

MINUTES OF THE MEETING SEPTEMBER 11, 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 & PETER FERGUSON)

ELEVEN COUNCIL MEMBERS PRESENT.

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

EXCUSING MEMBERS

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to excuse Member Morris 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 Morris 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 stand... standing for the Pledge of Allegiance, please.

The regular meeting of Canton City Council was held on September 11, 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. Member Mariol asked for a moment of silence to remember the attacks on our country on September 11, 2001. 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 Smuckler.

MEMBER SMUCKLER: Mr. President, I move Rule 22A be suspended to add second readings of Ordinances 22 through 26 to this evening's agenda.

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add second readings to Ordinances 26... 22 through 26 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 22 through 26 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 speakers, under Public Speaks you do get three minutes. And our first speaker would be Mr. Howard Bower. Mr. Bower, could you please state your name and residential address, please.

HOWARD BOWER: Howard Bower, (*inaudible*).

CLERK WOOD: He needs to speak into the microphone.

PRESIDENT SHERER: Mr. Bower, could you speak into the mic. (*Chuckles*) There you go. Thank you.

HOWARD BOWER: Howard Bower.

PRESIDENT SHERER: And your residential address.

HOWARD BOWER: (*Inaudible*)

PRESIDENT SHERER: Your address...

HOWARD BOWER: Oh.

PRESIDENT SHERER: ...where you reside.

HOWARD BOWER: 1718 Market Avenue North...

PRESIDENT SHERER: Thank you.

HOWARD BOWER: Canton, Ohio.

CLERK WOOD: Go ahead.

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PRESIDENT SHERER: Yep.

HOWARD BOWER: What I want to talk about today... um, well, my bike got stolen and... um, when I came out of the store and saw it stolen, first thing I thought was why do people do this kind of stuff? And it occurred to me, they've never been taught any differently. They're just out there trying to make life, and so what we need to do is change people's thinking. And the way... one way to do that is to... um, we want to get them into a program or whatever. (*Sound of mic being adjusted*) Okay, thank you. We get them into a program. What we need to do is find out what they like, what they... what their hobbies are, stuff like that. And when we do that, we find out what their... uh, talent is here on Earth, wha... what to do. And when we get them into a program, find out what they like to do, get them to work in that area, to... um, when... when they work in an area that is their talent, they'll do a lot better job and they'll learn a lot faster. Get them in an area that is not their talent, more than likely they'll rebel. If we could do this in... um, law... law enforcement and... um, different areas, you'll find out that we can change their habits. By changing their habits, if we give them a place they like to do, they'll work at it and more than likely they'll even tell... come up with suggestions that can make their job better. Uh, when they do commit crimes, one thing they do, they violate another person's rights, they take their rights away from them. And that should be punished for... it's against the... the... our country, it's against our city, and they should have a fine for trying to take our country down. But the one thing I really wanted to ex... uh, express is that if we get them in a program, then we can... um, this won't happen all at one time. It'll hap... uh, some have it at first, some... others later on and some even later, and some they'll never understand it. But once we get the... find out what their... they like to do, get them involved in that area of work, you'll find out that they'll like to work a lot more. And... um, so when we get some... say, catch someone in a crime, we take... put them in a program. In that program, we aren't just... uh, pen... penalize them for doing wrong. What we want to do is to teach them how to do better, and by doing that, we become friends with them, and when we... when someone comes up to them as a friend, they'll accept you a lot more. If you come at them with an arm and fist and stuff like that, they'll probably rebel. So, if we can get them in this area, they're gonna run faster and they'll become a more honorable citizen. And this can be done in various ways. I talked to the Police Department, they had a lot of these programs into... in existence, if they would just add the human factor and start treating people like people and become friends with them. They're gonna learn a lot faster. This is what P.O. time should be, it's not just to put them in jail to waste the time, but put them in jail, teach them how to do things better, and as we become friends with them, they'll learn a lot faster. And... or... to... for the wrongdoing, there should be some penalties. One... one of the things I thought about, when a person, say steals something, find out what that victim is going through...

PRESIDENT SHERER: Mr. Bower.

HOWARD BOWER: Yeah.

PRESIDENT SHERER: Your three minutes has expired, and I'd be more than happy to continue that... this conversation with you after the meeting.

HOWARD BOWER: The what?

PRESIDENT SHERER: No, your three minutes has... watch... watch the podium. (*Chuckles*)

HOWARD BOWER: Oh, okay. Geez.

PRESIDENT SHERER: No... no, your three minutes has expired, but thank you for coming this evening.

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HOWARD BOWER: Okay. Thank you.

PRESIDENT SHERER: Thank you. And our last speaker tonight is Miss Christine Gault. Miss Gault, could you please state your name and residential address, please.

CHRISTINE GAULT: Hello. My name is Christine Gault. I live at 309 18th Street, Ward 9. He's not here (*chuckles*).

PRESIDENT SHERER: Thank you.

CHRISTINE GAULT: Um, I am here on behalf of the residents at 18th Street NW who live near the Harvard and 18th intersection. And we would like to ask to have a four way stop put in that location. As you know... um, 18th Street goes... is a straight shot between Market and Cleveland Avenue, and there's only one stop sign and that is all the way, that's one block away from the light at Cleveland Avenue. So it gives people a lot of opportunity to gain a lot of speed, and they do. And when I say a lot of speed, I don't mean like maybe going 30, they're going at very dangerous speeds like... I don't know why their cars aren't breaking kind of speed because of, you know brick roads and stuff. So... um, a lot of younger families have moved into the area, which is great cause there's little kids hanging around. You know, you see them outside playing, you hear them yelling for each other, they're going to each other's houses, they're having a great time. But then you also have this really terrifying traffic that's happening. Um, and we have a couple of bus stops there, but particularly the one at 18th Street and Harvard NW, we have witnessed cars just fly right by that with a stopped bus there. Um, and that's kinda terrifying, and the impetus that brought me here is that two weeks ago I was talking to three little girls on the street just a couple houses down from me, and suddenly I couldn't hear them because there was a car going so fast that the tires hitting the brick road drowned their voices out. So three... three little girls on their little bikes with their little helmets, being all cute, being kids with this car going so fast I can no longer hear them. So, the residents of 18th Street, I can't speak for all of them, but for those of us who live near that... um, intersection and are seeing this on a daily basis, respectfully ask that you turn that into a four way stop cause that would force people to have to slow down. Um, and I just want to say one other thing really quick. This is awesome. This came from the Building Department. It says thank you, the city of Canton thanks you for taking such nice care of your property. I cannot tell you guys how awesome this is. I... um, I worked really hard for the last three months doing landscaping in front of my house, and I was doing exactly that when a city vehicle pulled up and somebody handed me this. And I tell you what, that person did not know, they were not prepared for what they were about to get from me because I acted like I just received an Academy Award (*laughter*)... like I was beside myself so, really awesome. Thank you for doing this for the citizens of Canton.

PRESIDENT SHERER: Thank you, Miss Gault. And we will... Miss Gault, the issue of the four way stop and the traffic will be addressed.

CHRISTINE GAULT: Thank you.

PRESIDENT SHERER: So... thank you. Thank you for coming this evening.

INFORMAL RESOLUTIONS

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

MINUTES OF THE MEETING SEPTEMBER 11, 2023**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 SEPTEMBER 11, 2023.

1. STATEMENT OF CASH POSITION DATED 8/31/23. – AUDITOR MALLONN
2. REQ LEG FOR RECEIPT OF SFY2024 SPECIALIZED DOCKET PAYROLL SUBSIDY GRANT AND SUPPLEMENTAL APPROP IN FUND (SUPP APPROP FR SPECIALIZED DOCKET PAYROLL SUBSIDY GRANT). – COURT ADMINISTRATOR KOCHERA
3. REQ RECEIPT OF SFY2024 RECOVERY COURT ATP FUND AND SUPPLEMENTAL APPROP IN FUND (SUPP APPROP FR RECOVERY COURT ATP FUND GRANT). – COURT ADMINISTRATOR KOCHERA
4. REQ LEG FOR ARPA FUNDING TO NORTHEAST WELLNESS & BUSINESS CENTER; EMERGENCY. – ECONOMIC DEVELOPMENT DIRECTOR HARDESTY
5. REQ LEG FOR CRA & TIF FOR CHAMBER AVE LLC AND EMAXX NE OHIO LLC DBA ECO-MAX; EMERGENCY. – ECONOMIC DEVELOPMENT DIRECTOR HARDESTY
6. REQ TO AMEND O#51/2023 FOR ACCOUNT ADJUSTMENTS; EMERGENCY. – FINANCE DIRECTOR CROUSE
7. REQ TO AMEND O#51/2023; EMERGENCY (\$5,000.00 FR PUBLIC HEALTH WORKFORCE GRANT). – HEALTH COMMISSIONER ADAMS
8. REQ NEW D5 LIQUOR PERMIT FOR AVI FOODSYSTEMS INC @ 1510 CLARENDON AVE (WARD 7). – LIQUOR CONTROL DIV (OH)
9. AUTH REAPPT OF DAVE GRABOWSKY TO CANTON CONSTRUCTION BOARD COMMENCING 9/18/23 TO EXPIRE 12/31/25. – MAYOR BERNABEI
10. REQ LEG FOR HOF VILLAGE HOTEL II, LLC PACE FINANCING; EMERGENCY. – MAYOR BERNABEI
11. REQ LEG FOR ALLEN AVE SE SANITARY SEWER REPLACEMENT, GP 1332 – CHANGE ORDERS NO. 2 AND NO. 3 WITH HM MILLER CONSTRUCTION CO.; EMERGENCY (\$261,000.00 SUPP APPROP FR WATER FUND). – SERVICE DIRECTOR HIGHMAN
12. REQ LEG FOR 4TH ST NW STORM AND SANITARY SEWER RELOCATION PROJECT – COOPERATIVE AGRMT WITH CCSD; 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 20... 22, please.

CLERK WOOD: Ordinance 13?

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PRESIDENT SHERER: Mmm...

CLERK WOOD: Thirteen.

PRESIDENT SHERER: No, 13, I'm sorry.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #13 THROUGH #21 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#13. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PARKS AND RECREATION IN CONJUNCTION WITH THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMKEN GATEHOUSE RENOVATION PROJECT; OR TO ALTERNATIVELY ENTER INTO ALL CONTRACTS NECESSARY USING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; 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 WITHIN THE ESTABLISHED DOLLAR AMOUNT THRESHOLDS; AUTHORIZING THE CITY TO RECEIVE ANY AND ALL GRANT/OUTSIDE FUNDS AVAILABLE FOR THE COMPLETION OF THE PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Parks & Recreation Committee
- O#14. (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 (ANGEL SO FOR PARKVIEW CANTON APTS, 2701 HARRISON AVE NW, 2704 HARRISON AVE NW & 2006 HILLCREST RD NW)
Referred to Judiciary Committee
- O#15. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 2962 AND ALL OF LOTS 2963-2964; AND DECLARING THE SAME TO BE AN EMERGENCY (ROBERT THOMPSON, 927 WC HENDERSON AVE NE)
Referred to Public Safety & Thoroughfares Committee
- O#16. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE INSTALLATION OF A VARIABLE FREQUENCY DRIVE AT THE NORTHEAST WATER TREATMENT PLANT AND TO EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR INSTALLATION OVERSIGHT SERVICES FOR THE PROJECT; AUTHORIZING 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 WITHIN THE ESTABLISHED DOLLAR AMOUNT THRESHOLDS; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$625,000.00)

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SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207084
NORTHEAST WTP VARIABLE FREQUENCY DRIVE – OTHER)

Referred to Finance Committee

- O#17. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER #1 WITH WENGER EXCAVATING, INC. IN AN AMOUNT NOT TO EXCEED \$114,771.40 FOR THE 34TH STREET NW AREA WATER MAIN REPLACEMENT AND ROADWAY IMPROVEMENTS PROJECT; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THIS CHANGE ORDER THAT TAKE PLACE PRIOR TO THE FINALIZATION OF SAID CHANGE ORDER; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#18. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER #1 AND FINAL WITH CTI ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$31,730.02 FOR DESIGN OF THE 4TH STREET SE SEWER REPLACEMENT PROJECT, GP 1338; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THIS CHANGE ORDER THAT TAKE PLACE PRIOR TO THE FINALIZATION OF SAID CHANGE ORDER; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$31,730.02 APPROP TRF FR 5410 206006 COLLECTION SYSTEMS DEPARTMENT – OTHER TO 5410 206326 4TH ST SE SEWER REPLACEMENT PROJECT, GP 1338 – OTHER)
Referred to Finance Committee
- O#19. (1ST RDG) AN ORDINANCE AMENDING SECTION 105.01, CONSTRUCTION CONTRACTS, SECTION 105.09, NOTICE AND BIDDING REQUIRED, WHEN, AND SECTION 105.12 LOCAL BIDDER PREFERENCE OF CHAPTER 105, CONTRACTS OF THE ADMINISTRATIVE CODE
Referred to Judiciary Committee
- O#20. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A TAX INCREMENT FINANCING COOPERATIVE DISBURSEMENT AGREEMENT WITH CHAMBER AVE LLC AND EMAXX NORTHEAST OHIO LLC DBA ECO-MAXX; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- O#21. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A COMMUNITY REINVESTMENT AREA AGREEMENT WITH CHAMBER AVE LLC AND EMAXX NORTHEAST OHIO LLC DBA ECO-MAXX TO PROVIDE REAL PROPERTY TAX EXEMPTIONS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

MINUTES OF THE MEETING SEPTEMBER 11, 2023**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, would you now start with Ordinance 22.

CLERK WOOD: Certainly.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #22 THROUGH #26 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#22. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,200,000.00 SUPP APPROP FR UNAPPROP BAL OF 6017 HEALTH & LIFE INSURANCE TO 6017 201001 SERVICE DIRECTOR ADMIN – OTHER)
- O#23. (2ND RDG) AN ORDINANCE VACATING A PORTION OF MINERVA COURT NW; APPROVING AND ACCEPTING THE REPLAT OF LOTS 4305, 4306, 4307, 4308, 4309, 4310, 4311, 4312, 4313, AND THE VACATED PORTION OF MINERVA COURT NW; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#24. (2ND RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PARKS AND RECREATION IN CONJUNCTION WITH THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE WEST PARK BIKE PARK PROJECT; OR TO ALTERNATIVELY ENTER INTO ALL CONTRACTS NECESSARY USING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; 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 WITHIN THE ESTABLISHED DOLLAR AMOUNT THRESHOLDS; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#25. (2ND RDG) AN ORDINANCE DEDICATING STARK COUNTY PARCELS 4880024, 4880032, 4880033, 4880013, 4880010, 4880031, 4880011, AND 4880014 (NIMISHILLEN CREEK PARK) AS PARK LAND; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOINT FACILITY DEVELOPMENT AND USE AGREEMENT WITH THE STARK COUNTY PARK DISTRICT FOR THE DEVELOPMENT, MAINTENANCE, OVERSIGHT, AND USE OF NIMISHILLEN CREEK PARK; AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE OR DIRECTOR OF PARKS AND RECREATION TO ENTER INTO ALL CONTRACTS NECESSARY TO FACILITATE THIS PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#26. (2ND RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO SPARWOOD FARMS DEVELOPMENT; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ANY AGREEMENTS NECESSARY FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING SEPTEMBER 11, 2023**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SHERER: We are now under Ordinances and Formal Res... Resolutions for their Third, Final Reading and Vote. Madam Clerk, would you please begin with Ordinance #27.

O#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 117/2023** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PARKS AND RECREATION IN CONJUNCTION WITH THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE SCHREIBER PARK PICKLEBALL COURT PROJECT OR TO ALTERNATIVELY ENTER INTO ANY CONTRACTS NECESSARY FOR THE 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 WITHIN THE ESTABLISHED DOLLAR AMOUNT THRESHOLDS; AND DECLARING THE SAME TO BE AN EMERGENCY

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 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#27 ADOPTED AS ORDINANCE NO. 117/2023

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

O#28. (3RD RDG) **ADOPTED AS ORDINANCE NO. 118/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A SUPPLY CONTRACT WITH ACLARA TECHNOLOGIES AS A SOLE SOURCE PROVIDER FOR THE PURCHASE OF 2,016 METER TRANSMITTING UNITS AT A COST NOT TO EXCEED \$262,080.00; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$157,248.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207003 BILLING AND RECORDS – OTHER; \$104,832.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER FUND TO 5410 207003 BILLING AND RECORDS – OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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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 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#28 ADOPTED AS ORDINANCE NO. 118/2023

PRESIDENT SHERER: The motion carries and Ordinance #28 is adopted. Ordinance #29, please.

O#29. (3RD RDG) **ADOPTED AS ORDINANCE NO. 119/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS NECESSARY TO PURCHASE STARK COUNTY AUDITOR PARCEL NUMBER 285462; DEDICATING SAID PARCEL AS A PORTION OF CORNELIA PARK; AND DECLARING THE SAME TO BE AN EMERGENCY

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 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#29 ADOPTED AS ORDINANCE NO. 119/2023

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

O#30. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 120/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER #2 WITH WENGER EXCAVATING, INC. IN AN AMOUNT NOT TO EXCEED \$223,164.28 FOR THE COLONIAL BLVD RECONSTRUCTION PROJECT, PHASE 1, GP 1206; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THIS CHANGE ORDER THAT TAKE PLACE PRIOR TO THE FINALIZATION OF SAID CHANGE ORDER; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$223,164.28 APPROP TRF FR 4501 202001 ENGINEERING – ADMINISTRATION – OTHER TO 4501 202062 COLONIAL BLVD PHASE 1 – OTHER)

PRESIDENT SHERER: Leader.

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

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MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #30. Are there any remarks? Leader.

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #30 per the copy that all Council Members have them... in front of them.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #30 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 #30, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 30 by amending the dollar amount in the caption and Section 1 from "\$223,164.28 to "306,142.92."

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#30 ADOPTED AS AMENDED AS ORDINANCE NO. 120/2023

PRESIDENT SHERER: The motion carries and Ordinance #30 is adopted as amended.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Our next meeting date will be Monday, September 18th, and Committee is going to start at 6:15 PM.

MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Finance Committee will meet Monday, September 18th at 6:15.

PRESIDENT SHERER: Thank you, Member Hawk.

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MEMBER BABCOCK: Mr. President.

PRESIDENT SHERER: Member Babcock.

MEMBER BABCOCK: Jim... Park and Recs will meet the same time, same place.

PRESIDENT SHERER: Thank you, Member Babcock.

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: Economic Community Development, same time, same place.

PRESIDENT SHERER: Thank you, Member Hall.

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

PRESIDENT SHERER: Thank you, Member Giavasis.

MEMBER KIMBROUGH: Mr. President, Public Safety & Thoroughfares will also meet at the 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? I would like to give a shout out to our safety forces, and especially Canton Fire for the 9-11 Stair Climb they did at the Monument this morning. It was very well attended, and I... those guy... all of our guys should be commended for all... for everybody that's sacrificed their lives over the years for 9-11, and you know, and all of our safety forces. So just hats off to our... our safety forces here in town, that's for sure. And also... uh, want to give a big shout out to our Clerk.

CLERK WOOD: *(Inaudible)*

PRESIDENT SHERER: Well, it took a lot of work from everybody, but Canton Helping Canton was a successful event. This year we didn't have any food left over. It worked out. And we couldn't do this without our partners, with Giant Eagle and all the Council Members that helped out and supported it. But especially all the donations from throughout the community, and Giant Eagle and...

CLERK WOOD: Canton Hotel.

PRESIDENT SHERER: And Can... and Canton Hotel, absolutely. And we got some... we got some burgers from another guy, but that's oh... but Billy, we can't thank you enough for your donations over the years and especially this year because we wouldn't be able to do this. There are so many people in our community that are in need today and, you know, just to try to shed a little bit of light on... you know, and it was a very, very positive day. And Jill, our Clerk, did an exceptionally good job at coordinating everything and... uh, everybody

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that attended, all the volunteers, Jason, R.A., everybody that showed up, and John and Chris and Rob and I can go down the list, but... um....

CLERK WOOD: And Mark Crouse.

PRESIDENT SHERER: And Brenda Kimbrough, yes. I won't forget you, Brenda. But it was... uh, it was a great day, that's for sure. You know, but hats off to everybody that donated... donated their time or donated food. I mean, it was very, very well attended, that's for sure, so...

MEMBER SMITH: Mis...

PRESIDENT SHERER: Member Smith.

MEMBER SMITH: You're still on there? You're done?

PRESIDENT SHERER: Yep, you're good.

MEMBER SMITH: Oh, okay. Alright, I... I would like to just thank everyone that came out for the closing of the Wayne Douglas Jamerson Spray Park. Um, I'd like to thank the Dionne Cash Community Treatment for Change, that's formerly the C... CTCC. Uh, Babby... I mean, James Babcock... uh (*chuckles*)... he always the number one person there on time. Thank you for your contribution, Mister... uh, Bill Smuckler, thank you again for the hot dogs and... uh, Billy Sherer... President Sherer. Uh... Tracy Mackey, she donated the Chips from Shearer's, and the Greater Stark County Urban League and Mark Bigsbee. Thank you so very much, and I hope we can get your participation again next year. Put it on your calendar (*chuckles*).

PRESIDENT SHERER: Thank you, Member Smith. Is there any other Miscellaneous Business for this evening? And I'd be remiss to thank Mr. Scaglione for helping me on the grill Saturday.

UNIDENTIFIED VOICE: He didn't drop anything on anybody, did he?

PRESIDENT SHERER: Na... he... he dropped a couple.

UNIDENTIFIED VOICE: (*Inaudible*)... a lot of good burgers.

PRESIDENT SHERER: Yeah. I told him the five second rule, but he wouldn't listen to me. Right? So... Leader.

MEMBER SMUCKLER: Uh... Clerk, do we have some people that are going to chair this next year, I believe?

CLERK WOOD: We have some who have offered to assist, yes.

MEMBER SMUCKLER: Yes. So this will be chaired by Council Members hopefully next year... uh, that will help get contributions in and help with this and see what... see what else we can do.

PRESIDENT SHERER: And Leader, just to add to that, you know, this... this event is sponsored and put on by Canton City Council, and I think it should continue to do that by all of us. And I know sometimes it's tough because everybody's got jobs and, you know, and they have to work and stuff like that, and it's tough for people

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to be there all the time, but this is a good thing that we're doing for the community and I think it needs to continue, so...

MEMBER SMUCKLER: And I know it seems like we're asked a lot for contributions, but... um, it's serving the public. Uh, we have what's going to be asked of all of us again coming up at Halloween. And... um, I know that I will be... I know, I know. I will be making my contribution and I'm hoping some of the other Council Members too well. There will be activities at the various areas and different wards in the city, and it's always good to be able to help kids out. And that's what I look forward to especially. On that note, I move we adjourn.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

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

ADJOURNMENT TIME: 7:32 PM

ATTEST: September 13, 2023

APPROVED:

JILL M. WOOD
CLERK OF COUNCIL

WILLIAM SHERER
PRESIDENT