

MINUTES OF THE MEETING MAY 22, 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, GREG HAWK, BRENDA KIMBROUGH, JASON SCAGLIONE, CHRIS SMITH, ROBERT FISHER, KEVIN HALL, JOHN MARIOL & FRANK MORRIS)

TEN COUNCIL MEMBERS PRESENT. (MEMBERS MARIOL & FERGUSON ABSENT) (*Note: Member Mariol arrived after Roll Call*)

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

PRESIDENT SHERER: And I believe Mr. Mariol is in the building, but he is not present at this time. Leader. For the record...uh...Mr. Mariol is in the building, or in the chamber.

EXCUSING MEMBERS

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to excuse Member Ferguson from this...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 Ferguson is excused from this evening's meeting. Tonight's invocation will be given by Council Member at Large, Louis Giavasis. 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 May 22, 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 Council Member at Large, Louis Giavasis. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Member Giavasis.

AGENDA CORRECTIONS AND CHANGES

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

MEMBER BABCOCK: Mr. President, I move Rule 22...A be suspended to add second reading Ordinances 11 through 15 to this evening's agenda.

MEMBER GIAVASIS: Second.

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PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add second readings to Ordinances 11 through 15 to this evening's agenda. 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 Ordinances 11 through 15 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, I believe one speaker for this evening. And...and I do, unless Kim Bell is still her.

CLERK WOOD: Yes, she is here.

PRESIDENT: Ok...uh...I take that back we have two speakers. Uh...our first speaker is Mr. David Kerestes. And I would like to remind our speakers that you do get three minutes. Mr. Kerestes could you please state your name and residential address please.

DAVID KERESTES: My name is David Kerestes. I'm homeless now because I've been robbed by Tonya in...uh...housing. And quite frankly, I'm not here to talk about that. I'm here now to speak of the Stark County Building Department on February 11th of 2014, sends Beth Sherring...uh...letter telling them to pull a permit for a sign. I lived in that building. This time Matt Sherring has turned everything from a bedroom and bathroom into efficiency apartments and increase the value of this home. And these places...this is exactly what's going in Canton, without permits. Uh...and through this man, put three prong receptacles in there, or I should say Ed Nelson did it and then sold the building. But at that time when you plug in these refrigerators they start melting (*inaudible*) systems, but that isn't the problem. The problem is that people like Beth Sherring and Matt Sherring feel that they don't need to pay a building inspector, or they don't need to get a zoning permit. And that goes on here as well. And now I'm sitting here and I'm looking at (*inaudible*). I'm looking at this place called the Height with crumbs falling and (*inaudible*) I hear two cops and a crook. Uh... this never went through the Stark County Regional Board of Planning, nor did anything (*inaudible*) or anyone else ever build on the highway. Which is like making the Stark Regional Board of Planning obscured and your taxes well off. So when you can put a burden on me that you don't apply to yourself, I believe your criminalistics. Thank you.

PRESIDENT SHERER: Thank you, Mr. Kerestes. And our last speaker for tonight is Miss Kimberly Bell. Miss Bell can you please state your name and residential address please.

KIMBERLY BELL: Yes, Kimberly Bell 1733 Morris Ave.

PRESIDENT SHERER: Thank you.

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KIMBERLY BELL: First I want you give you a little history about myself. The reason I'm so hard on you about the murder of James Williams. When I was eight or nine years old, my sister was...scratching on the door it was dark. I opened up the door and she fell through with bullet holes all in her back. She got shot. I was eight or nine years old and I witnessed that. And then at nineteen, I was down...with my...with my Uncle we was out having drinks and stuff. He get shot up down at...down out...down on the corner of uh...Cherry and Tusc. I throw him in the backseat of my car and get him to the hospital. Then my last...my first prison conviction, I come home. I'm out having a good time down at Stella's. Shooting goes on. One of the Detroit boys fell dead right in my arms. Bullet holes, full of bullet holes...holes. And that's why...I...I'm...I'm...I'm...I'm hard about the James Williams killing because those kids witnessed something I witnessed when I was young. And you don't have the privilege to...to talk to me after your wife wouldn't shake my hand twice! You don't the privilege to approach me!

PRESIDENT SHERER: Miss... Miss Bell.

KIMBERLY BELL: You cheat...your wife, made you loose the privilege.

PRESIDENT SHERER: Miss Bell. Miss...Bell (*Gavel falls*)

KIMBERLY BELL: And you! (*inaudible*)

PRESIDENT SHERER: Miss...Miss Bell (*Gavel falls*) You are out of order. You are suppose to be addressing your comments to the Chair.

KIMBERLY BELL: Sen...send...cou...can you please send Stark Metropolitan. Ya'll go (*inaudible*).

PRESIDENT SHERER: Miss Bell.

KIMBERLY BELL: Metropolitan ya'll need to send them out to somebody out there.

PRESIDENT SHERER: Miss Bell, that's...that's enough. You are more than welcome to be here, but you are going to address your comments to the Chair. But you are comment, you just forfeited your three minutes. Thank you for coming this evening.

KIMBERLY BELL: (*Inaudible yelling*)

PRESIDENT SHERER: That's enough.

KIMBERLY BELL: And I'll be waiting for my letter saying I can't be here, Andrea Perry!

INFORMAL RESOLUTIONS

PRESIDENT SHERER: Moving on. We are now under Informal Resolutions and we have none for this evening.

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

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IN THEIR ENTIRETY, IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED MAY 22, 2023.

1. RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR APRIL; 2023. – CHIEF OF POLICE GABBARD
2. REO SUPP APPROP FROM GENERAL FUND (POLICE AND FIRE DEPTS RECRUITMENT PLAN). – CIVIL SERVICE DIRECTOR FORCHIONE
3. REO AMENDMENTS TO CHAPTER 503, JUVENILE OFFENSES; PARENTAL RESPONSIBILITY (DORA). – LAW DIRECTOR REESE
4. REQ TO ACCEPT WALMART LOCAL COMMUNITY GRANT; AMEND APPROP O#51/2023 (SUPP APPROP TO POLICE ADMIN FUND); EMERGENCY. – SAFETY DIRECTOR PERRY
5. REQ VEHICLE MAINTENANCE AND FUEL SERVICES CONTRACT WITH SMHA; EMERGENCY. – SERVICE DIRECTOR HIGHMAN
6. REQ ARGMT FOR LOW INTEREST LOAN AND SANITARY SEWER FUND APPROP FOR 11TH ST SE INTERSECTION AND ROADWAY IMPROVEMENTS PROJ; GP 1144, PID 90465; EMERGENCY. – SERVICE DIRECTOR HIGHMAN
7. REQ WPCLF LOAN FOR 11TH ST SE INTERSECTION AND ROADWAY IMPROVEMENTS PROJ; GP 1144, PID 90465; EMERGENCY. – SERVICE DIRECTOR HIGHMAN

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 #8.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #8 THROUGH #10 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#8. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#9. (1ST RDG) **ADOPTED AS ORDINANCE NO. 75/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#10. (1ST RDG) **ADOPTED AS ORDINANCE NO. 76/2023** AN ORDINANCE AMENDING CHAPTER 503, JUVENILE OFFENSES; PARENTAL RESPONSIBILITY OF THE GENERAL OFFENSES CODE
Referred to Judiciary Committee

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the Finance and Judiciary Committees to meet in regards to Ordinances #9 and #10 on your agenda this evening. You are now in recess.

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(COUNCIL RECESSED AT 7:09 PM FOR THE FINANCE COMMITTEE TO MEET IN REGARDS TO O#9 and #10; RECONVENED AT 7:21 PM)

PRESIDENT SHERER: Majority Leader are you ready?

MEMBER SMUCKLER: I'm ready.

PRESIDENT SHERER: Ok.

MEMBER SMUCKLER: Mr. President, I move we suspend statutory rules of Ordinance 9 and 10.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: *(Speaking to Clerk Wood)* What's that? Ok, Majority Leader, correction. I believe we got to suspend Rule 22A first, I believe.

MEMBER SMUCKLER: You're right, I'm sorry. Mr. President, I move we suspend Rule 22A to place Ordinances 9 and 10 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 9 and 10 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 1 ABSTENTION
(MEMBER HALL ABSTAINED)

CLERK WOOD: Ten yeas, one abstention, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 9 and 10 are a legal part of your agenda. Quick question *(inaudible)*. Leader.

MAYOR BERNABEI: For clarification, *(inaudible)* it requires two-thirds vote or eight votes for you to suspend a statutory rule, not 9.

PRESIDENT SHERER: Hang on.

MEMBER SMUCKLER: Mayor Bernabei, I'm telling you something's wrong with that mic. No one can hear you over here.

ASSISTANT LAW DIRECTOR DUFFRIN: He just said it requires two-thirds votes or two-thirds vote or eight votes.

CLERK WOOD: We need eight votes.

PRESIDENT SHERER: Yea that's what I thought. This was a point of verification. Alright, the motion carries and Ordinances 8 and 9 are a legal part of your agenda. Leader Smuckler.

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MEMBER SMUCKLER: It's 9 and 10.

PRESIDENT SHERER: Or 9 and 10, sorry.

MEMBER SMUCKLER: That's alright. Mr. President, I move we suspend statutory Rule of Ordinances 9 and 10.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 9 and 10. 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: You've heard the three readings. 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 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 75/2023

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?

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Ok, twenty-six situations where we could send a message to youth and parents that Canton has a curfew. And that we are going to have a zero tolerance. Not! We just take them home. It's all good kids. It's okay to roam the streets whenever you want. Mom, dad, hey let them run wild. We're just going to give you a ride home. I agree with the fact that no child under 18 without their parent should be down in the DORA. Get it 100%. No way any parent should let their child, unattended, go down, where people are drinking

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in public and there's a chance for public intoxita...intoxication and let your child be exposed to that. Ok, that's good parents don't do that. Okay, so, if there's a group of children down there after 9:00 PM, yea we should make them go home. I'm going to abstain from this vote. I'm really for it and I'm not really against it. I'm just going to abstain. I'm choosing not to even vote on this. Thank you.

PRESIDENT SHERER: Thank you, Member Morris. Are there any addition remarks under this Ordinance?

MEMBER GIAVASIS: Mr. President.

PRESIDENT SHERER: Member Giavais.

MEMBER GIAVASIS: Talking with Member Hall earlier, I fully understand where he's coming from on this issue that we need to address the root cause. Uh...to give these kids something else to do than other than other roam around in the DORA's, but unfortunately they're going to until we do that. We do have a responsibility to protect the people that are not only in the city, that are in those DORAs, but to the people from outside our city that are visiting. Until we can develop some type of plan that is going to give these kids something else to do other than show up at these DORAs and be exposed to some many things like Member Morris said. We've have twenty-six times in the past like he said in the past to address these issues, but here we have an opportunity to address this one issue. Uh...fortunately we adverted a...a serious situation that occurred...uh...downtown in one of the DORAs. Uh...and we need to do whatever we can until we find some alternate plan to address the root cause of what's happening down there. Uh... but until then we cannot okay, next time around we've had twenty-seven times that we were able to avoid this issue, or to address it. It's time to start addressing things.

PRESIDENT SHERER: Thank you, Member Giavasis. Are there any additional remarks?

UNIDENTIFIED VOICE: Can I speak?

PRESIDENT SHERER: Uh...just Council...Council. Thank you, Thank you. Are there any additional remarks from the Council members?... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 2 ABSTENTION
(MEMBER HALL AND MEMBER MORRIS ABSTAINED)

CLERK WOOD: Nine yeas, 2 abstentions, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 76/2023

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

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, would you please begin with Ordinance #11

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #11 THROUGH #15 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS):

O#11. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN EASEMENT AGREEMENT WITH THE EAST

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OHIO GAS COMPANY, DBA DOMINION ENERGY, FOR THE INSTALLATION OF THEIR NATURAL GAS FACILITIES ON THE CITY SERVICE CENTER PROPERTY NECESSARY FOR DELIVERING GAS SERVICE TO THE NEW SANITATION BUILDING; AND DECLARING THE SAME TO BE AN EMERGENCY

- O#12. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO CREATE THE 7510 PERRY TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT (JEDD) FUND AND TO REMIT ALL APPROPRIATE SUMS TO PERRY TOWNSHIP AS ARE CALLED FOR IN THE JEDD CONTRACT AND TAX AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#13. (2ND RDG) **ADOPTED AS ORDINANCE NO. 77/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GRANT AGREEMENT WITH COMMUNITY BUILDING PARTNERSHIP OF STARK COUNTY, INC. IN AN AMOUNT NOT TO EXCEED \$200,000.00 UTILIZING ISSUE 13 COMPREHENSIVE PLAN NEIGHBORHOOD FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#14. (2ND RDG) **ADOPTED AS ORDINANCE NO. 78/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER #2 FOR THE SUGAR CREEK WATER TREATMENT PLANT RENOVATION PROJECT WITH THE GREAT LAKES CONSTRUCTION COMPANY; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; RETROACTIVELY AUTHORIZES ALL ACTIONS TAKEN IN REGARDS TO SAID CHANGE ORDER; AND AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THE SAME; AND DECLARING THE SAME TO BE AN EMERGENCY (\$81,428.62 SUPP APPROP FR UNAPPROP BAL OF 5241 SUGAR CREEK WATER TREATMENT PLANT RENOVATION PROJECT TO 5241 207069 SUGAR CREEK WATER TREATMENT PLANT RENOVATION PROJECT – OTHER)
- O#15. (2ND RDG) **ADOPTED AS ORDINANCE NO. 79/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN EASEMENT AGREEMENT WITH THE OHIO POWER COMPANY, A UNIT OF AMERICAN ELECTRIC POWER, FOR THE INSTALLATION OF THEIR ELECTRIC FACILITIES AT SPIKER PARK NECESSARY FOR THE INSTALLATION OF POND FOUNTAINS AND ADDITIONAL LIGHTING; AND DECLARING THE SAME TO BE AN EMERGENCY

CLERK WOOD: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules on Ordinances 13 through 15.

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances #15...13 through 15. 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. You've heard the three readings. 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 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#13 ADOPTED AS ORDINANCE NO. 77/2023

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

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? ... Hearing none , roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#14 ADOPTED AS ORDINANCE NO. 78/2023

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? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 79/2023

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PRESIDENT SHERER: The motion carries and Ordinance #15 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, would you please begin with Ordinance #16.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #16 THROUGH #19 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#16. (2ND RDG) **ADOPTED AS ORDINANCE NO. 80/2023** AN ORDINANCE AUTHORIZING UPDATES TO CANTON'S CITY-WIDE COMMUNITY REINVESTMENT AREA TO BE CURRENT AND CONSISTENT WITH THE CHANGES OUTLINED IN SUBSTITUTE SENATE BILL 33 AS REFLECTED WITHIN SECTIONS 3735.65 TO 3735.70 OF THE OHIO REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 80/2023

PRESIDENT SHERER: Motion carries and Ordinance #16 has been adopted. Ordinance #17, please.

O#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 81/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE A CONSTRUCTION CONTRACT; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; RECEIVE GRANT FUNDS IN THE AMOUNT OF \$881,000 AND ZERO PERCENT INTEREST LOAN IN THE AMOUNT OF \$590,000; AND ENTER INTO AGREEMENT WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR A LOW-INTEREST LOAN FOR THE 4TH STREET SE SEWER REPLACEMENT PROJECT, GP 1338; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR RELATED PROJECT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5421 4TH STREET SE SEWER REPLACEMENT PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY. (\$4,550,061.00 SUPP APPROP FR

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UNAPPROP BAL OF 5421 4TH STREET SE SEWER REPLACEMENT PROJECT, GP 1338 FUND TO 5421 206326 4TH STREET SE SEWER REPLACEMENT PROJECT, GP 1338 – OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 81/2023

PRESIDENT SHERER: Motion carries and Ordinance #17 is adopted. Ordinance #18, please.

O#18. (3rd RDG) **ADOPTED AS ORDINANCE NO. 82/2023** A RESOLUTION AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT ON BEHALF OF THE CITY OF CANTON FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 82/2023

PRESIDENT SHERER: Motion carries and Ordinance #18 is adopted. Ordinance #19, please.

O#19. (3rd RDG) **ADOPTED AS ORDINANCE NO. 83/2023** AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, LAW DIRECTOR, OR THEIR DESIGNEE TO: APPROPRIATE THE PROPERTY DESCRIBED IN EXHIBIT A IN FURTHERANCE OF THE 4TH STREET SW SEWER REPLACEMENT PROJECT, GP

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1338 AND TO MAKE MINISTERIAL CHANGES TO CORRECT PROPERTY OWNER NAMES, PARCEL NUMBERS, AND OTHER NUMERICAL DESCRIPTIVE OR TYPOGRAPHICAL ERRORS; AND DECLARING THE SAME TO BE EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #19. Are there any remarks? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 83/2023

PRESIDENT SHERER: Motion carries and Ordinance #19 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Our next meeting date will be Monday, June 5. And I believe Committee starts at 6:45 PM. And the Council office will be closed and there will be no Council meeting on May 29th, in recognition of Memorial Day.

MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Thank you. Finance Committee will meet Monday, June 5th at 6:45 in Council chambers.

PRESIDENT SHERER: Thank you, Member Hawk.

MISCELLANEOUS BUSINESS

PRESIDENT SHERER: We are now under Miscellaneous Business. Is there any Miscellaneous Business for this evening? Well, with the start of summer, I'd like to wish everybody a...Happy Memorial and safe Memorial Day.

CLERK WOOD: Leader.

PRESIDENT SHERER: Oh, sorry about that. Is there any other Miscellaneous Business for this evening? Maureen, thank you for coming today...tonight. You guys are doing a great job. Leader.

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

MEMBER BABCOCK: Second.

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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: Have a great summer and a great next two weeks. Thank you for coming this evening.
(Gavel falls)

ADJOURNMENT TIME: 7:39 PM

ATTEST:
JILL M. WOOD
CLERK OF COUNCIL

APPROVED:
WILLIAM SHERER
PRESIDENT