

**MINUTES OF THE MEETING SEPTEMBER 27, 2021**

PRESIDENT SHERER: Apologize for the late start this evening. Good evening, ladies and gentlemen and welcome to Canton City Council. If...if everyone would please turn their cellphones to vibrate and we are encouraging social distancing here in Council Chambers. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please, Madam Clerk.

12 COUNCIL MEMBERS PRESENT: (WILLIAM SMUCKLER, JAMES BABCOCK, CHRISTINE SCHULMAN, GREG HAWK, BRENDA KIMBROUGH, JASON SCAGLIONE, CHRIS SMITH, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, PETER FERGUSON & FRANK MORRIS)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK WOOD: Twelve present, Mr. President.

PRESIDENT SHERER: Thank you Madam Clerk. Tonight's invocation will be given by Council Member-At-Large, Christine Schulman. 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 September 27, 2021 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Jill M. Wood. The invocation was given by Council Member-At-Large, Christine Schulman. The Pledge of Allegiance was led by President Sherer.*

PRESIDENT SHERER: Thank you, Member Schulman. *(Inaudible)*.

MEMBER SMUCKLER: No, keep...keep...

PRESIDENT SHERER: Keep going?

MEMBER SMUCKLER: Yeah, keep going.

PRESIDENT SHERER: Okay, that'll be fine.

**AGENDA CORRECTIONS AND CHANGES**

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

MEMBER SMUCKLER: Oh my God...*(Laughter)*. I ask all of you to please bear with me tonight, on this. Mr. President, I move Rule 22A be suspended to add 2<sup>nd</sup> Reading of Ordinances 13 through 23 to this evening's agenda.

MEMBER SMUCKLER: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add 2<sup>nd</sup> Readings to Ordinances 13 through 23 to this evening's Agenda. Are there any remarks?

MAYOR BERNABEI: Just a question, technical question. Did we have a second reading of Ordinance #20? ...or 21, or 22, or 23? I guess now that I look at it. And which ones did we or did we not?

CLERK WOOD: They were all on first reading, we have to have a second reading on all four.

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MAYOR BERNABEI: Okay, so we have not yet had a second reading on those...

CLERK WOOD: Correct...

MAYOR BERNABEI: ...Just for clarification.

CLERK WOOD: That will take place tonight.

PRESIDENT SHERER: Okay.

MEMBER SMUCKLER: Well, you know what, is...we're going to start with this, and when we get down there, I'm just going to keep going through because there might be something else on the agenda that we deal with too, at some particular time. Again, I caution everybody, we don't meet for three weeks and we're going to try to go through as much of this as possible.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 13 through 23 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 1 speaker for tonight, which I do not see her present, so we shall move on.

**INFORMAL RESOLUTIONS**

PRESIDENT SHERER: We are now under Informal Resolutions and we have two for this evening. Madam Clerk, would you please read Informal Resolution #29, by title.

29. COUNCIL-AS-A-WHOLE: RECONIZING SEPTEMBER AS PROSTATE CANCER AWARENESS AND EDUCATION MONTH. – ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: For the record, can I have this read into Council minutes?

PRESIDENT SHERER: Madam Clerk.

CLERK WOOD: Presented by Canton City Council, An Informal Resolution Respectfully Submitted By Council-As-A-Whole on this 27th day of September, 2021, **WHEREAS**, September has been designated as Prostate Cancer Awareness and Education Month; and **WHEREAS**, every fifteen minutes, another American man dies from prostate cancer. That's a little more than 93 deaths per day; and **WHEREAS**, this year approximately 248,530 men will be diagnosed with prostate cancer in the United States alone. Of those diagnosed, roughly 34,130 will die from the disease; and **WHEREAS**, in Ohio an estimated 9,010 new cases of prostate cancer will be diagnosed and an estimated 2,000 deaths will occur this year; and **WHEREAS**, men with relatives – fathers, brothers, sons – with a history of prostate cancer are twice as likely to develop the disease; and **WHEREAS**, men who served in the military and were exposed to chemicals and herbicides are at a higher risk for developing prostate cancer; and **WHEREAS**, one in eight men are diagnosed with prostate cancer in their lifetime. African American men are at the highest risk for the disease at the rate of one in six and are 2.2 times more likely to die from the disease; and **WHEREAS**, nearly 3.1 million men in the U.S. are living with a prostate cancer diagnosis, and that number is estimated to climb to four million by 2024 as men in the baby boomer generation age; and **WHEREAS**, all men are at risk of prostate cancer. Education regarding this disease and early detection strategies are critical to saving lives and preserving and protecting our families. The economic and social hardship it has on families is huge as prostate cancer is estimated to cost over \$8 billion in direct medical expenditures. **Now, Therefore Be It Resolved:** that we, the Members of Canton City Council, do hereby go on public record in recognition of **Prostate Cancer Awareness and Education Month**. We strongly encourage the citizens of the City of Canton to increase their awareness of the devastating effects of this disease and the importance of prostate screenings.

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

NO REMARKS

RESOLUTION #29 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Informal Resolution #29 is adopted. Informal Resolution #30, please.

30. PERSONNEL COMMITTEE: CONFIRMING APPOINTMENT OF MR. JIM GRIFFIN TO TREE COMMISSION COMMENCING 9/27/21 TO 12/31/23. – ADOPTED

PRESIDENT SHERER: Leader.

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

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MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #30. Are there any remarks? I know that Mr. Griffin was here but I don't see him right now, but...hearing no additional remarks, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #30 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Informal Resolution #30 is adopted.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Before we get into the heart of the meeting, um...we have a personnel matter to deal with in our office and I'd like to call an Executive Session...uh...to discuss hiring...um...is that Administrative Clerk? Administrative Clerk in the office of Canton City Council, uh...under the uh...Personnel, under the Sunshine Law, and I would also have every Council Member remain, the Council President and the Clerk of Council.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: So, a motion was made and seconded to go into Executive Session. Roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

PRESIDENT SHERER: You are now in Executive Session. At this time, I would like to ask everybody to leave the room please, if you could.

***(COUNCIL RECESSED AT 7:23 PM FOR EXECUTIVE SESSION TO DISCUSS PERSONNEL MATTERS; RECONVENED AT 7:43 PM)***

PRESIDENT SHERER: Okay, thank you. Okay, alright, we're back on the record, so we're just coming out of Executive Session.

**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.***

307. AGENT FOR PETITIONER WILLIAMS: COPIES OF ANNEXATION PETITION DOCS FILED WITH STARK CO COMMISSIONERS FOR BROADWAY AVE 2021 ANNEXATION. – RECEIVED & FILED

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308. ANNEXATION CHAIRMAN HAWK: REQ LEGISLATION FOR STATEMENT OF SERVICES FOR BROADWAY AVE 2021 ANNEXATION. – ANNEXATION COMMITTEE
309. ANNEXATION CHAIRMAN HAWK: REQ LEGISLATION FOR STATEMENT OF SERVICES FOR 4595 KIRBY AVE NE ANNEXATION. – ANNEXATION COMMITTEE
310. ANNEXATION CHAIRMAN HAWK: REQ LEGISLATION FOR STATEMENT OF SERVICES FOR REGENT AVE NE – CITY SERVICE CENTER ANNEXATION. – ANNEXATION COMMITTEE
311. CHIEF OF POLICE ANGELO: RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR AUGUST 2021. – RECEIVED & FILED
312. COURT ADMINISTRATOR KOCHERA: AUTH MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT OF MENTAL HEALTH & ADDICTION SERVICES (ODMHAS) FOR RECEIPT OF FY2022 RECOVERY COURT ATP GRANT FUND #2792 IN AMT OF \$5,475.00 FOR PERIOD COMMENCING IMMEDIATELY THRU 6/30/22; REQ \$5,475.00 SUPP APPROP FR UNAPPROP BAL OF #701001-2792 RECOVERY COURT ATP GRANT FUND #2792 TO APPROP BAL OF #701001-2792 RECOVERY COURT ATP GRANT FUND #2792. – FINANCE COMMITTEE
313. COURT ADMINISTRATOR KOCHERA: REQ \$75,000.00 SUPP APPRP FR UNAPPROP BAL OF #701001-2423 COURT CAPITAL/SPECIAL PROJECTS FUND #2423 TO APPROP BAL – PERSONNEL #701001-2423 COURT CAPITAL/SPECIAL PROJECTS FUND #2423 FOR CONTINUED PROPER AND ADEQUATE FUNCTION OF THE COURT. – FINANCE COMMITTEE
314. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SERV DIR, ON BEHALF OF CITY OF CANTON, TO TRF PERMANENT PARCEL #229325 LOCATED AT 9<sup>TH</sup> ST NW, WHICH IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO CANTON COMMUNITY IMPROVEMENT CORP, AS ITS DESIGNATED AGT FOR ECONOMIC DEV PURPOSES, FOR SUBSEQUENT TRF TO CAMPBELL LANDSCAPING LLC PURSUANT TO ORC SEC 761.02 AND 1724.10. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
315. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SERV DIR, ON BEHALF OF CITY OF CANTON, TO ENTER INTO ANY AND ALL CONTRACTS FOR SALE OF PERMANENT PARCEL #214261 LOCATED AT ESSIG CT NW, WHICH IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO CAMPBELL LANDSCAPING LLC FOR FAIR MARKET VALUE OF \$4,200.00 PURSUANT TO ORC SEC 5722.07. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
316. DEPUTY MAYOR WILLIAMS: WITHDRAW O#10 FROM 9/13/27 AGENDA. – RECEIVED & FILED
317. DEPUTY MAYOR WILLIAMS: WITHDRAW RE#97/2021 ADOPTED 5/24/21. – RECEIVED &

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FILED

318. DEPUTY MAYOR WILLIAMS: APPROP PROP LOCATED AT 1318 GONDER AVE SE, CANTON OH 44707 FOR INVEST HEALTH PROJ IF NEGOTIATED SETTLEMENT CANNOT BE REACHED WITH PROP OWNER; AUTH MAYOR AND/OR SERV DIR, OR THEIR DESIGNEE, ON BEHALF OF CITY OF CANTON, TO ESTABLISH FAIR MARKET VALUE (“FMV”) OF PARCEL FOR FEE SIMPLE TAKE WHICH IS NECESSARY FOR COMPLETION OF PROJ; AUTH MAYOR AND/OR SERV DIR, OR THEIR DESIGNEE, TO NEGOTIATE WITH PROP OWNER FOR PURCH/ACQUISITION OR DONATION/ACQUISITION OF PARCEL UTILIZING FMV AS BASIS OF SAID NEGOTIATIONS AND ACCEPT TITLE TO SAID PARCEL; AUTH MAYOR AND/OR SERV DIR, OR THEIR DESIGNEE, TO MAKE MINISTERIAL CHANGES TO CORRECT PROP OWNER NAMES, PARCEL NUMBERS AND OTHER NUMERICAL DESCRIPTIVE OR TYPO ERRORS, SHOULD THEY OCCUR; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPARTMENTAL AUTH BASED ON NEGOTIATED SETTLEMENT PRICE AGREED TO BY PROP OWNER AND MAYOR AND/OR SERV DIR OR THEIR DESIGNEE; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS DULY APPROVED BY PROPER DEPARTMENTAL AUTH FOR FMV FOR PARCEL THAT REQUIRE PROP APPROPS TO BE DEPOSITED WITH COURTS; EMERGENCY. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
319. LIQUOR CONTROL DIV (OHIO): REQ NEW D1 PERMIT FOR SOL RESTAURANT NIGHT CLUB LLC, 1916 CLEVELAND AVE NW (WARD 9). – RECEIVED & FILED
320. LIQUOR CONTROL DIV (OHIO): REQ TRF OF C2 PERMIT FR CANTON COUNT LLC, 1135 MARKET AVE N TO NORTH MARKET DRIVE THRU LLC, 1135 MARKET AVE N (WARD 2). – RECEIVED & FILED
321. LIQUOR PERMIT DIV (OHIO): REQ NEW D2 PERMIT FOR BOB EVANS RESTAURANTS LLC, DBA BOB EVANS RESTAURANT 516, 3400 LESH ST NE (WARD 6). – RECEIVED & FILED
322. LIQUOR PERMIT DIV (OHIO): REQ NEW D2 PERMIT FOR BOB EVANS RESTAURANTS LLC, DBA BOB EVANS RESTAURANTS 161, 4008 TUSCARAWAS ST W (WARD 3). – RECEIVED & FILED
323. PLANNING COMMISSION: REQ REPLAT OF ALL OF OUTLOT 900, AKA TAX PARCEL 304356 FOR ATTY EDMOND MACK ON BEHALF OF PANATTONI DEVELOPMENT CO, INC. AND AS AGT FOR PROP OWNER, SKYLAND PINES LTD (3550 COLUMBUS RD NE, WARD 6). – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
324. PLANNING COMMISSION: REQ REPLAT OF PART OF LOT 17668 AND ALL OF LOTS 17665, 17667, 17669, 17670, 17671 AND PART OF OUT LOT 368, AKA TAX PARCELS 245432, 202235 & 238762 FOR CRAIG MILLER, SHEILA WILLIAMS & STACY DALTON (1700 BLOCK OF MAPLE AVE NE, WARD 9). – PUBLIC SAFETY & THOROUGHFARES COMMITTEE

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325. PLANNING COMMISSION: REQ REPLAT OF LOTS 9030 – 9035, AKA TAX PARCELS 214456, 225583, 213758, 203010 & 10002689 FOR HABITAT FOR HUMANITY (1400 BLOCK OF SYCAMORE AVE SE, WARD 4). – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
326. PLANNING COMMISSION: RECOMMEND APPROVAL OF PROPOSED TEXT CHANGES TO CITY ZONING CODE CHAPTER 1195.05 (DUTIES OF BOARD OF ZONING APPEALS). – JUDICIARY COMMITTEE
327. PLANNING COMMISSION: RECOMMEND APPROVAL OF PROPOSED TEXT CHANGES TO CITY ZONING CODE CHAPTER 1198.12 (MEDICAL MARIJUANA FACILITIES INCLUDING CULTIVATION & PROCESSING FACILITIES, DISPENSARIES AND TESTING LABS). – JUDICIARY COMMITTEE
328. PLANNING COMMISSION: RECOMMEND APPROVAL OF PROPOSED TEXT CHANGES TO CITY ZONING CODE CHAPTER 1134.05 (STORAGE OF VEHICLES IN ZONING DISTRICTS). – JUDICIARY COMMITTEE
329. PLANNING COMMISSION: RECOMMEND APPROVAL OF PROPOSED TEXT CHANGES TO CITY ZONING CODE CHAPTER 1147 (PERMITTED USES – BUSINESS AND INDUSTRIAL ZONING DISTRICTS; FUNERAL HOMES) AND CHAPTER 1148.03 (I-1 LIGHT INDUSTRIAL DISTRICT PERMITTED USES). – JUDICIARY COMMITTEE
330. PLANNING COMMISSION: RECOMMEND APPROVAL OF PROPOSED TEXT CHANGES TO CITY ZONING CODE CHAPTER 1147 (PERMITTED USES – BUSINESS AND INDUSTRIAL ZONING DISTRICTS; LIMITED LODGING). – JUDICIARY COMMITTEE
331. SAFETY DIRECTOR PERRY: AUTH AND DIRECT AUDITOR TO PAY ANY AND ALL MORAL OBS FOR ENVIROSERVE, INC. EXPENSES RESULTING PRIOR TO PASSAGE OF THIS ORDINANCE; RETRO AUTH ANY AND ALL ACTIONS TAKEN IN ORDER TO ENSURE THAT MORAL OBS IN QUESTION ARE PAID IN TIMELY MANNER; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (CLEAN-UP OF CHEMICAL SPILL ON 2/24/21 AT 116 CLEVELAND AVE NW). – FINANCE COMMITTEE
332. SAFETY DIRECTOR PERRY: AUTH MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF ONE (1) LICENSE PLATE READER AND SECONDARY GATEWAY ROUTER FOR POLICE DEPT; ALTERNATIVELY AUTH MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCH OF SAID ITEMS IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTH AUDITOR TO CREATE 2801 – OCJS 2020 PROJECT SAFE NEIGHBORHOOD GRANT FUND; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; AMEND APPROP O#49/2021 (\$22,800.00 SUPP APPROP FR UNAPPROP BAL OF 2801 OCJS 2020 PROJECT SAFE NEIGHBORHOOD GRANT TO 2801 102001 – POLICE ADMIN – OTHER; \$22,800.00 SUPP APPROP FR UNAPPRP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 – POLICE ADMIN – ADV OUT; \$22,800.00 ADVANCE FR 1001 102001 – ADVANCE OUT TO OTHER

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FUND TO 2801 102001 – ADVANCE IN FROM OTHER FUND); EMERGENCY. – FINANCE COMMITTEE

333. SAFETY DIRECTOR PERRY: AMEND O#100/2011 TO ADD ADDT'L POSITIONS TO THE BLDG/CODE DEPT (ONE ADDT'L FULL-TIME PLUMBING INSPECTOR; ONE ADDT'L FULL-TIME CODE OFFICER AND CREATION OF CIVIL SERVICE CLASSIFIED POSITION OF ONE CODE ENFORCEMENT ADMINISTRATOR). – PERSONNEL COMMITTEE
334. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT CHANGE ORDER #2 FOR CLEVELAND AVE WATER MAIN REPLACEMENT PROJ WITH THE SHELLY COMPANY TO PERFORM OPEN-CUT INSTALLATION FOR WATER SERVS DEEMED AS NECESSARY IN AMT NOT TO EXCEED \$274,974.00; AMEND O#49/2021 (\$120,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207055 CLEVELAND AVENUE WATER MAIN REPLACEMENT PROJECT – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; AUTH AND DIRECT AUDITOR TO PAY ANY AND ALL MORAL OBS AS PART OF THIS CHANGE ORDER THAT ARE OTHERWISE APPROVED BY BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORD 105.14; EMERGENCY. – FINANCE COMMITTEE
335. SERVICE DIRECTOR HIGHMAN: AMEND O#49/2021 (\$2,049.27 SUPP APPROP FR UNAPPROP BAL OF 5206 WATER SECURITY FUND TO 5206 207001 WATER SECURITY FUND – OTHER; \$2,049.27 INTRA-FUND TRF FR 5206 207001 WATER SECURITY FUND – OTHER TO 5201 207001 WATER OPERATING FUND – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (UNUSED BALANCE OF FUNDS). – FINANCE COMMITTEE
336. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ACQUIRE SANITARY SEWER RIGHTS FOR AREAS RELATED TO HOFV INCLUDED IN GENERAL DEVELOPMENT PLAN AREA TO CANTON AND TO COMPENSATE COUNTY FOR SAID CONVEYANCES AS DEFINED IN SUPPLEMENTAL AGMTS; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO AGMT(S) WITH STARK COUNTY FOR OWNERSHIP, OPERATION AND MAINTENANCE OF SANITARY SEWERS AND FACILITIES IN AREA OF HOFV GENERAL DEVELOPMENT PLAN; AMEND O#49/2021 (\$600,000.00 SUPP APPROP FR UNAPPROP BAL OF 5413 SEWER REPLACEMENT FUND TO 5413 202010 ENGINEER – DAILY OPERATIONS – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES
337. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FOR 1/1/21 TO 8/31/21. – RECEIVED & FILED

**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 #1.



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***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #1 THROUGH #12A FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#10 ADOPTED AS AMENDED; O#11 THROUGH O#12A ADOPTED ON FIRST READING):***

- O#1. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (LAW DEPT, BLDG/CODE PROSECUTOR)  
Referred to Personnel Committee
- O#2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH MKSK, INC. IN AN AMOUNT NOT TO EXCEED \$120,000.00 FOR THE RE-IMAGINING COURT AVENUE MASTER PLAN AND COMPREHENSIVE STRATEGY INITIATIVE; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee
- O#3. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE SALE OF CITY OWNED REAL PROPERTY AND TO ENTER INTO ALL CONTRACTS NECESSARY TO FACILITATE THE SALE OF SAID PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (STARK COUNTY PARCELS 213533, 227179, 281087, 201291, 234733, 226655, 10005759, 202194, 206609, 206988, 246345, 233228, 232390 AND 230834)  
Referred to Community & Economic Development Committee
- O#4. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$6,513.50 SUPP APPROP FR UNAPPROP BAL OF 5225 CARNWISE WATER MAIN FUND TO 5225 207001 CARNWISE WATER MAIN – OTHER)  
Referred to Finance Committee
- O#5. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$26,025.00 SUPP APPROP FR UNAPPROP BAL OF 5213 PLAIN TOWNSHIP ORCHARDALE WATER MAIN FUND TO 5213 207001 PLAIN TOWNSHIP ORCHARDALE WATER MAIN – OTHER)  
Referred to Finance Committee
- O#6. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL AGREEMENTS NECESSARY FOR THE TRANSFER OF THE PROPERTY LOCATED AT STARK COUNTY AUDITOR PARCEL 284896 FOR \$68,000.00 TO THE BOARD OF EDUCATION FOR THE CANTON CITY SCHOOL DISTRICT PURSUANT TO OHIO REVISED CODE SECTIONS 3313.39, 163.04 AND 163.041; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Property Capital Improvement Committee

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- O#7. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: NEGOTIATE AND ENTER INTO AGREEMENT FOR THE PURCHASE OF VARIOUS PARCELS IN A TOTAL AMOUNT NOT TO EXCEED \$445,000.00; ENTER INTO CONTRACT FOR ENGINEERING DESIGN SERVICES FOR THE RENOVATION OF THE PROPERTIES PURCHASED; AND OPEN PURCHASE ORDERS IN AN AMOUNT NOT TO EXCEED \$50,000.00 PER PURCHASE ORDER FOR IMMEDIATE SECURITY UPGRADES TO THE SITE WAIVING THE INFORMAL RESOLUTION REQUIREMENTS OF CODIFIED ORDINANCE 105.09 FOR SAID UPGRADES; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$600,000.00 APPROP TRF FR 4501 202060 STEESE AREA (39<sup>TH</sup> ST NW) PROJECT – OTHER TO 4501 202063 SALT STORAGE FACILITY PROJECT, GP 1371 – OTHER)  
Referred to Public Property Capital Improvement Committee
- O#8. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR WATER, SANITATION, AND SEWER SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Environmental & Public Utilities Committee
- O#9. (1<sup>ST</sup> RDG) A RESOLUTION DECLARING THE NECESSITY AND THE INTENT TO APPROPRIATE PARCELS FOR THE INVEST HEALTH PROJECT; ESTABLISHING THE FAIR MARKET VALUE (“FMV”) OF REAL PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (1318 GONDER AVE SE)  
Referred to Community & Economic Development Committee
- (COUNCIL RECESSED AT 7:51 PM FOR PUBLIC SAFETY & THOROUGHFARES AND ANNEXATION COMMITTEES TO DISCUSS O#10 THROUGH O#12A; RECONVENED AT 7:55 PM)*
- O#10. (1<sup>ST</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 185/2021** AN ORDINANCE ESTABLISHING THE FAIR MARKET VALUE (FMV) OF REAL PROPERTY; AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEE TO: NEGOTIATE WITH PROPERTY OWNERS AND ENTER INTO AGREEMENTS FOR FEE SIMPLE TAKES AND TEMPORARY EASEMENTS; NEGOTIATE WITH PROPERTY OWNERS AND ENTER INTO AGREEMENTS FOR THE PURCHASE/ACQUISITION OF THEIR PARCELS UTILIZING FMV FOR THE COLONIAL BLVD. NE, PHASE 1, GP 1206 PROJECT, DECLARING THE INTENT TO APPROPRIATE PARCELS FOR THE PROJECT IF A NEGOTIATED SETTLEMENT CANNOT BE REACHED WITH PARCEL OWNERS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Safety & Thoroughfares Committee
- O#11. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 186/2021** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNERS IN THE BOARDWAY AVE 2021 ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE

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ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO;  
AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Annexation Committee

O#12. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 187/2021** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNERS IN THE REGENT AVE. NE – CITY SERVICE CENTER ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Annexation Committee

O#12A. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 188/2021** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF OUTLOT 900 AND THE DEDICATION OF THE REBAR AVE NE EXTENSION; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL 304356, ATTY EDMOND MACK ON BEHALF OF PANATTONI DEVELOPMENT CO, INC. AND AS AGT FOR PROP OWNER, SKYLAND PINES LTD (3550 COLUMBUS RD NE, WARD 6)

Referred to Public Safety & Thoroughfares Committee

CLERK WOOD: Mr. President.

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the...for the Public Safety & Thoroughfares and Annexation Committees to meet in regard to Ordinances 10 through 12A on your agenda this evening. You are now in recess.

***(COUNCIL RECESSED AT 7:51 PM FOR THE PUBLIC SAFETY & THOROUGHFARES AND ANNEXATION COMMITTEES TO DISCUSS ORDINANCES 10 THROUGH 12A); RECONVENED AT 7:55 PM)***

PRESIDENT SHERER: Council is reconvening after the recess, and just for the record...Ordinance #1 is referred to Personnel Committee; Ordinance #2, referred to Community & Economic Development Committee; Ordinance #3, referred to Community & Economic Development Committee; Ordinance #4, referred to Finance Committee; Ordinance #5, referred to Finance Committee; Ordinance #6, referred to Public Property Capital Improvement Committee; Ordinance #7, referred to Public Property Capital Improvement Committee; Ordinance #8, is referred to Environmental & Public Utilities Committee; Ordinance #9, referred to Community & Economic Development Committee; Ordinance #10, referred to Public Safety & Thoroughfares Committee; Ordinance #11, referred to Annexation Committee; Ordinance #12, referred to Annexation Committee; and Ordinance #12A, is referred to Public Safety & Thoroughfares. Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinances 12 through...I'm sorry, 10 through 12A back on this evening's agenda.

MEMBER SMUCKLER: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 10 through 12A back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

PRESIDENT SHERER: Ordinances 10 through 12A are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #10...I'm sorry...

PRESIDENT SHERER: Hang on, hang on, hang on...

MEMBER SMUCKLER: I'm sorry. I know, I know. Just hang on. Mr. President, I move we suspend the Statutory Rules on Ordinances 10 through 12A.

MEMBER SMUCKLER: Second.

PRESIDENT SHERER: There's a motion to suspend the Statutory Rules on Ordinances 10 through 12A. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

PRESIDENT SHERER: You've heard the three readings, 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 Smuckler?

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #10 per the copy that all Council Members have in front of them.

MEMBER BACOCK: Second.

PRESIDENT SHERER: It's been moved and second to amend Ordinance #10 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...Mr. President, I move we adopt Ordinance #10, as amended.

MEMBER BABCOCK: Second.

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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 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#10 ADOPTED AS AMENDED AS ORDINANCE NO. 185/2021**

PRESIDENT SHERER: The motion carries and Ordinance #10, as amended, has been adopted. 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 under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#11 ADOPTED AS ORDINANCE NO. 186/2021**

PRESIDENT SHERER: The motion carries and Ordinance #11 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#12 ADOPTED AS ORDINANCE NO. 187/2021**

PRESIDENT SHERER: The motion carries and Ordinance #12 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

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PRESIDENT SHERER: The motion carries and Ordinance #12A has been adopted.

**ORDINANCES AND 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 #13.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #13 THROUGH #23 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#13 & O#18 – O#23 ADOPTED ON 2<sup>ND</sup> READING):***

O#13. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 189/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO A PURCHASE AGREEMENT WITH THE DOWNTOWN CANTON LAND BANK (DCLB CORP) IN AN AMOUNT NOT TO EXCEED \$1,250,000.00 OF ISSUE 13 COMPREHENSIVE PLAN FUNDS FOR THE PURCHASE OF THE NATIONWIDE BUILDING; ENTER INTO A SERVICE AGREEMENT WITH THE CANTON COMMUNITY IMPROVEMENT CORP. (CCIC) UTILIZING ISSUE 13 COMPREHENSIVE PLAN FUNDS IN AN AMOUNT NOT TO EXCEED \$300,000.00 IN ORDER FOR THE CCIC TO PROVIDE ALL NECESSARY CARRYING COSTS ASSOCIATED WITH THE BUILDING; AND DECLARING THE SAME TO BE AN EMERGENCY

MEMBER SMUCKLER: Whoa...whoa...I need to have some action on this, and I told you that we would have to stop on an individual basis here. I asked for this to be postponed two weeks ago and I did it for a reason. Again, because I knew I couldn't be here and I had been part of this for two years. I'm going to ask tonight that we suspend Statutory three readings of Ordinance #13.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Motions been made and seconded to suspend the Statutory Rules for the three readings on 22A on Ordinance #14...

CLERK WOOD: 13...13.

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

NO REMARKS

ROLL CALL 11 YEAS, 1 NAY  
(MEMBER MORRIS VOTED NAY)

CLERK WOOD: Eleven yeas, one nay, Mr. President.

PRESIDENT SHERER: Motion carries. Leader Smuckler.

MEMBER SMUCKLER: If I'm doing this right, Mr. President, I move we adopt Ordinance #13.

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It's been motioned and seconded to adopt Ordinance #13. Are there any remarks?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Two weeks ago, knowing that I had Covid, I asked the Finance Chairman to postpone this for two weeks, so I could be here. And in doing so, Mr. Morris alluded to something that happens with the Majority Leader every time there's something that happens in this Council, especially something that's very important. For two years, Mayor Bernabei has been keeping me informed of what's been going on with the Nationwide Building. From the purchase by the Land Bank, to asking me if we wanted to put money into the facility so we don't board it up, so there's not weeds growing all over the place, so that with...there was security in the building and there was heating and cooling continuing while the building was shown. Especially being in the position that the Nationwide Building is, so close to the Civic Center, and the last thing I wanted was a unkempt, closed up building in that area. I believe this is in Ward 2, is that correct?

MEMBER KIMBROUGH: Yes it is.

MEMBER SMUCKLER: And this is been done with Majority Leaders throughout the years. My first time served here, er...with Member Smith, we talked about the hotel and had a small meeting with that. We tried to do that. It's impossible to go through and inform 13, 12 different people what's going on every week with something. Folks, the Land Bank's out of money. And I know about responsibilities. This has been a working, hand-in-hand relationship with the Chamber, and every time we come down here, we point that out when we ask for the money for the Chamber. It's impossible, based on our finances, up until the tax was passed, for us to do all of this. We did not have that kind of budget. Under Council Woman Smith's leadership, under the Mayor's leadership, we passed the tax. We have Covid money, we're in good shape. You know, everybody's fluffed over this over part and I guess I'll be the elephant in the room that finally says that this city's on a turnaround. It's the worst-kept secret in history of what's going on at Skyland Pines. Fifteen hundred to two thousand jobs. We have an opportunity here to do something with the Renkert Building, right across the street. That's even more jobs. We have an opportunity to do something with the Nationwide Building. That's more jobs. We have other problems coming up on the future, it's not all roses. AEP is moving, we're going to have a huge building downtown again. You know, I sat here in the 1980's and I watched everybody close up. Bliss Tower and the Onesto. And downtown was drowning. We need to save Nationwide. We have an attractive piece of property, just like we had an attractive piece of property at Skyland Pines. I know everybody has the answer of figuring out what real estate's supposed to be, but guess what, I want to trust the experts. Every once in a while, other than distrust what could be, what should be, what might be. I am asking you all to support me in what I made the promise to here, a couple years ago, that we would make sure that the Nationwide Building was not boarded up, that the Nationwide Building would be marketed and it would be on a joint effort, and I need your support tonight. Thank you.

MEMBER MORRIS: Mr. President. (*Inaudible*).

PRESIDENT SHERER: Are there any additional remarks?

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

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MEMBER MORRIS: Thank you. Alright, my turn. We don't want a boarded up building, we don't want an eye sore, but across the street from this very building, we have an eye sore. Okay. The eye sore across the street houses two events per month. That eye sore is the Civic Center. Okay. The Chamber is good partner of ours. I don't know what you guys are seeing as a return but I see this as a corporate bailout. Offer 'em a grant, keep 'em afloat. Don't take on somebody else's financial burden. AEP is going to be vacant. Are we going to line up and buy that one too? Or how about the Renkert Building? Okay, what if the Land Bank's financial woes continue, are we going to line up and buy that one too? Are we going into the real estate business? Yes, the city is on the cusp and things are going good, but it isn't going to stay this way if we squander Issue 13 money, like my biggest fear was. I've had a lot of criticisms and I...I've said a lot of things that a lot of you don't agree, but there's one thing that I have never, ever looked at this Administration and said that you are fiscally irresponsible. They have managed our money well, they do an extremely good job of watching the budget, but this is by far the most foolish thing, that we as a legislative authority, can possibly do, is to buy a building in the name of making sure it doesn't become a vacant building. News flash...there's nobody in the building now. We can fund 'em, we can give 'em money to keep 'em afloat without getting into the real estate business, because mark my words, AEP is next and the Renkert Building's not far behind. Thank you, Mr. President.

PRESIDENT SHERER: Are there any additional remarks?

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: During my time in Council, I think, you know, we've all voted on these things...um...knowing the cost of owning a building. Not the initial cost, but the ongoing costs...um...has led us to be very careful about acquiring new buildings and, when we can, getting out of buildings that we have. Cirelli Building is a great example of this. Nationwide is...is almost, almost the same square footage as City Hall. The expenses that we have into City Hall, we are, depending on how long we hold this pro...property, are going to have on this property. So now we have to ask ourselves, is the Nationwide Building something that we can move quickly? Now we're talking 148, 149,000 square feet in a building that is 40 – 50 years old, of cubicle office space that, emerging from a pandemic, we are seeing that more and more people are working remotely. We are going to be marketing a building that was built for an economy of the past, that is changing rapidly. My fear is that the market for this building isn't going to be very strong. We are going to be looking for an incredibly unique business. A business that is bucking the trend of the future in deciding to invest and double down on a brick and mortar facility to have cubicle office people, rather than having them work at home like many of their peers in the different industries would. I...I am incredibly hesitant to spend \$1.25 million to purchase a building and beyond that, I am incredibly nervous to have the \$200,000 per year of ongoing costs to maintain this building. We are in good financial shape now, but we weren't very long ago, and those things can change rapidly. So, for those reasons, I cannot support this...um...thank you.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: I heard this nay...same news flash about the Bliss and the Onesto. The money would never be paid back. Onesto's already been paid back. This community takes chances. That's how we built the Hall of Fame. Now, I know that's not a popular aspect down here with some of the Council people either, but I'm telling you, that's jobs. It's construction jobs, it's permanent jobs, and what's going to be done



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there in the next few years, is just short of amazing. We have taken risks. That's what economic development is all about. It's taking risks. Now, you may say that's the wave of the future, I say that it's a possibility here, very shortly, that we have someone else on line. Now, the Land Bank's at the end of the road. Now, if Nationwide would have come to us and said, here's the building for half a million dollars, would we have taken it or just boarded it up? And then maintained the building right along, and skipped the Land Bank. That's what economic development...it's all about risks.

PRESIDENT SHERER: Are there any additional remarks?

MEMBER HAWK: Mr...Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: I will not be as eloquent or as long-winded, but it's basically simply. There's a huge difference between a vacant building and a derelict building, and what we're voting here is to prevent it from becoming a derelict building. If we ever look to our future, now's the time. We're under exceptionally poor economic conditions...we're under...the Covid's affected a lot of things economically. I think it's going to bounce back so I will be voting in the affirmative to make this happen. Thank you.

PRESIDENT SHERER: Thank you, Member Hawk.

MAYOR BERNABEI: Mr. President.

PRESIDENT SHERER: Mayor.

MAYOR BERNABEI: I'm...you know I asked Council for their adoption of this, please. I second the remarks made by Majority Leader Smuckler. I also second the information provided to you by Deputy Mayor Fonda Williams, as well as by Mr. (*Inaudible*) of the Land Bank. This is a very, very important acquisition, it is a key piece of downtown property, entryway corridor property, opposite the Civic Center and the Cultural Center. Contrary to the comments earlier made, the Civic Center is not an eye sore and the Civic Center is an ongoing and will be viable asset to the city of Canton. That is why we continue to operate it. To clarify, this does not provide a profit to the Land Bank. They are our partner in many downtown economic developments and we are repaying them the money they have expended in the acquisition and maintenance of this building. If they had not taken time with this property in May of 2019, the city of Canton would have, and if all those worked out the same, to include the occurrence of Covid, which interrupted the commercial real estate market, we, the City, would have already expended the \$1.25 million dollars that we are talking about today. This, very importantly, protects other Land Bank assets downtown because they are at the point of uh...having cash flow limitations or at the end of their cash flow. I would like to emphasize particularly to Member Mariol, that we took a much larger risk with regard to the Lehman Building which sits in his Ward. We held that building probably for 10 – 15 years, again at tremendous risk and have we not worked and reworked and reworked to obtain a developer, that building, and you are very familiar with that, would have cost in excess of 1 million dollars in demolition costs and more frightening, we would have then had a large hole in the ground in the middle of that neighborhood. So, economic development is worth taking the risks and...uh...we intend to pursue this, pursue it aggressively and...uh...we are very, very hopeful of obtaining positive results as we...as we have done with everything else.

PRESIDENT SHERER: Thank you, Mayor. Are there any additional remarks? ...Hearing none, roll call vote, please, on Ordinance #13.

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NO REMARKS

ROLL CALL 9 YEAS, 3 NAYS  
(MEMBER FISHER, MEMBER MARIOL & MEMBER MORRIS VOTED NAY)

CLERK WOOD: Nine yeas, three nays, Mr. President.

**#13 ADOPTED AS ORDINANCE NO. 189/2021**

PRESIDENT SHERER: The motion carries and Ordinance #13 has been adopted. Madam Clerk, would you continue on with Ordinance #14, please.

O#14. (2<sup>ND</sup> RDG) AN ORDINANCE DESIGNATING THE ZONING FOR THE TERRITORY KNOWN AS THE SKYLAND PINES 2021 ANNEXATION AREA CONTAINING APPROXIMATELY 5.561 ACRES AS I-1 (LIGHT INDUSTRIAL) AND ASSIGNING THE TERRITORY TO WARD 6; AND DECLARING THE SAME TO BE AN EMERGENCY  
**PUB HRG 10/18/21 @ 7:00 PM**

O#15. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO: ENTER INTO AGREEMENT FOR AND ACCEPT \$131,181.25 FROM THE DEPARTMENT OF HOMELAND SECURITY TO ASSISTANCE TO FIREFIGHTERS GRANT; ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF THE CASCADE SYSTEM FOR BREATHING APPARATUS FOR THE FIRE DEPARTMENT AND ENTER INTO CONTRACT FOR PURCHASE OF SAID ITEMS IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZING THE AUDITOR TO RENAME THE 2775 SAFE NEIGHBORHOOD HERO'S GRANT FUND TO THE 2775 2020 ASSISTANCE TO FIREFIGHTERS GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$131,181.25 SUPP APPROP FR UNAPPROP BAL OF 2775 2020 ASSIST TO FIREFIGHTERS GRANT FUND TO 2775 103001 FIRE ADMIN – OTHER; \$131,181.25 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 103001 – FIRE ADMIN – ADV OUT FOR \$118,063.15 AND TO 1001 103001 – FIRE ADMIN – TRANSFER OUT FOR \$13,118.10; \$13,118.10 INTERFUND TRF FR 1001 103001 – TRANSFER OUT TO OTHER FUND TO 2775 103001 – TRANSFER IN FROM OTHER FUND; \$1,000.00 INTERFUND TRF FR 2775 103001 TRANSFER OUT TO OTHER FUND TO 1001 103001 TRANSFER IN FROM OTHER FUND; \$118,063.15 INTERFUND ADV FR 1001 103001 – ADVANCE OUT TO OTHER FUND TO 2775 103001 – ADVANCE IN FROM OTHER FUND)

O#16. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A DESIGN AND/OR CONSTRUCTION OVERSIGHT CONTRACT FOR THE MARKET AVE. SOUTH STREETScape PROJECT, GP 1319; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$55,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 202001 ENGINEERING ADMIN – OTHER)

O#17. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$275,000.00 SUPP APPROP

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FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207069 SUGARCREEK WTP RENOVATION PROJECT FUND – OTHER; \$28,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207070 CROMER RESERVOIR IMPROVEMENT PROJECT FUND – OTHER)

O#18. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE 190/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FUNDING AGREEMENT IN THE AMOUNT OF FIVE MILLION DOLLARS (\$5,000,000.00) WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$5,000,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 200501 GENERAL GOVERNMENT SUPPORT–ADMIN – OTHER)

O#19. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE 191/2021** AN ORDINANCE ACCEPTING THE ANNEXATION OF THE TERRITORY KNOWN AS THE SKYLAND PINES 2021 ANNEXATION AREA CONTAINING APPROXIMATELY 5.561 ACRES; AND DECLARING THE SAME TO BE AN EMERGENCY

MAYOR BERNABEI: Mr. President...

MEMBER SMUCKLER: Mr. President. I know this is messed up, but I just don't even know how to fix it. Madam Clerk...

MAYOR BERNABEI: If I may clarify, um...I...I believe that 18 and 19 were discussed in Committee and therefore signed out for 2<sup>nd</sup> Reading. I do not think that 20, 21, 22 and 23 were discussed in Committee so they have not been signed out for 2<sup>nd</sup> Reading, so they need to be considered originally. We have to...to clarify, we have second readings on 18 and 19, is that correct

MEMBER SMUCKLER: Let's take this one at a time. I think I can do this. Let's start with 18. Mr. President, I move we suspend Statutory Rules of Ordinance #18.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Motions been made and seconded to suspend the Statutory Rules on Ordinance #18.

MEMBER SMUCKLER: Correct.

PRESIDENT SHERER: Are there any remarks? ...

MEMBER SMUCKLER: Now we need, and I'm going to do for both of these, 19 we don't have to have Committee Meeting on or we do? We do for both of those. Okay, so, I want to amend my...to make it...uh...18 and 19.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Motions been made and seconded to...uh...

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MEMBER SMUCKLER: Suspend the Statutory 3 Readings of 18 and 19?

CLERK WOOD: They all have to be suspended.

MEMBER SMUCKLER: I understand that but I...so there's less confusion, I want to do those two. The other four were from last week, so I just want to do those two right now.

PRESIDENT SHERER: Motions been made and seconded to suspend the Statutory Rules on...

MEMBER SMUCKLER: 18 and 19.

PRESIDENT SHERER: Ordinances 18 and 19. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, and I just want to clarify this, Clerk, 18 and 19 already had Committee Hearings, correct?

CLERK WOOD: Yes.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Motions been made and seconded to adopt Ordinance #18. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#18 ADOPTED AS ORDINANCE NO. 190/2021**

PRESIDENT SHERER: The motion carries and Ordinance #18 is 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?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

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MEMBER SMUCKLER: I know we're coming up on the final pieces of all of this and what I said before, still stands. I mean, we...people that were involved in all this for Skyland Pines, somewhere down the road, someone will talk about...uh...a big change in this community and uh...congratulated everybody that...uh...has worked on this and I think this is a fantastic opportunity for Canton, Ohio.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#19 ADOPTED AS ORDINANCE NO. 191/2021**

PRESIDENT SHERER: The motion carries and Ordinance #19 is adopted. Leader, shall we continue on with Ordinance #20?

MEMBER SMUCKLER: Well, we're going to do 20 through 23 together, since they already had Committee hearings.

MAYOR BERNABEI: Member Smuckler, may I offer the suggestion that we do these one at a time, please?

MEMBER SMUCKLER: Okay, but I was going to suspend Statutory three readings altogether.

MAYOR BERNABEI: I don't know that you...

CLERK WOOD: Yes.

MAYOR BERNABIE: You have not had a...you have not had Committee on 20, 21, 22, and 23.

CLERK WOOD: We had Committees at the last meeting and the Law Director said that we did not need to have Committees again this meeting.

MAYOR BERNABEI: You had a Committee Meeting at the last meeting, was on 1<sup>st</sup> Reading.

CLERK WOOD: Correct.

MAYOR BERNABEI: And so you're saying that the Committee Meeting that you had at the last meeting on September 13, on 1<sup>st</sup> Reading, was valid.

CLERK WOOD: Correct.

MAYOR BERNABEI: Law Director can you clarify that for us, or is that correct?

CLERK WOOD: We can't hear her.

MEMBER MORRIS: We can't hear you.

MEMBER HALL: Somebody needs to let her know.

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PRESIDENT SHERER: We're trying.

MAYOR BERNABEI: Kris, are you able to hear us?

LAW DIRECTOR AYLWARD: Okay...can you hear me now?

PRESIDENT SHERER: Yeah, we got you.

LAW DIRECTOR AYLWARD: Yes, I can hear you. Okay. Um...we had Committee Meetings on the floor for those Ordinances on 1<sup>st</sup> Reading and I discussed this with Clerk Wood, as well as Majority Leader Smuckler. I believe those Committee Meetings are valid because we don't need the 9 votes, other than to move them further, more quickly, so, we could still have the Committee Meetings early; however, if anyone is uncomfortable, if they would like to add more, I could say to both Clerk Wood and Majority Leader Smuckler, they could hold additional comments, if they wish, but I did not feel that they needed an additional Committee Meeting, as we did hold them just upon the floor.

MAYOR BERNABEI: And Madam Law Director, I would just ask the question, this is the Mayor, my concern would be whether or not there was a Council Rule that permits a Committee Reading to be held on a 1<sup>st</sup> Reading, rather than what is on the Agenda coming up for a 2<sup>nd</sup> Reading. Just to make sure, I want to be safe with these.

LAW DIRECTOR AYLWARD: It's very...

MAYOR BERNABEI: Yes.

LAW DIRECTOR AYLWARD: Right. It's very strange, it doesn't really talk about when the Committee Meetings definitely have to be made, and it says that "Anything other than moving it forward to be passed on less than three readings can be done with 8 votes." So, (*Inaudible*), I don't think we have to do further Committee Meetings, but if, out of precaution, you would feel better, that's perfectly okay. But 8 votes seem to be enough to hold Committee Meetings unless it's other than what we usually do, and we had 8 people.

MAJORITY LEADER: It's not my call to make, I wasn't here.

LAW DIRECTOR AYLWARD: (*Laughter*). It's as I said, if out of precaution, it would make you feel better, you can have...uh...further Committee Meetings...(*Inaudible*).

MAJORITY LEADER SMUCKLER: Uh...it's always better to err on...caution and send this out for another half hour. Alright, so we are going to take these one at a time. Um, do you actually need a motion to declare an in-house recess and do a Committee on this.

PRESIDENT SHERER: I believe...I believe we do.

LAW DIRECTOR AYLWARD: No. Because they're...no, they're in second reading now. They have actually advanced from 1<sup>st</sup> Reading to 2<sup>nd</sup> Reading now, in a natural way. We could have done these earlier during Committee Meetings, so, I'm not sure what you guys want to do now, I guess you'll have to adjourn to have additional Committee, but we usually don't do that, so...

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MEMBER SMUCKLER: So, to err on the side of caution, what do you want me to suspend? Anything, or just call for Committee Meetings and go into Committee Meetings?

LAW DIRECTOR AYLWARD: Call for...call for Committee Meetings on the floor.

PRESIDENT SHERER: At this time we will go into Committee for Ordinance #20...

***(COUNCIL RECESSED AT 8:34 PM FOR THE FINANCE, ENVIRONMENTAL & PUBLIC UTILITIES AND PERSONNEL COMMITTEES TO HAVE ADDITIONAL DISCUSSION ON O#20 – O#23; RECONVENED AT 8:42 PM)***

O#20. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 192/2021** AN ORDINANCE AUTHORIZING THE CANTON BOARD OF PARK COMMISSIONERS TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH MKSK, INC. IN AN AMOUNT NOT TO EXCEED \$49,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY (MASTERPLAN OF STADIUM, MONUMENT, WATERWORKS & FIELD CITY PARKS)  
Referred to Finance Committee

O#21. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 193/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEE, TO ESTABLISH THE FAIR MARKET VALUE OR REAL PROPERTY; ENTER INTO AGREEMENTS FOR THE PURCHASE/ACQUISITION OF THESE PARCELS; ENTER INTO AGREEMENTS FOR THE SALE OR DONATION OF CITY-OWNED PROPERTY FOR PERMANENT ROAD RIGHT-OF-WAY, UTILITY EASEMENTS, AND/OR TEMPORARY CONSTRUCTION EASEMENTS FOR THE ALLEN AVENUE SE AREA SANITARY SEWER AND WATERLINE PROJECT, GP 1332; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Environmental & Public Utilities and Finance Committees

O#22. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 194/2021** AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, OR CANTON BOARD OF PARK COMMISSIONERS TO ENTER INTO A DESIGN CONTRACT FOR THE CRENSHAW PARK SHELTER PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$300,000.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARKS OPERATION FUND TO 2530 401060 SPECIAL PARK FUNDS – OTHER)  
Referred to Finance Committee

O#23. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 195/2021** AN ORDINANCE AUTHORIZING THE HIRING ON MR. DERRICK LOY TO FILL THE POSITION OF SUPERVISOR OF PUMP AND SUPPLY MAINTENANCE IN THE WATER DEPARTMENT AT AN ANNUAL SALARY OF \$70,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Personnel Committee

PRESIDENT SHERER: Alright, Leader.

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MEMBER SMUCKLER: Mr. President, I move we suspor...suspend Rule 22A and add Ordinances now...20 through 23 back to the agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: (*Inaudible*). For clarity, Majority Leader, suspend the Statutory Rules?

MEMBER SMUCKLER: Yes.

MAYOR BERNABEI: This is not a Statutory Rule.

PRESIDENT SHERER: Okay.

MAYOR BERNABEI: We're just adding it back to the record.

MEMBER SMUCKLER: No, I'm adding it back to the agenda.

PRESIDENT SHERER: Okay. Okay. So, a motion was made and seconded to...

MEMBER SMUCKLER: To add Ordinances 20 through 23 back to the agenda.

PRESIDENT SHERER: ...Ordinances 20 through 23 back to this evening's agenda. Are there any remarks? ...Hear...Hearing none, all those in favor signify by saying aye. Those opposed no.

CLERK WOOD: No, no, no. That's a roll call vote.

PRESIDENT SHERER: Should be just a voice vote...to throw it back on the agenda?

CLERK WOOD: No, that's a roll call vote.

PRESIDENT SHERER: Well, we'll just do a roll call vote. Roll call vote, please, Madam Clerk.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

PRESIDENT SHERER: Motion carries and Ordinances 20 through 23 are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, if I'm doing this correctly, I move and suspend the Statutory three readings of Ordinances 20, 21, 22 and 23.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Motions been made and seconded to suspend the Statutory Rules on Ordinances 20, 21, 22 and 23. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS



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CLERK WOOD: Twelve yeas, Mr. President.

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

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been made and seconded that you adopt Ordinance #20. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#20 ADOPTED AS ORDINANCE NO. 192/2021**

PRESIDENT SHERER: The motion carries and Ordinance #20 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #21.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #21. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#21 ADOPTED AS ORDINANCE NO. 193/2021**

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

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#22 ADOPTED AS ORDINANCE NO. 194/2021**

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

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

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MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#23 ADOPTED AS ORDINANCE NO. 195/2021**

PRESIDENT SHERER: The motion carries and Ordinance #23 has been adopted.

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

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions...Resolutions for their third, final reading and vote. Madam Clerk, would you please begin with Ordinance #24.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCE #24 THROUGH ORDINANCE #26 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

O#24. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 196/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PARKING INCENTIVE AGREEMENT WITH PARCHER REALTY TEAM HOWARD HANNA; AND DECLARING THE SAME TO BE AN EMERGENCY (MILLENNIUM PARKING GARAGE)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#24 ADOPTED AS ORDINANCE NO. 196/2021**

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

O#25. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 197/2021** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500.00 APPROP TRF FR 2215 505010 FAIR HOUSING DEPARTMENT – OTHER TO 2215 505010 FAIR HOUSING DEPARTMENT – PAYROLL)

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PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#25 ADOPTED AS ORDINANCE NO. 197/2021**

PRESIDENT SHERER: Motion carries and Ordinance #25 is adopted. Ordinance #26, please.

O#26. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 198/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE SALE OF CITY OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, LOCATED AT STARK COUNTY AUDITOR PARCEL NUMBER 226530 AND TO ENTER INTO ALL CONTRACTS NECESSARY TO FACILITATE SAID SALE; AND DECLARING THE SAME TO BE AN EMERGENCY (1826 CLARK AVE SW)

PRESIDENT SHERER: Leader.

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

MEMBER SMUCKLER: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #26. Are there any remarks?  
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#26 ADOPTED AS ORDINANCE NO. 198/2021**

PRESIDENT SHERER: Motion carries and Ordinance #26 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SHERER: We are now under announcement of Committee Meeting. Our next meeting date will be October 18, 2021 at 6:15 p.m.

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

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MEMBER MARIOL: Finance will meet October 18 at 6:15, here in Council Chambers.

PRESIDENT SHERER: Thank you, Member Mariol. Member Ferguson.

MEMBER FERGUSON: Uh...October 18<sup>th</sup> at 6:15, Economic Development will meet.

PRESIDENT SHERER: Thank you, Member Ferguson.

MEMBER BABCOCK: Mr. President.

PRESIDENT SHERER: Member Babcock.

MEMBER BABCOCK: Personnel, same time, same place.

PRESIDENT SHERER: Thank you, Member Babcock.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

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

PRESIDENT SHERER: Thank you, Member Scaglione.

MEMBER FISHER: Mr. President.

PRESIDENT SHERER: Member Fisher.

MEMBER FISHER: October 18<sup>th</sup>, 6:15 pm, Environmental & Public Utilities.

PRESIDENT SHERER: Thank you, Member Fisher and ... Public Property & Capital Improvement, Member Hawk.

MEMBER HAWK: (*Inaudible*).

MEMBER SCAGLIONE: I called that.

PRESIDENT SHERER: Oh, sorry about that. (*Inaudible*).

**MISCELLANEOUS BUSINESS**

PRESIDENT SHERER: Alright, we are now under any Miscellaneous Business. Is there any Miscellaneous Business for this evening besides the extremely long meeting tonight? Has anybody got anything? ...Hearing none...

MEMBER SMUCKLER: Yeah, I have...I have one thing ...

PRESIDENT SHERER: I knew it...

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MEMBER SMUCKLER: ...and then I'll let this go. Um...those of you who had the opportunity last Saturday to be at Centennial, it was amazing. And for all of us that passed that passed the legislation, for all of the donors, for the Mayor and the Administration, that is just amazing for our city. And if you wonder over there, any Ohio State game or any Cleveland Browns game, the infield is packed and there's people out there watching the games. We've created something in this community that we all can be proud of and it's doing a lot to bring people back downtown. And if you want to see some of your Ward residents, show up there for a Browns game or an Ohio State game, you will see them there. Truly amazing. And Mr. President, unless we're keeping something I don't know about, 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 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

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

ADJOURNMENT TIME: 8:51 PM

ATTEST:

APPROVED:

JILL M. WOOD  
CLERK OF COUNCIL

WILLIAM SHERER  
PRESIDENT