

**MINUTES OF THE MEETING MARCH 30, 2020**

***Note: The first portion of the meeting was not recorded due to technical difficulties. President Sherer announced that a quorum was present and called the meeting to order. Roll call was taken by Clerk Dougherty and the following Council Members were present as follows:***

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. (MEMBERS SCHULMAN, MARIOL AND MORRIS APPEARED VIA TELECONFERENCE)

*(Recording begins with the Pledge of Allegiance and continues as follows):*

PRESIDENT SHERER: Thank you Member Ferguson.

*The regular meeting of Canton City Council was held on March 30, 2020 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, David R. Dougherty. The invocation was given by Ward 8 Council Member, Peter Ferguson. The Pledge of Allegiance was led by President Sherer.*

*(Brief discussion between Clerk Dougherty and IT Department Supervisor, Pat Barton, regarding the recording issues)*

**AGENDA CORRECTIONS & CHANGES**

PRESIDENT SHERER: We are now under Agenda Corrections and Changes and we have none for this evening.

**PUBLIC HEARINGS**

*Note: President Sherer did not address the Public Hearings portion of the meeting, however no Public Hearings were scheduled.*

**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 no speakers for tonight.

**INFORMAL RESOLUTIONS**

PRESIDENT SHERER: We are now under Informal Resolutions and we have one Informal Resolution for this evening. Mr. Clerk, would you please read Resolution #19 by title.

#19. PERSONNEL COMMITTEE: CONFIRMING RE-APPT OF DR. AMY LAKRITZ TO CANTON CITY HEALTH BOARD, COMMENCING 4/1/20 THRU 3/31/25. - ADOPTED

PRESIDENT SHERER: At this time the Chair would declare an in-house recess for the Personnel

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Committee to meet in regard of Informal Resolution #19 on your agenda this evening. You are now in recess.

***(COUNCIL RECESSED AT 7:03 PM FOR THE PERSONNEL COMMITTEE TO DISCUSS INFORMAL RESOLUTION #19; RECONVENED AT 7:04 PM)***

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

MEMBER SMUCKLER: Mr. President, I move to suspend Rule 24B to place Informal Resolution #19 back on the agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 24B to place Informal Resolution #19 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

CLERK DOUGHERTY: Voice vote.

PRESIDENT SHERER: Oh. All those in favor, signify by saying aye. Those against.

NO REMARKS

VOICE VOTE WAS UNANIMOUS

PRESIDENT SHERER: Motion carries. Informal Resolution #19 is a legal part of your agenda, Leader Smuckler.

MEMBER SMUCKLER: Mr. President, um...

CLERK DOUGHERTY: It's a roll call. Roll call was for the suspension, right? Yeah, we'll have a roll call for the suspension. My mistake.

PRESIDENT SHERER: Alright, so let's start that again. It's been moved and seconded to suspen... to suspend Rule 24B to place Informal Resolution 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 DOUGHERTY: Twelve yeas.

PRESIDENT SHERER: Informal Resolution is a legal part of your agenda.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #19. Are there any remarks? ...Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

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NO REMARKS

RESOLUTION #19 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #19 is adopted.

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**COMMUNICATIONS**

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

***NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED MARCH 30, 2020.***

120. AGT FOR PETITIONER SLIMAN: COPY OF ANNEXATION PETITION DOCS FILED WITH STARK CO COMMISSIONERS FOR TIMKENSTEEL ANNEX. - RECEIVED & FILED
121. ANNEXATION CHAIRMAN HAWK: REQ STATEMENT OF SERVICES FOR TIMKENSTEEL ANNEX LOCATED IN CANTON TWP. - ANNEXATION COMMITTEE
122. DEPUTY MAYOR WILLIAMS: AUTHORIZE RECOMMENDATIONS OF TAX INCENTIVE REVIEW COUNCIL (TIRC) TO CONTINUE ENTERPRISE ZONE AGMTS INTO 2020 FOR AMBAFLEX MFG, INC., BALL METALPACK LLC, 12R POWER CABLE, INC. AND MEDLINE INDUSTRIES, INC. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
123. LAW DIRECTOR BATES AYLWARD: AUTHORIZATION TO ENTER INTO CONTRACTS WITH CITIES OF LOUISVILLE AND N CANTON AND VILLAGES OF E CANTON, E SPARTA, HARTVILLE, MAGNOLIA AND WAYNESBURG TO PERFORM PROSECUTORIAL DUTIES IN CANTON MUNI CT ON BIANNUAL CONTRACT BASIS. - FINANCE COMMITTEE
124. LIQUOR CONTROL DIV (OHIO): REQ NEW C1 PERMIT FOR FAMILY DOLLAR STORES OF OHIO, INC, DBA FAMILY DOLLAR STORE 32246, 1272 HARRISON AVE SW (WARD 5). - RECEIVED & FILED
125. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT AND RECEIVE ANY AND ALL GRANTS FOR ELECTRIC VEHICLE CHARGING STATIONS PROJ, GP 1316; AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR SAID PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ALTERNATIVELY ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR SAID PROJ UTILIZING ANY PROCUREMENT METHOD AUTHORIZED BY LAW; AUTHORIZE MAYOR AND/OR SERV DIR TO SET CHARGING RATES AND FEES NEEDED TO OPERATE ELECTRONIC VEHICLE CHARGING STATIONS AND TO MAKE ADJUSTMENTS AS NEEDED TO ACCOMMODATE EVOLVING MARKET; AUTHORIZE AUDITOR TO DRAW

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WARRANTS UPON RECEIPT OF VOUCHERS; REQ \$300,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 202001 ENGINEERING - ADMIN. - FINANCE COMMITTEE

126. STARK CO COMMISSIONERS: REQ ANNEX OF 1.950 ACRES IN PLAIN TWP TO CITY OF CANTON (HOF VILLAGE #6). - PLANNING COMMISSION
127. TREASURER PEREZ: RPTS OF BANK RECS AND OUTSTANDING INVESTMENTS AS OF 2/29/20. - RECEIVED & FILED
128. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 3/13/20. - RECEIVED & FILED
129. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO GRANT AGMT WITH COMMUNITY BLDG PARTNERSHIP OF STARK CO IN AMT NOT TO EXCEED \$300,000.00 TO ESTABLISH PROGRAMS TO INCENTIVIZE HOMEOWNERS IN COMPLETING EXTERIOR UPGRADES AND/OR CODE COMPLIANCE RENOVATIONS ON THEIR OWNER-OCCUPIED PROP; AUTH COMMUNITY BLDG PARTNERSHIP TO ENTER INTO SUB RECIPIENT AGMTS WITH HAMMER & NAILS, INC., HABITAT FOR HUMANITY AND PROJ REBUILD; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
130. DEPUTY MAYOR WILLIAMS: AMEND CURRENT LEGISLATION TO ALLOW ADMINISTRATION TO OFFER PARKING AT REDUCED RATES AS INCENTIVE FOR PURPOSE OF ATTRACTION, RETENTION AND/OR EXPANSION TO COMPANIES CREATING OR RETAINING AT LEAST 5 FULL-TIME JOBS; EMERGENCY (ECONOMIC GROWTH INITIATIVE). - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
131. HEALTH COMMISSIONER ADAMS: AMEND APPROP O#59/2020 (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2331 AIR POLLUTION TO FUND 2331 AIR POLLUTION - 700 OTHER DIRECT COSTS; \$45,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2328 PUBLIC HEALTH INFRASTRUCTURE TO FUND 2328 PUBLIC HEALTH INFRASTRUCTURE - 700 OTHER DIRECT COSTS. - FINANCE COMMITTEE
132. MAYOR BERNABEI: REQ RE-APPT OF DR. AMY LAKRITZ TO CANTON CITY HEALTH BOARD, COMMENCING 4/1/20 THRU 3/31/25. - PERSONNEL COMMITTEE
133. SERVICE DIRECTOR HIGHMAN: REQ LEGISLATION TO INCLUDE EXACT LANGUAGE CONTAINED IN DRAFT RESOLUTION/ORDINANCE SUPPLIED BY ODOT (2020 WINTER ROAD SALT CONTRACT). - FINANCE COMMITTEE
134. SERVICE DIRECTOR HIGHMAN: AUTH AND DIRECT AUDITOR TO PAY MORAL OB

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OWED FOR CONSTRUCTIONS SERVS RELATED TO RIDGEWOOD WATER MAIN REPLACEMENT PROJECT PHASE II; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (WENGER EXCAVATING, INC.). - FINANCE COMMITTEE

135. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO EXECUTE CONTRACT MODIFICATION #1 WITH BURGESS & NIPLE, INC. FOR AM & CMOM PLAN DEVELOPMENT & IMPLEMENTATION PROJ IN AMT OF \$580,500.00; SUPP APPROP OF \$293,400.00 FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206320 SEWER OPERATING FUND - AOC COMPLIANCE ORGANIZATION (OTHER); APPROP TRF OF \$287,100.00 FR 5410 206006 SEWER OPERATING FUND - COLLECTION SYSTEM DEPARTMENT TO 5410 206320 SEWER OPERATING FUND - AOC COMPLIANCE ORGANIZATION (OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
136. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH CARTEGRAPH FOR CMMS CONTRACT; AUTH MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH ESRI FOR SYSTEM ARCHITECTURE UPGRADES AND FUTURE LICENSING; AMEND O#59/2020 (\$61,552.28 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS FUND TO 5201 207022 DISTRIBUTION MAINTENANCE (OTHER); \$43,957.08 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206320 AOC COMPLIANCE ORGANIZATION (OTHER)); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
137. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR MONTH OF FEBRUARY, 2020. - RECEIVED & FILED
138. TREASURER PEREZ: RPT OF DEPOSITS AND PAY-INS FOR AMBULANCE LOCK BOX ACCT FOR MONTH OF FEBRUARY, 2020. - RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING**

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their First Reading. Mr. Clerk, please begin with Ordinance #1.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #15 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE O#1 THROUGH O#11 AND #13 THROUGH O#15 ADOPTED):***

- #1. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 67/2020** AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO COMPENSATE ATTORNEY PHIL SCHANDEL WITH MORE THAN A 3% MERIT RAISE; AND DECLARING THE SAME TO BE AN EMERGENCY

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Referred to Community & Economic Development and Personnel Committees

#2. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 68/2020** AN ORDINANCE AUTHORIZING...

PRESIDENT SHERER: Clerk Doc... Clerk Dougherty. Leader.

MEMBER SMUCKLER: Point of information. Don't I have to add these to the agenda or do you read them first?

CLERK DOUGHERTY: Read them first and then we'll go...

MEMBER SMUCKLER: Then we'll add them?

CLERK DOUGHERTY: Yeah.

MEMBER SMUCKLER: Okay.

PRESIDENT SHERER: Thank you, Leader Smuckler.

#2. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 68/2020** 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 CONTRACT FOR THE PURCHASE OF TWO (2) FORD ESCAPE S 4 WD; TWO (2) FORD F250 4X4 SD REGULAR CAB TRUCKS; AND ONE FORD T-350 TRANSIT 12 PASSENGER VAN; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance and Public Property Capital Improvement Committees

#3. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 69/2020** AN ORDINANCE VACATING A PORTION OF ZIMMER PLACE N.W. AND CONSOLIDATION PLAT OF OUTLOT 1424, PARTS OF LOTS 3008, 3009, 3010 AND THE VACATED PORTION OF ZIMMER PLACE N.W.; AND DECLARING THE SAME TO BE AN EMERGENCY (LOCATED @ 618 HIGH AVE N.W. FOR IRONWORKERS LOCAL 550, WARD 2)

Referred to Public Safety & Thoroughfares Committee

#4. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 70/2020** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PARKING LEASE AGREEMENT WITH COMMQUEST SERVICES, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY (NORTH SIDE OF 6<sup>TH</sup> ST NW, BETWEEN CLEVELAND AVE NW AND DEWALT AVE NW @ \$15 PER MO, PER SPACE)  
Referred to Finance Committee

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- #5. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 71/2020** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN THE AMOUNT OF \$6,374.00 TO OMNIPRO FOR WORK PERFORMED AS PART OF THE 12<sup>TH</sup> ST NW BRIDGE REPLACEMENT AND STREETScape PROJECT, G.P. 1160; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #6. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 72/2020** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE TIMKENSTEEL 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
- #7. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 73/2020** A RESOLUTION ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECENT RECOMMENDATIONS REGARDING ENTERPRISE ZONE AND COMMUNITY REINVESTMENT AREA TAX ABATEMENT AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY (AMBAFLEX MFG. INC, BALL METALPACK, LLC., 12R POWER CABLE, INC., MEDLINE INDUSTRIES, INC.)  
Referred to Community & Economic Development Committee
- #8. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 74/2020** AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO CONTRACT WITH THE BELOW-NAMED CITIES AND VILLAGES TO PROVIDE LEGAL REPRESENTATION IN THE PROSECUTION OF CRIMINAL CASES AND RELATED MATTERS BY THE CITY PROSECUTOR'S OFFICE; AND DECLARING THE SAME TO BE AN EMERGENCY (RETRO TO 1/1/20 - 12/31/21 - EAST CANTON - \$11,900.00, EAST SPARTA - \$5,500.00, HARTVILLE - \$13,500.00, LOUISVILLE - \$29,000.00, MAGNOLIA - \$5,000.00, NORTH CANTON - \$44,000.00, WAYNESBURG - \$6,700.00)  
Referred to Finance Committee
- #9. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 75/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO CONTRACT AND RECEIVE ALL GRANTS AND ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE ELECTRIC VEHICLE CHARGING STATIONS PROJECT, GP 1316; OR TO ALTERNATIVELY ENTER INTO ALL CONTRACTS NECESSARY USING ANY PROCUREMENT METHOD AUTHORIZED BY LAW; AND TO SET CHARGING RATES AND FEES NEEDED TO OPERATE THE ELECTRONIC VEHICLE CHARGING STATIONS AND TO MAKE ADJUSTMENTS AS NEEDED TO ACCOMMODATE THE EVOLVING MARKET; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN

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EMERGENCY (\$300,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 202001 ENGINEERING - ADMINISTRATION - OTHER)  
Referred to Finance Committee

- #10. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 76/2020** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 2331 AIR POLLUTION TO 2331 AIR POLLUTION - 700 OTHER DIRECT COSTS; \$45,000.00 SUPP APPROP FR UNAPPROP BAL OF 2328 PUBLIC HEALTH INFRASTRUCTURE TO 2328 PUBLIC HEALTH INFRASTRUCTURE - 700 OTHER DIRECT COSTS (PYMT OF EXPENSES ASSOCIATED WITH COVID-19 RESPONSE)  
Referred to Finance Committee
- #11. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 77/2020** A RESOLUTION AUTHORIZING PARTICIPATION IN THE ODOT ROAD SALT CONTRACT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #12. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GRANT AGREEMENT WITH COMMUNITY BUILDING PARTNERSHIP OF STARK COUNTY, INC. (CBP) IN AN AMOUNT NOT TO EXCEED \$300,000.00 UTILIZING NEIGHBORHOOD FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development and Finance Committees
- #13. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 78/2020** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS TO WENGER EXCAVATING, INC. FOR WORK PERFORMED AS PART OF THE RIDGEWOOD WATER MAIN REPLACEMENT PROJECT PHASE II; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- #14. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 79/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE CONTRACT MODIFICATION #1 WITH BURGESS & NIPLE, INC. IN AN AMOUNT NOT TO EXCEED \$580,500.00; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$293,400.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206320 SEWER OPERATING FUND - AOC COMPLIANCE ORGANIZATION - OTHER; \$287,100.00 APPROP TRF FR 5410 206006 SEWER OPERATING FUND - COLLECTION SYSTEM DEPARTMENT - OTHER TO 5410 206320 SEWER OPERATING FUND - AOC COMPLIANCE ORGANIZATION - OTHER)



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Referred to Finance and Environmental & Public Utilities Committees

- #15. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 80/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE PROFESSIONAL SERVICES CONTRACTS WITH CARTEGRAPH AND ESRI; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$61,552.28 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS FUND TO 5201 207022 DISTRIBUTION MAINTENANCE - OTHER; \$43,957.08 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER FUND TO 5410 206320 AOC COMPLIANCE ORGANIZATION - OTHER)

Referred to Finance and Environmental & Public Utilities Committees

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: At this time the Chair would declare an in-house recess for Community & Economic Development, Personnel, Finance, Public Property Capital Improvement, Public Safety & Thoroughfares, Annexation and Envi... and Environmental & Public Utilities Committees to meet in regards to Ordinances 1 through 11 and 13 through 15 on your agenda this evening. You are now in recess.

***(COUNCIL RECESSED AT 7:12 PM FOR THE FINANCE, PUBLIC PROPERTY CAPITAL IMPROVEMENT, ENVIRONMENTAL & PUBLIC UTILITIES, COMMUNITY & ECONOMIC DEVELOPMENT, PERSONNEL, PUBLIC SAFETY & THOROUGHFARES AND ANNEXATION COMMITTEES TO DISCUSS O#1 THROUGH O#11 AND O#13 THROUGH O#15; RECONVENED AT 7:28 PM)***

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

MEMBER SMUCKLER: Mr. President, I move that we suspend Rule 22A and add Ordinances 1 through 11 and 13 through 15 back to the agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 1 through 11 and 13 through 15 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 DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: Ordinances 1 through 11 and 13 through fif... 15 are a legal part of your agenda, Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we suspend statutory rules for... of Ordinances 1 through 11

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and 13 through 15.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 1 through 11 and 13 through 15. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #1. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#1 ADOPTED AS ORDINANCE NO. 67/2020**

PRESIDENT SHERER: The motion carries and Ordinance #1 has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #2.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #2. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#2 ADOPTED AS ORDINANCE NO. 68/2020**

PRESIDENT SHERER: The motion carries and Ordinance #2 has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #3.

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #3. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#3 ADOPTED AS ORDINANCE NO. 69/2020**

PRESIDENT SHERER: The motion carries and Ordinance #3 has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #4.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #4. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#4 ADOPTED AS ORDINANCE NO. 70/2020**

PRESIDENT SHERER: The motion carries and Ordinance #4 has been adopted. Leader.

MEMBER SMUCKLER: Mist... Mr. President, I move we adopt Ordinance #5.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #5. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#5 ADOPTED AS ORDINANCE NO. 71/2020**

PRESIDENT SHERER: The motion carries and Ordinance #5 has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #6.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #6. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#6 ADOPTED AS ORDINANCE NO. 72/2020**

PRESIDENT SHERER: The motion carries and Ordinance #6 has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #7.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #7. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#7 ADOPTED AS ORDINANCE NO. 73/2020**

PRESIDENT SHERER: The motion carries and Ordinance #7 has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #8.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #8. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#8 ADOPTED AS ORDINANCE NO. 74/2020**

PRESIDENT SHERER: The Motion carries and Ordinance #8 has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #9.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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**#9 ADOPTED AS ORDINANCE NO. 75/2020**

PRESIDENT SHERER: The motion carries and Ordinance #9 has been adopted. 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? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#10 ADOPTED AS ORDINANCE NO. 76/2020**

PRESIDENT SHERER: The Motion carries and Ordinance #10 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 DOUGHERTY: Twelve yeas, Mr. President.

**#11 ADOPTED AS ORDINANCE NO. 77/2020**

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

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded that you adopt Ordinance #13. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#13 ADOPTED AS ORDINANCE NO. 78/2020**

PRESIDENT SHERER: The motion carries and Ordinance #13 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #14. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#14 ADOPTED AS ORDINANCE NO. 79/2020**

PRESIDENT SHERER: The motion carries and Ordinance #14 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you 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 DOUGHERTY: Twelve yeas, Mr. President.

**#15 ADOPTED AS ORDINANCE NO. 80/2020**

PRESIDENT SHERER: The motion carries and Ordinance #15 has been adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading and we have none for tonight.

**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, and we have no Third Readings for this evening.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

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

MEMBER FERGUSON: Mr. President.

PRESIDENT SHERER: Member Ferguson.

MEMBER FERGUSON: Community & Economic Development will meet on April 13<sup>th</sup> at 6:45.

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MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Finance Committee will meet April 13<sup>th</sup> at 6:45.

PRESIDENT SHERER: Thank you.

**MISCELLANEOUS BUSINESS**

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

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader Smuckler.

MEMBER SMUCKLER: I want to thank everybody for their cooperation in this experiment at City Hall. Um, it ran as smooth as I thought it might, and I appreciate the people at home that... uh, I know it was hard to hear, and we're going to work on two weeks from now, after speaking with the IT Director that things will be a little bit different, and we should be able to get along a little bit better. Um, the... uh, Clerk, you did a fantastic job of getting this all organized, and as most of you can see, there aren't many people from the public here, which is good and bad. They'll be able to tune in, but we all have to deal with this virus, and this is not really the place for everybody to be, including all of us. Um, recognizing that the spacing that was done tonight made it a lot more pleasant and especially for the Council people to be able to do their business and make sure that it was carried out well, and I commend Dave Dougherty and the office staff for doing that.

PRESIDENT SHERER: Thank you, Leader. I also want to thank Pat Barton and Dave Dougherty and the Clerk's Office for the fantastic job that they did tonight trying to get ready for this meeting. And I know for, you know, our fellow elected officials that are on the phone right now, I know it and I agree with Leader Smuckler that it... it is gonna be... it's a little tough to hear, but we are gonna meet probably tomorrow or get together and see how we can make this better because I don't... obviously our crisis it not going away any time soon. And I'd also like to wish Member Hawk a belated birthday.

MEMBER HAWK: (*Inaudible*)... 70.

PRESIDENT SHERER: I thought you were 66.

MEMBER HAWK: Yeah, right. (*Laughter*)

PRESIDENT SHERER: Okay.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

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MEMBER SMUCKLER: And I almost forgot, I would like to congratulate John Mariol and his lovely wife on a new addition to the family.

MEMBER SCHULMAN: *(Inaudible)*

PRESIDENT SHERER: Mem... Member Mariol, did you... did you hear that?

MEMBER MARIOL: I... I... Mr. President, yes I did, and thank you all and Leader Smuckler for those kind words. Uh, everyone is doing good and we are just enjoying our... our new addition.

PRESIDENT SHERER: Yeah, congratulations, John.

MEMBER MARIOL: Thank you, thank you.

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

MEMBER SMUCKLER: Um, before you give the quote, I want to say this. It's a scary time to welcome a new baby. It's an exciting time, but everybody that'll leave here tonight, please be safe and please set an example of following direc... directions from what's going on in this community. We are leaders in this community and we should be setting the example.

PRESIDENT SHERER: Thank you, Leader Smuckler. Clerk Dougherty, our quote for the week, please.

CLERK DOUGHERTY: Thank you, Member Smuckler. You're right. *"It's time. It's time to be safe; Time to be smart; Time to care; Time to love; Time to be patient; Time to be patriotic; Time to be supportive; Time to take care of neighbors; Time to lead. It is also time to take care of self and then hopefully we will all be okay for days, weeks and months to come."* -David Dougherty

PRESIDENT SHERER: Thank you, Clerk Dougherty. Leader.

MEMBER SMUCKLER: Mr. President, I move we adjourn.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: This meeting is adjourned. Thank... thanks for everybody that attended tonight. *(Gavel falls)*.

MEMBER SCHULMAN: Thank you everybody... *(Recording stops)*



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ADJOURNMENT TIME: 7:57 PM

ATTEST: 4/1/20

DAVID R. DOUGHERTY  
CLERK OF COUNCIL

APPROVED:

WILLIAM SHERER, II  
PRESIDENT