

MINUTES OF THE MEETING NOVEMBER 22, 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 still 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.

9 COUNCIL MEMBERS PRESENT: (WILLIAM SMUCKLER, JAMES BABCOCK, CHRISTINE SCHULMAN, BRENDA KIMBROUGH, JASON SCAGLIONE, CHRIS SMITH, ROBERT FISHER, KEVIN HALL & JOHN MARIOL)

NINE COUNCIL MEMBERS PRESENT. (MEMBER HAWK, MEMBER FERGUSON AND MEMBER MORRIS ABSENT)

CLERK WOOD: Nine present, three absent, Mr. President.

EXCUSING MEMBERS

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we excuse Members Hawk, Ferguson and Morris from tonight's meeting.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Member Hawk, Member Ferguson and Member Morris are excused from this evening's meetings. Tonight's invocation will be given by Ward 3 Council Member, Jason Scaglione. If you would please stand and remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on November 22, 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 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 2nd Readings of Ordinances 10 through 12, 14 through 17.

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add 2nd Readings to Ordinances 10 through 12 and Ordinances 14 through 17 to this evening's agenda. Ordinance #13 will be retained in Committee. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 10 through 12 and Ordinances 14 through 17 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SHERER: We are now under Public Hearings and we have five for this evening. Madam Clerk, will you please announce the first Public Hearing.

CLERK WOOD: AN ORDINANCE AMENDING SECTION 1195.05, DUTIES OF THE BOARD OF CHAPTER 1134 OF THE PLANNING AND ZONING CODE. PLANNING COMMISSION RECOMMENDS APPROVAL.

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. The Ordinance will follow later this evening. Madam Clerk, Public Hearing #2, please.

CLERK WOOD: 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. PLANNING COMMISSION RECOMMENDS APPROVAL.

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. The Ordinance will follow later this evening. Madam Clerk, Public Hearing #3, please.

CLERK WOOD: AN ORDINANCE AMENDING SECTION 1134.05, STORAGE OF VEHICLES IN ZONING DISTRICTS OF CHAPTER 1134 OF THE PLANNING AND ZONING CODE. PLANNING COMMISSION RECOMMENDS APPROVAL.

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. The Ordinance will follow later this evening. Madam Clerk, Public Hearing #4, please.

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CLERK WOOD: 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. PLANNING COMMISSION RECOMMENDS APPROVAL.

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 will now rest in the hands of Council. The Ordinance will follow later this evening. Madam Clerk, Public Hearing #5.

CLERK WOOD: AN ORDINANCE AMENDING CHAPTER 1147, PERMITTED USES, BUSINESS AND INDUSTRIAL ZONING DISTRICTS OF THE PLANNING AND ZONING CODE. PLANNING COMMISSION RECOMMENDS APPROVAL.

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 will now rest in the hands of Council. The Ordinance will follow later this evening.

OLD BUSINESS

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

PUBLIC SPEAKS

PRESIDENT SHERER: Okay. We are now under Public Speaks and we have one speaker for tonight. Ms. Kimberly Bell. Ms. Bell could you please step forward and give us your name and residential address, please.

KIMBERLY BELL: Yes, my name is Kimberly Bell. Uh...1733 Morris Ave. NE, Canton. Uh...I had some...I had a package for you guys but it was costing too much to print in color so I had some of it done, not all of it. But it was...it's about the East vs. the West and I've got some pictures. I gave Chris...um...a copy but I don't know which...who's all on the East, which Ward, which Councilmen is on the West...the East side of Canton, other than Mr. Hall and Chris Smith. Oh, Ms. Kimbrough, I forgot, yeah. I'll give this to you after. But...but uh...Jill said she'll make sure you all get a copy. I gave one to the President and the Mayor, the Deputy Mayor and Chris. They all have their own. But it's photos I took with a drone...uh...on the Eastside. Um...Let me just...let me show you. And its East vs. West, how, how nice the Westside looks vs the Eastside. And, and, and the reason I'm talk...I did this is because a lot of money's going West. Those shareholders at the Hall of Fame, let them take care of the Westside. The Eastside don't look nothing like this. All the attractions, all the restaurants, they took Bonded Gas Station, Fisher's Foods is closed, nothing is on the East...we go to the grocery store too and we go to the laundromat too and we like football too. So, why did all the attractions for the Hall of Fame go West and not East? Um...when, when crack came in the...in...on the...hit the streets, a lot of businesses and everything and crime was high and the housing market crashed, bunch of other stuff happened, but all the money now is going West. President Obama [sic] is talking about the Build Back Better Plan. Let's ask him for some money for that to come East. Um...I don't know what the...what's all in the plan, but, if he's willing to give some for the Black comm...for the Eastside to open up some Black businesses, then let's, let's, let's attempt to ask the President for some money because we need it on the Eastside. There's,

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like I said, there's not gas station. You have to go all the way up to Trump Rd. to Speedway, to get gas up there. Or you've got to go all the way to 12th Street and Market, to get gas there. There's no gas stations nowhere on West Tusc, on that part of the Eastside. And there's no laundromat, there's no fast food. We like fast food and coffee just like you people on the Westside. So you call, call the President of the United States, Tom.

PRESIDENT SHERER: Thank you, Ms. Bell.

KIMBERLY BELL: You're welcome.

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 #38, by title.

38. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SERVICE DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL AMOUNT NOT TO EXCEED \$49,999.00 TO BACHTEL EXCAVATING, INC. FOR 18" SANITARY SEWER REPLACEMENT LOCATED ON PART O.L. 882 ADJACENT TO PLAIN CENTER RD. – ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #38. Are there any remarks? ... Hearing none, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #38 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #38 is adopted. Informal Resolution #39, please.

39. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SERVICE DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL AMOUNT NOT TO EXCEED \$26,780.00 TO COON RESTORATION & SEALANTS, INC. FOR REPAIR OF NORTHWEST WATER TREATMENT PLANT LAGOONS. – ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #39. Are there any remarks? ...Hearing none, by voice vote, all those in favor, signify by saying aye. Those opposed no.

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NO REMARKS

RESOLUTION #39 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Informal Resolution #39 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.

391. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO 0.5% LOW INTEREST LOAN AGMT IN AMT NOT TO EXCEED \$200,000.00 BETWEEN CITY OF CANTON AND ONE AEP COMPANY LLC IN ORDER TO PROVIDE GAP FINANCING TO ONE AEP COMPANY LLC RENOVATION PROJ LOCATED AT 420 4TH ST NW. – FINANCE COMMITTEE
392. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO ENERGY PROJECT COOPERATIVE AGMT WITH HALL OF FAME VILLAGE FOR CENTER FOR EXCELLENCE PROJ; NOT FOR PROFIT CORP CALLED CANTON REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT, INC. WILL PROVIDE OVERSIGHT OF AGMT; THIS CORP IS GOVERNED BY LAWS OF STATE OF OHIO AND WILL OPERATE AS ENERGY SPECIAL IMPROVEMENT DISTRICT, SOMETIMES REFERRED TO AS “ESID” OR SIMPLY “DISTRICT”; AUTH MAYOR AND/OR SERV DIR TO APPROVE PETITION AND HOFV CENTER FOR EXCELLENCE SUPPLEMENTAL PLAN FOR SPECIAL ENERGY IMPROVEMENT PROJS; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL NECESSARY AGMTS FOR IMPLEMENTATION OF HOFV CENTER FOR EXCELLENCE SUPPLEMENTAL PLAN; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
393. FINANCE DIRECTOR CROUSE: AMEND APPROP O#49/2021 (\$521.80 APPROP TRF FR 2185 871002 INNOVATION DISTRICT TIF – OTHER TO 2185 871001 HISTORIC ONESTO TIF – OTHER; \$1,500.00 APPROP TRF FR 5601 205001 REFUSE ADMIN – PERSONNEL TO 5601 201001 SERVICE DIRECTOR ADMIN – PERSONNEL; \$130,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102055 POLICE ADMIN – PERSONNEL FOR \$60,000.00, TO 1001 103001 FIRE ADMIN – PERSONNEL FOR \$50,000.00 AND TO 1001 753001 LAW ADMIN – PERSONNEL FOR \$20,000.00; \$10,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER OPERATING FUND TO 5201 207001 WATER ADMIN – PERSONNEL; \$2,500.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 201201 PURCHASING ADMIN – PERSONNEL); EMERGENCY (ADDT’L OUT OF BALANCE ACCTS). – FINANCE COMMITTEE
394. FINANCE DIRECTOR CROUSE: AUTH ADOPTION OF 2022 TEMPORARY BUDGET APPROPS PURSUANT TO ORC SEC 5705.38; EMERGENCY. – FINANCE COMMITTEE

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395. LIQUOR CONTROL DIV (OHIO): REQ NEW D2 PERMIT FOR HOUSE OF PAINT LLC, DBA SIP AND PAINT, 2307 CLEVELAND AVE NW (WARD 7). – RECEIVED & FILED
396. MAJORITY LEADER SMUCKLER: AUTH REAPPTS OF MR. JOHN GIUA AND MR. DARREN MAYLE TO INCOME TAX REVIEW BOARD COMMENCING 1/1/22 – 12/31/23. – PERSONNEL COMMITTEE
397. SERVICE DIRECTOR HIGHMAN: AUTH SERV DIR TO OPEN ONE OR MORE PURCH ORDERS IN AMT NOT TO EXCEED \$49,999.99 TO BACHTEL EXCAVATING, INC. FOR REPAIRS TO 18” SANITARY SEWER LOCATED IN PART O.L. 882 ADJACENT TO PLAIN CENTER RD. – RECEIVED & FILED
398. SERVICE DIRECTOR HIGHMAN: AUTH SERV DIR TO OPEN PURCH ORDER IN AMT OF \$26,780.00 TO COON RESTORATION & SEALANTS, INC. FOR NORTHWEST WATER TREATMENT PLANT LAGOON REPAIR. – RECEIVED & FILED
399. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO SET SALARY OF CURRENT ASST SUPERINTENDENT OF PUBLIC WORKS AT \$85,000.00 ANNUALLY PRIOR TO ANY POTENTIAL 2022 COST OF LIVING ADJUSTMENT; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (ADAM MELEGARI). – PERSONNEL COMMITTEE
400. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO SANITARY SEWER JOINT USE/BILLING AGMT WITH BOARD OF STARK COUNTY COMMISSIONERS; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO SANITARY SEWER JOINT USE/BILLING AGMT WITH NORTH CANTON; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES
401. SERVICE DIRECTOR HIGHMAN: RATIFY ALL ACTIONS TAKEN PRIOR TO PASSAGE OF THIS ORDINANCE PURSUANT TO CANTON CODIFIED ORD SEC 105.04; AUTH AND DIRECT AUDITOR TO PAY ANY AND ALL MORAL OBS RESULTING FROM RESPONDING TO EMERGENCY SITUATION; AUTH MAYOR, SAF DIR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH HOWLAND COMPANY LLC IN ESTIMATED AMT OF \$99,371.50 FOR ASBESTOS ABATEMENT OF 2206 13TH ST NE (FORMER WEBER DENTAL BLDG); AUTH MAYOR, SAF DIR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR DEMO OF STRUCTURE AT SAID SITE; AMEND O#49/2021 (\$255,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPER. FUND TO 1001 200501 – GENERAL GOV’T SUPPORT ADMIN – OTHER; \$255,000.00 SUPP APPROP FR UNAPPROP BAL OF 5701 BUILDING CODE FUND TO 5701 101501 – CODE ENFORCEMENT ADMIN – OTHER); EMERGENCY. – FINANCE COMMITTEE
402. SERVICE DIRECTOR HIGHMAN, SAFETY DIRECTOR PERRY: AUTH APPROPRIATE APPOINTING AUTHORITY TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO

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CONTRACT FOR PURCH OF RADIOS; AUTH APPROPRIATE APPOINTING AUTHORITY TO ENTER INTO CONTRACT FOR PURCH OF RADIOS UTILIZING ANY PROCUREMENT PROCESS AUTH BY LAW; AMEND APPROP O#49/2021 (\$428,550.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN – OTHER FOR \$94,750.00, TO 1001 103001 FIRE ADMIN – OTHER FOR \$197,500.00, TO 1001 204010 OTHER BUILDINGS – OTHER FOR \$23,800.00, TO 1001 205001 GENERAL GOV'T SUPPORT – OTHER FOR \$23,000.00 & TO 1001 202210 MAINTENANCE – OTHER FOR \$89,500.00; \$6,000.00 SUPP APPROP FR UNAPPROP BAL OF 5701 BUILDING CODE FUND TO 5701 101501 CODE ENFORCEMENT ADMIN – OTHER; \$16,150.00 SUPP APPROP FR UNAPPROP BAL OF 2423 COURTS CAPITAL FUND TO 2423 701001 JUDGES ADMIN – OTHER; \$30,000.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARK OPERATING FUND TO 2530 401060 SPECIAL PARKS – OTHER; \$40,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206006 COLLECTION SYSTEM DEPT – OTHER; \$37,500.00 SUPP APPROP FR UNAPPROP BAL OF 5601 REFUSE OPERATION FUND TO 5601 205001 REFUSE ADMIN – OTHER); EMERGENCY (BLDG MAINTENANCE, CODE, COURTS, DMV, HEALTH, PARKS, SANITATION, COLLECTIONS, STREET, FIRE, POLICE). – FINANCE COMMITTEE

403. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR OCTOBER 2021. – RECEIVED & FILED
404. TREASURER PEREZ: RPTS OF BANK REC AND CITY'S OUTSTANDING INVESTMENTS AS OF 10/29/21. – RECEIVED & FILED
405. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FR 1/1/21 TO 10/31/21. – RECEIVED & FILED

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 9 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#1. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO: ENTER INTO AGREEMENT FOR AND ACCEPT \$51,314.00 IN GRANT FUNDS FROM THE OFFICE OF JUSTICE PROGRAM, BUREAU OF JUSTICE ASSISTANCE; ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF TECHNOLOGY APPLICATION FOR MESSAGING FOR SPIDR TECH SOFTWARE FOR THE POLICE DEPARTMENT; OR TO ALTERNATIVELY PURCHASE SAID SOFTWARE PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZING THE AUDITOR TO RENAME FUND 2427 BYRNE MEMORIAL MEDIATION FUND TO 2427 FY 21 EDWARD BYRNE MEMORIAL GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO

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BE AN EMERGENCY (\$51,314.00 SUPP APPROP FR UNAPPROP BAL OF 2427 FY21 EDWARD BYRNE MEMORIAL GRANT FUND TO 2427 102001 POLICE ADMIN – OTHER)

Referred to Finance Committee

- O#2. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO: ENTER INTO AGREEMENT FOR AND ACCEPT \$34,880.00 IN GRANT FUNDS FROM THE OFFICE OF JUSTICE PROGRAM, BUREAU OF JUSTICE ASSISTANCE; AUTHORIZING THE AUDITOR TO RENAME FUND 2428 CONVENTION CTR FEASIBILITY GRANT FUND TO 2428 2021 BULLETPROOF VEST PARTNERSHIP FUNDS; ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF NATIONAL INSTITUTE OF JUSTICE COMPLIANT ARMORED VESTS FOR THE POLICE DEPARTMENT; OR TO ALTERNATIVELY PURCHASE SAID ITEMS IN ACCORDANCE WITH OHIO REVISED CODE OR THE CANTON CODIFIED ORDINANCES; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$34,880.00 SUPP APPROP FR UNAPPROP BAL OF 2428 CONVENTION CTR FEASIBILITY GRANT FUND TO 2428 102001 POLICE ADMIN – OTHER; \$34,880.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102001 POLICE ADMINISTRATIVE – OTHER; \$34,880.00 INTER-FUND TRANSFER FR 1001 102001 POLICE ADMINISTRATIVE – ADVANCE OUT TO 2428 102001 POLICE ADMINISTRATIVE – ADVANCE IN)
Referred to Finance Committee
- O#3. (1ST RDG) **ADOPTED AS ORDINANCE NO. 230/2021** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,212.65 APPROP TRF FR 701001 2650 PRETRIAL AWARD GRANT FUND – PERSONNEL TO 701001 2650 PRETRIAL AWARD GRANT FUND – OTHER)
Referred to Finance Committee
- O#4 (1ST RDG) **ADOPTED AS ORDINANCE NO. 231/2021** AN ORDINANCE AUTHORIZING THE LAW DIRECTOR TO ENTER INTO ANY SETTLEMENT AGREEMENTS, PARTICIPATION AGREEMENTS OR BANKRUPTCY PLAN APPROVALS AND TO SIGN OFF ON ANY AND ALL OTHER DOCUMENTS NECESSARY TO EFFECTUATE CANTON’S PARTICIPATION IN SETTLEMENT OF ITS CLAIMS IN THE NATIONAL PRESCRIPTION OPIATE LITIGATION PENDING BEFORE JUDGE POLSTER IN UNITED STATES DISTRICT COURT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#5. (1ST RDG) **ADOPTED AS ORDINANCE NO. 232/2021** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT WITH THE STARK COUNTY COMMISSIONERS FOR THE CONTINUING USE OF THE COMPUTER AIDED DISPATCH SYSTEM; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

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- O#6. (1ST RDG) **ADOPTED AS ORDINANCE NO. 233/2021** 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) REAR LOADING PACKER; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$305,000.00 SUPP APPROP FR UNAPPROP BAL OF 5601 REFUSE OPERATION FUND TO 5601 205001 REFUSE ADMINISTRATION – OTHER)
Referred to Public Property Capital Improvement Committee
- O#7. (1ST RDG) **ADOPTED AS ORDINANCE NO. 234/2021** APPROVING A PETITION FOR SPECIAL ASSESSMENTS FOR SPECIAL ENERGY IMPROVEMENT PROJECT AND A SUPPLEMENTAL PLAN FOR THE CANTON REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT UNDER CHAPTER 1710 OF THE OHIO REVISED CODE; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ANY AND ALL DOCUMENTS NECESSARY IN CONNECTION WITH THE PETITION AND SUPPLEMENTAL PLAN; TO AUTHORIZE AND LEVY SPECIAL ASSESSMENTS FOR THE PURPOSE OF ACQUIRING, CONSTRUCTING, AND IMPROVING CERTAIN PUBLIC IMPROVEMENTS IN THE CITY OF CANTON IN COOPERATION WITH THE CANTON REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT; AND TO APPROVE AN ENERGY PROJECT COOPERATIVE AGREEMENT IN CONNECTION WITH SUCH IMPROVEMENTS AND SPECIAL ASSESSMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY (HOFV CENTER FOR EXCELLENCE)
Referred to Community & Economic Development Committee
- O#8. (1ST RDG) **ADOPTED AS ORDINANCE NO. 235/2021** AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SAFETY, OR THE DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH HOWLAND COMPANY, LLC IN AN ESTIMATED AMOUNT OF \$99,371.50 FOR THE ASBESTOS ABATEMENT OF 2206 13TH STREET NE (FORMER WEBER DENTAL BUILDING) AND TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE DEMOLITION OF THE STRUCTURE AT SAID ADDRESS; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS FROM RESPONDING TO THIS EMERGENCY SITUATION; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$255,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPER. FUND TO 1001 200501 – GENERAL GOV'T SUPPORT ADMIN – OTHER; \$255,000.00 SUPP APPROP FR UNAPPROP BAL OF 5701 BUILDING CODE FUND TO 5701 101501 – CODE ENFORCEMENT ADMIN – OTHER)
Referred to Finance Committee
- O#9. (1ST RDG) **ADOPTED AS ORDINANCE NO. 236/2021** AN ORDINANCE AUTHORIZING THE APPROPRIATE APPOINTING AUTHORITY TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF RADIOS AND ENTER INTO CONTRACT FOR SAID PURCHASE UTILIZING ANY

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PROCUREMENT PROCESS AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$428,550.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN – OTHER - \$94,750.00, TO 1001 103001 FIRE ADMIN – OTHER - \$197,500.00 - \$197,500.00, TO 1001 204010 OTHER BUILDING – OTHER - \$23,800.00, TO 1001 205001 GENERAL GOV'T SUPPORT – OTHER - \$23,000.00, TO 1001 202210 MAINTENANCE – OTHER - \$89,500.00; \$6,000.00 SUPP APPROP FR UNAPPROP BAL OF 5701 BUILDING CODE FUND TO 5701 101501 CODE ENFORCEMENT ADMIN – OTHER; \$16,150.00 SUPP APPROP FR UNAPPROP BAL OF 2423 COURTS CAPITAL FUND TO 2423 701001 JUDGES ADMIN – OTHER; \$30,000.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARK OPERATING FUND TO 2530 401060 SPECIAL PARKS – OTHER; \$40,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206006 COLLECTION SYSTEM DEPT. – OTHER; \$37,500.00 SUPP APPROP FR UNAPPROP BAL OF 5601 REFUSE OPERATION FUND TO 5601 205001 REFUSE ADMIN – OTHER)

Referred to Finance Committee

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the Finance, Public Property Capital Improvement and Community & Economic Development Committees to meet in regard to Ordinances 3 through 9 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:21 PM FOR THE FINANCE, PUBLIC PROPERTY CAPITAL IMPROVEMENT AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES TO DISCUSS ORDINANCE #3 THROUGH ORDINANCE #9; RECONVENED AT 7:35 PM)

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinances 3 through 9 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 3 through 9 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 3 through 9 are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend the Statutory Rules on Ordinances 3 through 9.

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 3 through 9. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

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

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #3.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #3. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#3 ADOPTED AS ORDINANCE NO. 230/2021

PRESIDENT SHERER: The motion carries and Ordinance #3 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #4.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #4. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#4 ADOPTED AS ORDINANCE NO. 231/2021

PRESIDENT SHERER: The motion carries and Ordinance #4 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #5.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #5. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#5 ADOPTED AS ORDINANCE NO. 232/2021

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PRESIDENT SHERER: The motion carries and Ordinance #5 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #6.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #6. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#6 ADOPTED AS ORDINANCE NO. 233/2021

PRESIDENT SHERER: The motion carries and Ordinance #6 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #7.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #7. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#7 ADOPTED AS ORDINANCE NO. 234/2021

PRESIDENT SHERER: The motion carries and Ordinance #7 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #8.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #8. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#8 ADOPTED AS ORDINANCE NO. 235/2021

PRESIDENT SHERER: The motion carries and Ordinance #8 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #9.

MEMBER BABCOCK: Second.

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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 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 236/2021

PRESIDENT SHERER: The motion carries and Ordinance #9 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 #10.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ O#10 THROUGH O#12 AND O#14 THROUGH O#17 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (O#13 RETAINED IN COMMITTEE; O#17 ADOPTED ON 2ND READING)

- O#10. (2ND 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 APPROP FR UNAPPROP BAL OF THE 2423 COURT CAPITAL/SPECIAL PROJECTS FUND TO 2423 701001 COURT CAPITAL/SPECIAL PROJECTS – OTHER)
- O#11. (2ND 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)
- O#12. (2ND 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)
- O#13. (2ND RDG) ***RETAINED IN COMMITTEE*** 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.

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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)

- O#14. (2ND 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)
- O#15. (2ND 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 PLANT OFFICE REMODEL PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#16. (2ND 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)
- O#17. (2ND RDG) **ADOPTED AS ORDINANCE NO. 237/2021** 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

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend the Statutory Rules on Ordinance #17.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

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

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

MEMBER BABCOCK: Second.

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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 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 237/2021

PRESIDENT SHERER: The motion carries and Ordinance #17 has been adopted.

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.

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

CLERK WOOD: Excuse me...

PRESIDENT SHERER: Oh, um...I'll take the hit for that.

MEMBER SMUCKLER: I was gonna say we both jumped the gun on that.

PRESIDENT SHERER: I'll take the hit for that.

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

O#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 238/2021** 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

PRESIDENT SHERER: So let's try that one more time. Leader Smuckler.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 238/2021

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

O#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 239/2021** 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)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 239/2021

PRESIDENT SHERER: Motion carries and Ordinance #19 is adopted. Ordinance #20, please.

O#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 240/2021** 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 LLC; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #214261 ON ESSIG CT NW)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 240/2021

PRESIDENT SHERER: Motion carries and Ordinance #20 is adopted. Ordinance #21, please.

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O#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 241/2021** 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)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #21.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to adopt Ordinance #21. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 241/2021

PRESIDENT SHERER: Motion carries and Ordinance #21 is adopted. Ordinance #22, please.

O#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 242/2021** 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)

PRESIDENT SHERER: 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? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 242/2021

PRESIDENT SHERER: Motion carries and Ordinance #22 is adopted. Ordinance #23, please.

O#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 243/2021** 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**

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PRESIDENT SHERER: 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?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 243/2021

PRESIDENT SHERER: Motion carries and Ordinance #23 is adopted. Ordinance #24, please.

O#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 244/2021** 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**

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 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 244/2021

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

O#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 245/2021** 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**

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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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 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#25 ADOPTED AS ORDINANCE NO. 245/2021

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

O#26. (3RD RDG) **ADOPTED AS ORDINANCE NO. 246/2021** 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

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.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#26 ADOPTED AS ORDINANCE NO. 246/2021

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

O#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 247/2021** 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

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 9 YEAS, 0 NAYS

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CLERK WOOD: Nine yeas, Mr. President.

#27 ADOPTED AS ORDINANCE NO. 247/2021

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

O#28. (3RD RDG) **ADOPTED AS ORDINANCE NO. 248/2021** 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)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to adopt Ordinance #28. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#28 ADOPTED AS ORDINANCE NO. 248/2021

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

O#29. (3RD RDG) **ADOPTED AS ORDINANCE NO. 249/2021** 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 SECURITY FUND – OTHER TO 5201 207001 WATER OPERATING FUND – OTHER) (UNUSED BALANCE OF FUNDS)

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 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

#29 ADOPTED AS ORDINANCE NO. 249/2021

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PRESIDENT SHERER: Motion carries and Ordinance #29 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under announcement of Committee Meetings. Our next meeting date will be December 6, 2021 at 6:30 p.m.

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Finance will meet December 6th, here in Council Chambers. You said, "6:30"?

PRESIDENT SHERER: Yes.

MEMBER MARIOL: 6:30.

PRESIDENT SHERER: Thank you, Member Mariol. Mem...

MEMBER BABCOCK: Personnel will meet, same time, same place.

PRESIDENT SHERER: Thank you, Member Babcock.

MISCELLANEOUS BUSINESS

PRESIDENT SHERER: We are now under any Miscellaneous Business. Is there any Miscellaneous Business for this evening? I'd like to wish everybody a Happy Thanksgiving and have a great holiday with your family. It's always a good time, so...hearing no other Miscellaneous Business for this evening, 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 9 YEAS, 0 NAYS

CLERK WOOD: Nine yeas, Mr. President.

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

ADJOURNMENT TIME: 7:58 PM

ATTEST: NOVEMBER 24, 2021
JILL M. WOOD
CLERK OF COUNCIL

APPROVED:
WILLIAM SHERER
PRESIDENT