

MINUTES OF THE MEETING NOVEMBER 8, 2021

PRESIDENT SHERER: Good evening, ladies and gentlemen and welcome to Canton City Council. If everyone could please turn their cellphones to vibrate and we are also encouraging social distancing here in Council Chambers. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please, Madam Clerk.

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK WOOD: Twelve present, Mr. President.

PRESIDENT SHERER: Tonight's invocation will be given by Ward 2 Council Member, Brenda Kimbrough. If you would all please stand and remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on November 8, 2021 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 2 Council Member, Brenda Kimbrough. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Member Kimbrough.

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 2nd Readings of Ordinances 18 through 29 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add 2nd Readings to Ordinances 18 through 29 to 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 29 are a legal part of your agenda. (*Inaudible*). We'll be fine.

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 we have no Old Business for this evening.

MINUTES OF THE MEETING NOVEMBER 8, 2021**PUBLIC SPEAKS**

PRESIDENT SHERER: Okay. We are now under Public Speaks and we have 2 speakers for this evening. Our first speaker will be Ms. Kimberly Bell. Ms. Bell if you could give me one second, please.

KIMBERLY BELL: You're giving me five more minutes! (*Laughter*).

PRESIDENT SHERER: Now...I don't think that's gonna happen, but I'll give you a second! So...

KIMBERLY BELL: Okay.

PRESIDENT SHERER: Ms. Bell if you could please state your name and residential address, please.

KIMBERLY BELL: Yes, Kimberly Bell, 1733 Morris Ave. NE, Canton, Ohio. I had a packet for you guys but I got so busy with my mom today that...I'll have it at the next meeting. But, I wanna touch on something, last week...er...the last meeting that uh...Councilman Smuckler said when um...Michael was up here talking about the mental health uh...issue. You know, some mental health uh...problems, like myself, I had, are so severe that you...you know...you was complaining about the young lady or the young man, whoever be flagging cars down up on Cleveland Avenue. But some mental issues are so severe it takes more than, you know, putting them in an agency, or putting them in a hospital, because the hospital can only do so much and they can't keep them there all their life. I mean, unless they...unless it's court ordered, but you know, he was asking for funding for the mental health. I forget, I don't know if it was, I don't know which famous person...but it's been a lot of famous persons...people who had mental health issues. But they became very famous. Think his name...I think it was...my grandson told me who it was. Anne Frank or somebody, but a lot of them have mental health issues. I think uh...one of the famous artists was...had mental eal...mental health issues. You can just not want to give funding because they're out on these streets waiving cars down and...in their bare feet. It's severe...they're having a...they're having a severe mental health issue along with drug abuse, you don't know what went on in their past, but you sat here and gave them kids awards. Those kids may be future people that have mental health issues. And you sat there and didn't want to give up or had questions about the funding. Okay, so that's that. Alright...and Tom, you...you...you aren't...you aren't the Mayor because of a...because you need...a financial move or a career move, you already had that established. So you need to get out the race and go golfing. (*Laughter*). Okay...and now...another thing...the...the...the you...all the...I told y'all last week, all the money go, is going West because of that Hall of Fame. You...nothing's coming East. Put a...put...why don't y'all build a hotel in the Eastside. There's no restaurants on the Eastside, there's no...there's no eateries, no, no, no hotels. You know why Black businesses like Mr. G's don't survive? Because there's no business in that area. Bring some business. Put a...put a meat and a...a meat and a dairy...if you don't put a full grocery store there, put a meat and dairy grocery store. Talk to me and I'll tell ya...give you a couple ideas.

PRESIDENT SHERER: Thank you, Ms. Bell. Our second speaker for this evening Mr. Rodney Dennis. Mr. Dennis could you please state your name and residential address, please.

RODNEY DENNIS: Um, my name is Mr. Rodney Dennis. I'm not from Canton, but I'm from Cleveland. I own a couple of small businesses here in Canton, Ohio and I just came to introduce myself. My name is Rodney Dennis...

PRESIDENT SHERER: Even though...even though you live in Cleveland, would you please state your address?

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RODNEY DENNIS: Oh, of course...11802 Grainger Rd. Cleveland, Ohio 44125.

PRESIDENT SHERER: Thank you.

RODNEY DENNIS: Cool. Alright, my name is Rodney Dennis. I'm from Cleveland, Ohio. I served in the Army. I'm a veteran of the United States Army. I served in Afghanistan, I served in Korea, I served for Hurricane Katrina, I've been...I served in bunch of different places. Um...I attended the University of Akron. I've got a Bachelor's Degree in Business and uh...one of the things that I bring to the city of Canton is the opportunity to help others. I opened up a small business, well it's not small. Levels Barber College, here in Canton, Ohio. We started about six months ago. We have about 18 students; we have given over \$81,000.00 in scholarship money, we have helped employ 3 to 5 people here in the city, we have given out over 6 to 7,000 haircuts in a matter of six months. We done helped pay people's rent, bills, we done gave out groceries, we've helped all over the city. Um...we just keep giving, giving, giving. I came here to say thank you to the Council Members, the Mayor's Deputy, the Mayor, to everyone that serves on City Council. Sometimes we don't get the appreciation that we need and I know that from serving in the military. Sometimes you get the thank you, but you don't get to hear it. So, I gave everyone, I think, a certificate...just of appreciation and gratitude for accepting me into the city. We're opening up another barbershop right across the street; 300...

MEMBERS IN AUDIENCE: ...Cleveland Avenue!...

RODNEY DENNIS: Cleveland Avenue, yes! (*Laughter*) 300 Cleveland Avenue, it's right across the street. It's the first job placement barbershop for Canton, Ohio from the Barber College. And then, we're also opening the first barber supply store here in Canton, Ohio. Um...we're the only school that offers education from...for anyone that has dropped out of high school. We're the only school in the State of Ohio that offers trade...trade school to anyone with a felony, anyone that comes out of prison, just for a second chance, just to move forward. Um...it's not just a barber college, we show people how to open up businesses, we show people how to do a LS...LLC, how to pay taxes, how to learn about your credit. I own a driving school in Akron, so I help people get their driver's license back, get points off their license, how to keep their license. Um...we partner with the Child Support. We show them how to pay their child support, what they need to do next about their child support, um...we offer just a bunch of different stuff, so again, I just came here to say we really appreciate y'all and thank you so much. (*Applause*).

PRESIDENT SHERER: Thank you, Mr. Dennis. Thank you for coming down tonight.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: We are now under Informal Resolutions and we have two for this evening. Madam Clerk, would you please read Informal Resolution #36, by title.

36. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT THE SAFETY DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL AMOUNT NOT TO EXCEED \$24,010.00 FOR THE PURCHASE OF A NEW FORD ECOSPORT FROM LIBERTY FORD LINCOLN CANTON, LLC FOR BUILDING/CODE DEPARTMENT. – ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #36. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #36 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Informal Resolution...Informal Resolution #36 is adopted. Informal Resolution #37, please.

37. PERSONNEL COMMITTEE: CONFIRMING THE MAYOR'S APPOINTMENT OF MR. TIM MILLER TO ZONING BOARD OF APPEALS COMMENCING 11/8/21 TO 12/31/24. - ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #37. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #37 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Informal Resolution #37 is adopted.

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.

375. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 10/29/21. – RECEIVED & FILED
376. AUDITOR MALLONN: STATEMENT OF CASH POSITION DATED 10/29/21. – RECEIVED & FILED
377. CHIEF OF POLICE ANGELO: RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR OCTOBER 2021. – RECEIVED & FILED
378. COURT ADMINISTRATOR KOCHERA: REQ \$3,212.65 APPROP TRF FR PERSONNEL #701001-2650 PRETRIAL AWARD GRANT FUND #2650 TO OTHER 701001-2650 PRETRIAL AWARD GRANT FUND #2650. – FINANCE COMMITTEE
379. DEPUTY MAYOR WILLIAMS: WITHDRAW COM #343 FROM 10/18/21 AGENDA. – RECEIVED & FILED

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380. LAW DIRECTOR BATES AYLWARD: AUTH LAW DIRECTOR TO SETTLE FIFTH DISTRICT COURT OF APPEALS CASE *DOWNTOWN AUTO SALES LLC V. THE CITY OF CANTON*, CASE NO. 2021 CA 00071 FOR \$46,000.00. – FINANCE COMMITTEE
381. LAW DIRECTOR BATES AYLWARD: PERMIT LAW DIRECTOR TO ENTER INTO ANY SETTLEMENT AGMTS, PARTICIPATION AGMTS, BANKRUPTCY PLAN APPROVAL AND SIGN OFF ON ANY AND ALL DOCUMENTS NECESSARY TO EFFECTUATE CANTON'S PARTICIPATION IN SETTLEMENT OF ITS CLAIMS IN NATIONAL PRESCRIPTION OPIATE LITIGATION PENDING BEFORE JUDGE POLSTER IN U.S. DISTRICT COURT. – FINANCE COMMITTEE
382. MAYOR BERNABEI: PROCLAMATION FR OHIO SECRETARY OF STATE ESTABLISHING CANTON'S POPULATION AS OF FEDERAL CENSUS 2020 TO BE 70,872. – RECEIVED & FILED
383. SAFETY DIRECTOR PERRY: AUTH MAYOR AND/OR SAF DIR TO ENTER INTO AGMT FOR AND ACCEPT \$51,314.00 IN GRANT FUNDS FR OFFICE OF JUSTICE PROG, BUREAU OF JUSTICE ASSISTANCE; AUTH MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR TECHNOLOGY APP FOR MESSAGING FOR SPIDR TECH FOR POLICE DEPT; ALTERNATIVELY AUTH MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCH OF SAID ITEMS IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTH BY LAW; AUTH AUDITOR TO RENAME FUND #2427 BYRNE MEMORIAL MEDIATION FUND TO 2427 FY 21 EDWARD BYRNE MEMORIAL GRANT IN WHICH TO PLACE GRANT MONEY UPON RECEIPT FR OFFICE OF JUSTICE PROG, BUREAU OF JUSTICE ASSISTANCE; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; AMEND APPROP O#49/2021 (\$51,314.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2427 FY 21 EDWARD BYRNE MEMORIAL GRANT FUND TO 2427 102001 POLICE ADMIN – OTHER); EMERGENCY. - FINANCE COMMITTEE
384. SAFETY DIRECTOR PERRY: AUTH MAYOR AND/OR SAF DIR TO ENTER INTO AGMT FOR AND ACCEPT \$34,880.00 IN GRANT FUNDS FR OFFICE OF JUSTICE PROG, BUREAU OF JUSTICE ASSISTANCE; AUTH AUDITOR TO RENAME FUND #2428 CONVENTION CTR FEASIBILITY GRANT FUND TO FUND #2428-2021 BULLETPROOF VEST PARTNERSHIP IN WHICH TO PLACE GRANT MONEY UPON RECEIPT FR OFFICE OF JUSTICE PROG, BUREAU OF JUSTICE ASSISTANCE; AUTH MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF NATIONAL INSTITUTE OF JUSTICE (NIJ) COMPLIANT ARMORED VESTS; ALTERNATIVELY AUTH MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCH IN ACCORDANCE WITH ANY ORC AND/OR CANTON CODIFIED ORD; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; AMEND APPROP O#49/2021 (\$34,880.00 SUPP APPROP FR UNAPPROP BAL OF 2428-2021 BULLETPROOF VEST PARTNERSHIP TO 2428 102001 – POLICE ADMINISTRATIVE – OTHER; \$34,880.00 SUPP APPROP FR UNAPPROP BAL OF FUND 1001 GENERAL FUND TO 1001 102001 – POLICE ADMINISTRATIVE – OTHER; \$34,800.00 INTER-FUND TRF FR 1001 102001 – POLICE ADMINISTRATIVE – ADVANCE OUT TO 2428 102001 –

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POLICE ADMINISTRATIVE – ADVANCE IN); EMERGENCY. – FINANCE COMMITTEE

385. SAFETY DIRECTOR PERRY: AUTH SAF DIR TO OPEN ONE OR MORE PURCH ORDERS IN AMT NOT TO EXCEED \$24,010.00 TO LIBERTY FORD LINCOLN CANTON, LLC FOR PURCH OF NEW FORD ECOSPORT (BLDG/CODE DEPT). – RECEIVED & FILED
386. SAFETY DIRECTOR PERRY: REQ LEGISLATION TO ENTER INTO CONTRACT WITH STARK COUNTY COMMISSIONERS FOR CITY’S CONTINUING USE OF THE CAD (COMPUTER AIDED DISPATCH) SYSTEM AND FOR PAYMENT OF CITY OF CANTON’S PRORATED SHARE OF MAINTENANCE AGMT FOR TEN YR TERM. – FINANCE COMMITTEE
387. SERVICE DIRECTOR HIGHMAN: WITHDRAW O#20 FROM 10/18/21 AGENDA. - RECEIVED & FILED
388. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR PURCH OF ONE (1) REAR LOADING PACKER FOR SANITATION DEPT; ALTERNATIVELY AUTH MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR PURCH OF REAR LOADING PACKER WITH ANY PROCUREMENT PROCESS AUTH BY EITHER ORC OR CANTON CODIFIED ORD; AMEND APPROP O#49/2021 (\$305,000.00 SUPP APPROP FR UNAPPROP BAL OF 5601 REFUSE OPERATION FUND TO 5601 205001 REFUSE ADMINISTRATION – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
389. STARK COUNTY COMMISSIONERS: REQ ANNEXATION OF 67.904 ACRES IN NIMISHILLEN TWP TO CITY OF CANTON (BROADWAY AVE 2021). – PLANNING COMMISSION
390. MAYOR BERNABEI: AMEND O#40/2000, AS AMENDED, CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL BY SCHEDULE ATTACHED AS EXHIBIT A (POLICE DEPT CADET/PROBATIONARY POLICE OFFICER WAGES). – PERSONNEL COMMITTEE

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 No. 1.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #1 THROUGH 17 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (O#9 – O#12 AND O#14 – O#17 ADOPTED ON 1ST RDG; O#13 ADOPTED AS AMENDED ON 1ST RDG)

- O#1. (1ST RDG) AN ORDINANCE AUTHORIZING THE CANTON MUNICIPAL COURT TO ENTER INTO ALL CONTRACTS AUTHORIZED BY LAW FOR THE DESIGN/BUILD OF THE JUDGES CORRIDOR RESTROOM PROJECT IN AN AMOUNT NOT TO EXCEED \$300,000.00; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$300,000.00 SUPP

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APPROP FR UNAPPROP BAL OF THE 2423 COURT CAPITAL/SPECIAL PROJECTS FUND TO 2423 701001 COURT CAPITAL/SPECIAL PROJECTS – OTHER)

Referred to Finance Committee

- O#2 (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO CREATE THE 2330 PUBLIC HEALTH WORKFORCE GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$10,000.00 INTER-ADVANCE FR 7601 301001 HEALTH – ADMINISTRATION – OTHER ADVANCE OUT TO 2330 301001 PUBLIC HEALTH WORKFORCE GRANT UNAPPROP BAL; \$10,000.00 SUPP APPROP FR UNAPPROP BAL OF 2330 PUBLIC HEALTH WORKFORCE GRANT TO 2330 301001 PUBLIC HEALTH WORKFORCE GRANT – 600 PERSONNEL - \$3,000.00, - 700 OTHER - \$7,000.00)
Referred to Finance Committee
- O#3. (1ST RDG) AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO COMPENSATE ATTORNEYS TARYN DOUGLAS, ELISE HAMILTON AND SETH MARCUM WITH A \$5,000.00 PER YEAR RAISE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance and Personnel Committees
- O#4. (1ST RDG) AN ORDINANCE WAIVING THE REQUIREMENTS OF ORDINANCE SECTION 151.14, CREDITED BENEFITS AND AUTHORIZING THE TRANSFER OF 700 HOURS OF SICK TIME TO BE CREDITED TO DANIEL GRAVILA; AND DECLARING THE SAME TO BE AN EMERGENCY (GENERAL MAINTENANCE FOREMAN – EFFECTIVE 7/27/21)
Referred to Personnel Committee
- O#5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL PROFESSIONAL SERVICES CONTRACTS FOR THE DESIGN OF A PUBLIC RESTROOM AND CENTENNIAL PLAZA OPERATIONAL SUPPORT FACILITY TO BE LOCATED AT COURT AVENUE NW AND 4TH STREET NW; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$57,600.00 SUPP APPROP FR UNAPPROP BAL OF 2175 COMPREHENSIVE PLAN FUND TO 2175 200501 GENERAL GOVERNMENT SUPPORT ADMIN – OTHER)
Referred to Finance & Downtown Development Committees
- O#6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH SMG FOR THE MANAGEMENT OF THE CANTON MEMORIAL CIVIC CENTER; AND DECLARING THE SAME TO BE AN EMERGENCY (CURRENT CONTRACT EXPIRES 12/31/21)
Referred to Finance Committee
- O#7. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR THE NORTHEAST WATER TREATMENT

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PLANT OFFICE REMODEL PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- O#8. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT CHANGE ORDER #2 OF THE 12TH STREET NW WATER MAIN REPLACEMENT PROJECT WITH WENGER EXCAVATING, INC. IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$36,261.56; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AUTHORIZES THE AUDITOR TO PAY ALL MORAL OBLIGATIONS AS PART OF THIS CHANGE ORDER; AND DECLARING THE SAME TO BE AN EMERGENCY (\$36,261.56 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207071 12TH STREET NW WATER MAIN REPLACEMENT PROJECT – OTHER)
Referred to Finance Committee

- O#9. (1ST RDG) **ADOPTED AS ORDINANCE NO. 217/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: SUBMIT ANY AMENDMENTS TO THE CITY’S 2021 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) TO CARRY OUT THE HOME-AMERICAN RESCUE PLAN ACT (HOME-ARP) PROGRAM; ENTER INTO AGREEMENT FOR AND RECEIVE ADDITIONAL HOME-ARP FUNDS IN THE AMOUNT OF \$2,573,468.00 FROM HUD; ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMELY EXPENDITURE OF HOME-ARP FUNDS AND TO ENTER INTO ALL PROFESSIONAL SERVICES CONTRACTS NECESSARY TO ALLOW FOR EFFECTIVE OPERATION OF THE PROGRAM DURING THE GRANT PERIOD USING ANY PROCESS IN THE CODIFIED ORDINANCES OR THE OHIO REVISED CODE; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,573,468.00 SUPP APPROP FR UNAPPROP BAL OF 2214 HOME INVESTMENT PARTNERSHIP PROGRAM FUND TO 2214 506020 HOME-ARP – OTHER)
Referred to Community & Economic Development Committee

- O#10. (1ST RDG) **ADOPTED AS ORDINANCE NO. 218/2021** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (VARIOUS APPROP TRFS, SUPP APPROPS AND INTER-FUND TRF TO ACCTS THAT ARE OUT OF BALANCE OR SHORT ON FUNDS)
Referred to Finance and Public Property Capital Improvement Committees

- O#11. (1ST RDG) **ADOPTED AS ORDINANCE NO. 219/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER 2 WITH THE SHELLY COMPANY IN AN AMOUNT NOT TO EXCEED \$700,000.00; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THE ABOVE-NAMED CHANGE ORDER; AND DECLARING THE SAME TO BE AN EMERGENCY (2021 PAVING PROGRAM, GP 1352)
Referred to Public Property Capital Improvement Committee

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- O#12. (1ST RDG) **ADOPTED AS ORDINANCE NO. 220/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A FINAL PARTICIPATION AGREEMENT STA US-62-24.05 PID 100824 WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO REPLACE CITY WATER LINES AND TO BEAR 100% OF THE COSTS OF WATER LINE CONSTRUCTION; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RESULTING FROM HIGHER BID COSTS/NECESSARY CHANGE ORDERS ENCOUNTERED BY ODOT DURING THE PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY (US-62 FR MAPLE AVE NE TO 30TH ST NE)
Referred to Environmental & Public Utilities and Finance Committees
- O#13. (1ST RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 221/2021** A FINAL RESOLUTION ADOPTING PLANS, AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO COOPERATE WITH AND REQUEST THE DIRECTOR OF TRANSPORTATION TO PROCEED WITH REPLACING A WATERLINE ALONG SR-172 FROM PERRY DRIVE TO SARATOGA AVENUE NW AND PERRY DRIVE FROM 12TH STREET SW TO SR-172; AUTHORIZING THE AUDITOR TO PAY ANY MORAL OBLIGATIONS RELATED TO THE PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 49/2021 AND DECLARING THE SAME TO BE AN EMERGENCY (\$600,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207077 SR-172 WATER MAIN REPLACEMENT PROJECT – OTHER)
Referred to Environmental & Public Utilities and Finance Committees
- O#14. (1ST RDG) **ADOPTED AS ORDINANCE NO. 222/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER 3 AND FINAL IN AN AMOUNT NOT TO EXCEED \$1,572.75 WITH NORTHSTAR ASPHALT, INC. AND CHANGE ORDER 1 AND FINAL IN AN AMOUNT NOT TO EXCEED \$17,974.78 WITH MICHAEL BAKER INTERNATIONAL, INC. FOR THE 13TH ST. NW ROADWAY RECONSTRUCTION PROJECT, GP 1248, PID 104873; RETROATIVELY AUTHORIZES ALL ACTIONS TAKEN PRIOR TO THE COMPLETION OF THE FINAL CHANGE ORDERS; AUTHORIZING THE AUDITOR TO PAY ANY MORAL OBLIGATIONS RELATED TO THE SAME; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#15. (1ST RDG) **ADOPTED AS ORDINANCE NO. 223/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS AND ENTER INTO ALL CONTRACTS NECESSARY TO COMPLETE APPROXIMATELY \$3.2 MILLION OF REPAIRS AT THURMAN MUNSON MEMORIAL STADIUM; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; WAIVES THE INFORMAL RESOLUTION REQUIREMENTS OF CODIFIED ORDINANCE 105.09 FOR PURCHASES RELATED TO THIS PROJECT; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONSTRUCTION CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CODIFIED ORDINANCE 105.14; PURSUANT TO OHIO REVISED CODE §721.02,

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AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE CANTON CITY SCHOOL DISTRICT BOARD OF EDUCATION FOR THE LEASE OF THURMAN MUNSON MEMORIAL STADIUM; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,200,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 502550 BASEBALL STADIUM – OTHER)

Referred to Finance Committee

O#16. (1ST RDG) **ADOPTED AS ORDINANCE NO. 224/2021** AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO AGREEMENT TO SETTLE LITIGATION IN THE AMOUNT OF \$46,000.00, SUBJECT TO THE TERMS OF THE SETTLEMENT AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY (DOWNTOWN AUTO SALES LLC V. THE CITY OF CANTON, CASE NO. 2021CA00071)

Referred to Finance Committee

O#17. (1ST RDG) **ADOPTED AS ORDINANCE NO. 225/2021** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (POLICE DEPT CADET/PROBATIONARY POLICE OFFICER WAGES)

Referred to Personnel Committee

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the Finance, Community & Economic Development, Public Property Capital Improvement, Environmental & Public Utilities and Personnel Committees to meet in regard to Ord...Ordinances 9 through 17 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:22 PM FOR THE FINANCE, COMMUNITY & ECONOMIC DEVELOPMENT, PUBLIC PROPERTY CAPITAL IMPROVEMENT, ENVIRONMENTAL & PUBLIC UTILITIES AND PERSONNEL COMMITTEES TO DISCUSS O#9 THROUGH O#17; RECONVENED AT 7:48 PM)

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinances 9 through 17 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 through 17 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.

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PRESIDENT SHERER: The motion carries and Ordinances 9 through 17 are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules on Ordinances 9 through 17.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: There's a motion to suspend the Statutory Rules on Ordinances 9 through 17. 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 #9.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 217/2021

PRESIDENT SHERER: The motion carries and Ordinance #9, is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #10.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #10. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 218/2021

PRESIDENT SHERER: The motion carries and Ordinance #10 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #11.

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #11. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 219/2021

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

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #12.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #12. 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.

#12 ADOPTED AS ORDINANCE NO. 220/2021

PRESIDENT SHERER: The motion carries and Ordinance #12 is adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #13. Are there any remarks under this Ordinance? Leader.

MEMBER SMUCKLER: Mr. President, I move that we amend Ordinance #13 by the amendment before every Council Member.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #13 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 #13, as amended.

MEMBER BABCOCK: Second.

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Pursuant to Rules 36, I move to amend Agenda Item No. 13 by amending the dollar amount in the third "Whereas" clause and Section 2 from "Six Hundred Thousand and 00/100 Dollars (\$600,000.00)" to "Six Hundred Eighty-Seven Thousand Six Hundred and 00/100 Dollars (\$687,600.00)" and to change the dollar amount in Section 4 from "\$600,000.00" to "\$687,600.00."

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#13 ADOPTED AS AMENDED AS ORDINANCE NO. 221/2021

PRESIDENT SHERER: The motion carries and Ordinance #13, as amended, has 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 under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#14 ADOPTED AS ORDINANCE NO. 222/2021

PRESIDENT SHERER: The motion carries and Ordinance #14, is adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #15. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 1 ABSTAIN
(MEMBER HALL ABSTAINED)

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

#15 ADOPTED AS ORDINANCE NO. 223/2021

PRESIDENT SHERER: The motion carries and Ordinance #15, is adopted. Leader.

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

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #16. 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.

#16 ADOPTED AS ORDINANCE NO. 224/2021

PRESIDENT SHERER: The motion carries and Ordinance #16, is adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #17. 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.

#17 ADOPTED AS ORDINANCE NO. 225/2021

PRESIDENT SHERER: The motion carries and Ordinance #17, is adopted.

ORDINANCES AND 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 #18.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #18 THROUGH #29 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#18. (2ND RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE 4595 KIRBY AVE. NE ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#19. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #229325 ON 9TH ST NW FOR TRF TO CAMPBELL LANDSCAPING LLC)
- O#20. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY IN THE CITY OF CANTON LAND REUTILIZATION PROGRAM TO CAMPBELL LANDSCAPING

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LLC; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #214261 ON ESSIG CT NW)

- O#21. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOT 17668 AND ALL OF LOTS 17665, 17667, 17669, 17670, 17671, AND PART OF OUT LOT 368; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 245432, 202235 & 238762, 1700 BLOCK OF MAPLE AVE NE FOR CRAIG MILLER, SHEILA WILLIAMS & STACY DALTON, WARD 9)
- O#22. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 9030 – 9035; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 214456, 225583, 213758, 203010 & 10002689, 1400 BLOCK OF SYCAMORE AVE SE FOR HABITAT FOR HUMANITY, WARD 4)
- O#23. (2ND RDG) AN ORDINANCE AMENDING SECTION 1195.05, DUTIES OF THE BOARD OF CHAPTER 1134 OF THE PLANNING AND ZONING CODE
Pub Hrg 11/22/21 @ 7:00 PM
- O#24. (2ND RDG) AN ORDINANCE AMENDING SECTION 1198.12, MEDICAL MARIJUANA FACILITIES INCLUDING CULTIVATION FACILITIES, PROCESSING FACILITIES, DISPENSARIES, AND TESTING LABORATORIES OF CHAPTER 1198 OF THE PLANNING AND ZONING CODE
Pub Hrg 11/22/21 @ 7:01 PM
- O#25. (2ND RDG) AN ORDINANCE AMENDING SECTION 1134.05, STORAGE OF VEHICLES IN ZONING DISTRICTS OF CHAPTER 1134 OF THE PLANNING AND ZONING CODE
Pub Hrg 11/22/21 @ 7:02 PM
- O#26. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 1147, PERMITTED USES, BUSINESS AND INDUSTRIAL ZONING DISTRICTS AND SECTION 1148.03, I-1 LIGHT INDUSTRIAL DISTRICT PERMITTED USES OF CHAPTER 1148, SPECIAL PROVISIONS FOR BUSINESS AND INDUSTRIAL USES OF PART ELEVEN OF THE PLANNING AND ZONING CODE
Pub Hrg 11/22/21 @ 7:03 PM
- O#27. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 1147, PERMITTED USES, BUSINESS AND INDUSTRIAL ZONING DISTRICTS OF THE PLANNING AND ZONING CODE
Pub Hrg 11/22/21 @ 7:04 PM
- O#28. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR ENVIROSERVE, INC. FOR EXPENSES RESULTING PRIOR TO THE PASSAGE OF THIS ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (CHEMICAL SPILL AT 116 CLEVELAND AVE NW)
- O#29. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,049.27 SUPP APPROP FR UNAPPROP BAL OF 5206 WATER SECURITY FUND TO 5206 207001 WATER SECURITY FUND – OTHER; \$2,049.27 INTER-FUND TRF FR 5206 207001 WATER

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SECURITY FUND – OTHER TO 5201 207001 WATER OPERATING FUND – OTHER) (UNUSED BALANCE OF FUNDS)

ORDINANCES AND FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Third, Final Reading and Vote. Leader.

O#30. (3RD RDG) **RECONSIDERED AND AMENDED AS ORDINANCE NO. 204/2021** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 10BC, CODE OFFICER FOR BLDG/CODE DEPT)
Referred to Personnel Committee

O#31. (3RD RDG) **RECONSIDERED AND AMENDED AS ORDINANCE NO. 205/2021** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 100/2011, AS AMENDED, THE CLASSIFICATION PLAN FOR NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (DEPT 10BC, CODE ENFORCEMENT ADMIN FOR BLDG/CODE DEPT)
Referred to Personnel Committee

LEADER SMUCKLER: Mr. President, I move we reconsider Ordinance #203/2021, adopted on October 18, 2021.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to reconsider Ordinances #203/2021, adopted on October 18, 2021. 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. Leader.

LEADER SMUCKLER: Mr. President...Mr. President, I move we amend Ordinance 20...#203/2021 per the copy before each Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved & seconded to amend 203...Ordinance 2...Ordinance 2...Ordinance #203/2021 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

RECONSIDERATION PASSED UNANIMOUSLY BY VOICE VOTE

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PRESIDENT SHERER: The ayes have it. Leader.

LEADER SMUCKLER: Mr. President, I move we adopt...um...reconsider Ordinance #204/2021, adopted on October 18, 2021.

PRESIDENT SHERER: Leader, I believe we're adopting. (*Inaudible*).

CLERK WOOD: We're adopting 203.

PRESIDENT SHERER: ...Nope, you're good.

MEMBER SMUCKLER: I jumped ahead. Mr. President, I move we adopt Ordinance #203/2021, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rules 41 and 36, respectively, I move to reconsider and amend Ordinance No. 203/2021 by changing the Ordinance No. "100/2011" to "40/2000" in the caption and Section 1 as well as remove the word "Non-" from the caption and Section 1.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #203/2021, as amended. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#30 RECONSIDERED AND AMENDED AS ORDINANCE NO. 203/2021

PRESIDENT SHERER: The motion carries and Ordinance #203/2021, as amended, is adopted. Leader.

LEADER SMUCKLER: Mr. President, I move we reconsider Ordinance #204/2021, adopted on October 18, 2021.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to reconsider Ordinance #204/2021, adopted on October 18, 2021. Are there any remarks?

MEMBER SMUCKLER: Mr. President, I move we...oh, I'm sorry, we gotta vote on the reconsider...go on.

PRESIDENT SHERER: Yeah, hang on for a minutes. Are there any additional remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President. (*Laughs*). I was making sure you were awake!

PRESIDENT SHERER: The motion carries and Ordinance 204/2021, as reconsidered, is amended and adopted.

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Leader.

LEADER SMUCKLER: Mr. President, I move we amend Ordinance #204/2021 per copy...per the copy before each Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved & seconded to amend Ordinance #204/2021 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

RECONSIDERATION PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. Leader.

LEADER SMUCKLER: Mr. President, I move we adopt Ordinance #204/2021, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rules 41 and 36, respectively, I move to reconsider and amend Ordinance No. 204/2021 by changing the Ordinance No. "100/2011" to "40/2000" in the caption and Section 1 as well as remove the word "Non-" from the caption and Section 1.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #204/2021, as amended. 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 RECONSIDERED AND AMENDED AS ORDINANCE NO. 204/2021

PRESIDENT SHERER: The motion carries and Ordinance #204/2021 as reconsidered, is amended and adopted. Madam Clerk, would you please read Ordinance #32, please.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCE #32 THROUGH ORDINANCE #35 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#32. (3RD RDG) **ADOPTED AS ORDINANCE NO. 226/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH MKSK, INC. IN AN AMOUNT NOT TO EXCEED \$120,000.00 FOR THE RE-IMAGINING COURT AVENUE MASTER PLAN AND COMPREHENSIVE STRATEGY INITIATIVE; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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MEMBER SMUCKLER: Mr. President...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?

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Just uh...my thoughts on this one...our Planning Director sent me an absolute wonderful email on this, detailing each and every step of the way of what this project is going to be. Actually, Mr. Angus impressed me so much that I am definitely voting no on this, considering the fact that I think this is definitely in Donn's wheelhouse and to spend \$120,000.00 for a Urban Planner out of the Columbus area to do what I am more than confident that our City Planner can do, uh...I'll be voting no. Thank you.

PRESIDENT SHERER: Are there any additional remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 1 NAY
(MEMBER MORRIS VOTED NAY)

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

#32 ADOPTED AS ORDINANCE NO. 226/2021

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

O#33. (3RD RDG) **ADOPTED AS ORDINANCE NO. 227/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE SALE OF CITY OWNED REAL PROPERTY AND TO ENTER INTO ALL CONTRACTS NECESSARY TO FACILITATE THE SALE OF SAID PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (STARK COUNTY PARCELS 213533, 227179, 281087, 201291, 234733, 226655, 10005759, 202194, 206609, 206988, 246345, 233228, 232390 AND 230834)

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. 227/2021

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

O#34. (3RD RDG) **ADOPTED AS ORDINANCE NO. 228/2021** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$6,513.50 SUPP APPROP FR UNAPPROP BAL OF 5225 CARNWISE WATER MAIN FUND TO 5225 207001 CARNWISE WATER MAIN – OTHER)

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. 228/2021

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

O#35. (3RD RDG) **ADOPTED AS ORDINANCE NO. 229/2021** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$26,025.00 SUPP APPROP FR UNAPPROP BAL OF 5213 PLAIN TOWNSHIP ORCHARDALE WATER MAIN FUND TO 5213 207001 PLAIN TOWNSHIP ORCHARDALE WATER MAIN – OTHER)

PRESIDENT SHERER: Leader.

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. 229/2021

PRESIDENT SHERER: Motion carries and Ordinance #35 is adopted.

MINUTES OF THE MEETING NOVEMBER 8, 2021**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SHERER: We are now under announcement of Committee Meetings. Our next meeting date will be November 22nd at...and I believe Committee starts at ...

CLERK WOOD: 6:30.

PRESIDENT SHERER: 6:30 p.m.

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Finance will meet November 22nd, 6:30 pm, here in Council Chambers.

PRESIDENT SHERER: Thank you, Member Mariol.

MEMBER FERGUSON: Economic Development will be meeting at the same time, same day, I will not be here.

CLERK WOOD: You don't have a meeting. He doesn't have a meeting.

PRESIDENT SHERER: Well, I don't believe you have one, Member Ferguson...

CLERK WOOD: No...

PRESIDENT SHERER: So we should be good then.

CLERK WOOD: Personnel.

MEMBER BABCOCK: I'm sorry, Personnel will meet, same time, same place.

PRESIDENT SHERER: Thank you, Member Babcock.

CLERK WOOD: Downtown Development.

PRESIDENT SHERER: ...and Downtown Development, Member Kimbrough.

CLERK WOOD: Downtown Development.

MEMBER KIMBROUGH: Downtown Development will meet same place, same time.

PRESIDENT SHERER: Thank you, Member Kimbrough.

MISCELLANEOUS BUSINESS

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

MEMBER SMITH/MEMBER SMUCKLER: *(At same time)* Yes, Mr. President.

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MEMBER SMUCKLER: Go ahead.

PRESIDENT SHERER: Member Smith.

MEMBER SMITH: Mr. President, I just wanted to make our Council Members aware, I don't know whether you read about it or not, but in Skyline Terrace, we had a devastating fire which left 16 adults, 10 kids, a single mom homeless at this present time. If there's any organizations or any type of funding or any agencies that is willing to help, could you please give me a call or Tracy, at Skyline Terrace. As a city, I want them to know that we are concerned and that we're here to help in any way possible. Thank you.

PRESIDENT SHERER: Member Smith, I'm on the United Way Board also, so I'll contact them first thing in the morning...

MEMBER SMITH: Thank you...

PRESIDENT SHERER: ...and see what we can do to help on that aspect. Absolutely.

MEMBER SMITH: And I do have information on their whereabouts. The majority of them is staying with family members until they can get housing. So I appreciate that. Thank you.

PRESIDENT SHERER: Do you know if the Red Cross is involved at all?

MEMBER SMITH: I don't know for sure yet but I'll find out.

PRESIDENT SHERER: Okay, I'll talk...I'll call you in the morning.

MEMBER SMITH: Okay.

PRESIDENT SHERER: Thank you, thank you, Member Smith. Leader...er...Doc...Member Ferguson.

MEMBER FERGUSON: I just want to...former Councilman...Service Director Tom Ascani's wife passed away and the services will be on Wednesday. Great man, a great family, did a lot for the community, I just want you to remember her in your prayers. She has suffered a long time for different ailments.

MEMBER HAWK: ...I'm trying to shut it off...

PRESIDENT SHERER: Thank you, thank you, Member Ferguson. And Tom, Tom was uh...Tom and his wife were great constituents in the community, that's for sure. Leader.

MEMBER SMUCKLER: Mr. President, first to address an issue. Um...over my long tenure, I've made many mistakes down here but I've never been accused before of questioning something. Um...yeah, I did question what we were doing with mental health down here because I don't think we do enough. I have since met with Mike Kochera, um...expressed to Mike Kochera Council's full support on doing anything more...that we could possibly do. I've also talked to the Mayor and talked to State Senator Schuring about any State help that we can get and any further local help we can do. Um...also, Mike Kochera expressed to me that in some instances some of our people are not welcome at Hunter House anymore, some of our people obviously need help at Heartland and some are refusing the help. There's a whole myriad of issues that involves this but I take this extremely seriously and I will continue to follow up. State Senator Schuring assured me that once he gets done with the bill that he's working on right now in Columbus, that he will give this his full attention and come to

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Canton and meet with the Mayor and myself, Mike Kochera and anybody else that wants to participate on this subject. Um...it's not just a matter of throwing dollars at the issue, it's a matter of, in fact in some instances, according to Mike Kochera, dealing with some of the laws that are on the books now too. And I appreciate your indulgence in this area and I promise you I will give it my full attention. Thank you.

KIMBERLY BELL: (*Yells something from the audience*).

PRESIDENT SHERER: Thank you, thank you Leader. And it's an issue that affects us every day and it seems like it's getting worse. Um...is there anything else...else under Miscellaneous Business? It's really good to see the Administration in person. It's only been about a year and a half! (*Laughter*). So...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: This meeting is adjourned and I would like to thank everybody for coming this evening. (*Gavel falls*).

ADJOURNMENT TIME: 8:15 PM

ATTEST: 11/9/21
JILL M. WOOD
CLERK OF COUNCIL

APPROVED:
WILLIAM SHERER
PRESIDENT