

MINUTES OF THE MEETING MARCH 28, 2022

PRESIDENT SHERER: (*Gavel falls*) Good evening, ladies and gentlemen, and welcome to Canton City Council. If everyone could please turn your cellphones to vibrate. 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, LOUIS GIAVASIS, GREG HAWK, BRENDA KIMBROUGH, JASON SCAGLIONE, CHRIS SMITH, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, PETER FERGUSON AND FRANK MORRIS)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK WOOD: Twelve present, Mr. President.

PRESIDENT SHERER: Tonight's invocation will be given by Ward 1 Council Member, Greg Hawk. If you would all please stand and remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on March 28, 2022 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Jill M. Wood. The invocation was given by Ward 1 Council Member, Greg Hawk. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Member Hawk. And I was used to having all that room too. (*Chuckles*)

CLERK WOOD: I know.

AGENDA CORRECTIONS AND CHANGES

PRESIDENT SHERER: Alright, we are now under Agenda Corrections and Changes. Leader.

MEMBER SMUCKLER: Mr. President, I move Rule 22A be suspended to add second readings of Ordinances 20 through 25 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add second readings to Ordinances 20 through 25 to this evening's agenda. 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: The motion carries and Ordinances 20 through 25 are a legal part of your agenda.

PUBLIC HEARINGS

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

CLERK WOOD: AN ORDINANCE AMENDING CHAPTER 1107, ARCHITECTURAL REVIEW BOARD OF THE PLANNING AND ZONING CODE.

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PRESIDENT SHERER: Is there anyone in the audience wishing to speak for or against this Ordinance, please step forward. I must repeat, is there anyone in the audience wishing to speak for or against this Ordinance, please step forward. Seeing no one step forward, the Chair declares the Public Hearing over in regards to this matter. The matter now rests in the hands of Council. Madam Clerk, Public Hearing number two, please.

CLERK WOOD: AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE 4595 KIRBY AVE NE ANNEXATION AREA CONTAINING APPROXIMATELY 2.755 ACRES, MORE OR LESS, ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS I-1 LIGHT INDUSTRY DISTRICT AND DECLARING THE SAME TO BE AN EMERGENCY.

PRESIDENT SHERER: Is there anyone in the audience wishing to speak for or against this Ordinance, please step forward. I must repeat, is there anyone in the audience wishing to speak for or against this Ordinance, please step forward. Seeing no one step forward, the Chair declares the Public Hearing over in regards to this matter. The matter now rests in the hands of Council.

OLD BUSINESS

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

INFORMAL RESOLUTIONS

PRESIDENT SHERER: Normally, we would do Public Speaks, but... uh, Majority Leader, would we like to do the Resolutions, Informal Resolutions, first? Madam Clerk?

CLERK WOOD: That's fine.

PRESIDENT SHERER: It's... uh, let's see. Leader.

CLERK WOOD: I have to read it first.

PRESIDENT SHERER: Yeah, okay. Oh, I'm sorry. Major... I mean, Madam Clerk.

CLERK WOOD: An Informal Resolution respectfully submitted by Council-as-a-Whole on this 28th day of March, 2022.

PRESIDENT SHERER: Leader Smuckler.

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

MEMBER BABCOCK: No, it's not...

CLERK WOOD: Go ahead. I didn't read it by title.

PRESIDENT SHERER: What's that? Okay.

CLERK WOOD: (*Inaudible*)

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PRESIDENT SHERER: Okay.

CLERK WOOD: Ready?

PRESIDENT SHERER: Okay, go ahead.

34. COUNCIL-AS-A-WHOLE: COMMENDING THE TYLER SCOTT LANCASTER FOUNDATION FOR THE VITAL PART THEY'VE PLAYED IN THE COMMUNITY. – ADOPTED

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #34. Are there any remarks?...

CLERK WOOD: *(In a whisper)* Hearing none. Just from hearing none.

PRESIDENT SHERER: Hearing none...

CLERK WOOD: *(In a whisper)* By voice vote.

PRESIDENT SHERER: By voice vote...

MEMBER SMUCKLER: I'm sorry, Mr. President.

PRESIDENT SHERER: Okay, go ahead.

MEMBER SMUCKLER: I understand this has been presented already, but could this please be read for the record.

PRESIDENT SHERER: Okay. Thank you, Majority Leader.

CLERK WOOD: That's what I was trying to say, and we still have to vote.

PRESIDENT SHERER: Okay. Well, before we read this, are there any additional remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #34 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. Madam Clerk.

CLERK WOOD: **Whereas**, Tyler Scott Lancaster, known as T-Lo to his friends and family, wanted to become a professional football player. As such, he was the All Time Stark County Defensive Back in 2012, played for Muskingum University and for the big ten Michigan State Division One Team in the 2015 Cotton Bowl; and **Whereas**, Tyler was a spirited, caring and loving person who passed away all too soon as a result of diabetes on February 1, 2017 at the age of 22. To honor his memory, Tyler's family created the Tyler Scott Lancaster (TSL)

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Foundation to raise awareness of this devastating disease; and **Whereas**, Diabetes is the 7th leading cause of death in the minority community, 7.3 million people go undiagnosed and 210 of those individuals are under the age of 20; and **Whereas**, The TSL Foundation has partnered with local healthcare providers to create the TSL Community Wellness Center to provide access to dental, visual, and prescription services and to create physical activities as needed. The goal is to educate, create awareness and bridge the cultural gap in our society; and **Whereas**, The TSL Foundation has been active in our community and abroad by sponsoring events such as the Diabetes Walk-a-Thon and Stuff the Bus, where they collected donations to help disadvantaged diabetic families with holiday gifts, organizing and conducting awareness tours for junior and senior high school students, sponsoring day camps for 4th to 8th grade students and conducting leadership and training workshops for high school students. **Now Therefore Be It Resolved:** That we, the Members of Canton City Council, do hereby recognize and commend **The Tyler Scott Lancaster Foundation** for the vital part they've played in the community. Your knowledge, resources and education in helping to detect and prevent diabetes can and will save the lives of many.

PRESIDENT SHERER: Informal Resolution #35, please.

35. COUNCIL-AS-A-WHOLE: COMMENDING DAN MOEGLIN FOR HIS OUTSTANDING PUBLIC SERVICE. – ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #35.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #35. Are there any remarks? Leader.

MEMBER SMUCKLER: Mr. President, could you please have this read for the record.

PRESIDENT SHERER: After the vote, right? Are there any additional remarks? And could we have the vote on the Resolution first? ...Hearing none, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #35 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. Madam Clerk.

CLERK WOOD: An Informal Resolution respectfully submitted by Canton City Council on this 28th day of March, 2022. **Whereas**, City Engineer Dan Moeglin has devoted his passion and time to the City of Canton for 16 years; and **Whereas**, During his tenure he secured over \$130 million in outside funding. He oversaw the vast expansion of the City's paving and infrastructure programs including 12th Street and Mahoning Road Corridor and the Walnut Ave Project. He also implemented the roadway preventative maintenance techniques such as crack sealing, chip and seal, fog seal, and microsurfacing; and **Whereas**, Dan was critical to the development of the City's Comprehensive Plan including the development of the Core Asset Area concept; and **Whereas**, Dan has been an advocate for and oversaw multiple green initiatives including installing LED highway lighting,

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construction and establishment of the Fairhope Nature Preserve, multiple tree planting projects resulting in over 700 trees planted, and led the effort to have Canton be recognized as having “Tree City USA” status; and **Whereas**, Engineer Moeglin is always looking for the new and innovative way to do things whether it be bike trails, roundabouts or implementing innovative engineering technologies, such as back-in, diagonal parking; and **Whereas**, Dan never started a project and asked, what’s my budget and what can I build? Instead he asked “what do I need to build, and where can I get the funding? His ability to put funding packages together, plan and develop projects, shows he has vision, sees the big picture, and truly loves Canton. **Now Therefore Be It Resolved:** That we, the Members of Canton City Council, do hereby go on record commending **Dan Moeglin** for his 16 years of outstanding public service to the City of Canton. (*Applause*)

MEMBER SMUCKLER: Is there going to be back-in, diagonal parking for deer? (*Laughter*)

DAN MOEGLIN: Maybe bikes.

MEMBER SMUCKLER: Maybe bikes. You know, one of the things that City Council ribbed you about, that we all hate, to a... to a person down here. And I saw your family laugh as soon as it was mentioned. Um, but that’s the joke. The serious part... the seriousness part is that you were fabulous at getting money, you were fabulous at getting projects done in this city, and you will always be remembered for those two things. It is our pleasure to have you as a public servant for 16 years down here. I wish it was longer, but I also respect you wanting to go on to something else, and as I called and told you the day that you applied, you will always have my undying gratitude for everything you’ve done for the city. Sure appreciate it, and we’d like to have some recognition so you can remember your 16 years here. Appreciate it. Thank you. (*Applause*)

DAN MOEGLIN: Can I say a few words?

PRESIDENT SHERER: Absolutely.

DAN MOEGLIN: Bet... better start the clock. (*Laughter*)

MEMBER SMUCKLER: How much will it cost us for you to talk?

DAN MOEGLIN: (*Laughs*) Maybe I’ll pave some bike trails.

MEMBER MARIOL: Awesome.

DAN MOEGLIN: Uh, first of all, I... I want to thank everybody. Uh, the opportunity to serve as Canton City Engineer, and actually it’s almost 17 years, so it’s 2005, so about 17 years I was standing down here and I believe at the time I was asking Councilman Casar if I could just have 80 hours of sick leave when I come to the city. And... uh, luckily he and your fellow Council Members agreed to that and I’m much grateful. Now I leave with a credit of about 1600 hours sick time, so luckily I haven’t gotten sick. In any case, I really want to thank everybody here for the opportunity to serve as the Engineer and the friendship that you all have shown me, as well as your predecessors. Um, you know, the... Mayor Creighton for giving me the opportunity to hire me. Mayor Healy for allowing me to continue. Mayor Bernabei for allowing me to continue. And everybody giving me the tools and support, and the... the whole Engineering Department, those tools and support to do what’s we felt in the best interest of the city. Uh, I’ve always said when I’ve come to Council that sometimes there were

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difficult questions and things that had to be answered, and if you weren't asking the tough questions, you weren't doing your job. And if I couldn't give the answers, I wasn't doing mine. And I felt we always struck a really good balance with that, and I learned so much from all of you. And it's been a privilege and an honor to work for the city and the citizens, cause I really... you know, people as public service, you know, it gets tossed in their face where, "hey, you... you work for me, I'm a taxpayer." And that's true. I've always believed that's true. And as do all of you that we really are trying to make the city of Canton a better place, and I think we've done that... uh, during my time, and I know that that will continue to grow and that improvements will continue to be made. Uh, and one of the things that I'm most proud of is the group of folks that I work with in building the Engineering Department. Taking it from two separate departments into one cohesive group of what have become really good friends and co-workers, and the great things that we've done collectively as an Engineering Department. So, you know, it's... and I... you've heard me say it before, and I'll... I'll say it probably many times in the future. Linda Patterson always told me Dan, it's not projects that make you successful, it's people that make you successful. And I've tried to remember that and those words of wisdom, and I really believe it's true because it's all the people in the Engineering Department, it's my fellow department heads, it's all of you, all the elected officials, us working together, we've been able to do great things. And that will continue to happen long after I'm gone, but it gives me great pride to be able to drive around the city and see the things that I've had impact on, and... and the future things that the wheels are turning on. You know, whether it's rebuilding a boulevard or new roundabouts that are, you know, over the horizon. Uh, so many great things yet to come. And as a resident of Canton, I be... I will be watching carefully... uh, to see all those great things, and with quite a sense of pride too. So... and I... I will tell you I look forward to working with the city collaboratively in my new...my new venture at the Parks. You know, you haven't see the last of me and I look forward to future interactions and a lot of great things, not just in the city, but countywide. So again, thank you to all of you. Thank you to my family, my wonderful wife Dawn, my daughter Anna, my other two kids Joey and Cathy, for all their support over the years cause, you know, without the support of our families, you know, that sure makes life difficult, but with such great people behind me, we've been able to do... do great things. So again, thank you very much. I'm... you know, definitely a bitter sweet moment, but I'm... I'm really pleased and... and proud of what I've done, that all of we... that we have done. So thank you. *(Applause)*

MEMBER MORRIS: Mister... Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Dan, if there was one thing you were really good at, it was giving advice. You really should have turned the clock on. *(Laughter)* Uh, right from the rip when I came on Council, I gave you a hard time. Uh, you came back very elegantly, you didn't back down, I hit you with the tough questions. I know myself and the Leader have went at you pretty hard over the years, and you've always handled it like a champ. You, sir, are definitely a class act, and when I saw that you applied for that job, I said there's no way it's going to somebody else. I knew you were qualified for it. Stark Parks... uh, it was a huge win for them. It's a bitter sweet loss for us, but we still have you in the community. Best of luck to you, and enjoyed working with you a lot.

DAN MOEGLIN: Thank you. The... uh, the one you gave me the headache right off the rip was 55th Street Change Order. We built a trailhead for a bike trail. *(Laughter)*

MEMBER MORRIS: Still don't have a bike. Still don't have bike trails.

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MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Talking about bike trails, love the bike trails. Hopefully keep going with them at Stark Parks. Uh, you have been the ultimate multiplier when it comes to money. Uh, it just... it... it... really when you... when you, you know, look at how much money you've been able to bring in here, it's just unbelievable. You've almost figured out a way to create money. And... uh, I... I'm just amazed at how many things in the city that you have impacted. Um, nearly everything that is good in the city you have had some part in, and I have really enjoyed working with you. Um... I've learned so much from you. You've helped me. And I am going to greatly, greatly miss working with you. Very excited for... for your next step. Um, hopefully the bike trails will get a little more smooth, a little bit better maintenance. But the end, it's... it's been just an absolute pleasure to get to know you and get to work with you.

DAN MOEGLIN: Thank you, thank you.

MEMBER FISHER: Mr. President.

PRESIDENT SHERER: Member Fisher.

MEMBER FISHER: Mr. Moeglin, I just want to say personally thank you for your help with the EV Stations. Um, you know, we made the trips to Columbus, took some classes or whatever, seminars. Um, and... and because of you, I mean, we got a couple EV Stations and I hope to get some more. But best of luck to you with Stark County Parks.

DAN MOEGLIN: Thank you. I know one of the things that... that drew me to this position and it kinda built on that EV technology is trying to look out for our environment for the next, you know, generation. You know, we all see global warming, we see what it does and hopefully we can come up with some... some good solutions. And that's one of the things that... that I'll keep in my mind, that I think we did some really great things here at the city and I want to have the opportunity to do that maybe on a larger scale. So thank you for all your support of all those initiatives and the environment in general.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Two words, sir. Thank you very much. Actually, more than two words. Thank you very much. It's been an honor to work with you. I appreciate you. Take care.

DAN MOEGLIN: Same here. I'll plant a tree in your name. *(Laughter)*

MEMBER HAWK: I got stuck in a roundabout for two hours the other day and almost ran out of gas, so... *(Laughter)*

PRESIDENT SHERER: Member Kimbrough.

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MEMBER KIMBROUGH: I would just like to say thank you for the trees all summer long. When people are under those canopies, they'll be so glad you planted all those trees. Thank you.

DAN MOEGLIN: Well, and I... I'd love to take credit, but it was folks like you working on the Tree Commission and... and our arborist, Richard Drake, and Lola Lewis from OD&R and all the other fine folks that have really helped out that whole program and turned the corner in... in a lot of ways for Canton. So, anyway I can be a support, I'll... I'll still be there at Arbor Day cooking hotdogs this year, so thank you.

PRESIDENT SHERER: Member Scaglione.

MEMBER SCAGLIONE: Mr. Moeglin, thank you for all the help, all the wonderful projects that we did that some thought maybe weren't gonna work that did. Um, thanks for all the time I took in bugging you to make our paving program even better than it was and to increase it to get done more in our city to get rid of the horrible conditions that we had. I... I know we're not there yet, but I think we learned a lot, we improved a lot and you... you've helped us get in a good direction. I wish you the best in your next endeavor even though we do... many of us wish you were still here. Um, we can still bug you because you'll be close by, so we'll appreciate that aspect too.

DAN MOEGLIN: Absolutely. And thank you for all the quality control services that you provided at no cost to the city. (*Laughter*) Uh, when we got a call from the good councilman, we always new that there was something that we could do better. Uh, but that wasn't it, a lot of times he called to say nice job too. And that was really important to us, so thank you for your eyes and ears and everything that you do. You know, feet on the ground and eyes and ears that's very valuable.

SERVICE DIRECTOR HIGHMAN: Mr. President.

PRESIDENT SHERER: Member Highman. Or, Service Director, sorry. Not Member Highman. Service Director. (*Chuckles*)

SERVICE DIRECTOR HIGHMAN: You're... you're not used to me saying very much.

PRESIDENT SHERER: I'm still getting used to... so...

SERVICE DIRECTOR HIGHMAN: So... so Dan, I just want to publicly in front of everybody here and on the record personally thank you, not just for what you've done for the citizens, your co-workers and the city, I want to thank you personally for what you as City Engineer has meant to me. Um, you know, as... as someone who started with the city nine years ago and in local government, in terms of, you know, folks who have molded me, in terms of how I view the world, view the city, view public service and public works... uh, you are... if... if... if not the single... uh, have not had the single biggest impact on me, one of the people who has had just an absolute major impact on everything I do day in, day out, and it has meant the world to me. And I think like everybody in the room here when... when, Dan, when I found out you were going to apply for the park job, I... you know, the first thing I do is panic because I knew you were gonna get the job. And so when we were talking about it, you know, I... I, you know, started begging not to leave, number one, then once we were done with that conversation, I took a different role and said, you know, well, as your friend John, I... I want you to do what makes you happy,

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and I know if you get this job, you're gonna do absolutely fantastic. And I, you know, know that you're gonna do great things for Stark Parks. I know that... that the community is... is just well served by having you in it, so I'm glad you're still in Canton and in Stark County. And as you alluded to, and... and just for the record, as we look at projects we have coming up, you know, not just 2022, but 2023, '24, '25 and '26 and beyond, you know, every single thing that we do, you know, has your stamp on it and has your... your... your fingerprints all over it. So, you know, literally as we drive around the city, as we look around the city, the impact that you have had cannot be under... or cannot be overstated. Uh, and that will continue and it will continue on, and... and... and I know that the teaching you've done, not just for me, but for everyone, you know, will continue on. So for that, from the bottom of my heart, I want to thank you, not just for what you've done for Canton, but I want to thank you for your friendship because that has meant more to me than anything else. So Dan, thank you very much.

DAN MOEGLIN: Well, thank you, John. It's... uh, the feeling definitely is mutual. You've... you've taught me an awful lot as well, and you know, I look at you as a young man cause to me you're... you're a young man, and I think how you've accelerated up, advanced up through the different positions at the city and it's nothing short of astounding. What you've been able to do in your career and accomplish... uh, all while trying to maintain a good family and raise some kids and the... the big picture things that you've done for the city, sorting out contracts and long standing opportunities for improvement is nothing short of, you know, miraculous in my mind. So I really appreciate that. One of the ones that... that I always sit back and think is really, if nothing else, have some of your biggest influence on is the city's effort to become more ADA compliant and update our curb ramps and the advancements we've made under your... your leadership from that end. We really appreciate that, and I think there's a lot of people out there that appreciate that. Uh, I had a college professor one time tell me we're all temporarily able bodied. At some point we'll either be in a stroller ourselves, on crutches, on... you know, a cane or wheelchairs, and you know, so we need to design our... roads and our facilities and our buildings to account for that and you've been very supportive of that initiative, and thank you for all you've done.

MAYOR BERNABEI: Mr. President.

PRESIDENT SHERER: Mayor.

MAYOR BERNABEI: Mr. City Engineer, I just want to be relatively brief and say thank you, thank you, thank you for... from the past mayors, going back to Mayor Creighton. I think I was around when you were hired. I was the Service Director with you on many, many issues. And we've been together for the last six years as Mayor and City Engineer. I'm so very appreciative, as is everyone, with the service to the city, with your leadership in the department. Again, as John has said, with the future of so many projects, we're saddened to see you leaving us, and we discussed that of course, and but we're also very, very proud that you will be the next Director of Stark Parks. Your love for trees, for bike paths, for parks, for the environment, it's a great fit for you, it's a great next career, and we look forward to working you... working with you during that career. And again, thank you for your incredible service.

DAN MOEGLIN: Well thank you, Mayor. And... and thank you for all the lessons you've taught me and... and the opportunities that have been given under your watch. Uh, the one that always sticks in my mind the most... uh, when the Mayor was Service Director and we have our... our monthly public works meetings, and we'd have the meeting and talk about the... the issues of the moment and... and then the meeting would break up and of course immediately, then... then Service Director Bernabei was right back at work and you'd be out the door onto

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the... the next issue. And of course there was a few of us that tend to talk a little bit more that were standing around having the post-meeting meeting, and all of a sudden a snow ball comes flying across the room, hits the wall and exploded and there was a statement, something to the effect, "get your tails back to work." (*Laughter*) And... uh (*laughs*)... so that...that always stuck with me well too is, you know, we've got a big job to do and... and stick to it. And I appreciate that, so thank you.

PRESIDENT SHERER: And Dan, I'd like to thank you for your friendship when I was a new guy coming onto Council, and I definitely want to thank you for your service and want to wish you... you're... you're gonna... they hired the right guy, there's no doubt about that. Just wish you the best in the future and best of luck.

DAN MOEGLIN: Well thank you. And good luck to you in your future as well. I'm sure you haven't placed your final stamp on the city either, and we're looking forward to greater things from everybody.

PRESIDENT SHERER: So... no, but they definitely hired the right guy.

DAN MOEGLIN: Thank you.

PRESIDENT SHERER: Yep. (*Applause*) Madam Clerk, Informal Resolution #36, please.

36. PERSONNEL COMMITTEE: CONFIRMING APPOINTMENT OF MR. BRETT MCELFRISH TO CANTON CONSTRUCTION BOARD COMMENCING 3/28/22 TO 12/31/22. - ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I mo... I move... we're on 36? Mr. President, I move we adopt Resolution #36.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #36. Are there any remarks?... Hearing none, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #36 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Informal Resolution #36 is adopted. Informal Resolution number...

KIM BELL: It's that white woman.

PRESIDENT SHERER: Excuse me, Ms. Bell?

KIM BELL: No, I was just thinking out loud.

PRESIDENT SHERER: Informal Resolution #37, please.

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37. PERSONNEL COMMITTEE: CONFIRMING REAPPOINTMENT OF DR. STEPHEN HICKMAN TO CANTON CITY BOARD OF HEALTH COMMENCING 4/1/22 TO 3/31/27. – ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #37.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #37. Are there any remarks?... Hearing none, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #37 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Informal Resolution #37 is adopted.

PUBLIC SPEAKS

PRESIDENT SHERER: We are now under Public Speaks and we have three speakers for this evening. Our first speaker is Ms. Kimberly Bell. Ms. Bell, could you please state your name and residential address, please.

KIMBERLY BELL: Yes. My name is Kimberly Bell, 1733 Morris Avenue, Canton. Um, first I want make sure the clock going... okay. Um, the shooting of... the killing... the murder... the execution of James Williams by Robert Huber. He's not a police officer, he's a murderer. Mayor, you... you... you and this... this City Council have been hiding behind that... nobody has spoken up about it, and each and every one of you are on this Council knew that that man was working in the Canton... still working and nobody... nobody said nothing to that mother. Those kids fear that that man is coming to get them now. You don't know what you did. You killed another black man and you didn't... and nobody's... eh, it's... nothing's being said about it. It's so hush, hush. You got in front of everybody in the city of Canton and said when George Floyd got killed is what... it's not gonna happen on my watch. It's not gonna... uh, if it does, I'm gonna do... and you ain't did nothing. Not a thing, but you... but what you did do... what you're doing is hiding behind all these black people up here on this committee. That's what you're doin'. And they're just... the... the blood is on their hands too because they knew that cop was working and they... that... that woman... that mother... that... that... that wife was... had been waiting for somebody to come tell her or... or give her an answer to find that man, to charge that man. If... if this... if this was a black man, the prosecutor and every city leader would trying to make sure he is convicted. The... I mean, you should have put him in jail until... until... until the charges... until the investigation was complete. I seen on the... on Facebook and on the Internet where officers have been taken into custody for a police shooting, and then once it's decided by the BCI or the Bureau if the charge... then they'll decide to let him out or give him a bond. You didn't even attempt to do that. And you are the biggest influencer in this town. You sit there and brag how many departments you have worked in this building and you haven't done nothing for that family and those kids. You should be ashamed of yourself. Hiding behind these black people like that. You are pitiful. I never thought I would hate anybody, but I... my heart is hating you right now.

PRESIDENT SHERER: Ms. Bell, could you please bring your remarks to a close.

KIMBERLY BELL: It's closed.

PRESIDENT SHERER: Thank you, Ms. Bell.

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KIMBERLY BELL: Stop hiding behind black people.

PRESIDENT SHERER: Our next speaker is Ms. Skylark Bruce. Ms. Bruce, could you please state your name and residential address, please.

SKYLARK BRUCE: My name is Skylark Bruce and I live at 2216 Bollinger Avenue NE.

KIMBERLY BELL: Chris Smith, all of ya. This is on ya all.

PRESIDENT SHERER: Ms. Bell, this is a final warning. You do not have the floor. Contin... sorry, Ms. Bruce.

KIMBERLY BELL: (*Inaudible*)

PRESIDENT SHERER: One more outburst, Ms. Bell.

SKYLARK BRUCE: Could we restart the time?

PRESIDENT SHERER: Yeah.

SKYLARK BRUCE: Thank you.

PRESIDENT SHERER: Here, give us one second to do that, Ms. Bruce.

KIMBERLY BELL: (*Inaudible*)

PRESIDENT SHERER: Alright.

SKYLARK BRUCE: It's been 87 days, 87 very long days for Marquetta Williams and six children to wait without their husband and father, James Williams. Not only do they not have this important member of their family, they also don't even have scraps of justice for his murder. In 87 days the city government has sat around and done nothing. Officer Robert Huber is on desk duty, but it took weeks beyond that happening to find out even that much. It's been 59 days since a press release from a few members of Council basically acknowledged that James Williams is dead. Thanks, we already knew that. If Jack Angelo is dragging his feet because he doesn't want to deal with this when he's about to retire, then what on earth has he been getting paid to do? Should have chucked him out the door on January 2nd and then saw the next chief if that's the delay. But, that's why the police chief has a boss. The chief's boss is the Mayor. From what it looks like here, Mayor Tom Bernabei supports Angelo aggressively doing nothing, and then riding off into the sunset. Makes me think the Mayor wants to collect a pay check and do the same thing. Bernabei has words to say when a favorite city employee leaves for a new job, but when it comes to actual justice, he's got nothing. Robert Huber is not a victim. Jack Angelo is not a victim. Tom Bernabei is not a victim. So why do they get more protection and consideration than your police department gave James Williams? For people who claim you're not hiding anything, you look awfully guilty. They say the truth will set you free, but this city government is acting like the truth is terrifying. The Williams family would agree. Losing a family member to racist police brutality is terrifying, and it's much worse when nothing is done. It's also been 1,183 days since Ja'Ron Nero died at the hands of Canton Police Department, and no one's been held accountable, 4,938 since Ms. Ida Ross-Freeman lost her brother, Darryl Ross. Justice for James Williams, and I declare the same to be an emergency.

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PRESIDENT SHERER: Thank you, Ms. Bruce. And our last speaker for this evening is Ms. Ida Ross-Freeman. Ms. Freeman, could you please state your name and residential address, please.

IDA ROSS-FREEMAN: Thank you. Good evening. My name is Ida Ross-Freeman. I live at 1129 7th Street NW, Canton, Ohio. Notice I said Canton, Ohio. Um... oh, shoot. Okay, my disappointment is with the Council in the not knowing what's going on as related to behavior and conduct of your police department, not knowing what... what's going on as it relates to the Officer Huber and the administrative leave does not excuse us... excuse you for not knowing. It seem to me as a matter of the... your being in charge of our city government, you should have known. I did not... I didn't call all of you in regard to the local paper article about transparency and untruth told to us, and no one, not one of you, called me back. Was it because you felt that my ca... your ca... wait a minute (*chuckles*) felt that it didn't concern your ward? When in actuality, it did collectively. You might represent your ward, but represent the city as a whole. Your behavior is not okay and is not acceptable. Thank you.

PRESIDENT SHERER: Thank you, Ms. Freeman.

COMMUNICATIONS

PRESIDENT SHERER: We are now under Communications. Let the journal show 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.

126. ENTERPRISE ZONE MGR BAILEY: AUTH RECOMMENDATIONS OF TAX INCENTIVE REVIEW COUNCIL (TIRC) FOR ENTERPRISE ZONE AGMTS TAX INCREMENT FINANCING PROJS (CONTINUE TO 2023 FOR AMBAFLEX MANUFACTURING, INC., BALL METALPACK, LLC, I2R POWER CABLE CO., JULZ BY ALAN RODRIGUEZ, RELIABLE READY MIX CO., LLC, SLESNICK REALTY CO., LLC). – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
127. LIQUOR CONTROL DIV (OHIO): REQ TRF OF D5, D6 PERMIT FROM HOG HEAVEN OF CANTON, INC DBA HOG HEAVEN & PATIO TO LOBYS HOGS 2730 LLC, DBA HOG HEAVEN & PATIO @ 2730 CLEVELAND AVE NW (WARD 7). – RECEIVED & FILED
128. MAYOR BERNABEI: AUTH MAYOR OR SERV DIR TO ENTER INTO ALL CONTRACTS NECESSARY TO IMPLEMENT 2022 SUMMER WORK EXPERIENCE PROGRAMS UTILIZING ARPA FUNDS; AUTH MAYOR OR SERV DIR TO ENTER INTO CONTRACTS NECESSARY TO IMPLEMENT 2022 SUMMER CAMP PROGRAMS UTILIZING ARPA FUNDS; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (IMPACT 115 CANTON HIGH SCHOOL STUDENTS). – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
129. MAYOR BERNABEI: AUTH MAYOR OR SERV DIR TO ENTER INTO CONTRACTS NECESSARY TO IMPLEMENT COMMUNITY DEV ARPA PROGRAMS AND INFRASTRUCTURE PROJS; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (SUPPORT 110 FAMILIES AND YR-ROUND EDUCATIONAL

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PROGRAMMING FOR 180 YOUTH). – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

130. MAYOR BERNABEI: AUTH MAYOR OR SERV DIR TO ENTER INTO ALL CONTRACTS NECESSARY TO IMPLEMENT ARPA FACILITY AND EQUIPMENT NEEDS OF NONPROFITS PROJS; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
131. SERVICE DIRECTOR HIGHMAN, CD DIRECTOR SEWARD: AUTH MAYOR TO SUBMIT ANY SUBSTANTIAL AMENDMENT TO CITY'S 2021 ANNUAL ACTION PLAN TO U.S. DEPT OF HOUSING AND URBAN DEV (HUD); AUTH MAYOR OR SERV DIR TO ENTER INTO ALL CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF CDBG AND HOME PROGRAM FUNDS; AUTH MAYOR OR SERV DIR TO ENTER INTO ALL PROF CONTRACTS NECESSARY FOR EFFECTIVE OPERATION OF PROG DURING GRANT PERIOD USING ALL PROCUREMENT PROCESSES AUTH IN CANTON COD ORD OR ORC; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (REALLOCATING CDBG AND HOME FUNDS FROM 2021 ANNUAL ACTION PLAN TO NEW ACTIVITIES). – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
132. SERVICE DIRECTOR HIGHMAN, CD DIRECTOR SEWARD: AUTH MAYOR TO SUBMIT ANY SUBSTANTIAL AMEND TO 2019 ANNUAL ACTION PLAN TO U.S. DEPT OF HOUSING AND URBAN DEV (HUD) REQUIRED TO CARRY OUT PROVISIONS OF CORONAVIRUS AID RELIEF, AND ECONOMIC SECURITY ACT (CARES ACT) PROG; AUTH MAYOR OR SERV DIR TO ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMELY EXPENDITURE OF CDBG-CV PROG FUNDS; AUTH MAYOR OR SERV DIR, TO ENTER INTO ALL PROF CONTRACTS NECESSARY FOR EFFECTIVE OPERATION OF PROG DURING GRANT PERIOD USING ANY PROCUREMENT PROCESSES AUTH IN CANTON COD ORD OR ORC; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (REALLOCATING CDBG-CV FUNDS FROM 2019 ANNUAL ACTION PLAN TO NEW ACTIVITIES). – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
133. SERVICE DIRECTOR HIGHMAN, CD DIRECTOR SEWARD: AUTH MAYOR TO SUBMIT AN AMEND OF OUR CITIZEN PARTICIPATION PLAN TO U.S. DEPARTMENT OF HOUSING AND URBAN DEV (HUD); EMERGENCY (AMENDING CITIZEN PARTICIPATION PLAN). – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
134. SERVICE DIRECTOR HIGHMAN: AUTH AUDITOR TO CREATE 4595 COLONIAL BLVD. RECONSTRUCTION PROJ FUND FOR TRACKING PROJ REVENUES AND EXPENDITURES; MAKE SUPP APPROP TO FINAL 2022 BUDGET ORD, (\$1,881,104.00 SUPP APPROP FR UNAPPROP BAL OF 4595 COLONIAL BLVD. RECONSTRUCTION PROJ FUND TO 4595 202062 COLONIAL BLVD. RECONSTRUCTION PROJ FUND, GP 1206 – OTHER; \$300,000.00 SUPP APPROP FR UNAPPROP BAL OF 5413 SANITARY SEWER REPLACEMENT FUND TO 5413 202062 COLONIAL BLVD. RECONSTRUCTION PROJ, GP 1206 – OTHER; \$750,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER OPERATING FUND TO 5201 202062 COLONIAL BLVD. RECONSTRUCTION PROJ, GP 1206 – OTHER); PROJ WILL NOT USE PLA; AUTH

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AUDITOR TO CREATE 4596 9TH ST. SW BRIDGE REPLACEMENT PROJ FUND FOR TRACKING PROJ REVENUES AND EXPENDITURES; (\$1,777,545.00 SUPP APPROP FR UNAPPROP BAL OF 4596 9TH ST. SW BRIDGE REPLACEMENT PROJ FUND TO 4596 202065 9TH ST. SW BRIDGE REPLACEMENT PROJ, GP 1298 – OTHER; \$250,000.00 SUPP APPROP FR UNAPPROP BAL OF 5413 SANITARY SEWER REPLACEMENT FUND TO 5413 202065 9TH ST SW BRIDGE REPLACEMENT PROJ, GP 1298 – OTHER; \$381,478.00 SUPP APPROP FR UNAPPROP BAL OF 4579 30TH ST NW PAVING PROJ, PHASE 2 (SIDEWALK INSTALLATION), GP 1238 TO 4579 202044 30TH ST. NW PAVING PROJ, PHASE 2 (SIDEWALK INSTALLATION), GP 1238 – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES

135. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO A CONTRACT CHANGE ORDER WITH ARCADIS FOR DESIGN OF WEST TUSCARAWAS CORRIDOR SAFETY PROJ, PHASE 1, GP 1165; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; MAKE APPROP TRF TO 2022 BUDGET ORD, (\$500,000.00 APP TRF FR 2175 200501 GENERAL GOVERNMENT SUPPORT ADMIN – OTHER TO 2175 202043 W. TUSCARAWAS CORRIDOR RECONSTRUCTION SAFETY PROJ, GP 1286 – OTHER); EMERGENCY. – FINANCE AND PUBLIC SAFETY & THOROUGHFARES COMMITTEES
136. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER 3 AND FINAL WITH THE SHELLY COMPANY IN AMT OF \$72,914.12; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; AUTH AND DIRECTS AUDITOR TO PAY ALL MORAL OBS; EMERGENCY. – FINANCE COMMITTEE
137. SERVICE DIRECTOR HIGHMAN: REQ LEG TO INCLUDE EXACT LANGUAGE CONTAINED IN DRAFT RES/ORD; EMERGENCY (2022 ODOT WINTER ROAD SALT CONTRACT). – FINANCE COMMITTEE
138. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO EXECUTE A PROF SERVS CONTRACT WITH ARCADIS FOR DESIGN AND OVERSIGHT OF WRF ELECTRICAL IMPROVEMENTS PROJ; MAKE SUPP APPROP TO FINAL 2022 BUDGET ORD: (\$1,402,700.00 SUPP APPROP FR UNAPPROP BAL OF 5413 SEWER REPLACEMENT FUND TO 5413 206059 WRF ELECTRICAL IMPROVEMENTS PROJ – OTHER; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE COMMITTEE
139. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO A CONSTRUCTION CONTRACT FOR MONUMENT ROAD SANITARY SEWER PROJ – GP 1364; AUTH MAYOR AND/OR SERV DIR TO EXECUTE A PROF SERVS CONTRACT FOR CONSTRUCTION ENGINEERING SERVS FOR PROJ; AUTH AND DIRECTS AUDITOR TO PAY MORAL OBS FOR CONTRACT CHANGE ORDERS APPROVED BY BOARD OF CONTROL PURSUANT TO CANTON COD ORD 105.14 WITHIN ESTABLISHED DOLLAR AMT THRESHOLDS; MAKE SUPP APPROP AMENDING FINAL 2022 APPROP ORD: (\$1,100,000.00 SUPP APPROP FR UNAPPROP BAL OF 5413 SEWER REPLACEMENT FUND TO 5413 206325 – MONUMENT RD SANITARY SEWER PROJ, G.P. 1364 – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPTS OF VOUCHERS; EMERGENCY. – ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES

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140. SERVICE DIRECTOR HIGHMAN: INFORM COUNCIL THAT CITY WILL NOT ENTER INTO PROJECT LABOR AGMT (PLA) FOR COLONIAL BLVD RECONSTRUCTION PROJ PHASE 1, GP 1206 AND 9TH ST. SW BRIDGE REPLACEMENT PROJ, GP 1298. – RECEIVED & FILED
141. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS FOR PURCHASE OF ONE (1) ASPHALT RECYCLER; ALTERNATIVELY AUTH MAYOR AND/OR SERV DIR TO ENTER INTO ALL CONTRACTS NECESSARY FOR PURCHASE OF ASPHALT RECYCLER REFERENCED IN SECTION 1 IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTH BY EITHER ORC OR CANTON COD ORD; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; MAKE SUPP APPROP AMEND FINAL 2022 BUDGET ORD: (\$75,000.00 SUPP APPROP FR UNAPPROP BAL OF 2111 STREET MAINTENANCE FUND TO 2111 202210 MAINTENANCE – OTHER; \$75,000.00 SUPP APPROP FR UNAPPROP BAL OF 2170 NEIGHBORHOOD DEVELOPMENT FUND TO 2170 202210 MAINTENANCE – OTHER; \$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS FUND TO 5201 207022 DISTRIBUTION MAINTENANCE – OTHER); EMERGENCY (PURCHASE OF ASPHALT RECYCLER). – PUBLIC PROPERTY CAPITAL IMPROVEMENT
142. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 2/28/22. – RECEIVED & FILED
143. TREASURER PEREZ: REQ LEGISLATION TO MAKE CHANGES TO CLASSIFICATION PLAN. (ADD CLERICAL POSITION, ADD TWO PART-TIME SEASONAL POSITIONS, ADD FIDUCIARY ASSISTANT TREASURER TITLE (SALARY RANGE 005-SN), UPDATE CHIEF DEPUTY TREASURER TO 002-SN SALARY RANGE) – PERSONNEL COMMITTEE

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 No. 1.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #1 THROUGH #19 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#1. (1ST RDG) AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$3,237,000 BONDS TO PAY COSTS OF REFUNDING CERTAIN OF THE CITY'S ANTICIPATED OUTSTANDING VARIOUS PURPOSE NOTES, SERIES 2022, TO BE DATED MARCH 31, 2022, TO BE ISSUED IN ANTICIPATION OF BONDS, AND DECLARING AN EMERGENCY
Referred to Finance and Public Property Capital Improvement Committees
- O#2. (1ST RDG) AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$2,529,000 BONDS TO PAY COSTS OF IMPROVING THE CITY'S SERVICE CENTER INCLUDING DEMOLITION OF DETERIORATING BUILDINGS, SERVICE CENTER RECONFIGURATION AND IMPOUND LOT EXPANSION, AND IMPROVING THEIR SITES, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY
Referred to Finance and Public Property Capital Improvement Committees

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- O#3. (1ST RDG) AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,518,000 BONDS TO PAY COSTS OF RENOVATING AND REFURBISHING A CITY SALT STORAGE DOME AND OTHERWISE IMPROVING THE SITE THEREOF, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY
Referred to Finance and Public Property Capital Improvement Committees
- O#4. (1ST RDG) AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$10,116,000 BONDS TO PAY COSTS OF DESIGNING, ENGINEERING, CONSTRUCTING, FURNISHING AND EQUIPPING A BUILDING FOR THE SANITATION OPERATION OF THE CITY'S SERVICE DEPARTMENT, AND FURTHER IMPROVEMENTS TO THE CITY'S SERVICE CENTER, AND IMPROVING THEIR SITES, TOGETHER WITH ALL NECESSARY APPURTENANCES THERETO, AND DECLARING AN EMERGENCY
Referred to Finance and Public Property Capital Improvement Committees
- O#5. (1ST RDG) AN ORDINANCE AUTHORIZING THE CANTON PARKS AND RECREATION DEPARTMENT IN CONJUNCTION WITH THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACTS NECESSARY FOR THE PURCHASE OF ONE (1) ¾ TON PICKUP TRUCK, ONE (1) ONE TON DUMP TRUCK, ONE (1) MAINTENANCE VAN AND TWO (2) SMALL SUV'S; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY EITHER THE OHIO REVISED CODE OR CANTON CODIFIED ORDINANCES; AND DECLARING THE SAME TO BE AN EMERGENCY (PARKS AND REC DEPT)
Referred to Public Property Capital Improvement Committee
- O#6. (1ST RDG) AN ORDINANCE AUTHORIZING THE CANTON PARKS AND RECREATION DEPARTMENT IN CONJUNCTION WITH THE DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACTS NECESSARY FOR THE PURCHASE OF ONE (1) TORO GROUNDMASTER MOWER; OR TO ALTERNATIVELY PURCHASE SAID VEHICLE PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY EITHER THE OHIO REVISED CODE OR CANTON CODIFIED ORDINANCES; AND DECLARING THE SAME TO BE AN EMERGENCY (PARKS AND REC DEPT)
Referred to Public Property Capital Improvement Committee
- O#7. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF OUT LOTS 339, 401, 475 AND 1102, PART OF CITY LOTS 11074, 13048 AND 33358 AND ALL OF CITY LOTS 11075-11077, 11079-11084, 13049, 16565, 23653, 30622, 32382, 33357 AND 33359-33362; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 10010449 AND 10010454, FOR JIM YURKSCHATT ON BEHALF OF MORGAN REAL ESTATE HOLDINGS INC. AT 2201 HARRISON AVE SW, WARD 5)
Referred to Public Safety & Thoroughfares Committee
- O#8. (1ST RDG) AN ORDINANCE AMENDING SECTION 1131.01, DEFINITIONS AND CHAPTER 1147, PERMITTED USES – BUSINESS & INDUSTRIAL ZONING DISTRICTS OF

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PART ELEVEN PLANNING AND ZONING CODE (DEFINE AND BROADEN LIGHT MANUFACTURING; LIMITED PROCESSING AND MANUFACTURING AND TESTING AND RESEARCH LABS) **PUB HRG 4/25/22 @7:00 PM**
Referred to Judiciary Committee

- O#9. (1ST RDG) AN ORDINANCE DENYING THE REQUEST TO AMEND ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE (PETE SCHWIEGERAHT OF MVAH PARTNERS, AGT FOR NICKELPLATE REALTY TRUST LLC, @2600 BLOCK OF HARVARD AVE NW)
Referred to Judiciary Committee **PUB HRG 4/25/22 @7:01 PM**
- O#10. (1ST RDG) 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 (PETE SCHWIEGERAHT OF MVAH PARTNERS, AGT FOR NICKELPLATE REALTY TRUST LLC, @2600 BLOCK OF HARVARD AVE NW)
Referred to Judiciary Committee **PUB HRG 4/25/22 @7:01 PM**
- O#11. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS FOR ENGINEERING SERVICES DURING THE DESIGN PHASE OF THE CROMER RESERVOIR IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$440,200; ENTER INTO AN AGREEMENT WITH THE OHIO WATER DEVELOPMENT AUTHORITY FOR A SUPPLEMENTAL AMOUNT OF \$441,741 TO FUND ENGINEERING SERVICES; AMENDING THE 2022 BUDGET ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$441,741.00 SUPP APPROP FR UNAPPROP BAL OF 5242 CROMER RESERVOIR IMPROVEMENT PROJECT FUND TO 5242 207070 CROMER RESERVOIR IMPROVEMENT PROJECT – OTHER)
Referred to Finance and Environmental & Public Utilities Committees
- O#12. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ONE OR MORE CONTRACTS; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT; ENTER INTO ALL PROFESSIONAL SERVICES CONTRACTS NECESSARY FOR THE 9TH STREET NE SALT STORAGE FACILITY RENOVATIONS PROJECT – GP 1371; WAIVES THE INFORMAL RESOLUTION REQUIREMENTS OF CANTON CODIFIED ORDINANCE 105.09 FOR PURCHASES RELATED TO THIS PROJECT; AUTHORIZES THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14; AUTHORIZES THE AUDITOR TO CREATE THE 4505 2022 INFRASTRUCTURE BOND FUND; AMENDING THE 2022 BUDGET ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 4505 2022 INFRASTRUCTURE BOND FUND TO 4505 202063 SALT STORAGE FACILITY PROJECT, GP 1371 – OTHER)
Referred to Public Property Capital Improvement Committee

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- O#13. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, WARD AND ENTER INTO ONE OR MORE CONTRACTS; EXECUTE ONE OR MORE PROFESSIONAL SERVICES CONTRACTS FOR DESIGN AND CONSTRUCTION OVERSIGHT; AND ALL PROFESSIONAL SERVICES CONTRACTS FOR THE 2022 SERVICE CENTER UPGRADE AND RECONFIGURATION PROJECT – GP 1331; WAIVES THE INFORMAL RESOLUTION REQUIREMENTS OF CANTON CODIFIED ORDINANCE SECTION 105.09 FOR PURCHASES RELATED TO THIS PROJECT; AUTHORIZES THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14; AUTHORIZING THE AUDITOR TO CREATE THE 4505 2022 INFRASTRUCTURE BOND FUND; AMENDING THE 2022 BUDGET ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$10,000,000.00 SUPP APPROP FR UNAPPROP BAL OF 5604 SANITATION BLDG PROJ FUND TO 5604 205002 SANITATION BLDG PROJECT – OTHER)
Referred to Public Property Capital Improvement Committee
- O#14. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ONE OR MORE CONTRACTS; EXECUTE ONE OR MORE PROFESSIONAL SERVICES CONTRACTS FOR DESIGN AND CONSTRUCTION OVERSIGHT; ENTER INTO ALL PROFESSIONAL SERVICES CONTRACTS NECESSARY FOR THE SANITATION BUILDING PROJECT – GP 1376; WAIVES THE INFORMAL RESOLUTION REQUIREMENTS OF CANTON CODIFIED ORDINANCE 105.09 FOR PURCHASES RELATED TO THIS PROJECT; AUTHORIZES THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14; AUTHORIZES THE AUDITOR TO RENAME FUND 5604 2006 OFFICE REMODELING BOND FUND TO 5604 SANITATION BUILDING PROJECT FUND; AMENDING THE 2022 BUDGET ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$10,000,000.00 SUPP APPROP FR UNAPPROP BAL OF 5604 SANITATION BLDG PROJ FUND TO 5604 205002 SANITATION BLDG PROJECT – OTHER)
Referred to Public Property Capital Improvement Committee
- O#15. (1ST RDG) **ADOPTED AS ORDINANCE NO. 63/2022** AN ORDINANCE APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND THE FRATERNAL ORDER OF POLICE; AND DECLARING THE SAME TO BE AN EMERGENCY (TERM OF AGMT 1/1/22 – 12/31/24)
Referred to Personnel Committee
- O#16. (1ST RDG) **ADOPTED AS ORDINANCE NO. 64/2022** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (CADET PROBATIONARY SALARY \$46,245.00)
Referred to Personnel Committee

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- O#17. (1ST RDG) **ADOPTED AS ORDINANCE NO. 65/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE FUNDS, AWARD AND ENTER INTO ALL CONSTRUCTION CONTRACTS NEEDED FOR THE CENTENNIAL PLAZA MAIN EVENT STAGE IMPROVEMENTS AND TO ENTER INTO CONTRACT WITH MKSK FOR THE CONSTRUCTION OVERSIGHT OF THE MAIN EVENT STAGE IMPROVEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Downtown Development and Finance Committees
- O#18. (1ST RDG) **ADOPTED AS ORDINANCE NO. 66/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONSTRUCTION CONTRACTS NEEDED FOR THE CENTENNIAL PLAZA PUBLIC RESTROOM AND OPERATIONAL SUPPORT FACILITY AND TO ENTER INTO CONTRACT WITH BRANDSTETTLER CARROLL INC. FOR THE CONSTRUCTION OVERSIGHT OF THE PUBLIC RESTROOM AND CENTENNIAL PLAZA OPERATIONAL SUPPORT FACILITY; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Downtown Development and Finance Committees
- O#19. (1ST RDG) **ADOPTED AS ORDINANCE NO. 67/2022** A RESOLUTION ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECENT RECOMMENDATIONS REGARDING ENTERPRISE ZONE AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for Personnel, Downtown Development, Finance and Community & Economic Development Committees to meet in regards to Ordinances 15 through 19 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:55 PM FOR THE PERSONNEL, DOWNTOWN DEVELOPMENT, FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES TO DISCUSS ORDINANCE #15 THROUGH ORDINANCE #19; RECONVENED AT 8:12 PM)

CLERK WOOD: Mr. President.

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinances 15 through 19 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to susp... suspend Rule 22A to place Ordinances 15 through 19 back on this evening's agenda. Are there any remarks? ...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 Ordinances 15 through 19 are a legal part of your agenda, Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Uh, Majority Leader, I believe we need to suspend the Statutory Rules.

MEMBER SMUCKLER: Right, I skipped it. Mr. President, I move we suspend the Statutory Rules of Ordinances through... 15 through 19.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 15 through 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: You've heard the three readings, Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #15. 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.

#15 ADOPTED AS ORDINANCE NO. 63/2022

PRESIDENT SHERER: The motion carries and Ordinance #15 is adopted. Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 2 NAYS
(MEMBER GIAVASIS AND MEMBER MORRIS VOTED NO)

CLERK WOOD: That's ten yeas, two nays, Mr. President.

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#16 ADOPTED AS ORDINANCE NO. 64/2022

PRESIDENT SHERER: The motion carries and Ordinance #16 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #17.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #17. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 1 NAY
(MEMBER MORRIS VOTED NO)

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

#17 ADOPTED AS ORDINANCE NO. 65/2022

PRESIDENT SHERER: The motion carries and Ordinance #17 is adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #18. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 66/2022

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 under this Ordinance? ...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. 67/2022

PRESIDENT SHERER: The motion carries and Ordinance #19 is adopted.

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ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, will you please begin with Ordinance #20.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #20 THROUGH #25 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#24 AND O#25 ADOPTED AS AMENDED):

- O#20. (2ND RDG) AN ORDINANCE AMENDING SUBSECTION (A) OF SECTION 1351.01, INTERNATIONAL PROPERTY MAINTENANCE CODE ADOPTION OF CHAPTER 1351 PROPERTY MAINTENANCE CODE (MOST CURRENT VERSION ADOPTED AND PUBLISHED BY INTERNATIONAL CODE COUNCIL)
- O#21. (2ND RDG) A RESOLUTION DECLARING THE NECESSITY AND THE INTENT TO APPROPRIATE THE ESTATES AND/OR INTERESTS IN THE PROPERTIES DESCRIBED IN EXHIBIT A AS PART OF THE 15TH ST. SW BRIDGE REPLACEMENT, GP 1299 PROJECT; ESTABLISHING THE FAIR MARKET VALUE (“FMV”) OF REAL PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (STA-15SW-13.50, PID 113153 RIGHT-OF-WAY ACQUISITION AUTH PROJ)
- O#22. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF SERVICE , OR THEIR DESIGNEE TO: ENTER INTO A PERMANENT STORM SEWER EASEMENT AGREEMENT WITH STARK AREA REGIONAL TRANSIT AUTHORITY (SARTA) NECESSARY FOR THE DRAINAGE OF STORM WATER FROM SARTA’S NEW FACILITIES; NEGOTIATE OR DONATE CITY-OWNED PROPERTY THROUGH A PERMANENT STORM SEWER EASEMENT TO SARTA NECESSARY FOR THE CONSTRUCTION OF THE SARTA SITEWORK PROJECT; TO CORRECT PROPERTY OWNER NAMES, PARCEL NUMBERS AND OTHER NUMERICAL DESCRIPTIVE OR TYPOGRAPHICAL ERRORS, SHOULD THEY OCCUR; AND DECLARING THE SAME TO BE AN EMERGENCY (STA-15SW-13.50, PID 113153 RIGHT-OF-WAY ACQUISITION AUTH PROJ)
- O#23. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE PURCHASE OF TWO (2) REAR LOADING PACKERS; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME EMERGENCY (SANITATION DEPT)
- O#24. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 68/2022** AN ORDINANCE ADOPTING THE 2022 ANNUAL APPROPRIATIONS FOR THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY. (GENERAL FUND BUDGET)
- O#25 (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 69/2022** AN ORDINANCE AUTHORIZING THE APPROPRIATE OFFICIAL(S) TO PURCHASE AND/OR LEASE VARIOUS TITLED VEHICLES; ADVERTISE, RECEIVE BIDS, AWARD,

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AND ENTER INTO CONTRACT FOR THOSE PURCHASES AND ANY PROJECTS DESCRIBED IN EXHIBIT A THAT EXCEED ANY APPLICABLE DOLLAR AMOUNT THRESHOLD(S); ALTERNATIVELY ENTER INTO CONTRACT FOR THE PURCHASES AND PROJECTS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; ENTER INTO ALL PROFESSIONAL SERVICES CONTRACTS DESCRIBED IN EXHIBIT A; WAIVES THE INFORMAL RESOLUTION REQUIREMENTS OF CANTON CODIFIED ORDINANCE 105.09 FOR PURCHASES APPROVED THROUGH THIS ORDINANCE; PAY ALL MORAL OBLIGATIONS FOR CONSTRUCTION CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14 WITHIN THE ESTABLISHED DOLLAR AMOUNT THRESHOLDS; AMENDING THE 2022 FINAL APPROPRIATION ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY. (\$1,409,635.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 102001 POLICE ADMIN – OTHER – \$23,590.00, TO 4501 103001 FIRE ADMIN – OTHER – \$175,000.00, TO 4501 201001 SERVICE DIRECTOR ADMIN – OTHER – \$100,000.00, TO 4501 202210 STREET MAINTENANCE – OTHER – \$170,000.00, TO 4501 204010 OTHER BUILDINGS – OTHER – \$601,900.00, TO 4501 208001 MOTOR VEHICLE ADMIN – OTHER – \$10,200.00, TO 4501 504010 INFORMATIONAL TECHNOLOGY – OTHER – \$235,000.00, TO 4501 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER – \$15,000.00, TO 4501 601001 COUNCIL ADMIN – OTHER – \$36,215.00, TO 4501 753001 LAW ADMIN – OTHER – \$17,730.00, AND TO 4501 852001 TREASURER ADMIN – OTHER – \$25,000.00; \$1,086,858.00 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 102001 POLICE ADMIN – OTHER – \$426,538.00, TO 4502 202210 STREET MAINTENANCE – OTHER – \$630,320.00, TO 4502 901001 CIVIL SERVICE ADMIN – OTHER – \$30,000.00)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules on Ordinances 24 and 25.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 24 and 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.

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

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #24. I'm sorry... uh, Ordinance #24.

PRESIDENT SHERER: You're right.

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MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's moved and seconded to adopt Ordinance #24. Are there any remarks? Leader.

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #24 by the amendment before every Council Person.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #24 per the copy before each of you. Are there any remarks? ...Hearing none, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

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

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 24 by the substitution of the attached exhibits for the original pending exhibits.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #24 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.

#24 ADOPTED AS AMENDED AS ORDINANCE NO. 68/2022

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

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's moved and seconded that you adopt Ordinance #25. Are there any remarks? Leader.

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #25 per the copy before every Council Member.

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #25 per the copy before each of you. Are there any remarks? ...Hearing none, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

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

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 25 by the substitution of the attached ordinance for the original pending ordinance.

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

#25 ADOPTED AS AMENDED AS ORDINANCE NO. 69/2022

PRESIDENT SHERER: The motion carries and Ordinance #25, as amended, has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Third, Final Reading and Vote. Madam Clerk, will you please begin with Ordinance #26.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCE #26 THROUGH ORDINANCE #32 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#26. (3rd RDG) **ADOPTED AS ORDINANCE NO. 70/2022** AN ORDINANCE AMENDING CHAPTER 1107, ARCHITECTURAL REVIEW BOARD OF THE PLANNING AND ZONING CODE (BRING ADMIN OF BOARD TO CITY PLANNING DEPT)
PUB HRG 3/28/22 @ 7:00 PM

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

#26 ADOPTED AS ORDINANCE NO. 70/2022

PRESIDENT SHERER: Motion carries and Ordinance #26 is adopted. Ordinance #27, please.

O#27. (3rd RDG) **ADOPTED AS ORDINANCE NO. 71/2022** AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE 4595 KIRBY AVE NE ANNEXATION AREA CONTAINING APPROXIMATELY 2.755 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS I-1 LIGHT INDUSTRY DISTRICT (I-1); AND DECLARING THE SAME TO BE AN EMERGENCY (I-1 LIGHT INDUSTRY DISTRICT, WARD 6)
PUB HRG 3/28/22 @ 7:01 PM

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#27 ADOPTED AS ORDINANCE NO. 71/2022

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

O#28. (3RD RDG) **ADOPTED AS ORDINANCE NO. 72/2022** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 5479 AND ALL OF LOT 5480; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 227086 & 217581, FOR THOMAS & DIANA BOWMAN AT 623 PARK AVE SW, WARD 5)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #28. Are there any remarks?
...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: Motion carries and Ordinance #28 is adopted. Ordinance #29, please.

O#29. (3RD RDG) **ADOPTED AS ORDINANCE NO. 73/2022** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOT 37256 AND OUTLOT 820; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 10014820 AND 302756 FOR PAUL BERNIER OF BERNIER GROUP LLC AT 3722 LESH ST NE, WARD 6)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #29. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#29 ADOPTED AS ORDINANCE NO. 73/2022

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

O#30. (3RD RDG) **ADOPTED AS ORDINANCE NO. 74/2022** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF OUTLOT 1425; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #10011997, FOR LANIE WESS OF WOOLPERT ARCHITECTURE ON BEHALF OF PROP OWNER, RHINO HOLDINGS CANTON LLC, AT 2725 MARET ST NE, WARD 6)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#30 ADOPTED AS ORDINANCE NO. 74/2022

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

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O#31. (3RD RDG) **ADOPTED AS ORDINANCE NO. 75/2022** AN ORDINANCE VACATING FREDA ST NE AND LENA ST NE; AND DECLARING THE SAME TO BE AN EMERGENCY (AREA PERPENDICULAR TO 2900 BLOCK OF REGENT AVE NE, FRED A ST NE & LENA ST NE)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #31.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#31 ADOPTED AS ORDINANCE NO. 75/2022

PRESIDENT SHERER: Motion carries and Ordinance #31 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under Announcement of Com... Committee Meetings. Our next committee, or next meeting day will be April 11th and committee will start at 6:15 P.M.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Hawk. Oh, Member Scaglione. (*Laughter*)

MEMBER SCAGLIONE: Public Property Capital Improvement will meet April 11th, 6:15?

PRESIDENT SHERER: Still try... still trying to get used to everybody sitting up here. (*Chuckles*) Member Hawk.

MEMBER HAWK: Mr. President, Finance Committee will meet the same time, same place. Thank you, sir.

PRESIDENT SHERER: Thank you, Member Hawk.

MEMBER GIAVASIS: Mr. President, Judiciary, same time, same place.

PRESIDENT SHERER: Thank you, Member Giavasis.

MEMBER FISHER: Mr. President.

PRESIDENT SHERER: Member Fisher.

MEMBER FISHER: Environmental & Public Utilities, sa... same time, same place.

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PRESIDENT SHERER: Thank you, Member Fisher.

MEMBER KIMBROUGH: Um... (*inaudible*) (*chuckles*) Um, Public Safety & Thoroughfares will also meet...

PRESIDENT SHERER: Thank you...

MEMBER KIMBROUGH: ...same time, same place.

PRESIDENT SHERER: Thank you, Member Kimbrough.

MISCELLANEOUS BUSINESS

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

SAFETY DIRECTOR PERRY: Mr. President.

PRESIDENT SHERER: Ummm...

SAFETY DIRECTOR PERRY: Oh, go ahead (*inaudible*)

PRESIDENT SHERER: Safety Director.

SAFETY DIRECTOR PERRY: I just want to let you know that I've contacted the police department, and so all of you will receive your texts. Um, relative to any major incidents that would happen in your areas. If you do not receive one, could you let me know so I can make certain they have your proper cell phone number you want them to reach you on. Thank you.

PRESIDENT SHERER: Thank you, Safety Director. Member Hall.

MEMBER HALL: Um, Mayor, I'm just curious, what's the pros... progress on the Nationwide building?

MAYOR BERNABEI: Um, two weeks ago we authorized the approval of the purchase agreement with Mr. Maggiore. Um, 12 days ago we authorized it to the CIC to do the same. Uh, to my understanding that contract does not come back to me for signature, so I think that that contract is still being worked out between the Law Department, who is... I know was looking at it even two weeks ago, and their attorneys, to sign the purchase agreement, the formalized purchase agreement for that... for that purchase.

PRESIDENT SHERER: Is there any other Miscellaneous Business for this evening?

SERVICE DIRECTOR HIGHMAN: Mr. President... um, I'd just like to remind everyone about the WRF tour next week at 5:30. Uh, it'll be... just for timing purposes, please plan on about an hour to an hour and a half. It... it really will take that long to go through the plant and see everything... uh, with questions. I was talking to Debbie today, so we... we think probably an hour we set aside to... uh, to go through. It really is a huge place, so... Member Hall, well familiar. He can lead the tour, right? So, that was the first thing. The second thing I just want to let everybody know about is, obviously with Friday being Dan Moeglin's last day... uh, the position of City Engineer is posted. We're working through that and in the interim, Assistant City Engineer, Chris Barnes, will be serving as Interim City Engineer. I think everyone knows Chris through his work as our Drainage Engineer. Um, we're all in good hands, not just with Chris, but with Nick and Rob as well in their

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respective areas. But Chris will be the official... official Interim City Engineer until we go through the hiring process. I just wanted to make sure everybody knew that for the record.

MEMBER KIMBROUGH: Um, Mr. Highman... uh, just out of curiosity, do you have an address for the WRF. I do not know where that is. (*Chuckles*)

SERVICE DIRECTOR HIGHMAN: Mr. President.

PRESIDENT SHERER: Service Director.

SERVICE DIRECTOR HIGHMAN: Yes. The... the address for the Canton Water Reclamation Facility is 3530 Central Avenue SE.

PRESIDENT SHERER: Member Kimbrough.

MEMBER KIMBROUGH: I just gonna say that was really a nice event that we had on Saturday with Kids Fest. It was well visited and was very wonderful for all the children and that. It was a wonderful event that WHBC put on, and I just want to give a shout out to them. They did an excellent job. Thank you.

PRESIDENT SHERER: Thank you, Member Kimbrough. Is there any other Miscellaneous Business for this evening? ...Hearing none, Leader.

MEMBER SMUCKLER: Mr. President... um, Mr. Highman said 5:30 next Monday. Will the Council people please contact the Clerk and go over who is going to be there. That would help us out a great deal so we know whether we will start on time or not by having to wait for some people. Or if somebody happens to be lost. Um, April 18th, same thing. We have a tour at Aultman Hospital at the new Cancer Center. Again, please contact the Clerk. Tell us whether you're going be there or not. Um, they are looking for a head count too. Those of you who have committed to Member Hall for the golf course in his ward, please get your money in to help with their situation. I know it's a poor day to bring that up because of the snow today, but it's supposed to be 70 on Wednesday. Um, also I keep saying this and this is... annexed another two acres today. Um, if anybody looks at the map from what it was now to what it was 20 years ago, there's huge parcels of land that are being annexed into the city, and it's very important we keep this going. Everything isn't about houses, but it's also about the future of the city.

MEMBER FERGUSON: Mr. President.

PRESIDENT SHERER: Member Ferguson.

MEMBER FERGUSON: Yeah, the tour of the Cancer Center at Aultman will be at 5:30. You'll receive information of where to park and there will be people that will escort you over to the Cancer Center. It'll take about an hour. There will be refreshments there for everybody attending. Please let... uh, Jill know if you're going out to this. Thank you.

PRESIDENT SHERER: Thank you, Member Ferguson.

MEMBER SMUCKLER: And Mr. President, last but not least. We have a councilman growing older today. Councilman Hawk's birthday is tomorrow. Made it another year. (*Inaudible voice and laughter*) Seventy-two?

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PRESIDENT SHERER: You sure about that?

MEMBER HAWK: Actually it's the 50th anniversary of my 22nd birthday.

PRESIDENT SHERER: There you go.

MEMBER SMUCKLER: Moving on. Mr. President, 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, and have a great evening, everybody. Everybody stayed in their seats. *(Gavel falls)* Well, they got close, right?

ADJOURNMENT TIME: 8:37 PM

ATTEST: 3/31/22

APPROVED:

JILL M. WOOD
CLERK OF COUNCIL

WILLIAM SHERER
PRESIDENT