

MINUTES OF THE MEETING APRIL 24, 2023

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

ROLL CALL TAKEN BY CLERK WOOD:

11 COUNCIL MEMBERS PRESENT: (WILLIAM SMUCKLER, JAMES BABCOCK, LOUIS GIAVASIS, BRENDA KIMBROUGH, JASON SCAGLIONE, CHRIS SMITH, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, PETER FERGUSON & FRANK MORRIS)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER HAWK ABSENT)

CLERK WOOD: Eleven present, one absent, Mr. President.

EXCUSING MEMBERS

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Member Hawk is excused from this evening's meeting. Tonight's invocation will be given by Ward 7 Council Member, John Mariol. If you would all please stand and remain standing for the Pledge of Allegiance, please.

The regular meeting of Canton City Council was held on April 24, 2023 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Jill M. Wood. The invocation was given by Ward 7 Council Member, John Mariol. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Member Mariol.

AGENDA CORRECTIONS AND CHANGES

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

MEMBER SMUCKLER: Mr. President, I move Rule 22A be suspended to add second readings of Ordinance 14 through 16 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 14 through 16 to this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

MINUTES OF THE MEETING APRIL 24, 2023

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 14 through 16 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SHERER: We are now under Public Hearings and we have no Public Hearings for this evening.

OLD BUSINESS

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

PUBLIC SPEAKS

PRESIDENT SHERER: We are now under Public Speaks and we have two speakers for this evening. I would like to remind our speaker... speakers that you do get three minutes under Public Speaks, and our first speaker is Mr. Eugene Blakely. Mr. Blakely, could you please state your name and residential address, please.

EUGENE BLAKELY: Uh, Eugene Blakely. I live at 120 36th Street NE, Canton, Ohio 44714.

PRESIDENT SHERER: Thank you.

EUGENE BLAKELY: Uh, I was in an automobile accident on 62 and Harmont. I did not realize this till it happened... uh, the lighting is really bad over there. Uh, I hit a black car. Uh, I did not see it because the lighting's bad. Uh, I just want to address Council about the lighting over there. Uh, if you guys get some lighting over there, it should reduce some of the accidents. Uh, I just want to let you guys know, you know, I don't know if you guys can do anything about this or not, but... uh, two times I've been in an accident there. I was (*inaudible*)... uh, almost killed by a drunk driver there. Uh, the lighting's really bad, but (*inaudible*) let you guys know (*inaudible*).

PRESIDENT SHERER: Okay.

EUGENE BLAKELY: Okay, thank you.

PRESIDENT SHERER: Thank... thank you, Mr. Blakely. Okay, and the... the Law Department will look into this for you.

EUGENE BLAKELY: I'm almost deaf, I'm sorry.

PRESIDENT SHERER: The... the... the Law Department will look into this for you.

EUGENE BLAKELY: Okay.

PRESIDENT SHERER: Alright, thank you.

EUGENE BLAKELY: Alright.

PRESIDENT SHERER: And our last speaker for tonight is Mr. Doyle Walker.

MINUTES OF THE MEETING APRIL 24, 2023

DOYLE WALKER: Good afternoon, Councilmen. My name's Doyle Walker. I reside at 1427 Housel, H-O-U-S-E-L Avenue SE, Canton...

PRESIDENT SHERER: Thank you.

DOYLE WALKER: ...Ohio 44707.

PRESIDENT SHERER: Thank you.

DOYLE WALKER: I come before this body today to request that... uh, you make a rule or an amendment that any of the federal funds... uh, particularly along the lines of ARPA funds, before they're distributed or used be subject to a community size public hearing. I think that in... in lieu of the absence of that, then bodies or administrations make decisions without the community's input, and therefore when the community does enter their input, it's reset or set back... uh, in nature and things go back to zero. Uh, specifically that now, our community with the reset of the... uh, ARPA funds allocated for Crenshaw Park went back to zero and our community will not have the summer recreation that came before this body and said that the community with their signa... the signatures, will not have. So it's set back. Had we been able to have those meetings earlier, I'm positive that there would be shovels in the ground at this time, so I ask this is something they can look into. Okay, thank you so much.

PRESIDENT SHERER: Thank you, Mr. Walker.

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 APRIL 24, 2023.

1. RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR MARCH 2023. – CHIEF GABBARD
2. WITHDRAW O#7 FROM 4/17/23 AGENDA. – ECONOMIC DEV DIRECTOR HARDESTY
3. REQ UPDATE OF CANTON CITY-WIDE CRA TO BE CONSISTENT WITH SUBSTITUTE SENATE BILL 33; EMERGENCY. – ECONOMIC DEV DIRECTOR HARDESTY
4. REQ C1, C2 TRANSFER FROM 12TH STREET MARKET LLC, DBA 12TH STREET MARKET TO MAIN STOP MART LLC, DBA MAIN STOP MART @ 1100 12TH ST NW. – LIQUOR CONTROL DIV (OHIO)
5. AUTH 4TH ST SE SEWER REPLACEMENT PROJECT, GP 1338; EMERGENCY. – SERVICE DIRECTOR HIGHMAN
6. AUTH WPCLF LOAN AGRMT FOR 4TH ST SE SEWER REPLACEMENT PROJECT, GP 1338; EMERGENCY. – SERVICE DIRECTOR HIGHMAN
7. AUTH 4TH ST SE SEWER REPLACEMENT PROJECT, GP 1338 – RIGHT-OF-WAY APPROP AUTH; EMERGENCY. – SERVICE DIRECTOR HIGHMAN

MINUTES OF THE MEETING APRIL 24, 2023

8. COMPARATIVE RPT OF CASH RECEIPTS AS OF MARCH 31, 2023. – TREASURER PEREZ

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their First Reading. Madam Clerk, would you please begin with Ordinance #9.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #9 THROUGH #13 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#9. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL 232479, 1839 KIMBALL RD SE)
Referred to Community & Economic Development Committee
- O#10. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 10009758, 10009759, 10009760, 10009761 AND 10009762, FORD PROPERTY)
Referred to Community & Economic Development Committee
- O#11. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOTS 1549 AND 1550; AND DECLARING THE SAME TO BE AN EMERGENCY (CHUCK FUCHS, WARD 2)
Referred to Public Safety & Thoroughfares Committee
- O#12. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOT 9786 AND PART OF LOT 9787; AND DECLARING THE SAME TO BE AN EMERGENCY (SARAI PROPERTIES LLC, WARD 5)
Referred to Public Safety & Thoroughfares Committee
- O#13. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 1909, 1910 & 32457 AND PART OF LOTS 1907, 1908 & 1911-1913, PART OF LOTS 32455-32456 AND PART OF LOT 35125; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY, WARD 4)
Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, would you please begin with Ordinance #14.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #14 THROUGH #16 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

MINUTES OF THE MEETING APRIL 24, 2023

- O#14. (2ND RDG) A RESOLUTION ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECENT RECOMMENDATIONS REGARDING ENTERPRISE ZONE AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#15. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 1727 OF THE HEALTH CODE
- O#16. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE OR THEIR DESIGNEE TO NEGOTIATE AND/OR DONATE THE GRANTING OF AN ELECTRICAL FACILITIES EASEMENT AGREEMENT WITH THE OHIO POWER COMPANY, A UNIT OF AMERICAN ELECTRIC POWER NECESSARY FOR THE INSTALLATION OF THEIR ELECTRIC FACILITIES ON THE CITY SERVICE CENTER PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Third, Final Reading and Vote and we have no Third Readings for this evening.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. There will be no meeting next week due to the primary election, so our next meeting date will be Monday, May 8th, and Committee will start at 6:30 PM.

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: Uh, Community & Economic Development will meet May... what did you say, 8th?

PRESIDENT SHERER: May 8th, yes.

MEMBER HALL: At 6:30 PM.

PRESIDENT SHERER: Thank you, Member Hall. Member Kimbrough.

MEMBER KIMBROUGH: Yes. Uh, the mo... the uh... Public Safety & Thoroughfares Committee will also meet on Monday, the 8th at 6:30.

PRESIDENT SHERER: Thank you, Member Kimbrough.

MISCELLANEOUS BUSINESS

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

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

MEMBER BABCOCK: Second.

MINUTES OF THE MEETING APRIL 24, 2023

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

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

ADJOURNMENT TIME: 7:12 PM

ATTEST: April 25, 2023

APPROVED:

JILL M. WOOD
CLERK OF COUNCIL

WILLIAM SHERER
PRESIDENT