

MINUTES OF THE MEETING JULY 1, 2019

PRESIDENT SHERER: With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please, Mr. Clerk.

ROLL CALL TAKEN BY CLERK DOUGHERTY:

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER CHESTER ABSENT)

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

EXCUSING MEMBERS

PRESIDENT SHERER: Leader Smith.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Member Chester is excused from this evening's meeting. Tonight's invocation will be given by at...At-Large Council Member, Jim Babcock. If you would all please stand and remain standing for the Pledge of Allegiance

The regular meeting of Canton City Council was held on July 1, 2019 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, David R. Dougherty. The invocation was given by James Babcock, Council Member-At-Large. The Pledge of Allegiance was led by President Sherer.

AGENDA CORRECTIONS & CHANGES

PRESIDENT SHERER: Thank you, Member Babcock. We are now under Agenda Corrections and Changes, Leader.

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances 14 through 18 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add the 2nd Reading of Ordinances 14 through 18 to this evening's agenda. Are there any remarks?... Hearing none, roll call vote please.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 14 through 18 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SHERER: We are now under Public Hearings and we have no Public Hearings for this evening.

OLD BUSINESS

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

PUBLIC SPEAKS

PRESIDENT SHERER: We are now under Public Speaks and we have two speakers tonight. Our first speaker is Sharon Jackson. Sharon, could you please step forward and give us your name and resident...residential address, please.

SHARON JACKSON: Okay. My name is Sharon. Middle initial L. Last name is Jackson. I live at 2421 Tuscarawas Street E, Canton, Ohio 44707. My reason for speaking tonight is regarding Tuscarawas Street East. When I came in, I was happy to hear that you are going to be doing some more paving. I am very disappointed with the way Tuscarawas Street East looks. It is a historical highway. Lincoln Highway, named after a President, and when you leave here and go across the tracks, or...or just turn right there on..sw...where Sarta is, the street is horrible. It's dips and humps and lumps and I know they patched it but that doesn't get it. And then when you go across the tracks, I almost have to stop my car to get across the tracks. The tracks are all uneven. There's holes and it...it just looks terrible. And it's not...it's two blocks from downtown Canton. I just don't understand why it looks like that. I have never seen East Tusc look as bad as it's looking now. It has abandoned buildings sitting there. Businesses that were once up and running and now they're abandoned and someone owns that property. And someone should be held responsible for seeing to it that they're either torn down, or they sell it to someone that's going to use it because it looks terrible. I live at 2421 E. Tusc, which is further out, but it's two blocks inside the city limits, from Canton Township. But I still travel that road every day and I am disappointed and disgusted with the way it looks because I think it's a main street and it's a historical street, it should be one of the most beautiful streets in Canton. It goes completely from New York to San Francisco, and it's like we don't respect history? Well, I..I see that Mahoning Road NE is being paved a second time or something's going on over there. It's been closed down for almost a year. So...this...it's getting redone. Twelfth Street's redone. Twelfth Street is beautiful. It has the flags on each side, it has the sidewalks, it has the street lights...new everything. And...and they're...they're busy streets but they're not historical streets. That's what I don't understand. And I'm fighting for my street. I moved in that property where I'm at in 1966. I'm a senior citizen, I want to remain where I am. I don't think I should have to go somewhere else and pay rent to someone else when my home is paid for. So, I'm just totally disgusted and I hope you will take into consideration, that you would do something about that street. People will respect what you respect. And if we don't respect our streets to make them look better, there's going to be trash thrown everywhere. People do not take care of anything if we don't take care of it. And that's my speech for tonight. So I hope you take that into consideration and have something done about it. There's no reflection on my Council person, Chris Smith, because she has been to our Neighborhood Association meetings and she has spoke to us about trying to get something done

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with this street. Thank you. (*Applause*).

PRESIDENT SHERER: Thank you very much.

MEMBER SMITH: Mr. President. Do we have any other speakers tonight?

PRESIDENT SHERER: Yes, we have one.

MEMBER SMITH: Okay, after that could you please allow...uh...the Engineer to speak and also...uh...JR, in regards to East Tusc and the plans that we have. And it was also in the newsletter that was sent out to the very Neighborhood Association that she's in, concerning East Tusc, and I would like it to be known publicly. (*Inaudible*).

PRESIDENT SHERER: The next speaker is Pete DiGiacomo. Pete, would you please step forward. Give us your name and residential address, please.

PETE DIGIACOMO: My name's Pete DiGiacomo. 600 Dent Place SW, Canton, Ohio. Got a couple things I want to bring up. First was the uh...blues and jazz festival they had downtown a few weeks back. Uh...very...it was well attended. Music...very well. Uh...the one thing that kind of surprised me, they had a VIP seating area. Uh...I was told it was \$50.00 a person, the Canton Chamber got...unless I'm mistaken and I hope I am, got all of the proceeds of that. Nothing for the city. Nothing for anybody else. Chamber of Commerce got all the money. Uh...I hope this isn't going to be a ongoing situation where people come downtown for diff...different festivals, different music events and the hand is out...gimme. Do you have to buy the VIP? No, you can sit out there but it just...just kind of gets me the wrong way. I would put it that way. Uh...second item. Cleveland Avenue South, there's a bridge that goes over 77, Northbound side. I was down there today, coming up, and it's all cement. There are two holes, not little potholes, big ass holes. (*Laughter*). Excuse my French. And...how...I can almost guarantee you, you put a ti...a car's tire in one of them...the tires gone, the rim's gone, possibly an accident. Uh...it's hard to spot 'em. If you give me a call, you can't spot 'em, I'll paint the damn things for you. They will see it. I don't know if that's our responsibility. Ours being the city of Canton, or ODOT. If it's ODOT's, get 'em out, get 'em down there, patch the hole. That's all. Thank you. (*Applause*).

PRESIDENT SHERER: Thank you Pete. At this time, I'd like to ask Dan Moeglin and JR Rinaldi to step...make a few comments.

DANIEL MOEGLIN: Good evening. Speaking specifically about East Tusc and the condition, you're absolutely right. It's in terrible condition. It is a state route. It's 172 and uh...in the city, the ODOT pays for the resurf...the majority of the resurfacing projects for state routes within the city. So that would include Tusc, uh...Market Avenue, the Route 43, 62, 30, those types of things. So, if you look at the list that we have handed out, that we passed out tonight, you'll see on the...on the list down towards the bottom, ODOT, Cherry Street and East Tusc. It is on the list to be paved and in fact, the project was originally supposed to sell in July of this year; however, ODOT pushed it back. I don't know if it's a budget issue, I don't know what the reasons are. They pushed it back. It won't sell for a contract until October, so it will be paved in the Spring. And that will go from Riverside to Cherry, that portion of it. And then Cherry, which is State Route 43, from I believe 3rd St. South all the way up to about 15th St, will be paved by ODOT. The city's share of that will be \$121,000.00, is the current estimate. So that is in process. I didn't hear uh...Mr. Giama...Mr.

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DiGiacomo's location, if it's a state route. Where was that?

PETE DIGIACOMO: It's the bridge that goes over 77, Northbound side, it's all cement. It's Cleveland Avenue. There's a least...

UNKNOWN PERSON: South.

DANIEL MOEGLIN: South. Okay. Yeah...

UNKNOWN PERSON: *(Inaudible)*.

DANIEL MOEGLIN: We'll take a look at that and we'll work with ODOT. The roadways on 77, those are the responsibility of ODOT, in the city. Even though it's an interstate, ODOT does all the maintenance and everything on the interstate itself for 62 and 30, or Cleveland Avenue. Generally they maintain the bridge decks, on a...on a periodic basis they'll come in and do capital projects, on the interim it's our responsibility to do general, routine maintenance.

PETE DIGIACOMO: I mean the holes are so big, you could put your head down in 'em...

DANIEL MOEGLIN: Sure.

PETE DIGIACOMO: ...I could put my head down in 'em...

DANIEL MOEGLIN: We'll take a look at it.

PETE DIGIACOMO: ...and the cars could still drive over them.

DANIEL MOEGLIN: Thank you.

PRESIDENT SHERER: JR.

JR RINALDI: Good evening, ma'am. Talking about the East Tusc Corridor. Uh...I've worked exclusively with Ms. Smith on a lot of things and from Rowland Avenue East to Marietta. We're around 8 or 9 homes just on East Tusc that we've torn down in demolitions. And when you look at Ward 4, we've tore about 90 houses down. Uh...citywide, we've done about 331, so around 90 homes in Ward 4, around 90 homes in Ward 2 and a 3rd one that sticks out is Ward 1, we've torn 50 homes down. But getting back to the East Tusc Corridor, uh...2040 East Tusc should be coming down in the next couple weeks. That's one of our last ones, that's right over there...uh...by Tyler. In...around in that area. So, but in that area, we've spent a lot of time. Uh...through the time of doing all this NIP demolition work, Ms. Smith would catch me creeping through the neighborhoods peeking and writing stuff down. So, we've spent a lot of time in all the neighborhoods, but uh...some of the oldest parts of the city are Ward 2 and 4. So, to be able to take 90 homes in 24 months, we have torn down 90 houses in Ward 4 in 24 months. So, we spend a lot of time down there making it better. So, we appreciate your patience. ...Yes.

SHARON JACKSON: The buildings and businesses down there...

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JR RINALDI: And my...that's on my list too! Alright. 1203 East Tusc and 1222 East Tusc are two buildings that were owned by (*Inaudible*) and the owners of that building forfeited the properties to the state, but that doesn't get them off the hook. The responsibility still falls back onto the owner of those property. The state of Ohio is not going to pay for grass cutting and things like that. So, we'll rely on our Prosecutor, Kelly Parker, to move that through as it...as it progresses with the State, but I can tell you that uh...I've already sent work orders out to get those things cleaned up, prior to now. Uh...we have a company going out in the next couple days. We'll take care of it and uh...we will charge back the owner of the property as listed on the Auditor's site so those two properties are at a point. They've been prosecutor, the owner's forfeited 'em, but that doesn't get 'em off the hook. And Kris Bates might even...Director Bates may be able to take a little...talk a little more at length about this, but we're keeping an eye on those things and they are out to be cut and uh...we will maintain them and go after the owners, and if they don't follow up with the uh...the invoice we send them, we will get the bill collectors after 'em. So...

SHARON JACKSON: Thank you.

JR RINALDI: Nope...you're welcome. Thanks for asking.

PRESIDENT SHERER: Thank you.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: Alright, moving on. We are now under Informal Resolutions and we have one for this evening. Mr. Clerk, would you please read Informal Resolution #16 by title.

#16. COUNCIL-AS-A-WHOLE: WELCOMING RABBI JON ADLAND AS PERMANENT CANTON RESIDENT AND WISHING HIM WELL UPON HIS RETIREMENT. - ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #16.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #16. Are there any remarks?...Hearing none, by voice vote all those in favor signify by saying aye. Those opposed, no.

NO REMARKS

RESOLUTION #16 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, motion carries, and Resolution #16 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 WITH THE AGENDA ITEMS FILE DATED JULY 1, 2019.

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204. COURT ADMIN KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT OF REHAB & CORRECTION (ODR&C) FOR RECEIPT OF FY 2020-2021 JUSTICE REINVESTMENT & INCENTIVE GRANT (JRIG) PROBATION GRANT IN AMT OF \$119,890 COMMENCING 7/1/19 THRU 6/30/21. - FINANCE COMMITTEE
205. COURT ADMIN KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT OF REHAB & CORRECTION (ODR&C) FOR RECEIPT OF FY 2020-2021 JUSTICE REINVESTMENT & INCENTIVE GRANT (JRIG) PRETRIAL GRANT IN AMT OF \$380,401 COMMENCING 7/1/19 THRU 6/30/21. - FINANCE COMMITTEE
206. COURT ADMIN KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT OF REHAB & CORRECTION (ODR&C) FOR RECEIPT OF FY 2020-2021 COMMUNITY CORRECTIONS ACT (CCA) GRANT IN AMT OF \$340,208 COMMENCING 7/1/19 THRU 6/30/21. - FINANCE COMMITTEE
207. FINANCE DIRECTOR CROUSE: REQ \$16,981.76 SUPP TRF FR 1001 104040 TRAFFIC ENG/PARKING METER - PAYROLL TO 1001 104040 TRAFFIC ENG/PARKING METER - OTHER (\$2.00 PARKING TICKET FEE). - FINANCE COMMITTEE
208. FINANCE DIRECTOR CROUSE: REQ \$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 2190 HOFV FUND TO 2190 861101 HOFV - TOURISM DEVELOP DISTRICT - OTHER. - FINANCE COMMITTEE
209. FINANCE DIRECTOR CROUSE: ADOPT ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING 12/31/20 PER ORC SEC 5705. - FINANCE COMMITTEE
210. LAW DIRECTOR BATES AYLWARD: APPROVE EDITING AND INCLUSION OF CERTAIN ORDINANCES ADOPTED FR DEC 2017 TO JUNE 28, 2018 TO BE INCORPORATED INTO CODIFIED ORD OF CITY OF CANTON; REQ AUTHORITY TO DISTRIBUTE, FREE OF CHARGE, COPIES OF 2018-2019 CANTON CITY CODE SUPP TO PUB OFFICIALS AND PUB INSTITUTIONS AND AFFIX PRICE OF \$25.70 FOR SALE OF SAME. - JUDICIARY COMMITTEE
211. LAW DIRECTOR BATES AYLWARD: AMEND CANTON'S FAIR HOUSING ORD CHAPTER 515 TO REDUCE NUMBER OF COMMISSION MEMBERS FR 9 TO 7 AND TO ADD MAYOR "OR DESIGNEE" AS EX OFFICIO MEMBER. - JUDICIARY COMMITTEE
212. LAW DIRECTOR BATES AYLWARD: CONTINUE CURRENT ALTERNATIVE FORMULA AGMT WITH SCOG FOR YRS 2020 THRU 2022. - FINANCE COMMITTEE
213. LIQUOR CONTROL COMM (OHIO): NOTICE OF APPEAL HRG FOR RUBY MGMT, 2548 WINFIELD WAY NE ON 7/18/19 AT 10:00 AM AT VERN RIFFE CTR FOR GOVERNMENT AND ARTS, 77 S HIGH ST, COLUMBUS OH. - RECEIVED & FILED
214. MAYOR BERNABEI: AUTHORIZE APPT OF MS. MYRA WATKINS TO STARK AREA REGIONAL TRANSIT AUTHORITY (SARTA) BD COMMENCING IMMEDIATELY UPON

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COUNCIL APPROVAL TO 8/31/20. - PERSONNEL COMMITTEE

215. MAYOR BERNABEI, MAJORITY LDR SMITH, ASST MAJORITY LDR BABCOCK, AT-LARGE MBR SMUCKLER, AT-LARGE MBR SCHULMAN, MEMBER MARIOL, WARD 7: CHANGE NAME OF CURRENT CRA FR CANTON CENTRAL NEIGHBORHOOD CRA TO CANTON CITY CRA; EXPAND CURRENT BOUNDARIES OF CRA TO CANTON CORP LIMIT; AUTHORIZE RESIDENTIAL TAX ABATEMENT FOR 15 YRS (FR 10 YRS) FOR 100% OF INCREASE IN ASSESSED TAXES ATTRIBUTABLE TO NEW CONSTRUCTION AND/OR REMODELING/REHAB OF EXISTING RESIDENTIAL STRUCTURES WHERE NEW CONSTRUCTION OR REMODELING COSTS ARE \$5,000.00 OR MORE, DOES NOT REQUIRE SCHOOL BD APPROVAL; UPDATE COMMERCIAL & INDUSTRIAL ASPECTS OF CRA TO MEET CURRENT ORC PARAMETERS AND ALLOW TAX ABATEMENTS UP TO 15 YRS AND UP TO 100% WITH SCHOOL BD APPROVAL, TAX ABATEMENTS LESS THAN 50% DO NOT REQUIRE SCHOOL BD APPROVAL; UPHOLD ANY PREVIOUSLY APPROVED ABATEMENTS UNDER TERMS IN WHICH THEY WERE ESTABLISHED; DESIGNATE CANTON'S COMPREHENSIVE PLAN AS SURVEY OF HOUSING REQUIRED BY ORC SEC 3735.66; CREATE CLASSIFICATION OF MULTI-UNIT HOUSING (4 OR MORE UNITS) INDEPENDENT OF COUNTY WHICH DESIGNATES ANY BLDG WITH GREATER THAN (3) RESIDENTIAL UNITS TO BE RESIDENTIAL RATHER THAN COMMERCIAL. - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
216. PLANNING COMMISSION: AUTHORIZE REPLAT OF LOTS 9751 & 9752, PARCELS 202499, 208554, 234557 & 245789 (2306 TUSC ST W FOR TB-TUSC LLC, WARD 3). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
217. PLANNING COMMISSION: WITHDRAW C#195 FR 6/17/19 AGENDA. - RECEIVED & FILED
218. PLANNING COMMISSION: AUTHORIZE REPLAT OF PART OF CITY OUTLOT 120, PART OF LOTS 3008 AND 3014 AND ALL OF LOTS 35589, 3011, 3013, 35883, 42572, 43106, 43107, 43108, 43109 AND 43110 (PARCELS 10007807 & 10007806, 618 HIGH AVE NW, WARD 2). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
219. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT/MODIFICATION IN EST AMT OF \$268,760.00 WITH AECOM TECHNICAL SERVICES, INC. FOR ENGINEERING SERVICES RELATED TO 11TH ST SE INTERSECTION AND ROADWAY IMPROVEMENT PROJ, PID 90465, GP 1144; RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN FOR FURTHERANCE OF PROJ PRIOR TO FINALIZATION OF SAID AMENDMENT/MODIFICATION AND AUTHORIZE AND DIRECT AUDITOR TO PAY ANY AND ALL RELATED MORAL OBS; REQ \$107,760.00 SUPP APPROP FR UNAPPROP BAL OF 4568 11TH ST IMPROV PROJ GP 1144 FUND TO 4568 202095 11TH ST IMPROV PROJ GP 1144 (OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
220. SERVICE DIRECTOR HIGHMAN: REQ \$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 202001 ENGINEERING ADMIN - OTHER FOR \$350,000.00, TO 4501 204010 OTHER BUILDINGS - OTHER FOR \$100,000.00 AND TO 4501

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201001 SERVICE DIRECTOR ADMIN - OTHER FOR \$50,000.00. - PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES

221. TREASURER PEREZ: MTHLY RPT OF PARKING METER REVENUE FOR MAY, 2019. - RECEIVED & FILED
222. TREASURER PEREZ: MTHLY RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX ACCT FOR MAY, 2019. - RECEIVED & FILED
223. TREASURER PEREZ: RPTS OF 5/31/19 BANK REC AND CITY'S OUTSTANDING INVESTMENTS AS OF 5/31/19. - RECEIVED & FILED
224. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 4/30/19. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their First Reading. Mr. Clerk, please begin with Ordinance #1.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #14 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST 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 (618 8TH ST NW, PARCEL #223657)
Referred to Community & Economic Development Committee
- #2. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF OUTLOTS 940, 941, 947, 948, 953 AND LOTS 1134, 43097, 43098, AND PART OF OUTLOT 228 AND LOT 34170 AND THE DEDICATION OF PUBLIC STREET THRU SAID OUTLOT 953 AND PART OF OUTLOT 228; VACATING PORTIONS OR VARIOUS STREETS; AND DECLARING THE SAME TO BE AN EMERGENCY (DUEBER AVE, GARFIELD AVE, MARIOL CT, 19TH ST, 20TH ST & TIMKEN STEEL DR SW, WARD 5)
Referred to Public Safety & Thoroughfares Committee
- #3. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF LOTS 30454, 31958, 31959, AND PART OF LOT 31962; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 220363, 216726 & 238011, CHRISTIAN WHITLOCK, 1711/1717 BELLFLOWER AVE SW, WARD 3)
Referred to Public Safety & Thoroughfares Committee

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- #4. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF LOTS 14245, 14246, 14247, AND 34882; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 242269, 242270, 207055 & 218664, HAMMONTREE, WERNECKE, STARK CO LAND REUTILIZATION CORP, 415-501 COLUMBUS AVE NW, WARD 1)
Referred to Public Safety & Thoroughfares Committee
- #5. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF OUTLOT 120, PART OF LOTS 3008 AND 3014, AND ALL OF LOTS 35589, 3011, 3013, 35883, 42572, 43106, 43107, 43108, 43109, AND 43110; AND DECLARING THE SAME TO BE AN EMERGENCY (618 HIGH AVE CORP)
Referred to Public Safety & Thoroughfares Committee
- #6. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 244550 & 210921 @ 1703 FULTON RD NW, EMILY LARRICK, WARD 7)
Referred to Judiciary Committee **PUB HRG 7/29/19 @ 7:00 PM**
- #7. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (NE FLOOD PLAIN AREA, WARD 4)
Referred to Judiciary Committee **PUB HRG 7/29/19 @ 7:01 PM**
- #8. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (CENTRAL BUSINESS DISTRICT EXPANSION, WARDS 2 & 4)
Referred to Judiciary Committee **PUB HRG 7/29/19 @ 7:02 PM**
- #9. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$40,000.00 APPROP TRF FR 2760 102001 POLICE ADMIN - OTHER TO 2760 102001 POLICE ADMIN - PERSONNEL)
Referred to Finance Committee
- #10. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A ONE-YEAR, WITH THE OPTION OF TWO ONE-YEAR RENEWALS AT THE SOLE DISCRETION OF THE CITY, PROFESSIONAL SERVICES CONTRACT WITH M.E. SIMPSON CO., INC. FOR THE LARGE DIAMETER CONCRETE MAIN LEAK ASSESSMENT PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance and Environmental & Public Utilities Committees

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- #11. (1ST RDG) **ADOPTED AS ORDINANCE NO. 107/2019** AN ORDINANCE APPROVING THE AMENDMENTS OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND THE CANTON PROFESSIONAL FIREFIGHTERS' ASSOCIATION, LOCAL 249; AND DECLARING THE SAME TO BE AN EMERGENCY (CPFFA)
Referred to Personnel Committee
- #12. (1ST RDG) **ADOPTED AS ORDINANCE NO. 108/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO RESPOND TO THE CITY HALL AIR CONDITIONING EMERGENCY; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS RESULTING FROM THIS EMERGENCY SITUATION; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement & Finance Committees
- #13. (1ST RDG) **ADOPTED AS ORDINANCE NO. 109/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR THE PURCHASE OF ONE STREET SWEEPER FOR THE STREET DEPARTMENT; AMENDING APPROPRIATION ORDINANCE NO 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$434,750.00 SUPP APPROP FR UNAPPROP BAL OF 2111 STREET MAINTENANCE FUND TO 2111 104010 TRAFFIC SIGN & PAINT - PERSONNEL FOR \$25,000.00, TO 2111 202001 ENGINEERING ADMIN - OTHER FOR \$230,000.00 AND TO 2111 202210 MAINTENANCE - OTHER FOR \$179,750.00; \$35,250.00 SUPP APPROP FR UNAPPROP BAL OF STATE HIGHWAY FUND TO 2112 202210 MAINTENANCE - OTHER; \$150,000.00 SUPP APPROP FR UNAPPROP BAL OF 2175 COMP PLAN IMPLEMENT FUND TO 2175 202001 ENGINEERING ADMIN- OTHER)
Referred to Finance Committee

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: At this time the Chair would declare an in-house recess for the Personnel, Public Property Capital Improvement and Finance Committees to meet in regard to Ordinance ...Ordinances 11, 12 and 13 on your agenda for this evening. You are now in recess.

COUNCIL RECESSED AT 7:22 PM FOR THE PERSONNEL, PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES TO DISCUSS O#11, O#12 AND O#13; RECONVENED AT 7:31 PM)

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

LEADER SMITH: Mr. President, I move we suspend Rule 22A to place Ordinances 11, 12 and 13 back

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on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule...suspend Rule 22A to place Ordinances 11, 12 and 13 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: Ordinances 11, 12 and 13 are a legal part of your agenda. Leader Smith.

LEADER SMITH: Mr. President, I move we suspend the Statutory Rules on Ordinances 11, 12 and 13.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: There's a motion to suspend the Statutory Rules on Ordinances 11, 12 and 13. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

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

LEADER SMITH: Mr. President, I move we adopt Ordinance #11.

MEMBER BABCOCK: Second.

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, Mr. Clerk.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 107/2019

PRESIDENT SHERER: Ordinance #11 has...has been adopted. Leader.

LEADER SMITH: 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

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remarks under this Ordinance? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#12 ADOPTED AS ORDINANCE NO. 108/2019

PRESIDENT SHERER: Ordinance #12 has been adopted. Leader.

LEADER SMITH: 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?

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Just want to take a moment to thank the Service Director. Um...earlier this year I spoke to him about some of the issues on Stadium Park Drive and in very quick time he got a resolution to it. So, thank you for working on that.

PRESIDENT SHERER: Are there any additional remarks under this Ordinance?...Hearing none, roll call vote please, Mr. Clerk.

NO REMARKS

ROLL CALL 10 YEAS, 1 NAY
(MEMBER MORRIS VOTED NAY)

CLERK DOUGHERTY: Ten yeas, one nay, Mr. President.

#13 ADOPTED AS ORDINANCE NO. 109/2019

PRESIDENT SHERER: Ordinance #13 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading. Mr. Clerk, please begin with Ordinance #14.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #14 THROUGH #18 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#14. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500.00 SUPP APPROP FR UNAPPROP BAL OF 2328 PUBLIC HEALTH

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INFRASTRUCTURE FUND TO 2328 PUBLIC HEALTH
INFRASTRUCTURE - 700 OTHER DIRECT COSTS

- #15. (2ND RDG) **ADOPTED AS ORDINANCE NO. 110/2019** AN ORDINANCE AMENDING CANTON CODIFIED ORDINANCE SECTIONS 505.14 “KEEPING MORE THAN FIVE DOGS OR CATS” AND 505.19 “ENFORCEMENT”
- #16. (2ND RDG) AN ORDINANCE AMENDING SECTIONS 975.08, RATES; RESPONSIBILITY OF PUBLIC SERVICE DIRECTOR OF CHAPTER 975 SOLID WASTE MANAGEMENT SYSTEM AND 947.09, PAYMENT OF CHAPTER 947 SEWER RATES OF THE CODIFIED ORDINANCES OF CANTON
- #17. (2ND RDG) **ADOPTED AS ORDINANCE NO. 111/2019** AN ORDINANCE AUTHORIZING THE AUDITOR TO RENAME THE 2650 SUMMER FOOD FUND TO THE 2650 PRETRIAL AWARD FUND; AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$34,000.00 SUPP APPROP FR UNAPPROP BAL OF 2650 PRETRIAL AWARD FUND TO 2650 701001 PRETRIAL AWARD - PERSONNEL - \$10,000.00 - OTHER - \$24,000.00) (FOR CONTINUED OPERATION OF COURT)
- #18. (2ND RDG) **ADOPTED AS ORDINANCE NO. 112/2019** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$27,000.00 SUPP APPROP FR UNAPPROP BAL OF 2659 PROBATION AWARD FUND TO 2659 701001 PROBATION AWARD - PERSONNEL - \$10,000.00 - OTHER - \$17,000.00) (FOR CONTINUED OPERATION OF COURT)

PRESIDENT SHERER: Leader.

LEADER SMITH: Mr. President, I move we suspend the Statutory Rules on Ordinances 15, 17 and 18.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 15, 17 and 18. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

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

LEADER SMITH: Mr. President, I move we adopt Ordinance #15.

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MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 110/2019

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

LEADER SMITH: 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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 111/2019

PRESIDENT SHERER: Ordinance #17 is adopted. Leader Smith.

PRESIDENT SHERER: Leader Smith.

LEADER SMITH: Mr. President, I move we adopt Ordinance #18.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 112/2019

PRESIDENT SHERER: Ordinance #18 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Third/Final Reading and Vote. Mr. Clerk, please begin with Ordinance #19.

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NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #19 THROUGH #23 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#19. (3RD RDG) ***POSTPONED UNTIL JULY 15, 2019*** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT AND ENTER INTO THE TAM O'SHANTER JOINT ECONOMIC DEVELOPMENT DISTRICT AGREEMENT AREA IN JACKSON TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY (KNOWN AS TAM O'SHANTER JEDD FOR STRIP MALL)

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: 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?

MEMBER SMITH: Mr. President.

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: I move we postpone Ordinance #19 for two weeks, until July 15, 2019.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to postpone Ordinance #19 for two weeks, until July 15, 2019. Are there any remarks?...If not, by voice...if not, by voice...by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

POSTPONEMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The motion carries and Ordinance #19 is postponed for two weeks, until July 15, 2019.

#20. (3RD RDG) ***ADOPTED AS ORDINANCE NO. 113/2019*** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$70,500.00 SUPP APPROP FR UNAPPROP BAL OF 2781 USE OF FORCE SOFTWARE UPDATE GRANT FUND TO 2781 102001 POLICE ADMIN - OTHER; \$70,500.00 ADV REPYMT FR 2781 102001 POLICE ADMIN - ADV OUT TO 1001 102001 POLICE ADMIN - ADV IN)

PRESIDENT SHERER: Leader.

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MEMBER SMITH: 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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 113/2019

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

#21. (3RD RDG) **ADOPTED AS ORDINANCE NO. 114/2019** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$13,000.00 SUPP APPROP FR UNAPPROP BAL OF 2313 LOCAL HEALTH DEPT PREV SUPPORT FUND TO 2313 301001 LOCAL HEALTH DEPT PREV SUPPORT - 600 PERSONNEL; \$4,500.00 FR UNAPPROP BAL OF 2335 EARLY HEAD START FUND TO 2335 301001 EARLY HEAD START - 600 PERSONNEL; \$7,000.00 FR UNAPPROP BAL OF 2354 SOLID WASTE DISPOSAL LICENSE, ENVIRONMENTAL HEALTH ADMIN FUND TO 2354 307001 SOLID WASTE DISPOSAL LICENSE, ENVIRONMENTAL HEALTH ADMIN - 600 PERSONNEL; \$17,000.00 INTER-FUND TRF FR 2354 307001 SOLID WASTE DISPOSAL LICENSE, ENVIRONMENTAL HEALTH ADMIN - 700 OTHER TO 2354 307001 SOLID WASTE DISPOSAL LICENSE, ENVIRONMENTAL HEALTH ADMIN - 600 PERSONNEL)

PRESIDENT SHERER: Leader.

MEMBER SMITH: 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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 114/2019

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

#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 115/2019** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT AND DEDICATION OF OUT LOT 1412

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AND PART OF OUT LOT 591; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 5218077 & 216697 @ 3000 BLOCK OF RICHMOND AVE NE FOR ONE RICHMOND AVE CO LLC, IN WARD 6)

PRESIDENT SHERER: Leader.

MEMBER SMITH: 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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 115/2019

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

#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 116/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) SEDAN AND ONE (1) SMALL SPORT UTILITY VEHICLE; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER DEPT)

PRESIDENT SHERER: Leader.

MEMBER SMITH: 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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 116/2019

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under announcement of Committee Meetings.

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MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Finance will meet July 15th at 6:15 p.m.

MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Thank you sir. Public Safety & Thoroughfares will meet at the same time, same place.

MEMBER BABCOCK: Mr. President.

PRESIDENT SHERER: Member Babcock:

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

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Judiciary will meet same time, same place.

MEMBER FISHER: Mr. President.

PRESIDENT SHERER: Member Fisher.

MEMBER FISHER: Environmental & Public Utilities will meet same time, same place.

CLERK DOUGHERTY: CD, please.

MEMBER FERGUSON: Yeah. We'll meet, same time.

MISCELLANEOUS BUSINESS

PRESIDENT SHERER: We are now under Miscellaneous Business. Is there any Miscellaneous Business for this evening? Hearing none, Clerk Dougherty, our quote for the week, please.

CLERK DOUGHERTY: This quote is for uh...meant for all, but specifically for Member Fisher and his family who recently lost both parents in the last 6 months. *"Perhaps they are not stars in the sky, but rather openings where our loved ones shine down to let us know they are okay and happy."* - Eskimo saying. Thank you Mr. President.

PRESIDENT SHERER: Leader Smith.

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

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MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

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

ADJOURNMENT TIME: 7:43 PM

ATTEST: 7/3/19

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

WILLIAM SHERER, II
PRESIDENT