

**MINUTES OF THE MEETING SEPTEMBER 19, 2022**

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...with a quorum being present...

CLERK WOOD: We're still waiting on the Majority Leader and Member Smith.

LAW DIRECTOR AYLWARD: Would you like me to go get them out of (*Inaudible*)?

PRESIDENT SHERER: Thank you Law Director.

LAW DIRECTOR AYLWARD: Absolutely.

PRESIDENT SHERER: So, let's try that one more time. 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:*

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK WOOD: Twelve present, Mr. President.

PRESIDENT SHERER: Thank you, Madam Clerk. Tonight's invocation will be given by Ward 3 Council Member, Jason Scaglione. 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 September 19, 2022 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Jill M. Wood. The invocation was given by Ward 3 Council Member, Jason Scaglione. The Pledge of Allegiance was led by President Sherer.*

PRESIDENT SHERER: Thank you, Member Scaglione.

**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 reading of Ordinances 21 through 23 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 21 through 23 to this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK WOOD: Twelve yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 21 through 23 are a legal part of your agenda.

**PUBLIC HEARINGS**

PRESIDENT SHERER: We are now under Public Hearings and we have one Public Hearing for this evening and which is scheduled for 7:30 PM. We will commence with that public hearing at that time.

**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 four speakers for this evening. I want to be very clear to everybody that's in attendance and I want to read the Rules of Council to you. *"Citizens desiring to speak at "Public Speaks" shall sign up with the Clerk of Council by 6:45 p.m. on the evening of any regular Council Meeting on a first-come first-serve basis; except that persons who have spoken during any of the preceding four meetings will speak last after all other speakers. The individual shall print his/her name, home address (no business or Post Office Boxes) and specific subject matter on which he or she intends to speak. This list shall be available at all times in the Council Office. If not completed as required, the Presiding Officer will not recognize that particular speaker. During "Public Speaks," each speaker shall identify him or herself by name, home address and shall state the subject matter on which he or she intends to speak. Each speaker shall be limited to a maximum of three minutes to present his or her comments. Each speaker shall direct his or her comments to the Presiding Officer. A speaker shall observe all rules of decorum as prescribed in Roberts Rules of Order. No debate, disrespect or obscenities shall be tolerated."* I want to be very clear to everybody in the audience right now. What happened last week ain't gone happen tonight! Everybody has a right to be here. I want to be very clear about that. If one...if somebody is speaking on Public Speaks, and somebody is chirping out in the audience, they're gonna be asked to leave. I'm...I'm a firm believer in the freedom of speech and the right to protest, okay, my day job as the head of the Ironworkers, we do picket lines and everything else. While the city of North Canton is restricting freedom of speech in their Public Speaks right now, I want to make sure that everybody has a right to be here, they do. But we're gonna maintain a level of professionalism in this chamber. I just want to make that very clear to everyone, that everyone has a right to be here; to state your case. So, our first speaker tonight is Ms. Kimberly Bell. Ms. Bell, please state your name and residential address, please, and...

KIMBERLY BELL: Yes...

PRESIDENT SHERER: ...and the reason that you're speaking.

KIMBERLY BELL: Okay. Uh...my name is Kimberly Bell. 1733 Morris Ave. Um...and after you just spoke I think I'll just hold off on that. But I'd like to share something with you that...when I was in college...

PRESIDENT SHERER: Ms. Bell, what is the reason that you're speaking on...

KIMBERLY BELL: The reason I'm speaking is...uh...the public housing situation and all our other...our other...all out other fights in the black community such as the justice and other things...so, you know, in order for me not to get out of of...to be respectful and...and...and to not get thrown out of here, I'd like to share something with you that...about public housing, about our fight still, in 1963...we still fighting (*begins playing video on her phone*) the same fight we fought in the 60's.

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PRESIDENT SHERER: Ms. Bell, you need to turn that off and you have the mic, not your phone.

KIMBERLY BELL: They're speaking for me...

PRESIDENT SHERER: Ms. Bell, you have the mic. Please turn your phone off, please.

KIMBERLY BELL: Okay.

PRESIDENT SHERER: Because this meeting is being recorded.

KIMBERLY BELL: Okay, so, so, okay...since you want...you want me to...the last meeting I left photos on you guy's seats or whatever, of victims of police...slaves being hung and the kind of situation where we're being killed...

PRESIDENT SHERER: Ms. Bell, are you talking about, are you referring...are you talking about public housing right now?

KIMBERLY BELL: Yeah.

PRESIDENT SHERER: I don't think that you are. Just go ahead and finish.

KIMBERLY BELL: Okay, and I left photos of the slaves and you know, like I said last time, about the George Floyd generation, uh...they're...they're...they're the ones that's...that...that's talked...that spoke about modern day slavery, which we are, being that you can kill somebody and use qualified immunity as an excuse for doing it. But...and then I spoke a few meetings ago about asking the Mayor and City Council to...to...to try to...to try to amend the city ordinance and the Ohio laws about celebratory gunfire in honor of James Williams. Well, it would only be fair Mayor, and Council Members that now that...that...that she's lost the battle, let's help her win the war by talking...let's sit down with Marquetta and those supporters and explain Mayor, why you chose to bring Robert Hubert back to work after sixteen days. You know, give her some kind of, to give her some kind of idea of how you felt it was just justified.

PRESIDENT SHERER: Thank you, Ms. Bell. Our next speaker is Skylark Bruce.

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

PRESIDENT SHERER: Thank you.

SKYLARK BRUCE: We had an exciting time last week, at this meeting. I look forward to hearing what actual change comes out of it. Walking out of meetings and slowing down administration plans isn't the change that we've been asking for, but if it helps get the gears unstuck, I'm all for it. Saying nothing speaks volumes. Doing nothing says even more. (*Comment from audience member*). When public officials like Mayor Tom Bernabei...

PRESIDENT SHERER: (*Gavel falls*) Ms. Bruce. I'm gonna ask you to leave.

AUDIENCE MEMBER: Me?

PRESIDENT SHERER: Yeah, I'm asking you to leave right now.

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AUDIENCE MEMBER: I can't talk to my sister?

PRESIDENT SHERER: I made it very clear. I made it...I made it very, very clear that nobody is speaking in the audience during Public Speaks...

AUDIENCE MEMBER: Did anybody hear me?

PRESIDENT SHERER: ...so now I'm...now I'm asking you to leave.

AUDIENCE MEMBER: So, y'all see what they're doing. Basically, we can't (*Inaudible*)...

PRESIDENT SHERER: I am asking you out of respect.

AUDIENCE MEMBER: They can't stop us the other way, they're going to stop us this way. They don't care about us.

PRESIDENT SHERER: I'm asking you to leave.

AUDIENCE MEMBER: I understand, I'm leaving, but I'll be back next week and the next week. You can't keep me out of a public place...

PRESIDENT SHERER: Look, you are more than welcome to be here, but the rules were laid...

AUDIENCE MEMBER: (*Inaudible*)...keep talking...

PRESIDENT SHERER: Is there anybody...

AUDIENCE MEMBER: (*Inaudible*)...keep talking...

PRESIDENT SHERER: Is there anybody else?

AUDIENCE MEMBER: They're not gonna give you justice. They're not. They killed my brother. Shot him butt naked in the shower, twenty-eight times. He didn't get justice. They said, they were framed. Yeah. Not gonna happen people. You're in Canton, Ohio, the most racist place in...ever. Not gonna happen.

PRESIDENT SHERER: Ms. Bruce, please continue. Thank you.

SKYLARK BRUCE: When public officials like Mayor Tom Bernabei and most of this Council wait and hide, for residents to get tired and go away, it speaks to their character. The character of these public officials is putrid. First it was, "Let the process do its thing, then we'll talk," now it's "The process did its thing and I have nothing to say." Well, isn't it nice for you that the system is working for you. People don't get this unmotivated by accident. Complacency is complicity, which means, yes, you are on the hook when justice is stymied in this city at every turn. Nothing will ever bring James Williams back, but this city can and should surround Marquetta Williams and her children with support and resources. Instead, she has been treated as though she is a criminal. Her whole family targeted for harassment by the Police Department since January. While most up here sit back and do absolutely nothing. Even Mayor Tom Bernabei, who in June 2020, promised on camera that as long as he was in office, Canton would have justice against police brutality. If it wasn't his to promise, then why did none of you object at that time. Public officials can have a hand in ensuring

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there are no more James Williamses, no more Darryl Rosses or Jeron Neros ever again. Doing nothing ensures there will be more unjust racist murders by this city's police. I know you've had a whole lot of fun sitting up there listening to me talk for two and a half years, even if it's out of annoyance, that you begin educating yourselves and pushing for better policies and internal enforcement, it's a start. I don't want to be here in one year, five years, ten years, with more black folks lives cut short without cause by our police officers when we could prevent it now. Black lives matter, all day today, all day tomorrow and all of the days to come. If you won't make even the slightest move towards doing good, especially if you are Mayor Tom Bernabei, then you should resign. Justice for James Williams.

PRESIDENT SHERER: Thank you Ms. Bruce. Our next speaker is Jolanda Jackson. Ms. Jackson, could you please state your name, residential address, please.

JOLANDA JACKSON: Yes. My name is Jolanda Jackson, I stay at 1105 Baker Street, SE, Canton, Ohio.

PRESIDENT SHERER: Thank you.

JOLANDA JACKSON: Um...we're here today because we had a town hall meeting in 2020...in June, 2020, after the George Floyd. The town hall meeting was Police and Community...uh...Race Relations in Stark County. At that time, y'all made a policy for the 8 Can't Wait. No band on choke holds or strangulations, require (*Inaudible*), require warning before a shooting, require exhaust of all (*Inaudible*) before shooting, duty to intervene, ban shooting at a moving vehicle, require comprehensive reporting and require use...not to require use of force continuously. In all those, seven of those, Robert Hubert didn't do, out of the eight and we still don't have that policy in place. So what we're asking for is the policy to be in place. They're also mad because at this time, the Mayor walked with other people, but didn't say anything then to anybody. You were just at the "Love Train" on Saturday, but couldn't come up here to the City Hall meeting afterwards. So, when we get angry, and we get frustrated, it's because we're tired of being sick and tired. There's stuff that you guy say y'all gone do and then don't do it. It might not affect you, but it affects your people that live in Canton, too. So...and I don't want this to be a black and white thing because it's not. This is not the first time City Council has had a body. James Williams, Gerard Renard and uh...Shawn Haws (sp). Shawn Haws (sp) died, 2017, he was shot in the back of his head, he was in mental health. We have one CTI Officer for Stark County. Mental Health is high. Mental Health, StarkMar (sp) and Stark County Health Department said that racism is a public health crisis. We have a issue here. Either we're number two in poverty and one of the most dangerous cities. We're asking y'all to solve one of the problems. We're here to help. We seen y'all Saturday, what y'all did for the community. It was nice. It was nice. Teamwork makes the dream work. Not all of y'all was even out there. The ones that were out there, mattered. But we're asking y'all to come and work with us. Try to (*Inaudible*) because at the end of the day, we gonna have to try to heal something. Otherwise we're gonna keep going through these same problems and public speaks is just gonna keep getting bigger and bigger. So, I ask y'all, all thirteen of y'all, including you, Mr. Mayor, because if you don't want to resign, they're gonna find a petition. They're gonna try to do something to get you out because you don't represent us. You can give the Hall of Fame five million dollars but you can't even give us five minutes to sit down and talk to us. That...that speaks volumes to us. So, at the end of the day, like I said before, you have been selected, not elected. The season is coming to where some of y'all gone get uncomfortable in these seats because we're uncomfortable staying in this city. So, I respect y'all for what y'all do, just respect us too because we live here. We don't want these problems just like y'all don't want these problems. (*Inaudible*) gun violence with everybody. With these kids and with the police. So, let's work together and try to solve these problems. Thank you.

PRESIDENT SHERER: Thank you Ms. Jackson. And our next speaker is Mr. Jason Cousins. Mr. Cousins, could you please state your name and your residential address, please.

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JASON COUSINS: Jason Cousins, 2307 10<sup>th</sup> St. SW, Canton, Ohio.

PRESIDENT SHERER: Thank you.

JASON COUSINS: I'm speaking on civil justice and justice...justice over all. As far as for my family, as far as how y'all do things up here. You sit up here and you tell us all the rules. Can y'all...do y'all know ya'll's rules for what we hired y'all to do? You (*Inaudible*) us because people chanting for justice, you telling them that they can't do this, we can't do this, we can't do this. Well, what the hell are y'all doing about y'all's job? We put y'all in here to do stuff and protect us and take care of us, but yet y'all protecting the people that's killing us and murdering us. But we're supposed to feel comfortable. You can go out and get jiggy at the parties and stuff but you can't come walk...walk and talk to people that your city...that you're supposed to be responsible for, Mr. Mayor. You may not want...(*Inaudible*).

PRESIDENT SHERER: Mr. Cousins. Mr. Cousins, you need to address the chair, please.

JASON COUSINS: You made no attempts, none of y'all made no attempts to address my family. To offer condolences to her or his...James Williams' kids. You put a police officer back to work sixteen days after you told us he was on leave. You turned around and you say, "Tell your people up here, shut up, let us do what we're doing, just let it go the way it wants to go." Well, you persuaded the Grand Jury when you let the police come back sixteen days later. If you don't care, why would they care? You sit up and say that you're going to take care of justice. You marched about George Floyd, through your own city. You stood with the community. It happened in your community and where have you been? You been a ghost. We see you but we don't feel you. You're see through. You're transparent. We came for change. We ain't leaving til we get change. If I got to die in years, I'm gonna terrorize Canton in protesting, fighting to get rid of all y'all that ain't standing for the rights of these people, man. We're human beings, we ain't animals. Y'all (*Inaudible*) caged me. A Grand Jury put me in prison in Canton because one person said, "Oh, these are his, in my house that...I don't bring in they house, but the Grand Jury said, "We're gonna let the jury decide if there's some guilt to it." This man on camera shooting somebody with no lights on, without saying anything, but yet the Grand Jury don't feel, "We're gonna let the jury decide if he's guilty of murder." Y'all got some biased ways and it ain't for the community, it's for y'all. It's to protect all of y'all. Y'all make sure y'all know people pay attention to y'all snob-nosed people that's supposed to be doing jobs that ain't doing your damned jobs. We asking y'all to send some direction into Canton, Stark County. Get y'all stuff together or yes, the protest will become more. It's gonna keep getting bigger. We're not gonna stop until it gets bigger and we're coming for you. I promise you that. Now, justice for James. (*Mr. Cousins and others leave shouting "Justice for James"*). This is a public place, I'll say what I want to say. Freedom of speech is gonna stay free forever.

JOLANDA JACKSON: That's his family, Mr. President, and I'm sorry but they're angry. You got to understand that.

PRESIDENT SHERER: Ms. Jackson (*gavel falls*) Ms. Jackson...

JOLANDA JACKSON: I'mma leave, I'mma leave. I just don't want it to be like that.

PRESIDENT SHERER: Ms. Jackson. Ms. Jackson, you're out...you're out of order.

JOLANDA JACKSON: I'mma leave. I just don't want it to be like that.

PRESIDENT SHERER: Ms. Jackson, you're out of order. Thank you. Officer Watkins, could you please

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close the door, please.

*(YELLS OF 'NO JUSTICE, NO PEACE' FROM THE HALLWAY)*

**INFORMAL RESOLUTIONS**

PRESIDENT SHERER: We are now under Informal Resolutions and we have no Informal Resolutions 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 IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED SEPTEMBER 19, 2022.***

1. REQUEST VACATION OF CENTURY CIRCLE SW – APPLICANT ROBERT J. DEHOFF
2. RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR AUGUST 2022 – CHIEF OF POLICE GABBARD
3. REQ CI, C2 LIQUOR PERMIT FOR RIDDHI SIDDHI, 2020 LLC EXPRESS MINI MART @ 1225 RAFF RD SW – DIV OF LIQUOR CONTROL (OHIO)
4. AUTH ALL CONTRACTS FOR PARKS PROJECTS AND PROGRAMS UTILITIZNG ARPA FUNDS, SUBJECT TO PARK COMMISSION APPROVAL; AUTH ALL CONTRACTS TO ESTABLISH SUMMER “3 ON 3” BASKETBALL PROG; EMERGENCY – MAYOR BERNABEI
5. REQ APPROP OF WATER FUNDS FOR PIPE AND PIPE FITTINGS FOR 11<sup>TH</sup> ST IMPROVEMENT PROJ GP 1144; EMERGENCY – SERVICE DIRECTOR HIGHMAN
6. REQ CHANGE ORDER #1 FOR 9<sup>TH</sup> ST NE SALT STORAGE FACILITY RENOVATIONS PROJ, GP 1371 (LOADING DOCK); REQ APPROP TRF FROM ENGINEERING; EMERGENCY – SERICE DIRECTOR HIGHMAN
7. AUTH \$85,000.00 STARTING SALARY FOR DANIEL MARTIN FOR POSITION OF ASST SUPERINTENDENT OF PUBLIC WORKS; EMERGENCY – SERVICE DIRECTOR HIGHMAN
8. COMPARATIVE RPT OF CASH RECEIPTS DATED 8/31/22 – 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 #20 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

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- O#9. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING SECTION 1134.02, FENCES AND WALLS OF PART ELEVEN PLANNING AND ZONING CODE  
Referred to Judiciary Committee **PUB HRG 10/3/22 @ 7:00 PM**
- O#10. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE REGENT AVE-CITY SERVICE CENTER ANNEXATION AREA CONTAINING APPROXIMATELY 0.091 ACRE, MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS I-1 LIGHT INDUSTRY DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Annexation Committee **PUB HRG 10/3/22 @ 7:01 PM**
- O#11. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE 3801 HARMONT AVE NE 2022 ANNEXATION AREA CONTAINING APPROXIMATELY 12.516 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS B-6 SHOPPING CENTER DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Annexation Committee **PUB HRG 10/3/22 @ 7:02 PM**
- O#12. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DELCARING THE SAME TO BE AN EMERGENCY (LEGAL RESEARCH & PROBATION SERVICES FUNDS FOR COURT)  
Referred to Finance Committee
- O#13. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (INDIGENT INTERLOCK MONITORING & INDIGENT TREATMENT FUNDS FOR COURT)  
Referred to Finance Committee
- O#14. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DELCARING THE SAME TO BE AN EMERGENCY (EARLY HEAD START PROG)  
Referred to Finance Committee
- O#15. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DELCARING THE SAME TO BE AN EMERGENCY (MARKET AVE WATER MAIN REPLACEMENT PROJ)  
Referred to Finance Committee
- O#16. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY THE SANITARY SEWER RIGHTS FOR THE AREA KNOWN AS THE 3801 HARMONT AVE. NE ANNEXATION AND TO COMPENSATE THE COUNTY FOR SAID CONVEYANCES AND TO ENTER INTO AGREEMENT(S) WITH STARK COUNTY FOR THE OWNERSHIP, OPERATION, AND MAINTENANCE OF SANITARY SEWERS AND FACILITIES IN SAID AREA; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Environmental & Public Utilities Committee



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- O#17. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO A CHANGE ORDER WITH OMNI PRO SERVICES, LLC FOR CONSTRUCTION INSPECTION OF U.S. ROUTE 62 WHERE IT INTERSECTS WITH REBAR AVE. NE AND KIRBY AVE. NE AND ENTER INTO ALL CONTRACTS NEEDED WITH THE OHIO DEPARTMENT OF TRANSPORTATION OR DEVELOPER TO FACILITATE THESE PROJECTS; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THESE PROJECTS; AUTHORIZING THE CITY TO RECEIVE REIMBURSEMENTS FROM THE DEVELOPER OR ANY OTHER SOURCES FOR THE CITY'S COSTS RELATED TO THESE PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Public Safety & Thoroughfares and Finance Committees
- O#18. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 193/2022** AN ORDINANCE RATIFYING ALL ACTIONS TAKEN PURSUANT TO SECTION 105.04 OF THE CODIFIED ORDINANCES FOR EMERGENCY ROAD REPAIR AND PAVINGS; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS FROM RESPONDING TO THIS EMERGENCY SITUATION; AND DECLARING THE SAME TO BE AN EMERGENCY (6<sup>TH</sup> ST SE & 9<sup>TH</sup> ST SW)  
Referred to Finance Committee
- O#19. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 194/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NEEDED FOR THE 2022 EAST TUSCARAWAS STREETScape PROJECT, GP 1250; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (NEIGHBORHOOD DEVELOPMENT FUND)  
Referred to Public Safety & Thoroughfares and Finance Committees
- O#20. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 195/2022** AN ORDINANCE AUTHORIZING THE HIRING OF MR. DANIEL MARTIN TO FILL THE ASSISTANT SUPERINTENDENT POSITION IN THE PUBLIC WORKS DEPARTMENT AT AN ANNUAL SALARY OF \$85,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Personnel Committee

At this time, the Chair would declare an in-house recess for Finance, Public Safety & Thoroughfares and Personnel Committees to meet in regards to Ordinances 18 through 20 on your agenda this evening. You are now in recess.

***(COUNCIL RECESSED AT 7:27 PM FOR THE ANNEXATION AND FINANCE COMMITTEES TO DISCUSS ORDINANCE #18 THROUGH ORDINANCE #20; RECONVENED AT 7:35 PM)***

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

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MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinances 18 through 20 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 18 through 20 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 18 through 20 are a legal part of your agenda, Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend the Statutory Rules of Ordinances 18 through 20.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 18 through 20. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

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

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#18 ADOPTED AS ORDINANCE NO. 193/2022**

PRESIDENT SHERER: The motion carries and Ordinance #18 has been adopted. 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 under this Ordinance? ...Hearing none, roll call vote, please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#19 ADOPTED AS ORDINANCE NO. 194/2022**

PRESIDENT SHERER: The motion carries and Ordinance #19 has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #20.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #20. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#20 ADOPTED AS ORDINANCE NO. 195/2022**

PRESIDENT SHERER: The motion carries and Ordinance #20 has been adopted.

PRESIDENT SHERER: It is now time for our Public Hearing. Madam Clerk, would you please announce the Public Hearing.

CLERK WOOD: AN ORDINANCE ENLARGING THE BOUNDARIES OF THE AREA OF THE CITY OF CANTON DESIGNATED AS THE HOF VILLAGE TOURISM DEVELOPMENT DISTRICT FOR THE PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT PURSUANT TO OHIO REVISED CODE SECTION 715.014; AND DECLARING THE SAME TO BE AN EMERGENCY

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

**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 #21.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #21 THROUGH #23 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (O#22 AND O#23 ADOPTED ON 2<sup>ND</sup> RDG)***

O#21. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT \$18,000.00 IN GRANT FUNDS FROM THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES FOR THE 2021 PROJECT SAFE NEIGHBORHOOD GRANT; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO UTILIZE THE FUNDS FOR OVERTIME ENFORCEMENT IN THE FOCUS AREA WHICH CONSISTS OF ONE

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SQUARE MILE THAT INCLUDES THE ELLISDALE AND CHIPS HOUSING COMPLEXES AND THE SURROUNDING NEIGHBORHOODS; AUTHORIZING THE AUDITOR TO CREATE THE 2803 OCJS 2021 PROJECT SAFE NEIGHBORHOOD GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY

O#22. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 196/2022** AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO RAISE ATTORNEY RICHARD NICODEMO'S PAY TO \$47.29 PER HOUR; AND DECLARING THE SAME TO BE AN EMERGENCY (LAW DEPT)

O#23. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 197/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ONE OR MORE CONTRACTS FOR THE PURPOSE OF NEIGHBORHOOD AND RIGHT OF WAY CLEAN UPS USING ARPA FUNDS; OR TO ALTERNATIVELY ENTER INTO ALL CONTRACTS NECESSARY FOR SAID SERVICES IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATING TO SAID CONTRACTS ENCOUNTERED PRIOR TO THE FINALIZATION OF CONTRACTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend the Statutory Rules of Ordinance 22 and 23.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 22 and 23. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

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

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #22.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #22. Are there any remarks under this Ordinance? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#22 ADOPTED AS ORDINANCE NO. 196/2022**

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PRESIDENT SHERER: The motion carries and Ordinance #22 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #23.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #23. Are there any remarks under this Ordinance? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#23 ADOPTED AS ORDINANCE NO. 197/2022**

PRESIDENT SHERER: The motion carries and Ordinance #23 has been adopted.

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Third and Final Reading. Madam Clerk, would you please begin with Ordinance #24.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCE #24 THROUGH ORDINANCE #47 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

O#24. (3<sup>rd</sup> RDG) **ADOPTED AS ORDINANCE NO. 198/2022** AN ORDINANCE ENLARGING THE BOUNDARIES OF THE AREA OF THE CITY OF CANTON DESIGNATED AS THE HOF VILLAGE TOURISM DEVELOPMENT DISTRICT FOR THE PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT PURSUANT TO OHIO REVISED CODE SECTION 715.014; AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 9/12/22 @ 7:31 PM AND 9/19/22 @ 7:30 PM**

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #24. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS  
(MEMBER MORRIS VOTED NAY)

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

**#24 ADOPTED AS ORDINANCE NO. 198/2022**

PRESIDENT SHERER: The motion carries and Ordinance #24 is adopted. Ordinance #25, please.

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O#25. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 199/2022** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE AND DELIVER A COOPERATIVE AGREEMENT BY AND AMONG THE CITY, THE STARK COUNTY PORT AUTHORITY, HOF VILLAGE NEWCO, LLC, AND THE HUNTINGTON NATIONAL BANK, AS TRUSTEE, IN ORDER TO SUPPORT THE PORT AUTHORITY'S ISSUANCE AND SALE OF PORT AUTHORITY REVENUE BONDS TO FUND OR PAY, OR TO REIMBURSE PERSONS FOR FUNDING OR PAYMENT OF, COSTS OF TOURISM FACILITIES LOCATED OR TO BE LOCATED IN THE TOURISM DEVELOPMENT DISTRICT ESTABLISHED BY THE CITY PURSUANT TO ORDINANCE NO. 260/2016; APPROVING AND AUTHORIZING CERTAIN RELATED MATTERS; AND DECLARING AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #25. Are there any remarks?  
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#25 ADOPTED AS ORDINANCE NO. 199/2022**

PRESIDENT SHERER: The motion carries and Ordinance #25 is adopted. Ordinance #26, please.

O#26. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 200/2022** AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE 2525 CLEARVIEW AVE NW 2022 ANNEXATION AREA CONTAINING APPROXIMATELY .0138 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 7 OF THE CITY; ZONING SAID TERRITORY AS B-3 GENERAL BUSINESS; AND REQUIRING THE OWNER OF THE ANNEXED TERRITORY TO PROVIDE A BUFFER SEPARATING THE USE OF THE ANNEXED TERRITORY AND THE ADJACENT LAND REMAINING WITHIN THE TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG HELD 9/12/22 @ 7:00 PM**

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #26. Are there any remarks?  
...Hearing none, roll call vote, please.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#26 ADOPTED AS ORDINANCE NO. 200/2022**

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

O#27. (3<sup>rd</sup> RDG) **ADOPTED AS ORDINANCE NO. 201/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$4,029.61 SUPP APPROP FR UNAPPROP BAL OF 2780 FY 2019 BULLETPROOF VEST PARTNERSHIP FUND TO 2780 102001 POLICE ADMIN – ADV OUT)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#27 ADOPTED AS ORDINANCE NO. 201/2022**

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

O#28. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 202/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR THE PRO FOOTBALL HALL OF FAME INCLUDING EXPENSES RESULTING PRIOR TO THE PASSAGE OF THIS ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$110,000.00 SUPP APPROP FR UNAPPROP BAL OF 2421 CENTENNIAL PLAZA MAINT FUND TO 2421 200501 GENERAL GOVERNMENT SUPPORT ADMIN – OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #28. Are there any remarks under this Ordinance? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK WOOD: Twelve yeas, Mr. President.

**#28 ADOPTED AS ORDINANCE NO. 202/2022**

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

O#29. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 203/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE PURCHASE OF ONE (1) FRONT LOADING PACKER; OR TO ALTERNATIVELY PURCHASE SAID ITEM PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$360,000.00 SUPP APPROP FR UNAPPROP BAL 5601 REFUSE OPERATION FUND TO 5601 205001 REFUSE ADMINISTRATION – OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#29 ADOPTED AS ORDINANCE NO. 203/2022**

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

O#30. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 204/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH NEOTREKS, INC. FOR ROUTE MANAGEMENT EQUIPMENT AND SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS



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CLERK WOOD: Twelve yeas, Mr. President.

**#30 ADOPTED AS ORDINANCE NO. 204/2022**

PRESIDENT SHERER: The motion carries and Ordinance #30 is adopted. We've only got 17 more to go! (*Laughter*). Alright! Ordinance #31, please.

O#31. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 205/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$156,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 852002 TREASURER – GROWTH INIT SETTLEMENT – OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#31 ADOPTED AS ORDINANCE NO. 205/2022**

PRESIDENT SHERER: The motion carries and Ordinance #31 is adopted. Ordinance #32, please.

O#32. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 206/2022** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOTS 827 AND 828; AND DECLARING THE SAME TO BE AN EMERGENCY (1453 HOUSEL AVE SE, HABITAT FOR HUMANITY)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #32.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #32. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#32 ADOPTED AS ORDINANCE NO. 206/2022**

PRESIDENT SHERER: The motion carries and Ordinance #32 is adopted. Ordinance #33, please.

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O#33. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 207/2022** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 1956 AND 1957; AND DECLARING THE SAME TO BE AN EMERGENCY (1400 BLK HOUSEL AVE SE, HABITAT FOR HUMANITY)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #33.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #33. Are there any remarks?  
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#33 ADOPTED AS ORDINANCE NO. 207/2022**

PRESIDENT SHERER: The motion carries and Ordinance #33 is adopted. Ordinance #34, please.

O#34. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 208/2022** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 34151 AND 34152; AND DECLARING THE SAME TO BE AN EMERGENCY (2400 BLK ENDROW AVE NE, HABITAT FOR HUMANITY)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #34. Are there any remarks?  
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#34 ADOPTED AS ORDINANCE NO. 208/2022**

PRESIDENT SHERER: The motion carries and Ordinance #34 is adopted. Ordinance #35, please.

O#35. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 209/2022** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 21482, 21485-21489, AND PART OF LOTS 21481 AND 21483; AND DECLARING THE SAME TO BE AN EMERGENCY (1700 BLK ROOT AVE NE (HABITAT FOR HUMANITY)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #35. Are there any remarks?  
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#35 ADOPTED AS ORDINANCE NO. 209/2022**

PRESIDENT SHERER: The motion carries and Ordinance #35 is adopted. Ordinance #36, please.

O#36. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 210/2022** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 23677, 23678 & 23679; AND DECLARING THE SAME TO BE AN EMERGENCY (2200 BLK FREDERICK AVE SW, DONALD GRIMM)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #36.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #36. Are there any remarks?  
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#36 ADOPTED AS ORDINANCE NO. 210/2022**

PRESIDENT SHERER: The motion carries and Ordinance #36 is adopted. Ordinance #37, please.

O#37. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 211/2022** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 32469, 32470, 32485 & 32486; AND DECLARING THE SAME TO BE AN EMERGENCY (2734 12TH ST SW, RICHARD BOWER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #37. 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 WOOD: Twelve yeas, Mr. President.

**#37 ADOPTED AS ORDINANCE NO. 211/2022**

PRESIDENT SHERER: The motion carries and Ordinance #37 is adopted. Ordinance #38, please.

O#38. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 212/2022** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 6145; AND DECLARING THE SAME TO BE AN EMERGENCY (1018 14<sup>TH</sup> ST NW, PAUL HALL)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #38.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #38. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#38 ADOPTED AS ORDINANCE NO. 212/2022**

PRESIDENT SHERER: The motion carries and Ordinance #38 is adopted. Ordinance #39, please.

O#39. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 213/2022** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 42789 AND 42790; AND DECLARING THE SAME TO BE AN EMERGENCY (5700 BLK QUARRY LAKE DR SE, FONDA & PAMELA WILLIAMS)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #39.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #39. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#39 ADOPTED AS ORDINANCE NO. 213/2022**

PRESIDENT SHERER: The motion carries and Ordinance #39 is adopted. Ordinance #40, please.

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O#40. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 214/2022** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 8904; AND DECLARING THE SAME TO BE AN EMERGENCY (1507 ROWLAND AVE NE AND 1217 15<sup>TH</sup> ST NE, KENNETH PATTERSON FOR MORNING GLORY PROP GRP LLC)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #40.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #40. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#40 ADOPTED AS ORDINANCE NO. 214/2022**

PRESIDENT SHERER: The motion carries and Ordinance #40 is adopted. Ordinance #41, please.

O#41. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 215/2022** AN ORDINANCE VACATING A PORTION OF ORCHARD AVENUE NE BETWEEN 2<sup>ND</sup> ST NE & 3<sup>RD</sup> ST NE; APPROVING AND ACCEPTING THE REPLAT OF LOTS 43370, 295, 296 AND 297 AND THE VACATED PORTION OF ORCHARD AVE NE; AND DECLARING THE SAME TO BE AN EMERGENCY (DUANE WYKOFF FOR REFUGE OF HOPE)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #41.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #41. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#41 ADOPTED AS ORDINANCE NO. 215/2022**

PRESIDENT SHERER: The motion carries and Ordinance #41 is adopted. Ordinance #42, please.

O#42. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 216/2022** AN ORDINANCE VACATING A PORTION OF ORCHARD AVENUE NE BETWEEN 2<sup>ND</sup> ST NE & TUSCARAWAS ST E; APPROVING AND ACCEPTING THE REPLAT OF LOT 779, PART OF LOT 778 AND THE VACATED PORTION OF ORCHARD AVE NE; AND DECLARING

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THE SAME TO BE AN EMERGENCY (DAVID HOUT FOR RIVERTREE CHRISTIAN CHURCH)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #42.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #42. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#42 ADOPTED AS ORDINANCE NO. 216/2022**

PRESIDENT SHERER: The motion carries and Ordinance #42 is adopted. Ordinance #43, please.

O#43. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 217/2022** AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE SERVICE DIRECTOR'S DEPARTMENT OF COMMUNITY DEVELOPMENT EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (FINANCIAL RECORDS ADMIN)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #43.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #43. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#43 ADOPTED AS ORDINANCE NO. 217/2022**

PRESIDENT SHERER: The motion carries and Ordinance #43 is adopted. Ordinance #44, please.

O#44. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 218/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE 31<sup>ST</sup> STREET NE WATERLINE REPLACEMENT AND STORM SEWER PROJECT, GP 1398; ENTER INTO SAID CONTRACT USING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND EXECUTE ONE OR MORE PROFESSIONAL

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SERVICES CONTRACTS FOR DESIGN AND CONSTRUCTION OVERSIGHT SERVICES; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #44.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #44. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#44 ADOPTED AS ORDINANCE NO. 218/2022**

PRESIDENT SHERER: The motion carries and Ordinance #44 is adopted. Ordinance #45, please.

O#45. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 219/2022** A RESOLUTION PURSUANT TO CHAPTER 719 AND CHAPTER 163 OF THE OHIO REVISED CODE DECLARING THE INTENT OF THE CITY OF CANTON TO APPROPRIATE THE ESTATES AND/OR INTERESTS IN THE PROPERTY DESCRIBED IN EXHIBIT A IN FURTHERANCE OF THE 11<sup>TH</sup> ST SE INTERSECTION AND ROADWAY IMPROVEMENT PROJECT, GP 1144, PID 90465; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #45.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #45. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#45 ADOPTED AS ORDINANCE NO. 219/2022**

PRESIDENT SHERER: The motion carries and Ordinance #45 is adopted. Ordinance #46, please.

O#46. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 220/2022** AN ORDINANCE ESTABLISHING "EASTRIDGE ROAD (WEST) EXTENSION NON-SCHOOL TIF," AUTHORIZING

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FINANCING OF PUBLIC INFRASTRUCTURE IMPROVEMENTS UNDER SECTION 5709.40, ET SEQ, OF THE OHIO REVISED CODE, AND AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A TAX INCREMENT FINANCING COOPERATIVE DISBURSEMENT AGREEMENT WITH HARMONT HOLDINGS, LLC AND MCKINLEY DEVELOPMENT COMPANY, LTD; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #46.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #46. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

**#46 ADOPTED AS ORDINANCE NO. 220/2022**

PRESIDENT SHERER: The motion carries and Ordinance #46 is adopted and finally, Ordinance #47.

CLERK WOOD: Thank you Jesus!

O#47. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 221/2022** AN ORDINANCE DECLARING IMPROVEMENT TO REAL PROPERTY OWNED BY KIRBY INDUSTRIAL, LLC, LOCATED IN THE CITY OF CANTON, TO BE A PUBLIC PURPOSE; EXEMPTING ONE HUNDRED PERCENT OF THE IMPROVEMENT FROM TAXATION FOR A PERIOD OF THIRTY YEARS; AUTHORIZING THE MAINTENANCE AND CONSTRUCTION OF PUBLIC INFRASTRUCTURE IMPROVEMENTS UNDER SECTION 5709.40, ET SEQ, OF THE OHIO REVISED CODE; REQUIRING SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING THE AMAZON TIF FUND; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER ALL AGREEMENTS NECESSARY FOR THE MAINTENANCE AND CONSTRUCTION OF PUBLIC INFRASTRUCTURE; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #47.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #47. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please, Madam Clerk.



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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS  
(MEMBERS GIAVASIS AND MORRIS VOTED NAY)

CLERK WOOD: Ten yeas, two nays, Mr. President.

**#47 ADOPTED AS ORDINANCE NO. 221/2022**

PRESIDENT SHERER: The motion carries and Ordinance #47 is adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Our next meeting date will be September 26 and Committee starts at 6:15 p.m.

MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Finance Committee will meet Monday, September 26 at 6:15 p.m. Thank you.

PRESIDENT SHERER: Thank you, Member Hawk.

MEMBER FISHER: Mr. Pres...Mr. President.

PRESIDENT SHERER: Member Fisher.

MEMBER FISHER: Environmental & Public Utilities, September 26 at 6:15.

PRESIDENT SHERER: Thank you, Member Fisher.

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Annexation, same time, same place.

PRESIDENT SHERER: Thank you, Member Mariol.

CLERK WOOD: Judiciary.

MEMBER GIAVASIS: Same time, same place. I'm sorry.

PRESIDENT SHERER: Thank you, Member Giavasis, and Public Safety & Thoroughfares.

MEMBER KIMBROUGH: Yep, we're going to meet the same time, same place.

PRESIDENT SHERER: Thank you, Member Kimbrough.

**MINUTES OF THE MEETING SEPTEMBER 19, 2022****MISCELLANEOUS BUSINESS**

PRESIDENT SHERER: We are now under Miscellaneous Business. Is there any Miscellaneous Business for this evening? I would like to give Jill Wood, our Clerk, a round of applause because she did a fantastic job Saturday. (*Applause*).

CLERK WOOD: Thank you.

PRESIDENT SHERER: It's a lot of work and I...I...I can't thank, just can't thank everybody enough that helped out. You know what I'm saying. Next year we're gonna definitely change things up a little bit and uh...of course we haven't been able to do that for the last two or three years. So, everybody was trying to remember how exactly everything went. But we probably had every bit of a couple hundred people in need in our community. Giant...we can't thank Giant Eagle enough...major, major sponsor along with everybody else, Canton Hotel, everybody that donated, whether they donated monetary or...we had plenty of food, we surely didn't run out of food. Ummm...Crossroads Church and Mr. Ackerman, you know, made out. I think Bill, you took a bunch of food over to the Women's Shelter? So...just not only...we were able to help out a lot of people in need within...within our community. Definitely helped out a lot of different organizations. And nothing went to waste. But I just can't thank everybody that helped out and uh...just can't thank you guys enough, but thank you, Jill.

CLERK WOOD: You're welcome. (*Applause*).

PRESIDENT SHERER: Is there any other miscellaneous business for this evening? Nobody...somebody's got to have something, we only had forty-seven Ordinances! (*Laughter*). Right...so...alright. Leader.

MEMBER SMUCKLER: Mr. President, 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 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

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

ADJOURNMENT TIME: 8:10 PM

ATTEST:  
JILL M. WOOD  
CLERK OF COUNCIL

APPROVED:  
WILLIAM SHERER  
PRESIDENT