

MINUTES OF THE MEETING DECEMBER 11, 2023

PRESIDENT SHERER: Well I would like to welcome everybody and Happy Holiday's. 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.

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

TEN COUNCIL MEMBERS PRESENT (MEMBER KIMBROUGH AND MEMBER FERGUSON ABSENT)

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

EXCUSING MEMBERS

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to excuse Member Kimbrough and Member Ferguson from this evening's meeting. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Member Kimbrough and Member Ferguson are excused from this evening's meeting. Tonight's invocation will be given by our Majority Leader, Bill Smuckler. 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 December 11, 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 Majority Leader, Bill Smuckler. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Majority Leader.

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...uh...10 to this evenings agenda.

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add second read...second readings to Ordinance 10...to...to this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinance 10 is 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...five speaker for this evening. I would uh...like to remind our speakers that under Council rules you do get three minutes under Public Speaks. And our first speaker for tonight is Mr. Justin Nicely. (*Applause*) Mr. Nicely could you please state your name and residential address please.

JUSTIN NICELY: Yes sir I can. My name is Justin Nicely.

PRESIDENT SHERER: You have to uh...speak into the mic please.

JUSTIN NICELY: My name is Justin Nicely, address 2952 Lincoln Way NW Massillion, Ohio 44647. Uh... I've come to speak to you guys today. Last time I was here I pretty sure I told you guys that you guys have a problem in your city. Especially when it comes to uh... people that are involved with public safety, as far as corruption and (*inaudible*). You guys have a major disconnect with the public and a lot of the reasons is why is because lack of accountability and transparency. And since he's here tonight, I'm glad he is, Mr. Reese can probably answer on why you guys refuse to release video footage that shows not one but, two separate attacks by city bailiffs and Canton City Police Department on two separate dates. Now, according to your own of file law 149.351, it clearly states you guys are suppose to...hold on to public records and footage. Period, no questions asked, thirty day minimum. Especially if it's asked for, you're suppose to hold on to it for at least sixty or ninety more days. This has already been confirmed and everything else. I have here not one but two separate record request on the date of November 9, 2023, written out...timestamped by your office, Mr. Reese. You guys sat there and filled one of the record request...right here November 17, 2023. Conveniently though you forgot to give me my letter of redaction. And the letter of redaction by Ohio Law you're suppose to provide three things. You're suppose to provide, number one; that's individually redacted items that you guys refuse to give me on my public records request...each one listed individually. Number two, you're suppose to list of the...the reason...the reason why...the...the...the...the logistic and absolute reason why that you're not allowed to give me that footage or why it's not available. Number three, you're suppose to have a signature signed off on that. As far as who's...uh...sitting there authorizing to not release that footage to me. Wouldn't know you, low and behold, Mr. Reese...you're sayin the footage for the public lobby of the Canton City...

PRESIDENT SHERER: Mr. Nicely...

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JUSTIN NICELY: Police Department is...

PRESIDENT SHERER: Mr. Nicely...

JUSTIN NICELY: Not available.

PRESIDENT SHERER: You're suppose to address your comments...

JUSTIN NICELY: I'm sorry...

PRESIDENT SHERER: Address your comments to the Chair please. Thank you.

JUSTIN NICELY: I'm sorry, Mr. Reese is claiming that the public lobby of the Canton City Police Department is unavailable, but I pretty...will find it really convenient that it's unavaible for that date of October 23, 2023. Because it will show over twenty Canton Police Officers intimidating me and two non-profit advocates who came to sit there and speak on behalf of myself and my children for the abuses, the harassment, the...the nonstop...uh...intimidation tactics that the City of Canton and the City of Canton Police Department want to use. And people like Jason...uh...Jason Reese and his office want to use. And no accountable for any of it. And the funny thing is if he releases that footage that's exactly what it's going to show. Me and three...and two state advocates being attacked. Folks go check it...Canton Hall of Shame. I implore everybody, the You Tube channel is blowing up like the riot. Also, I want to know why you're not releasing the footage for November 7th when I had a set appointment with Canton...Canton City...tr...uh...uh...Police Chief. Was it Chief Gabbard? Set an appointment for me to be at the City building, November 7th, 2023 to talk to an Officer Shackles and talk to an Officer Coates. To finally under my impression sit there and finally file a grievance against every one of y'all for all this misconduct for the past two in a half three years of intimidation and threats and calls of harrassments to my family and the slander saying I'm mentally unstable cause I'm holding your asses accountable. It's unfortunate that you guys don't know the meaning of Freedom of Speech, First Amendment Rights, Consitutional Rights, Statutory Rights, mean not a damn thing if you're an indigent status. Letting everybody know you have no rights here in the City of Canton, if you have no money, a title, a status, or anything else along those lines. That's the only time these people give a crap. So I'll release the rest of my time for Mr. Reese to sit there if he would like to go ahead and give me and explanation on why footage can't be released from November 7th and October 23rd of me being attacked.

PRESIDENT SHERER: This is not a debate format, Mr. Nicely...

JUSTIN NICELY: Understandable...

PRESIDENT SHERER: And your...you have...

JUSTIN NICELY: I'm giving the remainder of my time...

PRESIDENT SHERER: You have your three minutes for Public Speaks...addressing the Chair.

JUSTIN NICELY: And I'm addressing the Chair to give anybody a remainder of their time to explain the corruption and the intimidation and the lack of give a damn to anybody about their Constitutional Rights. When everybody that sits there and goes by the very law that you swore an oath too...you want to trample them because they ain't got money. So let me know when you guys want to sit there and let me file my criminal complaints too. Appriecate it.

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PRESIDENT SHERER: Thank you, Mr. Nicely. Our next speaker is going to be, Jaquella Lipkins. Hopefully I got that right. Hopefully I did. Ms. Lipkins, could you please state your name and residential address please.

JAQUELLA LIPKINS: My name is Jaquella Lipkins. I live at 1215 3rd St. Canton, Ohio. And I'm coming to speak to...uh...to say thank you to the Mayor for the Simply Youth Program. I am the mother of Jacori Lipkins who is a senior at Glenoak and Myquella Lipkins who is a Freshman at McKinley. I first came...uh...into the program ten years ago with my twenty-five year old and I just want to say that it's a blessing for you guys to...to continue to fund this program. Both of my students are straight A students and it's very helpful for them to able to make money in the summer time and not have to worry about working during the school year. It helps with school clothes...uh...transportation, meals...uh. I just want to say it is a very positive program and Mr. Terrence does a wonderful job with all youth that he works with. And...I want to say thank you.

PRESIDENT SHERER: Thank you, Ms. Lipkins. (*Applause*) Our next speaker will be Miss Jasmine Ott. (*Applause*). Miss Ott could you please state your name a residential address please.

JASMINE OTT: Hi, my name is Jasmine Ott. And I live at 2415 Mace St. Canton, Ohio.

PRESIDENT SHERER: Thank you.

JASMINE OTT: Hi, my name is Jasime Ott. I'm a 9th grader at Early College High School. I am also a McKinley Cheerleader. I was hired to work for Simply Youth at thirteen years old. This was my first job, and even I was surprise to find out about a great opportunity to work at this young age. Two years ago when I was thirteen years old, I no idea what a job experience was like. This job brought out my determination, dedication, and work ethic. Mr. Terrance didn't just have us clean up community, he wanted us to learn more. He would take us down to the downtown library and educate us about financing and money. I had the opportunity to help out Canton by picking up trash around the city. I also spent time watching kids at Camp Champ. I assisted them with breakfast and snacks, took them to the park, and played with them at the playground. This was a leadership role for me and a completely different experience. I enjoyed the job so much I came back when I was fourteen years old. Both years Mr. Terrance worked around my cheer schedule and helped me make up hours for the time I missed at cheer practice. Sometimes he would go as far as to take me from work and back. This year a few people from the thirteen and fourteen year old group, were selected for the Crisis Center Stark Community Support Network...getting paid through Mr. Terrance. There we worked and learned about market, sell, the art of professionalism, and how to work well with others. I appricate the oppportunity I had to work at Stark Communtiy Support Network and would see myself working there again. Simply Youth has become a...part of the heart soul of Canton, Ohio. Creating pride for...generations after generations. I would...I'd like to thank Simply Youth...for all the great opportunities that came my way, But most importantly I would thank the Mayor and all of you guys up here for the money you gave to such a great opportunity. Thank you. (*Applause*)

PRESIDENT SHERER: Thank you, Miss Ott. Our next speaker is going to be...Larrien Bennafield. (*Applause*) You could probably take the mic out.

LARRIEN BENNAFIELD: Hi, my name Larrien Bennafield. I'm in 3rd grade. I attend Barr Elementary in the Plain Local District. I've attented Camp Champ for the past three summers and each summer...uh...was exciting and fun. I enjoyed field trips, swimming, and passing the football for the Hall of Fame. And I want to thank Mr. Bernabei for his support, Thank you. (*Applause*)

PRESIDENT SHERER: Thank you, Mr. Bennafield. And out last speaker for this eveing is Mr. Terrance Jones. Mr... (*Applause*) Mr...Te...Terrance could you state you name and residential address please.

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TERRANCE JONES: Terrance Jones, 1933 3rd St. NE...yes, Ward 4.

MEMBER SMITH: That's Ward 4. (*Laughter*)

PRESIDENT SHERER: Thank you, Terrance.

TERRANCE JONES: So I'm going to keep it brief and simple, but we came out tonight for a couple reasons. We came out for not only to give a public thank you, but also for an educational experience. For...first of all, Mayor Bernabei...uh...for the past eight years he has been a big supporter of Simply Youth. Despite some of our Administrative weaknesses, and no matter how firm he was with us he knew that we were programmatically strong. We are the largest community based youth organization in the city. We serve more kids than any other community based organization in the city. So with the three hundred plus kids that we serve in the summer from Camp Champ ages 5-12, the Teen Training Program which is 13-14 year olds, and High School Work Program which is 15-18 year olds. And the new program that the Administration came up with...what's called the Subsidized Work Program. And then we use college students as our Meal Management, which students from Ohio State and Bowling Green and Howard University and Central State and Spellman and the list goes on. We've come out tonight as Simply Youth takes a stand up real quick. High School students from Canton South, Glenoak, McKinley Senior High School... (*Applause*) Early College High School, Lehman, Hartford, and the list goes on. As these young people are standing up...as these young people are standing up City Council and young people I want you to know that these people in front of you are Elected Officials. Every year they vote on what youth programming, summer programs, and some year round programming. And again I wanted them to put a face with the name and as we acknowledge Mayor Bernabei. Mayor Bernabei all we can give you is a public thank you because what you've realized that you have done is that despite what anybody may say, you found a way to make sure you funded youth programs. You found a way to make sure three hundred plus kids for all quadrants of the city had jobs, had a camp to go to, and somewhere to go for eight to nine to ten weeks. And so we come today to say thank you because contrary to what people may believe it's not the same that if you build it they will come. We're dealing with kids today that if you build it they won't come. They have to be engaged and they have to be empowered to come. They could have the skid in the game. And so thank you to every Councilperson. I don't want to start naming names uh...because again from Smuckler from helping us and Hawk to Smith to Hall and don't get me started about the Administration. I thank you all from Mark, and from...uh...John and Andrea and even Tammy who's been very instrumental making sure that we make things happen. Mayor Bernabei we're going to miss you and we pray that the work continues, but either way whether it do or it don't...we know that we have made an impact in the lives of thousands of kids in the past fifteen years. So again Simply Youth lets give it up for Mayor Bernabei and this Administration. Thank you. (*Applause*)

PRESIDENT SHERER: Thank you, Mr. Jones.

INFORMAL RESOLUTIONS

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

1. COUNCIL-AS-A-WHOLE: COMMENDING JIM ADAMS ON HIS RETIREMENT AND CONTRIBUTIONS TO HEALTH CARE. - ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER SMUCKLER: You just have to speak into the microphone. But I heard enough tonight. That was fabulous. If you ever feel like...your treading water up here...we just treaded a whole bunch of waters for that summer program and that youth initiative. And I can't tell you how proud I am of all this. Makes me feel good when we do accomplish something. Which leads me to our...next...retiree. And we don't do this enough for the people that leave. Who especially spend...just reminded me thirty-eight years with me together. Uh...Jim Adams...showed his...true potential during Covid. We asked questions, we got shots, we tried to work from home, work from down here, and he helped us make sense of all of it. And also I want to take that Jim followed through even though it was not fast enough for some residents, but Jim followed through every step of the way in Ward 4 for the Republic Steel situation and what was going on in that neighborhood. And he should be recognize for that. Uh...that was a problem and it was handled not only with the EPA but handled with our Health Department also. We have a plaque here this evening. And I think the last...says it best, Now therefore be it resolved that we Members of Canton City Council do hereby congratulate and commend Jim Adams for his commitment and devo...devotion to service on behalf of the citizens in the City of Canton and his outstanding contributions to health care. May you enjoy a happy...healthy retirement for many years to come. And we thank you Jim Adams for you dedicated thirty-eight years of service. *(Applause)*

JIM ADAMS: Well thank you, Mr. Majority Leader and thank you City Council for...this...honor. I'm very humbled by...your uh...support and your willingness to let me service this community for such a long period of time. There are a couple people I would like to thank. First of all is my wife, Jane. So you mentioned through Covid...most...some people know that my wife is also an infection and control nurse and is an expert in that area. So our dinner converstaions during Covid, most of them was all about Covid so she made me seem a lot smarter then I really am. So I really want to thank Jane. She's not only my wife, she's my friend, my confidant and I wouldn't be here without her. So thank you Jane for all of that. Uh...I'd also like to recognize the...uh...staff that we have at Canton City Public Health . So you know I may know come down here at Council on a frequent bases you know... you know me as the Health Department, but the real Health Department is the people that are working there. And we have a fanstastic leadership team and a fanstastic group of Public Health Professionals...that work on you're behalf and work on the community's behalf everyday. And so uh...I do want to recognize them as the ones that are really doing all this work in the community on your behalf and we really appreciate that. The last thing I'd like to recognize...uh...Council, the Administration, uh...the group of I've had the pleasure working with for thirty-eight years. I've actually had forty-seven years of service in Public Health, thirty-eight of those are with the Health Department here in Canton. And the reason why it's here is because I think this is a great community and I think you do too. And the parents got up here and brought the students here today, you know that the future is bright for Canton. And even though I'm moving into retirement, I'm really looking forward to a bright future because we know that if

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we work together, the future will be bright for all of us. So thank you again very much for this honor.
(Applause)

PRESIDENT SHERER: Mr. Adams, I would like to wish you the best of luck. I want to thank you for your service...and...uh...just want to...Jim I just want to wish you the...just enjoy your retirement, but I wish you the best.

JIM ADAMS: I certainly will. And best of luck to you and the new Administration.

PRESIDENT SHERER: Thank you.

MAYOR BERNABEI: Mr. President.

PRESIDENT SHERER: Mayor.

MAYOR BERNABEI: Both as Mayor and as President of the Board of Health, and you will be succeeding me in that position. Uh...I want to thank Jim for thirty-eight years of service to the city. And I think approximately nineteen years as our Health Commissioner. Uh...two things stand out. More things will stand out, but I think they...uh...the accreditation that was obtained by the Health Department in the last...uh three year period is a very very significant step forward. And that proves the creditability and performance of our Health Department. And secondly and probably more importantly is the...face of Public Health that you presented throughout the pandemic. Uh...now that we're two years away from it, uh...the crises that we went through...in some many many daily decisions...uh...were forgotten or minimized, but you wore the face of Public Health for Canton. In large parts for Stark County...uh...and I thank you on behalf of our Board and the Administration and City Council for that service. Thank you so much.

PRESIDENT SHERER: Terrence...you guys are more than welcome to leave if you want...if you would like or you're more than to stay.

TERRENCE JONES: Yes, we are leaving. So, thank you so much. (Laughter)

PRESIDENT SHERER: Okay...Okay.

**** Council waits for the Simply Youth group to leave****

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 DECEMBER 11, 2023.

2. STATEMENT OF CASH POSITION DATED 11/30/23. – AUDITOR MALLONN

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3. REO RESOLUTION FOR WORKFORCE INITIATIVE ASSOC DONATION OF UNRESTRICTED FUNDS TO WORKFORCE INVESTMENT COUNCIL FOR ENDOWMENT FUND FOR FUTURE PROGRAMMING. - MAYOR BERNABEI
4. INFORM COUNCIL THAT THE CITY WILL NOT BE ENTERING INTO PLA FOR TURBINE SERVICE PUMP REPAIR AND WELL MAINTENANCE PROGRAM. - SERVICE DIRECTOR HIGHMAN
5. RPTS OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF 11/30/23. - TREASURER PEREZ
6. RPT OF PARKING METER REVENUE FOR 11/30/23. - 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 #7.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #7 THROUGH #9 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#7. (1ST RDG) AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE AND DELIVER A FIRST AMENDMENT TO TRUST INDENTURE AND A FIRST AMENDMENT TO COOPERATIVE AGREEMENT BY AND AMONG THE CITY, THE STARK COUNTY PORT AUTHORITY, HOF VILLAGE NEWCO, LLC, AND THE HUNTINGTON NATIONAL BANK, AS TRUSTEE, TO ASSIGN AND PROVIDE NET SERVICE PAYMENT REVENUES IN ORDER TO SUPPORT THE PORT AUTHORITY'S ISSUANCE AND SALE OF PORT AUTHORITY REVENUE BONDS TO FUND OR PAY, OR TO REIMBURSE PERSONS FOR FUNDING OR PAYMENT OF, COSTS OF TOURISM FACILITIES LOCATED OR TO BE LOCATED IN THE TOURISM DEVELOPMENT DISTRICT ESTABLISHED BY THE CITY PURSUANT TO ORDINANCE NO. 260/2016; APPROVING AND AUTHORIZING CERTAIN RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#8. (1ST RDG) APPROVING A PETITION FOR SPECIAL ASSESSMENTS FOR SPECIAL ENERGY IMPROVEMENT PROJECTS AND A SUPPLEMENTAL PLAN FOR THE CANTON REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT UNDER CHAPTER 1710 OF THE OHIO REVISED CODE; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ANY AND ALL DOCUMENTS NECESSARY IN CONNECTION WITH THE PETITION AND SUPPLEMENTAL PLAN; TO AUTHORIZE AND LEVY SPECIAL ASSESSMENTS FOR THE PURPOSE OF AQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF CANTON IN COOPERATION WITH THE CANTON REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT; AND TO APPROVE AN ENERGY PROJECT COOPERATIVE AGREEMENT IN

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CONNECTION WITH SUCH IMPROVEMNETS AND SPECIAL ASSESSMENTS;
AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

O#9 (1ST RDG) **ADOPTED AS ORDINANCE NO. 226/2023** A RESOLUTION AUTHORIZING THE MAYOR, AS THE CITY'S REPRESENTATIVE ON THE WORKFORCE INITIATIVE COUNCIL, TO VOTE IN FAVOR OF A DONATION OF \$353,000 IN UNRESTRICTED FUNDS TO THE WORKFORCE INVESTMENT COUNCIL TO ESTABLISH AN ENDOWMENT FUND TO GENERATE A SUSTAINABLE FUNDING SOURCE FOR FUTURE PROGRAMMING, WHICH SERVES A PUBLIC PURPOSE; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the Finance Committee to meet in regards to Ordinance #9 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:30 PM FOR THE FINANCE COMMITTEE TO MEET IN REGARDS TO O#9; RECONVENED AT 7:37 PM)

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

MEMBER SMUCKLER: Mr. President, I move that we...suspend Rule 22A to place Ordinance #9 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinance #9...back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinance #9 is a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend the statutory Rules of Ordinance #9.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded...to...to suspend the Statutory Rules on Ordinance #9. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

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

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MEMBER SMUCKLER: Mr. President, it's my pleasure to move that we adopt Ordinance #9.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #9. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 226/2023

PRESIDENT SHERER: The motion carries and Ordinance #9 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 #10.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCE #10 FOR ITS SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#10. (2nd RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 227/2023** AN ORDINANCE ADOPTING TEMPORARY APPROPRIATIONS FOR THE OPERATING AND CAPITAL EXPENDITURES OF THE CITY OF CANTON, OHIO, FOR FISCAL YEAR 2024; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend the statutory Rules of Ordinance #10.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded...to...to suspend the Statutory Rules on Ordinance #10. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

PRESIDENT SHERER: The motion carries. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #10.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #10. Are there any remarks under this Ordinance? Leader.

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MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #10 by the amendment before every Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #10 per the copy before each of you. Are there any remarks?

FINANCE DIRECTOR CROUSE: Mr. President.

PRESIDENT SHERER: Finance Director.

FINANCE DIRECTOR CROUSE: There are uh...four...five...five changes to the original budget that was for \$327,650,000.00. The new amended version of the budget is \$328,330,751.00. and the five items are...uh...we...we had to put \$250,000.00 into Fund 2805 for a Cops Hiring Grant that was missed during the initial process prior to being...uh submitted originally. We adjusted some engineering...uh project dollars. We added project into the Water Fund. We made a comp planned adjustment to...uh...Engineering Project in...in the Capital Fund. We...uh...made a \$250,000.00 change to one of the...their projects...Engineering Projects as well. So just over a million dollars uh...changes. Or...not quite a million dollars in changes, but...I...I appreciate your acceptance of these amended items.

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

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

MEMBER SMUCKLER: Mr. President, I move we adopt #10, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 10 by amending the attached exhibits A,B, and C for the ones currently pending.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #10 as amended. Are there any remarks under this Ordinance as amended? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

#10 ADOPTED AS AMENDED AS ORDINANCE NO. 227/2023

PRESIDENT SHERER: The motion carries and Ordinance #10, as amended, has been adopted.

MINUTES OF THE MEETING DECEMBER 11, 2023**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 #11, please.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #11 THROUGH #14 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#11. (3rd RDG) ***POSTPONED INDEFINITELY AN ORDINANCE AMENDING ORDINANCE NO. 55/77 AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY PUB HRG 11/27/23 @ 7:00 PM***

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #11. Are there any remarks? Leader.

MEMBER SMUCKLER: I move that we postpone Ordinance #11 indefinitely.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to postpone Ordinance #11 indefinitely. Are there any remarks? ...If not 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 motion carries and Ordinance #11 is postponed indefinitely. Ordinance # 12 please.

O#12. (3rd RDG) ***ADOPTED AS AMENDED AS ORDINANCE NO. 228/2023 AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$10,000.00 APPROP TRF FR 4501 202260 STREET PAVING – OTHER TO 4501 202260 STREET PAVING PERSONNEL; \$75,500.00 FR 5410 206006 COLLECTION SYSTEMS – OTHER TO 5410 202010 ENGINEER – DAILY OPERATIONS – PERSONNEL (\$75,000.00), TO 5410 202020 ENGINEER – URBAN FORESTRY – PERSONNEL (\$500.00); \$47,500.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 202020 ENGINEER – URBAN FORESTRY – PERSONNEL (\$400.00), TO 1001 501001 MAYOR – ADMIN – PERSONNEL (\$7,100.00), TO 1001 702001 CLERK OF COURTS – ADMIN – PERSONNEL (\$40,000.00); \$1,000,000.00 SUPP APPROP FR UNAPPROP BAL OF 7502 PAYROLL CLEARING FUND TO 7502 801001 AUDITOR – ADMIN – PERSONNEL)***

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PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

MEMBER SMUCKLER: Mr. President, I move we a...amend Ordinance #12 by the copy in front of every Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #12 per the copy before each of you. Are there any remarks?

FINANCE DIRECTOR: Mr. President. Just uh...

PRESIDENT SHERER: Finance Director.

FINANCE DIRECTOR CROUSE: Sorry.

PRESIDENT SHERER: I have to find you first.

FINANCE DIRECTOR CROUSE: Yea, I'm over here now. *(Laughter)*

PRESIDENT SHERER: I got you.

FINANCE DIRECTOR CROUSE: Uh...just a couple of uh...reasons for the amended on here. Uh...they mainly come from the Auditor's office. After review of all funds throughout the city which there are hundreds of, it was determined that a few of them...twelve of them...were over appropriated. So there were over budgeted verses uh...the amount of revenues that we have to spend. Now they didn't over spend the fund by any stretching of the imagination. So what we're trying to do here is to put these funds into balance...uh...so when we end the year we're not showing a deficit uh...revenues verses expenditures. So twelve of the funds are...are being adjusted tonight with this...appropriation reductions. Uh...and two of them are...or three of them were for uh...Community Development and we've...we've talked to them about that and they agreeded that they over budget that...that fund or those three funds. So uh...we're taking care of that right now and getting everything in line for the end of the year.

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

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

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

MINUTES OF THE MEETING DECEMBER 11, 2023

MEMBER BABCOCK: Second.

AMENDMENT

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

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

#12 ADOPTED AS AMENDED AS ORDINANCE NO. 228/2023

PRESIDENT SHERER: The motion carries and Ordinance #12, as amended, has been adopted. Ordinance #13 please.

O#13. (3rd RDG) **ADOPTED AS ORDINANCE NO. 229/2023** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF OUTLOTS 1345 AND 1346; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 10004114 7 10004113, SIMON WARSTLER, 1120 CAMDEN AVE SW)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #13. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

#13 ADOPTED AS ORDINANCE NO. 229/2023

PRESIDENT SHERER: The motion carries and Ordinance #13 is adopted. Ordinance #14, please.

O#14. (3rd RDG) **ADOPTED AS ORDINANCE NO. 230/2023** AN ORDINANCE VACATING ALL OF VERTOLLI-HARMON MEMORIAL LANE NE; APPROVING AND ACCEPTING THE REPLAT OF PART OF OUTLOTS 840 AND 841, AND THE VACATED ROADWAY; AND DECLARING THE SAME TO BE AN EMERGENCY (CANTON CITY & STARK COUNTY, 4500 ATLANTIC BLVD NE) **PUB HRG**
WAIVED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #14.

MINUTES OF THE MEETING DECEMBER 11, 2023

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #14. Are there any remarks under this Ordinance?

MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Thank you. This lane was dedicated and named after two officers who gave their lives in the line of duty. I spoke with uh...Safety Director Perry and asked her to get with the Sheriff and find out some other roads that we can dedicate to the memory of these two brave officers. I thank you for your time.

PRESIDENT SHERER: Thank you, Member Hawk. Are there any additional remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

#14 ADOPTED AS ORDINANCE NO. 230/2023

PRESIDENT SHERER: The motion carries and Ordinance #14 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Our next meeting date will be Monday, December 18th, and will be the last meeting of 2023. And committee starts at 6:45 PM.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Mr. President, Finance Committee will meet Monday, December 18th at 6:45 here at the uh...Council Chambers.

PRESIDENT SHERER: Thank you, Member Hawk.

MISCELLANEOUS BUSINESS

PRESIDENT SHERER: We are now under Miscellaneous Business. Is there any Miscellaneous Business for this evening? I would like to...uh thank everybody that showed up tonight. And I'd like to give a huge shoutout to our Clerk, Jill Wood. Uh... if she wasn't the Clerk, should would probably be an interior decorator. *(Laughter)* But she deserves a huge shout out for coordinating everything for making this happen. *(Applause)* What a beautiful setting...and a chance for us to showcase. And it needed a...it needed an upgrade, there's no doubt about that. *(Laughter)* I think the carpet was older than me...so. Are there uh...is there anything else under Miscellaneous Business for this evening.

MEMBER SMITH: Yes, Mr. President.

PRESIDENT SHERER: Member Smith.

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MEMBER SMITH: I would like to thank all of those that have donated so...uh...so far for the Unforgettable Christmas. Don't forget to bring your grandkids, great grandkids, or any kids you see on the street to the Southeast Community Center on Saturday from 12 PM to 3 PM. So please come out, meet Santa and take some great gifts home. Thank you so very much.

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

MEMBER SMUCKLER: Mr. President...uh...I would ask...that...Council Member, only, remain behind, and the Council President for about ten minutes after the meeting. This is at the request...and the doors will be open, this is at the req...request of...the...Clerk of Council. And I think that it would be a good idea to do that. I know that some of us aren't feeling well, Frank, but just if you could wait ten minutes afterwards it would be greatly appreciated. Uh...I meant what I said... uh there's still a few things that go right sometimes that is recognized by the public. Tonight was go right and it was...good to hear. This I remember...Member Hall and myself meeting at John's Bar several years go and uh...with parents and...getting this back off the ground. And I...I know you were the driving force. Sometimes Member Hall...uh...with the Mayor and I want to recognize not only the Mayor, but I want to recognize you for keep pushing and pushing and pushing, that uh...this became a reality. There's...a lot to show for that happened this evening. So for ten minutes uh...if you could hang around and I move we adjourn.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 0 NAYS

CLERK WOOD: Ten yeas, Mr. President.

ADJOURNMENT TIME: 7:54 PM

ATTEST:
JILL M. WOOD
CLERK OF COUNCIL

APPROVED:
WILLIAM SHERER
PRESIDENT