

MINUTES OF THE MEETING NOVEMBER 13, 2023

PRESIDENT SHERER: Good evening ladies and gentlemen, and welcome to Canton City Council. If everyone could please turn your cell phones to vibrate. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please, Madam Clerk.

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 Members 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 the 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 November 13, 2023 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Jill M. Wood. The invocation was given by 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 reading of Ordinances 29 through 45 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 29 through 45...to this evening's agenda. Are there any remarks? ...Hearing none, roll call vote.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

MINUTES OF THE MEETING NOVEMBER 13, 2023

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 29 through 45 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SHERER: We are now under Public Hearings, and we 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: We are now under Public Speaks and we have three speakers signed up for tonight. I would like to remind our speakers that you do have three minutes under Public Speaks. And our first speaker is Mr. Bruce Lupfer...hopefully I got that right.

BRUCE LUPFER: (*Inaudible*)

PRESIDENT SHERER: Thank you, Bruce. Bruce can you state your name and residential address please.

BRUCE LUPFER: Sure. My name is Bruce Charles Lupfer, 2018 Willowrow Canton, Ohio, the 44705 zip code. Uh...it's in the Northeast end. It's Ward uh...6. I'm uh...61 years old. I was born in 1962, May 28th. And uh...I was very, very famous once as a child and uh...young adult with an entertainment writing. And uh...my money grew to quite billions before I was even out of high school. Now from what I understand people been saying I was dead because I moved to Minnesota, to Grand Jorgenson and Holland. And...I've been back now for about 14 years and uh...I'm finally needing some kind of money for...uh my plumbing repair. It's been out for two years. But nonetheless, I guess uh...there's been a lot of I.D. uh...(*inaudible*) and theft whatever the... some of this money has increased in China to uh...six trillions. Uh...that money started in Japan in 1987 and Japan...and China stole ten quadrillion from the fourteen they received...in Japan. And then Japan dropped four quadrillion in a lab in China in '89. And in 1999 on TV they offered ninety-nine quadrillion, which is not a very big increase for ten years of having that much money. But uh...nonetheless, the...I think there's a big issue with the United Nations about Canton, Stark County saying I don't exist and that I'm not alive and that I didn't write all these things. I'm probably the most abused and plagiarized form ghostwriter...uh (*inaudible*) ghostwriter in entertainment history. But I did write about three thousand things, seven hundred songs are correctly written, and seven hundred are spinoffs. And there's uh... probably a good five hundred movies. Three hundred from me and there's two hundred that are kind of composite. And it's very hard to prove because the (*inaudible*) went in and stole the administrative law papers from very many different courthouses....uh maybe fifteen, twenty years ago. Nonetheless there's (*inaudible*) administrative law like for example the money went to Japan in '87 gave me a treason charge on my record. You can see that because it's forty-five years wasn't enough or forty-two years wasn't enough for the US Congress. Uh...so I'm asking for you to receive my...uh state I.D. in your emails and to give it some notification that it's the not the money of Bruce Canton or see people pick stand-ins because they don't want to be eaten by wolves and cannibals. So...so you have Bruce Canton's and there's many of those. It's kind of the Bernabei...you know...uh roundabout with nineteen people being a Bruce Canton. And uh...(*inaudible*) and I have lots of kids. Secret service and Canton went out and made, along with other countries, almost...uh...three thousand kids on me. So and a lot of those are now converted to (*inaudible*) But the money is (*inaudible*) stanza, or Bruce Canton or other names of that sort. The quadrillions at Huntington that left...uh Chase was...was also mine so I guess that's it, Just uh...wait for the email.

MINUTES OF THE MEETING NOVEMBER 13, 2023

PRESIDENT SHERER: Thank you, Mr. Lupfer. Our next speaker is Ms. Kimberly Bell. And I don't...and I don't believe I see Ms. Bell here tonight. So...moving on. Our last speaker is Mr. Justin Nicely. Mr. Nicely could you please...when you're ready...uh...could you please state your name and reside...residential address please.

JUSTIN NICELY: My name is Justin Nicely, the address is 2952 Lincoln Way NW Massillon, Ohio 44647.

PRESIDENT SHERER: Thank you. Can you speak into the mic a little bit?

JUSTIN NICELY: Yes sir. Uh...I would like to talk to the City of...uh Canton, to let you guys know that you have a plague that runs rapid throughout your city and it's called (*inaudible*) corruption. The biggest problem is majority of that plague is responsible...uh for the oversight of your public safety. Uh...most likely, unfortunately it's a lot of people in your City building as well as your Canton City Police Officers. I would like for you guys to maybe ask Jason Reese why he feels he runs the monarchy on the 7th floor. Uh...ask him why his office is allowed to pick and choose the members he's allowed to serve as far as the public is concerned. I would like to ask why there was a sign posted, bailiff enforced on you guys window saying that you're closed to the public and that the only way I can get in touch with you guys is via phone call. And this is over a year and a couple of months after the governor had already lifted the mandates from Covid. I'd like to ask why that he feels on August 18th of last year, he's was allowed to sit there and confront me with two city bailiffs and force me and intimidate me out of the building for confronting him about that sign. And asking why they don't return the only form of communication available to the public at that time. I'd like to ask...uh... why he denied me access to my City Building, September 1st in the presence of my son here while we were trying to get records request. Using his own personal (*inaudible*) as his security bailiffs and having my son have to beg for...to get a drink of water. Uh...I would like for you to ask your uh...Lindsey Trent, your Chief Bailiff, uh...to inform her and the other city bailiffs that uh... their perception of their pow...power of authority does not supersede my Constitutional Rights of procedural due process. And...uh...I...unfortunately I think, it'll fall on deaf ears because according to her, (*inaudible*) verbatim my Constitutional Rights in the publics procedural due process is nothing more than a state of an opinion. Uh...maybe you guys can talk to Andrea Perry and ask her why she sat there when I went up to the 8th floor on October 23rd this year, with not one but two different types of uh...state advocates. One on behalf of my children and one behalf of myself. And tell her about...uh...how I would like to file a complaint about the Canton City Police Department's, you know, gross neglect, not letting me file a grievance for three years, and constant harassment and threats, and intimidation by that department. Why she would sit there and call over a dozen Canton City Police Officers to storm troop me on the 8th floor and intimidate all of us. Uh... just letting you guys know that this right here...is called the Constitution of the United States of American. I do not need to sit there and set a predated appointment or ask you guys permission to come to my City Building to address grievances, to get records request, call logs, police reports, things of that nature. I'm to be uncasted, I'm not to be threatened, intimidated, or harassed anymore. Until then, you guys learn how to sit there and treat the public. I implore everybody to please go to YouTube and look up Canton Hall of Shame. More videos are going to be posted until they do something about it.

PRESIDENT SHERER: Thank you, Mr. Nicely.

INFORMAL RESOLUTIONS

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

MINUTES OF THE MEETING NOVEMBER 13, 2023

1. MAJORITY LEADER SMUCKLER: AUTH AND DIRECT PURCHASE AND INSTALLATION OF TWO RAS PUMP IMPELLERS AT WRF. - ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #1. Are there any other remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #1 PASSED UNANIMOUSLY BY VOICE VOTE

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

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS, WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY, IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED NOVEMBER 13, 2023.

2. REQ FOR ADDT'L AMENDED CERTIFICATE DATED 10/31/23. - AUDITOR MALLONN
3. STATEMENT OF CASH POSITION DATED 10/31/23. - AUDITOR MALLONN
4. REO TIF DESIGNATION FOR PARCELS 242788, 242789, 210855, 232239, 202963, 244498 & 230138 OWNED BY KATO AUTOMOTIVE LLC (15TH ST NW); EMERGENCY. - ECONOMIC DEVELOPMENT DIRECTOR HARDESTY
5. REO TO AMEND APPROP O#51/2023; EMERGENCY (SUPP APPROP TO TOURISM DEVELOPMENT DISTRICT - OTHER). - FINANCE DIRECTOR CROUSE
6. REO FOR D5 PERMIT TRF FROM JEFF POPE, DBA IMPERIAL TO IMPERIAL ROOM LLC, DBA IMPERIAL @ 420 COURT AVE NW, 1ST FL (WARD 2). - LIQUOR CONTROL DIV
7. REO AGRMT WITH CITY OF FAIRLAWN AND CCIC TO PROVIDE HIGH SPEED INTERNET AND RELATED SERVICES TO CANTON INNOVATION DISTRICT; EMERGENCY. - MAYOR BERNABEI
8. ADVISE THAT SKYLINE TERRACE APTS DEVELOPERS LLC PLANS TO BE MANAGING MEMBER OF RESIDENTIAL RENTAL DEVELOPMENT @ 635 ALAN PAGE DR SE. - PATHS MANAGEMENT SERVICES LLC
9. ADVISE THAT CHIP TOWNHOUSES DEVELOPERS LLC PLANS TO BE MANAGING MEMBER OF RESIDENTIAL RENTAL DEVELOPMENT @ 3124 KALAHARI ST NE. - PATHS MANAGEMENT SERVICES LLC
10. 105.04 EMERGENCY REPORT FOR DEMO OF 1408 6TH ST NE; EMERGENCY. - SAFETY DIRECTOR PERRY

MINUTES OF THE MEETING NOVEMBER 13, 2023

11. REQ TO ACCEPT FY23 COPS HIRING PROGRAM AWARD NUMBER 15JCOPS-23-GG-04598-UHPX; AMEND APPROP O#51/2023; EMERGENCY (SUPP APPROP FROM GRANT FUND). - SAFETY DIRECTOR PERRY
12. REQ PROPERTIES BE CERTIFIED TO COUNTY AUDITOR FOR LIENS DUE TO UNPAID MOWING AND CLEAN UP (2022); EMERGENCY. - SAFETY DIRECTOR PERRY
13. REQ PROPERTIES BE CERTIFIED TO COUNTY AUDITOR FOR LIENS DUE TO UNPAID MOWING AND CLEAN UP (RETROACTIVE, 2021); EMERGENCY. - SAFETY DIRECTOR PERRY
14. REQ ALL NECESSARY CONTRACTS FOR WATER SERVICE SHOP RENOVATION PROJECT; EMERGENCY. - SERVICE DIRECTOR HIGHMAN
15. REQ WATER SUPPLY REVOLVING LOAN AGRMT WITH OHIO EPA AND OHIO WATER DEV AUTHORITY FOR WATER SERVICE SHOP RENOVATION PROJECT; EMERGENCY. - SERVICE DIRECTOR HIGHMAN
16. REQ ACQUISITION OF EXCESS LAND FROM STARK COUNTY (STA-62-24.90, 30TH ST NE AND HARRISBURG RD NE INTERSECTION IMPROVEMENT); EMERGENCY. - SERVICE DIRECTOR HIGHMAN
17. REQ PROF SERVS CONTRACT FOR 42" EAST SIDE INTERCEPTOR REHAB, GP 1441 DESIGN; AMEND APPROP O#51/2023; EMERGENCY (SUPP APPROP TO PROJECT FUND). - SERVICE DIRECTOR HIGHMAN
18. REQ SUBSTANTIAL AMENDMENT TO 2019 ANNUAL ACTION PLAN FOR CDBG-CV FUNDS; EMERGENCY. - SERVICE DIRECTOR HIGHMAN
19. REQ 2023 CAPITAL BUDGET UPDATE AND CLARIFICATIONS FOR NORMAN AVE NW AND EAST TUSC STREET PROJECTS; AMEND O#51/2023; EMERGENCY (SUPP TRFS AND APPROPS TO PROJECT FUNDS). - SERVICE DIRECTOR HIGHMAN
20. AUTH ALL NECESSARY CONTRACTS FOR CANTON MEMORIAL CIVIC CENTER UPGRADES PROJECT; AMEND O#51/2023; EMERGENCY (SUPP APPROP FROM GENERAL FUND TO OTHER BUILDINGS). - SERVICE DIRECTOR HIGHMAN
21. AUTH PURCH AND INSTALLATION OF TWO IMPELLERS FOR RETURN ACTIVATED SLUDGE (RAS) PUMPS AT WRF. - SERVICE DIRECTOR HIGHMAN
22. REQ TO AMEND SECTION 182 OF THE CANTON CODIFIED ORDINANCES (MUNICIPAL INCOME TAX). - TREASURER PEREZ

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

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

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #23 THROUGH #28 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#23. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77 AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE

MINUTES OF THE MEETING NOVEMBER 13, 2023

SAME TO BE AN EMERGENCY (FOR KRISTOPHER SCHMID ON FAIRCREST SW, PARCEL #8300001)

Referred to Judiciary Committee

O#24. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$26,050.79 SUPP APPROP FR UNAPPROP BAL OF 2786 2023 STATE OF OHIO CAMERA GRANT FUND TO 2786 102001 POLICE ADMIN – ADV OUT; \$26,050.79 INTER-FUND ADV REPAYMENT FR 2786 2023 STATE OF OHIO CAMERA GRANT FUND TO 1001 GENERAL OPERATING FUND)

Referred to Finance Committee

O#25. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO ALL CONTRACTS NEEDED FOR THE POLICE IN PARKS INITIATIVE PROGRAM UTILIZING ANY PROCUREMENT PROCESS AUTHORIZED BY THE LAW AND TO ENTER INTO A SOLE SOURCE/PROFESSIONAL SERVICES CONTRACT WITH WIFIBER LLC FOR CAMERAS, LIGHTING AND VARIOUS EQUIPMENT NECESSARY TO CONNECT TO THE CITY CAMERA NETWORK IN AN AMOUNT NOT TO EXCEED \$136,240 FOR THIS INITIATIVE; WAIVES THE INFORMAL RESOLUTION REQUIREMENTS OF CANTON CODIFIED ORDINANCE 105.09 FOR PURCHASES APPROVED THROUGH THIS ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

O#26. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO RESPOND TO THE 1376 PARK AVE. SW DEMOLITION; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS FROM RESPONDING TO THIS EMERGENCY SITUATION; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

O#27. (1ST RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR A LIST OF UNPAID AND DELINQUENT CHARGES FOR SERVICES PERFORMED BY AND/OR ON BEHALF OF THE CITY OF CANTON ENGINEERING DEPARTMENT, URBAN FORESTRY DIVISION; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

O#28. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE CITY OF FAIRLAWN, DBA FAIRLAWNGIG, AND THE CANTON COMMUNITY IMPROVEMENT CORPORATION FOR THE PURPOSES OF PROVIDING INTERNET SERVICES TO QUALIFYING CUSTOMERS WITHIN THE INNOVATION DISTRICT AND TO ENTER INTO ALL CONTRACTS NECESSARY IN ORDER TO COMPLETE THE FOREGOING PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY.

MINUTES OF THE MEETING NOVEMBER 13, 2023Referred to Finance Committee

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the Finance Committee to meet in regards to Ordinances 26 and 27 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:19 PM FOR THE FINANCE AND PERSONNEL COMMITTEES TO MEET IN REGARDS TO O#26 AND O#27; RECONVENED AT 7:23 PM)

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinances 26 and 27 back to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 26 and 27... 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 26 and 27 are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend the statutory Rules of Ordinances #26 and 27.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 26 and 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.

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

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #26.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #26. 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.

MINUTES OF THE MEETING NOVEMBER 13, 2023**#26 ADOPTED AS ORDINANCE NO. 171/2023**

PRESIDENT SHERER: The motion carries and Ordinance #26 is adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #27. 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.

#27 ADOPTED AS ORDINANCE NO. 172/2023

PRESIDENT SHERER: The motion carries and Ordinance #27 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 #29.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #29 THROUGH #45:

- O#29. (2nd RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: SUBMIT A SUBSTANTIAL AMENDMENT TO THE CITY'S 2022 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMELY EXPENDITURE OF HOME PROGRAMS FUNDS AND TO ENTER INTO ALL PROFESSIONAL CONTRACTS NECESSARY FOR THE EFFECTIVE OPERATION OF THE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#30. (2nd RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$38,070.00 APPROP TRF FR 2413 702001 COURT'S COMPUTER FUND – PERSONNEL TO 2413 702001 COURT'S COMPUTER FUND – OTHER)
- O#31. (2nd RDG) AN ORDINANCE DECLARING IMPROVEMENT TO REAL PROPERTY OWNED BY MILLER CLYDE ALVIN TTEE, LOCATED IN THE CITY OF CANTON, TO BE A PUBLIC PURPOSE; EXEMPTING ONE HUNDRED PERCENT OF THE IMPROVEMENT FROM TAXATION FOR A PERIOD OF THIRTY YEARS; AUTHORIZING THE MAINTENANCE AND CONSTRUCTION OF PUBLIC INFRASTRUCTURE IMPROVEMENTS UNDER SECTION 5709.40, ET. SEQ., OF THE OHIO REVISED CODE; REQUIRING SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING THE 2188 MAC.BID TIF FUND; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER ALL

MINUTES OF THE MEETING NOVEMBER 13, 2023

AGREEMENTS NECESSARY FOR THE MAINTENANCE AND CONSTRUCTION OF PUBLIC INFRASTRUCTURE; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; AND DECLARING THE SAME TO BE AN EMERGENCY

- O#32. (2nd RDG) AN ORDINANCE MODIFYING THE AUTOMATIC COST OF LIVING ADJUSTMENT INCREASES FOR CERTAIN ELECTED OFFICIALS FOR CALENDAR YEAR 2024; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#33. (2nd RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500.00 SUPP APPROP FR UNAPPROP BAL OF 2786 2023 STATE BODY WORN CAMERA GRANT FUND TO 2786 102001 POLICE ADMIN – OTHER; \$1,500.00 INTER-FUND TRF FR 2786 2023 STATE BODY WORN CAMERA GRANT FUND TO 1001 GENERAL OPERATING FUND)
- O#34. (2nd RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$4,029.61 SUPP APPROP FR UNAPPROP BAL OF 2780 FY 19 BULLET PROOF VEST GRANT FUND TO 2780 102001 POLICE ADMIN – OTHER; \$4,029.61 INTER-FUND ADV REPAYMENT FR 2780 FY 19 BULLET PROOF VEST GRANT FUND TO 1001 GENERAL OPERATING FUND)
- O#35. (2nd RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$131,181.82 INTER-FUND ADV REPAYMENT FR 2775 ASST. TO FIREFIGHTERS GRANT FUND TO 1001 GENERAL OPERATING FUND)
- O#36. (2nd RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$16,800.00 SUPP APPROP FR UNAPPROP BAL OF 2794 PROJ SAFE NEIGHBORHOOD GRANT FUND TO 2794 102001 POLICE ADMIN – OTHER; \$16,800.00 INTER-FUND ADV REPAYMENT FR 2794 PROJ SAFE NEIGHBORHOOD GRANT FUND TO 1001 GENERAL OPERATING FUND)
- O#37. (2nd RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$58,756.00 SUPP APPROP FR UNAPPROP BAL OF 2793 US DEPT. JUST/BUREAU ASST FUND TO 2793 102001 POLICE ADMIN – OTHER; \$58,756.00 INTER-FUND ADV REPAYMENT FR 2793 US DEPT JUST/BUREAU ASST FUND TO 1001 GENERAL OPERATING FUND)
- O#38. (2nd RDG) AN ORDINANCE AUTHORIZING A WAGE INCREASE OF 3% FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY AS OF JANUARY 1, 2024; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#39. (2nd RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A SUB-AWARD AGREEMENT WITH NEWTON FAMILY APARTMENTS LIMITED PARTNERSHIP IN AN AMOUNT NOT TO

MINUTES OF THE MEETING NOVEMBER 13, 2023

- O#40. (2nd RDG) EXCEED \$2.1 MILLION IN HOME FUNDS FOR THE NEWTON FAMILY APARTMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A SUB-AWARD AGREEMENT WITH NEWTON FAMILY APARTMENTS LIMITED PARTNERSHIP IN AN AMOUNT NOT TO EXCEED \$.9 MILLION IN ARPA FUNDS FOR THE NEWTON FAMILY APARTMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#41. (2nd RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AMERICAN RESCUE PLAN ACT SUB-WARD AGREEMENT WITH CANTON FOR ALL PEOPLE ACQUISITION AND HOLDINGS, LLC IN AN AMOUNT NOT TO EXCEED \$2.0 MILLION FOR THE CONSTRUCTION OF SINGLE-FAMILY HOUSING IN THE SHORB NEIGHBORHOOD; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#42. (2nd RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO DIRECTLY TRANSFER REAL PROPERTY TO THE STARK COUNTY PORT AUTHORITY FOR SUBSEQUENT TRANSFER TO CANTON FOR ALL PEOPLE ACQUISITION AND HOLDINGS, LLC FOR THE CONSTRUCTION OF SINGLE-FAMILY HOUSING IN THE SHORB NEIGHBORHOOD AND TO ENTER INTO ALL AGREEMENTS NECESSARY TO ACCOMPLISH THE SAME; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#43. (2nd RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO CLOSE PURCHASE ORDER 2021-00005196; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#44. (2nd RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ACCEPT THE 2023 PRISONER EXTRADITION REIMBURSEMENT GRANT IN THE AMOUNT OF \$6,810.00; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$6,810.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN – OTHER)
- O#45. (2nd RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

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 #...I know, I got you (*laughter*).

CLERK WOOD: Okay.

PRESIDENT SHERER: Would you please begin when you're ready...would you please begin with Ordinance #46, please.

MINUTES OF THE MEETING NOVEMBER 13, 2023

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #46 THROUGH #60 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#46. (3rd RDG) **ADOPTED AS ORDINANCE NO. 173/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$60,000.00 APPROP TRF FR 1001 702001 CLERK OF COURTS ADMINISTRATIVE FUND - PERSONNEL TO 1001 702001 CLERK OF COURTS ADMINISTRATIVE FUND – OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #46.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #46. 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.

#46 ADOPTED AS ORDINANCE NO. 173/2023

PRESIDENT SHERER: The motion carries and Ordinance #46 is adopted. Ordinance #47, please.

O#47. (3RD RDG) **ADOPTED AS ORDINANCE NO. 174/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$36,000.00 SUPP APPROP FR UNAPPROP BAL OF 2766 MUNICIPAL PROBATION FUND TO 2766 701001 MUNICIPAL PROBATION – OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #47.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #47. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#47 ADOPTED AS ORDINANCE NO. 174/2023

PRESIDENT SHERER: The motion carries and Ordinance #47 is adopted. Ordinance #48, please.

MINUTES OF THE MEETING NOVEMBER 13, 2023

O#48. (3RD RDG) **ADOPTED AS ORDINANCE NO. 175/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION TAX INCENTIVE AGREEMENT WITH HOWMET AEROSPACE PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #48.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #48. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#48 ADOPTED AS ORDINANCE NO. 175/2023

PRESIDENT SHERER: The motion carries and Ordinance #48 is adopted. Ordinance #49, please.

O#49. (3RD RDG) **ADOPTED AS ORDINANCE NO. 176/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AMERICAN RESCUE PLAN ACT SUB-WARD AGREEMENT WITH THE BEACON CHARITABLE PHARMACY, INC. IN AN AMOUNT NOT TO EXCEED \$200,000; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #49.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #49. 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.

#49 ADOPTED AS ORDINANCE NO. 176/2023

PRESIDENT SHERER: The motion carries and Ordinance #49 is adopted. Ordinance #50, please.

O#50. (3RD RDG) **ADOPTED AS ORDINANCE NO. 177/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$85,000.00 APPROP TRF FR 2190 861102 PACE

MINUTES OF THE MEETING NOVEMBER 13, 2023

FINANCING – OTHER TO 2190 861101 TOURISM DEVELOP DISTRICT TDD - OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #50.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #50. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#50 ADOPTED AS ORDINANCE NO. 177/2023

PRESIDENT SHERER: The motion carries and Ordinance #50 is adopted. Ordinance #51, please.

O#51. (3rd RDG) **ADOPTED AS ORDINANCE NO. 178/2023** AN ORDINANCE AMENDING SECTION 1 (O) OF ORDINANCE NO. 177/2006; AND DECLARING THE SAME TO BE AN EMERGENCY (PARK CHANGE DRAWER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #51.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #51. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#51 ADOPTED AS ORDINANCE NO. 178/2023

PRESIDENT SHERER: The motion carries and Ordinance #51 is adopted. Ordinance #52, please.

O#52. (3rd RDG) **ADOPTED AS ORDINANCE NO. 179/2023** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF OUTLOTS 1164 AND 1411; AND DECLARING THE SAME TO BE AN EMERGENCY (SHAWNEE DEV AND GLITZ ASSOC, FAIRCREST ST SW)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #52.

MINUTES OF THE MEETING NOVEMBER 13, 2023

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #52. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#52 ADOPTED AS ORDINANCE NO. 179/2023

PRESIDENT SHERER: The motion carries and Ordinance #52 is adopted. Ordinance #53, please.

O#53. (3rd RDG) **ADOPTED AS ORDINANCE NO. 180/2023** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 2264 AND 5299; AND DECLARING THE SAME TO BE AN EMERGENCY (TERRY & PEGGY MILLER, 1003 CHERRY AVE NE)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #53.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #53. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#53 ADOPTED AS ORDINANCE NO. 180/2023

PRESIDENT SHERER: The motion carries and Ordinance #53 is adopted. Ordinance #54, please.

O#54. (3rd RDG) **ADOPTED AS ORDINANCE NO. 181/2023** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOTS 6340 AND 6342; DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY, 200 BLK WARNER RD SE)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #54.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #54. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

MINUTES OF THE MEETING NOVEMBER 13, 2023

CLERK WOOD: Eleven yeas, Mr. President.

#54 ADOPTED AS ORDINANCE NO. 181/2023

PRESIDENT SHERER: The motion carries and Ordinance #54 is adopted. Ordinance #55, please.

O#55. (3rd RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 182/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT \$12,690 IN GRANT FUNDS FROM THE 2023 PATRICK LEAHY BULLET PROOF VEST PARTNERSHIP GRANT AND TO ENTER INTO CONTRACT FOR THE PURCHASE OF APPROXIMATELY 27 BULLETPROOF VESTS FOR THE MEMBERS OF THE CANTON POLICE DEPARTMENT; AUTHORIZING THE AUDITOR TO RENAME FUND 2782 FY 17 BULLET PROOF VEST PARTNERS TO 2023 PATRICK LEAHY BULLET PROOF VEST PARTNERSHIP GRANT; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$12,690.00 SUPP APPROP FR UNAPPROP BAL OF 2782 FY23 PATRICK LEAHY BULLETPROOF VEST PARTNERSHIP GRANT TO 2782 102001 POLICE ADMIN - OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #55.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #55. Are there any remarks? Leader.

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #55 by the amendment before every Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #55 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 #59...5, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 55 by the substitution of the attached amended ordinance for the original pending ordinance.

MINUTES OF THE MEETING NOVEMBER 13, 2023

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #55 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.

#55 ADOPTED AS AMENDED AS ORDINANCE NO. 182/2023

PRESIDENT SHERER: The motion carries and Ordinance #55, as amended, has been adopted. Ordinance #56, please.

O#56. (3rd RDG) **ADOPTED AS ORDINANCE NO. 183/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE PURCHASE OF A DUMPSTER HAULER TRUCK FOR THE SANITATION DEPARTMENT; OR TO ALTERNATIVELY PURCHASE SAID ITEM PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$110,000.00 SUPP APPROP FR UNAPPROP BAL OF 5601 REFUSE OP. FUND TO 5601 205001 REFUSE ADMINISTRATION – OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #56.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #56. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#56 ADOPTED AS ORDINANCE NO. 183/2023

PRESIDENT SHERER: The motion carries and Ordinance #56 is adopted. Ordinance #57, please.

O#57. (3rd RDG) **ADOPTED AS ORDINANCE NO. 184/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$16.38 SUPP APPROP FR UNAPPROP BAL OF 5215 55TH STREET NE WATER LINE EXTENSION FUND TO 5215 55TH STREET NE WATER LINE EXTENSION – OTHER; \$16.38 INTRA FUND TRANSFER FR 5212 207001 55TH STREET NE WATER LINE EXTENSION – OTHER TO 5201 207001 WATER OPERATING FUND – OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #57.

MINUTES OF THE MEETING NOVEMBER 13, 2023

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #57. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#57 ADOPTED AS ORDINANCE NO. 184/2023

PRESIDENT SHERER: The motion carries and Ordinance #57 is adopted. Ordinance #58, please.

O#58. (3rd RDG) **ADOPTED AS ORDINANCE NO. 185/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,038.88 SUPP APPROP FR UNAPPROP BAL OF 5219 LAKE-HARTVILLE WATER LINE EXTENSION FUND TO 5219 LAKE-HARTVILLE WATER LINE EXTENSION – OTHER; \$2,038.88 INTRA FUND TRANSFER FR 5219 207001 LAKE-HARTVILLE WATER LINE EXTENSION FUND – OTHER TO 5201 207001 WATER OPERATING FUND - OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #58.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #58. 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.

#58 ADOPTED AS ORDINANCE NO. 185/2023

PRESIDENT SHERER: The motion carries and Ordinance #58 is adopted. Ordinance #59, please.

O#59. (3rd RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 186/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER #4 IN AN AMOUNT NOT TO EXCEED \$278,918.73 FOR THE ALLEN AVENUE SE AREA SANITARY SEWER REPLACEMENT, GP 1332 WITH HM MILLER CONSTRUCTION CO.; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RESULTING FROM THESE CHANGE ORDERS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #59.

MINUTES OF THE MEETING NOVEMBER 13, 2023

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #59. Are there any remarks? Leader.

MEMBER SMUCKLER: Mr. President, I move to amend Ordinance #59 by the amendments before every Canton Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #59 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 #59, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 59 by the substitution of the attached amended ordinance for the original pending ordinance.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #59 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.

#59 ADOPTED AS AMENDED AS ORDINANCE NO. 186/2023

PRESIDENT SHERER: The motion carries and Ordinance #59 as amended has been adopted. Ordinance #60, please.

O#60. (3rd RDG) **ADOPTED AS ORDINANCE NO. 187/2023** A RESOLUTION AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, ACCEPT, AND ENTER INTO A SUPPLEMENTAL WATER POLLUTION CONTROL LOAN FUND AGREEMENT ON BEHALF OF THE CITY OF CANTON FOR PLANNING, DESIGN, AND/OR CONSTRUCTION OF WASTEWATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #60.

MINUTES OF THE MEETING NOVEMBER 13, 2023

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #60. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#60 ADOPTED AS ORDINANCE NO. 187/2023

PRESIDENT SHERER: The motion carries and Ordinance #60 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under Announcement of Committee Meetings...

MEMBER BABCOCK: Mr. Presi...I'm sorry, Mr. President.

PRESIDENT SHERER: Member Babcock.

MEMBER BABCOCK: Finance will meet next Monday, November 20th at 6:30?

PRESIDENT SHERER: 6:45...

MEMBER BABCOCK: Okay.

PRESIDENT SHERER: 6:45.

MEMBER SHERER: Oh, I'm sorry 6:45.

MEMBER GIAVASIS: Mr. President.

PRESIDENT SHERER: Thank you Member Babcock. Member Giavasis.

MEMBER GIAVASIS: Judiciary Committee will meet same time, same place.

PRESIDENT SHERER: Thank you, Member Giavasis.

MISCELLANEOUS BUSINESS

PRESIDENT SHERER: We are now under Miscellaneous Business.

MEMBER SMUCKLER: Now Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Uh...Wednesday at November 15th, there will be a reorganization meeting at 5:30 at Canton City Hall in the City Council Conference room. And uh...it is not open to the public. This is a closed meeting for the Council to reorganize for next term.

MINUTES OF THE MEETING NOVEMBER 13, 2023

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

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: Uh...I just wondered could we can get a report on how the summer programs went...this uh...summer. How many kids we served and stuff?

PRESIDENT SHERER: Thank you, Member Hall.

MAYOR BERNABEI: We're not prepared to answer that, but will prepare...and get Council and yourself and answer this coming week.

PRESIDENT SHERER: Thank you, Mayor Bernabei. Is there any other miscellaneous business for this evening.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Let me this opportunity to congratulate the Council Members that succeeded...for the next term. Uh...Council Member Smith and I don't mean...the Council Member Smith at the table, but the future Council Member Smith. I don't know how you're going to keep that straight. Uh...Council Member, future Council Member Sacco...and uh...those two will be at the organizational meeting. Uh...I also want to take this opportunity to congratulate...uh our next Mayor...uh William Sherer II. And he has...and you as well an awesome responsibility coming up in the next term. And I thank you for your public service.

MEMBER MORRIS: Mr. President. Uh...a point of clarification to the audience and the media, the meeting on Wednesday...the 15th is a Democratic Party meeting, that is why it is not open to the general public. It is not a Council Meeting.

PRESIDENT SHERER: Thank you, Member Morris. Is there any other miscellaneous business for this evening.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: I move we adjourn.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

MINUTES OF THE MEETING NOVEMBER 13, 2023

PRESIDENT SHERER: I'd like to thank everybody for coming tonight. This meeting is adjourned. (*Gavel falls*)

ADJOURNMENT TIME: 7:49 PM

ATTEST:
JILL M. WOOD
CLERK OF COUNCIL

APPROVED:
WILLIAM SHERER
PRESIDENT