr. President, Members of Council, because some parents are not a good parent like you are and won't cooperate uh... with us and won't work with us and won't do what they need to be responsible for their child and make sure that their child is making good life choices.

MEMBER SMITH: Okay, so all those...

LAW DIRECTOR REESE: So those parents, we're going to have to hold their feet to the fire, as well as charge little Johnnie, for lack of a better term.

MEMBER SMITH: Okay. So just what you just said, they are not a good parent, right? So they already are not a good parent in your eye, so you gonna make their life even worse cause now you gonna charge them?

LAW DIRECTOR REESE: Again, I would simply remind you that under Ohio Law, you are responsible for your children.

MEMBER SMITH: Okay, I know about that law, but we gonna put another law on top of that one.

LAW DIRECTOR REESE: Correct.

MEMBER SMITH: Okay. No, I can't go for that. I will not be supporting that.

MEMBER GIAVASIS: Mr. President.

PRESIDENT SHERER: Member Giavasis.

MEMBER GIAVASIS: Um, I have a questions for Law Director Reese. To date, has there been any juveniles cited?

LAW DIRECTOR REESE: Uh, I can use statistics from last First Friday.

MEMBER SMITH: Please.

LAW DIRECTOR REESE: Um, for example, there were eleven arrests on last First Friday, four of them were juveniles, one was given a blue ticket, which means it was a minor misdemeanor, the rest were charged with

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things like disorderly conduct, obstruction of official business, another kind of obstruction of official business on another individual and another kind of disorderly conduct. These mostly came from fights that took place downtown between the timeframe of... um, let me look here... uh, 1915 hundred hours and 2132 hundred hours.

MEMBER GIAVASIS: So they're out past the curfew.

UNIDENTIFIED VOICE: 7:00 PM.

LAW DIRECTOR REESE: That is correct.

MEMBER MORRIS: Point of clarification for us that weren't in the military, can we actually have... uh, the real time because I'm thinking that's between 7:30 at night and 9:30.

UNIDENTIFIED VOICE: It's 5:00 PM.

UNIDENTIFIED VOICE: Seventeen hundred.

LAW DIRECTOR REESE: You... I said... I'm sorry, I said 1900 hours. That individual wa... these people were not charged with violation of the curfew. They were charged with what I stated... um, disorderly conduct, obstruction of official business and... um, another disorderly conduct. It does look like one was charged with a violation. It... it just says blue ticket on my sheet from the police department, which means it was a minor misdemeanor which I would assume... um, is the violation of the court order. And again, these all involved fights.

MEMBER SMITH: Can I... I have another question. These juveniles that was arrested over the past weekend, were they residents of Canton?

LAW DIRECTOR REESE: Say that last part, I'm sorry.

MEMBER SMITH: Were they residents of Canton?

SAFETY DIRECTOR PERRY: Mr. Pres... Mr. President.

PRESIDENT SHERER: Safety Director.

SAFETY DIRECTOR PERRY: For the Law Director, yes, they were residents of the city of Canton.

MEMBER SMITH: And you said that was a brawl that broke out? And they were beyond their curfew?

LAW DIRECTOR REESE: Those folks were not charged with violating the curfew. I believe only one was.

SAFETY DIRECTOR PERRY: Right.

LAW DIRECTOR REESE: That was the individual who was charged at 1915 hundred hours.

MEMBER SMITH: Is that... is that right...(inaudible).



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LAW DIRECTOR REESE: Which is seven o'clock, 7:15 PM.

SAFETY DIRECTOR PERRY: Correct.

LAW DIRECTOR REESE: I'm sorry, I'm looking at the police report, that's how they have their time.

MEMBER SMITH: Okay, so... so the curfew hadn't even took place yet, right? That's what you're saying?

LAW DIRECTOR REESE: Not at that time that one specific individual was arrested. No, it had not.

MEMBER SMITH: Okay.

PRESIDENT SHERER: Are there any additional remarks? ...Hearing none...

MEMBER KIMBROUGH: Mr. President. So...

PRESIDENT SHERER: Mem... Member Kimbrough.

MEMBER KIMBROUGH: I... I just was gonna say then... um, when a fight breaks out among the young people at that time, what is the protocol?

LAW DIRECTOR REESE: Well, they... potentially they would be arrested and charged with things like disorderly conduct, obstruct... obstruction of official business... um, that's what they would be charged with. Assault, if we can show that an individual was injured. Depending on how bad the assault was, you could be charged with felonious assault. So there is a slew of things an individual could be charged with.

MEMBER KIMBROUGH: So if they weren't there at that time, they wouldn't get into trouble? Just a thought.

LAW DIRECTOR REESE: Well, if... if they weren't there, they wouldn't be charged with what they did at that place I suppose. So to answer your question, yes.

MEMBER GIAVASIS: One more question, Mr. President.

PRESIDENT SHERER: Member Giavasis.

MEMBER GIAVASIS: This nine o'clock curfew only applies to the DORA districts and that's the one around the Hall of Fame and the one in an identified area of downtown Canton, right? Correct?

SAFETY DIRECTOR PERRY: Downtown. Right.

LAW DIRECTOR REESE: Mr. President, Members of Council, yes sir.

MEMBER GIAVASIS: So that doesn't preclude youths under the age of 18 from being able to congregate, go anywhere else they want in the city of Canton except for those identified here as (*inaudible*).

SAFETY DIRECTOR PERRY: Correct.

LAW DIRECTOR REESE: Yes, sir.

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MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Just a point of clarification, juveniles under the age of 18 may enter the DORA after 9:00 PM with parental consent.

SAFETY DIRECTOR PERRY: No, with parental... (*inaudible*).

MEMBER MORRIS: So, if Mom and Dad give their children consent under the age of 18 to be in the DORA after 9:00 PM, they legally can be because the ordinance clearly states, "with parental consent." But I have a question for the Law Director. If we have a group of youth walking through the DORA or down a city street past curfew, does our Canton Police Department have the right to stop them, search them?

LAW DIRECTOR REESE: It would depend on the sit... it would depend on the facts, Mr. Morris.

MEMBER MORRIS: Well, the fact would be they're out past curfew, correct?

LAW DIRECTOR REESE: So, if ... if your fact pattern is they're out past curfew, which specific curfew are you discussing, the one in the DORA or are you discussing the general one in the city?

MEMBER MORRIS: General one in the city.

LAW DIRECTOR REESE: So I have a child in your analogy, let's say out at 1:00 AM. They would have the right to stop him or her.

MEMBER MORRIS: Do they have the right to search them?

LAW DIRECTOR REESE: It depends. If their situation is they were gonna take the child home, for officer safety, they would have the right to search them. If they had reas... reasonable suspicion to believe that a crime had occurred or that there was a weapon or something along those lines, they would have the right to search him or her.

MEMBER MORRIS: Would it be safe for me to assume absolutely they have the right to search them?

LAW DIRECTOR REESE: Depending on the circumstances, they would have the right to search them.

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: I promised not to say anything because I was down there Friday night at ten o'clock, and the right side of Jerzee, which is 4<sup>th</sup> Street, I would bet there was at least 30 percent of the crowd was juveniles. And from what I understand when I left the area, a fight had started. This goes back to what Member Morris said, why can't you arrest them? Or escort them out. I didn't see not one juvenile get escorted out of there in between 9:30 to 10:30 when I was down there. So when this fight broke out, maybe it could have been prevented.

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LAW DIRECTOR REESE: I will tell... oh, Mr. President, Members of Co... Council. There were multiple fights. There was one at 1915 hundred hours. There was one at 2132 hundred hours. There was one at 2231 hundred hours. There was one at 2312 hundred hours. So there were multiple fights that day, so I don't know which ones you saw or didn't see or where you were, but according to this report from the Canton Police Department, there were multiple fights downtown.

MEMBER HALL: My concern again, we did this nine o'clock curfew. Even if... from what I seen, there was congregation of multiple groups, and again, we didn't take preventative measures. That's my concern with... we... we're classifying these things that... I don't care if it was seven o'clock, in my opinion cause I sat there and watched it... I sat and watched kids getting riled up and nothing was being done. And here again, to me, this could be prevented and I'm just gonna leave it...

SAFETY DIRECTOR PERRY: Mr. President.

PRESIDENT SHERER: Safety Director.

SAFETY DIRECTOR PERRY: The Canton Police Dep... we... we... I think my microphone's not working, but we take all matters of public safety seriously. This is another tool in the fact that it gives the ability for the... as the Law Director indicated, individuals who have been spoken to repeatedly. I was downtown as well. There were officers out, and there were... for you to say that there wa... could have been prevented earlier, there were fights everywhere. There were fights down at the McDonald's down the street, there was someone that sprayed pepper spray into a crowd, there was... there were things happening everywhere. And so to say that there could have been a preventive manner... measure in place, I think is not fair in that you had people all over the place and you did have officers out there doing what they could do to address all the issues that were taking place.

MEMBER HALL: So my concern is not attacking the police. My concern is where... we're here trying to enforce something that in my opinion is... should already be enforced. I'm not attacking the police cause I'm not saying what they can and can't do and their right way to do it. But we're... to me, I... I just don't see and then we go into arresting the parents. This... this lies on the kid. Yeah, you might have some parents, but...

LAW DIRECTOR REESE: Mr. President, Members of Council.

PRESIDENT SHERER: Law Director.

LAW DIRECTOR REESE: Councilman Hall, you said that it could be preventative or it could be pre... prevented. Could you explain to me how we would do that, cause I... I would like to know that.

MEMBER HALL: I'm saying you don't need a nine o'clock curfew to... to interact and calm a situation.

SAFETY DIRECTOR PERRY: Mr. President.

PRESIDENT SHERER: Safety Director.

SAFETY DIRECTOR PERRY: Um, and you had an incident where you said, Law Director, it was at 7:30? So it wasn't 9:00, but they interacted to prevent an issue, correct?

LAW DIRECTOR REESE: Correct, ma'am.

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MEMBER HALL: Prime example. I agree.

PRESIDENT SHERER: Are there any additional remarks?

MEMBER SMITH: I do have another remark, but I do want to... um, do it personally with the Law Director.

LAW DIRECTOR REESE: As I always tell you, anytime you would like to discuss anything with me, Councilman Smith, my door is always open.

MEMBER SMITH: Okay. Thank you.

PRESIDENT SHERER: Thank you, Mem... thank you, Member Smith. Hearing no additional remarks, roll call vote, please.

NO REMARKS

ROLL CALL 7 YEAS, 4 NAYS  
(MEMBERS SMITH, FISHER, HALL AND MORRIS VOTED NAY)

CLERK WOOD: Seven yeas, four nays, Mr. President.

**#21 ADOPTED AS ORDINANCE NO. 102/2023**

PRESIDENT SHERER: The motion carries and Ordinance #21 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #23. Are there any remarks? (*Brief pause, inaudible discussion between President Sherer and Clerk Wood*) Majority Leader, we're just gonna need a couple minutes while...

MEMBER SMUCKLER: (*Inaudible*)

PRESIDENT SHERER: We're waiting on Member Morris, so... He... he couldn't hold it anymore. Let's kinda leave that at that, so... (*brief pause*) (*inaudible voice*) I... I'm not even gonna respond to that. Here you go. Yeah, you're welcome. Yeah, thank you. Yep. (*Brief pause*) So, we are calling for a roll call vote on Ordinance #23. Roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

**#23 ADOPTED AS ORDINANCE NO. 103/2023**

PRESIDENT SHERER: The motion carries and Ordinance #23 has been adopted. 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 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

**#24 ADOPTED AS ORDINANCE NO. 104/2023**

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

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #25. 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.

**#25 ADOPTED AS ORDINANCE NO. 105/2023**

PRESIDENT SHERER: The motion carries and Ordinance #25 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. Leader.

O#26. (3<sup>RD</sup> RDG) **RECONSIDERED AND AMENDED AS ORDINANCE NO. 97/2023** AN ORDINANCE AMENDING ORDINANCE NO. 40/2000, AS AMENDED THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND AMENDING ORDINANCE NO. 100/2011, AS AMENDED THE CLASSIFICATION PLAN FOR MANAGEMENT & NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER SMUCKLER: Mr. President, I move we recons... reconsider Ordinance #97/2023 we adopted on July 24, 2023.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to reconsider Ordinance 97/2023, adopted on July 24, 2023. Are there any remarks?

SERVICE DIRECTOR HIGHMAN: Mr. President.

PRESIDENT SHERER: Service Director.

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SERVICE DIRECTOR HIGHMAN: Just for the record so everybody knows, the reason this is being reconsidered... uh, there was a typo on the CSD Classification Plan, made it confusing whether or not we had one or two store keepers in the Collection Systems. There is one. Uh, that typo was my fault. So my bad on that one. Uh, the other thing, there were a couple of small de minimis things that we were going to correct with the Clerk, essentially where Excel messed with the department number. So we corrected all of that, submitted it as a clean ordinance. There's no substantive change or anything like that. Um... and thanks to Civil Service too for taking a look at this, and we're actually gonna go through all of our... um, you know, plans, but that's what's going on here, no substantive change.

PRESIDENT SHERER: Thank you, Service Director. Are there any additional remarks? Mr. Giavasis.

MEMBER GIAVASIS: Amending this doesn't open up any part (*inaudible*)... contract, is it?

SERVICE DIRECTOR HIGHMAN: Mr. President.

PRESIDENT SHERER: Service Director.

SERVICE DIRECTOR HIGHMAN: Um, as... as this was passed last week... um, the collective bargaining issues that were presented by the... the ordinance passed last week were already remedied and dealt with through a MOU with AFSCME 3449, so that was already done in advance of this as was the Civil Service process.

PRESIDENT SHERER: Are there any additional 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. Leader.

MEMBER SMUCKLER: I know, I'm just ascertaining something right now. Is the ordinance correct the way it is on the agenda then? Or do we need a motion for an amendment?

CLERK WOOD: You're gonna do the amendment now.

PRESIDENT SHERER: You're gonna do the amendment right now.

MEMBER SMUCKLER: Okay. Mr. President, I move that we amend Ord... uh, Ordinance #26 by the amendment before every Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved & seconded to amend 97/2023 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. Leader.

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MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #97/2023, as amended.

MEMBER BABCOCK: Second.

**AMENDMENT**

*Pursuant to Rules 41 and 36 respectively, I move to reconsider and amend Ordinance No. 97/2023 by amending Exhibits A-E with the attached Exhibits A-E."*

PRESIDENT SHERER: It's been moved & seconded to adopt Ordinance 97/2023, as amended. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

**ORDINANCE #26 RECONSIDERED AND AMENDED AS ORDINANCE NO. 97/2023**

PRESIDENT SHERER: The motion carries, and Ordinance 97/2023, as reconsidered, is amended and adopted. Madam Clerk, would you please read Ordinance #27, please.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #27 THROUGH #34 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

O#27. (3<sup>rd</sup> RDG) **ADOPTED AS ORDINANCE NO. 106/2023** AN ORDINANCE ADOPTING THE CITY OF CANTON'S ALTERNATIVE TAX BUDGET FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #27.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #27. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

**#27 ADOPTED AS ORDINANCE NO. 106/2023**

PRESIDENT SHERER: The motion carries and Ordinance #27 is adopted. Ordinance #28, please.

O#28. (3<sup>rd</sup> RDG) **ADOPTED AS ORDINANCE NO. 107/2023** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF OUT LOTS 669, 670 AND 671; AND DECLARING THE SAME TO BE AN EMERGENCY (LOCAL 94, 3825 13<sup>TH</sup> ST SW)

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PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #28.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #28. Are there any remarks?  
...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

**#28 ADOPTED AS ORDINANCE NO. 107/2023**

PRESIDENT SHERER: The motion carries and Ordinance #28 is adopted. Ordinance #29.

O#29. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 108/2023** AN ORDINANCE AMENDING  
CHAPTER 1188, WALL MURALS OF PART ELEVEN PLANNING AND ZONING  
CODE

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #29.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #29. Are there any remarks?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: I don't care who answers this, but... I've already got the answer, but I want it on record. There seemed to be some controversy over wall murals in the downtown area over the last few weeks. For the record, anybody buys a building down here, there not subject, Mr. Mayor, to what's on the building, they can change what's on the building, correct?

MAYOR BERNABEI: Mr. President...

PRESIDENT SHERER: Mayor.

MAYOR BERNABEI: And... uh, and Members of Council and Member Smuckler... um, that is correct. I think that specific reference is being made to the painting-over of the Canton sign on the building owned approximately 3<sup>rd</sup> to 4<sup>th</sup> Street on Cleveland Avenue. Uh, that building was purchased with the sign. It is the owner's prerogative as the owner of that building to erase that sign. Other than probably under the circumstance... and I would ask the Law Director, if it has been designated a historical sign in some fashion or another probably by a state agency that has that authority. In that case, it would have certain protections as to historical buildings. But other than that circumstance, I think that any owner of a building is entitled to do, you



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know, subject to any and all public safety issues, what they choose to do with that building to include in that particular case, to paint over the sign. We would indicate that from my information... um, that owner of that building does desire in some way, shape or form... I do not think he has approached the City yet, to put another mural of some sort on it. There are some beginnings of chalk drawings on it from an artist. That process though will have to go before the... uh, downtown commission that reviews such things, and that mural then, because it is a new mural, will be subject to the restrictions with regard to that, which I believe would be very, very limited and certainly not in any way, shape or form limited as to content. We do not regulate our content speech. Or I'm sorry, or regulate... we do not regulate speech, which may be contained in a mural.

MEMBER SMUCKLER: Thank you.

PRESIDENT SHERER: Are there any additional remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

**#29 ADOPTED AS ORDINANCE NO. 108/2023**

PRESIDENT SHERER: The motion carries and Ordinance #29 is adopted. Ordinance #30, please.

O#30. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 109/2023** AN ORDINANCE AMENDING CHAPTER 1131, DEFINITIONS; CHAPTER 1198, CONDITIONAL USES; AND CHAPTER 1147, PERMITTED USES BUSINESS AND INDUSTRIAL ZONING DISTRICTS OF PART ELEVEN PLANNING AND ZONING CODE

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #30.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #30. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

**#30 ADOPTED AS ORDINANCE NO. 109/2023**

PRESIDENT SHERER: The motion carries and Ordinance #30 is adopted. Ordinance #31, please.

O#31. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 110/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AN ACCEPT \$20,000.00 IN GRANT FUNDS FROM THE OFFICE OF CRIMINAL JUSTICE SERVICES, OFFICE OF LAW ENFORCEMENT RECRUITMENT FUND GRANT; AUTHORIZING THE MAYOR OF DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE PRODUCTION OF PROFESSIONAL-QUALITY MARKETING AND RECRUITMENT MATERIALS IN

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ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$20,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN – OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: One.

MEMBER SMUCKLER: I’m sorry, Ordinance #31.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to adopt Ordinance #31. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

**#31 ADOPTED AS ORDINANCE NO. 110/2023**

PRESIDENT SHERER: The motion carries and Ordinance #31 is adopted. Ordinance #32, please.

O#32. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 111/2023** AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE DEPARTMENT OF HUMAN RESOURCES 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 #32.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to adopt Ordinance #32. Are there any remarks under this ordinance? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

**#32 ADOPTED AS ORDINANCE NO. 111/2023**

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

O#33. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 112/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) TRACK MOUNTED EXCAVATOR AND ONE (1) TRAILER-MOUNTED ASPHALT TRAILER; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #33. Are there any remarks?  
...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

**#33 ADOPTED AS ORDINANCE NO. 112/2023**

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

CLERK WOOD: Phew, okay.

PRESIDENT SHERER: Take a break.

O#34. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 113/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT; EXECUTE ONE OR MORE PROFESSIONAL SERVICES CONTRACTS FOR DESIGN AND CONSTRUCTION OVERSIGHT SERVICES; AND ENTER INTO ALL COOPERATIVE AGREEMENTS NECESSARY FOR THE 15<sup>TH</sup> ST SE AND ALLEN AVE SE RAILROAD CROSSING PROJECT, GP 1390; AUTHORIZES THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED PURSUANT TO CANTON CODIFIED ORDINANCE 105.14; AUTHORIZES THE RECEIPT OF ALL REIMBURSEMENT FUNDS FOR SAID PROJECT; AUTHORIZES THE MAYOR, DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEE TO ESTABLISH THE FAIR MARKET VALUE (FMV) OF ALL PARCELS, FOR FEE SIMPLE TAKES AND EASEMENTS NECESSARY FOR THE CONSTRUCTION OF SAID PROJECT AND TO NEGOTIATE WITH PROPERTY OWNERS FOR THE PURCHASE/ACQUISITION OF THEIR PARCELS UTILIZING FMV AS THE BASIS FOR SAID NEGOTIATIONS, AND FOR THE CITY TO ACCEPT EASEMENTS AND TITLE TO FEE SIMPLE TAKE PARCELS; AUTHORIZES THE MAYOR OR

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DIRECTOR OF PUBLIC SERVICE TO NEGOTIATE OR DONATE CITY-OWNED PROPERTY FOR PERMANENT ROAD RIGHT-OF-WAY, UTILITY EASEMENTS AND/OR TEMPORARY CONSTRUCTION EASEMENTS NECESSARY FOR THE CONSTRUCTION; AUTHORIZES THE MAYOR, DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEE TO MAKE MINISTERIAL CHANGES TO CORRECT PROPERTY OWNER NAMES, PARCEL NUMBERS AND OTHER NUMERICAL DESCRIPTIVE OR TYPOGRAPHICAL ERRORS; DECLARES THE COUNCIL'S INTENT TO APPROPRIATE PARCELS FOR THE PROJECT (AS REQUIRED BY OHIO REVISED CODE 719.04) IF A NEGOTIATED SETTLEMENT CANNOT BE REACHED WITH PARCEL OWNERS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: All done.

CLERK WOOD: Mr. President.

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #34. Are there any remarks?  
...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

**#34 ADOPTED AS ORDINANCE NO. 113/2023**

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

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Our next meeting date will be Monday, August 21st, and Committee starts at 6:30 PM.

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: Community & Economic Development will meet next... oh, August 21<sup>st</sup> at 6:30 PM.

PRESIDENT SHERER: Thank you, Member Hall.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

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

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Finance will meet same time, same place.

PRESIDENT SHERER: Thank you, Member Mariol.

**MISCELLANEOUS BUSINESS**

PRESIDENT SHERER: We are now under Miscellaneous Business. Is there any Miscellaneous Business for this evening? I would like to bring up one thing... um, in past years we did the Canton Helping Canton, that used to... used to be called Feed the Needy, and I'm very pleased that we're doing that again this year. But we wouldn't be able to do this, and I want to thank the Council Members for their... the ones that did come down and donate to that, but it would be greatly appreciated if you... the... the Council Members that did not get a chance to come down if you could. It's gonna take the support of all of us, and Jill does a great job putting it all together. And... uh, we're actually gonna need a lot of help that day also. So... but... um, for the Council Members that did come down and, you know, donate to the cause, it's greatly appreciated, but it's gonna take all of us that's for sure. And it's a very, very noble great cause for our community. Mister... Member Hall.

MEMBER HALL: What date are we doing that on this year?

CLERK WOOD: September 9<sup>th</sup>.

PRESIDENT SHERER: September 9<sup>th</sup>. Is there any other Miscellaneous Business for this evening? Leader.

MEMBER SMUCKLER: Mr. President, you sugar coated it. Now I'm gonna lay it out. We didn't have enough personnel last year. I need... we need... we all need to show our support for this and to be down here, and it is uplifting. When you have as many people as we have down here who come and just want some food, want a bag to take home, need help. Please be there. Now, next subject. I've stated over the years here that it's not what we want to do down here, it's what the public wants down here. And Saturday night I called up the Council President cause I was coming back from the southeast and southwest end of town, and I drove at six o'clock by the Skate/Bike Park across from the Teamsters Union Hall. And I used to tell my friend, Councilman Casar, who wanted to build a ball diamond on every corner, that despite what we want to do, it might not be applicable anymore. And I told this to the Mayor, what we have done is to create a situation where I pulled my car over because I was in awe. There had to be 60 kids using that facility on Saturday at six o'clock at night. And I walked up, not quite dressed for the situation, handed out a couple cards and was just thoroughly amazed, and about a dozen kids gathered around me and said, can you do more of these? I'll turn your attention to Communication #11 on your agendas. If this is what the kids want, then give them what they want. All the ball diamonds, all the football fields, all the whatever may not have an impact is what thi... I saw that night. And what they said to me was even more compelling. Mr. Smuckler, we take care of our facility. There wasn't one bottle on the ground or one trash paper on that ground. And I was totally, totally amazed as I told the Mayor today of what was going on down there. And again, I can only say this to the Council Members, to the Administration, to the future Administration, that this is something to take note of because it's not necessarily what we all want down here. It should be what the public wants. Thank you. On that note...

MEMBER SMITH: Mr. President.

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PRESIDENT SHERER: Member Smith.

MEMBER SMITH: I really appreciate you saying that... uh, Member Smuckler. That's in Ward 4 and that was... (*laughs*). And... and I (*laughs*).

MEMBER SMUCKLER: You weren't gonna let me get out of here, were you?

MEMBER SMITH: Oh no, I couldn't. It was just eating me up, you know, cause I thought maybe you didn't know, you know, that that was located in Ward 4. And, you know, and that was just...

MEMBER SMUCKLER: Notice I said that I was coming from the southeast end of town.

MEMBER SMITH: And that was... and that was discussed ten years ago. And that's why it's a skate park now. But thank you for that.

MEMBER SMUCKLER: Thank you. And I also want to thank the labor unions for doing a lot of the volunteer work over there to build that facility too. They ought to be commended. (*Applause*)

MEMBER HALL: Mr. President... Mr. President...

PRESIDENT SHERER: Member... Member Hall.

MEMBER HALL: With that, as we design these parks, we need to include the community. As you know, me and you were talking about a park that has been partially done, and clearly it was not... the community was not included. So we need to do these things including the community. Not our ideals, their ideals.

PRESIDENT SHERER: Thank you, Member Hall. Leader.

MEMBER SMUCKLER: 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 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

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

ADJOURNMENT TIME: 8:24 PM

ATTEST: August 10, 2023

APPROVED:

JILL M. WOOD  
CLERK OF COUNCIL

WILLIAM SHERER  
PRESIDENT