

MINUTES OF THE MEETING OCTOBER 21, 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:

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK DOUGHERTY: Twelve present, Mr. President.

PRESIDENT SHERER: Tonight's invocation will be given by Ward 9 Council Member, Frank Morris. If you would all please stand and remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on October 21, 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 Frank Morris, Ward 9 Council Member. The Pledge of Allegiance was led by President Sherer.

AGENDA CORRECTIONS & CHANGES

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

MEMBER SMITH: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances 4 through 7 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add 2nd Readings from Ordinances 4 through 7 to this evening's agenda. Are there any remarks? ... Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 4 through 7 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.

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

KIMBERLY BELL: Kimberly Bell, 135 17th St. NW, Canton, Ohio. The paper I sign every time I come in here says I have six minutes. Now you say I have three, I only have three.

PRESIDENT SHERER: That is correct. You're only permitted three minutes for Public Speaks.

KIMBERLY BELL: Oh, okay. Uh, the paper's wrong then. But, uh, it said six. But anyways...I want to ask a question. Whose up here that's double dipping, raise your hand. I mean I can call you out, but...*(pause)*...nobody wants to speak, oh, okay.

PRESIDENT SHERER: Ms. Bell, Public Speaks is not a forum for questions and answers, so...

KIMBERLY BELL: Okay, and you know what, this is...this is not racially balanced up here and you black people that's up here should be ashamed of yourself...*(pause)*. It's not racially balanced.

MEMBER SCHULMAN: Then run!

KIMBERLY BELL: They probably wouldn't let me run because I have a criminal background, but I've changed my ways. I'll try. *(Inaudible)*. 1, 2, 3, 4, 5...1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17. Wow. That's 1, 2, 3, 4, 5. And it's 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17...

PRESIDENT SHERER: Ms. Bell, I'd like to remind you that you have one minute left.

KIMBERLY BELL: Okay. Yeah, well. It's 17 white people versus 5 black people. It's not racially balanced. That's why we can't get you guys to...all you talk about is storm drains. My concern is the black men that is losing their life every week. There's...there's...there's five killings a month which means one every week, a mother loses their son. You guys go home and sleep on this. The mother's can't sleep, so why should you be able to sleep? But you take care of your rich kids and you protect them, but you don't protect the...the African American men that are being killed in your city, Mayor Tom Bernabei. You don't. I mean...you spoke once but you...you asked me how do I...how did they get control of the drugs when the Detroit Boys and the Jamaicans were flooding your streets? You asked me how'd you get control of it. You got control of it because the police department kept throwing them in jail. You're not going to get rid of drugs...

PRESIDENT SHERER: Ms. Bell, I'd like to...your three minutes is up, Ms. Bell.

KIMBERLY BELL: See you next week.

PRESIDENT SHERER: Thank you.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: We are now under Infor...Informal Resolutions and we have four for this evening. Mr. Clerk, would you please read Resolution #30 by title.

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#30. COUNCIL-AS-A-WHOLE: COMMENDING JASON BROWN, 2019 CANTON FIREFIGHTER/PARAMEDIC OF THE YEAR. - ADOPTED

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: Mmm...uh, Mr. President, I move we adopt Informal Resolution #30.

MEMBER BABCOCK: Second.

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

MEMBER SMITH: Mr. President, can we have that read, please.

PRESIDENT SHERER: Yes, Leader Smith.

CLERK DOUGHERTY: An Informal Resolution Respectfully Submitted By Council-As-A-Whole on this 21st day of October, 2019. **Whereas**, Jason Brown joined the Canton City Fire Department on March 5, 2001, and for over 18 years has served the citizens of the City of Canton as a brave and dedicated firefighter which included serving on the SWAT Medic Unit; and **Whereas**, In May of this year Jason went "above and beyond" when he saved a child from a burning house; and **Whereas**, Jason and his fellow firefighters were dispatched the morning of May 6th to a burning structure on Root Avenue NE. Smoke and flames prevented his father and a neighbor from reaching a five year old boy who was still trapped inside; and **Whereas**, The fire crew found the child unresponsive, at which time Jason removed his face piece and placed it on the child to provide him with air, an act which is not standard policy as firefighters are trained to make their own survival a priority. Jason then handed the child through a window to paramedics who began to resuscitate the young boy. It was later learned that the child made a full recovery. **Now, Therefore be it Resolved:** That we, the Members of Canton City Council, do hereby go on public record commending and honoring **Jason Brown** the 2019 Canton Firefighter/Paramedic of the Year for unselfish devotion to saving the lives of others. (*Applause*).

PRESIDENT SHERER: Are there any additional remarks?

MEMBER SMITH: Yes, Mr. Pres...

PRESIDENT SHERER: Leader Smith.

MEMBER SMITH: Mr. President. That will be presented by Member Smuckler.

PRESIDENT SHERER: Well, we still gotta vote. (*Laughter*).

MEMBER SMITH: Mr. President, I move that we accept Resolution #30.

MEMBER BABCOCK: Second.

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a fourth grade student from Canton Arts Academy at Summit; and **Whereas**, In her essay, Samantha eloquently points out that firemen, while they are heroes, do not need capes with special powers. It is their love for their community that makes them super heroes. She also advises her readers that they and their families need to plan and practice a way to escape a fire. She further advises of the importance of staying low and practicing stop, drop and roll should they or a family member catch on fire. **Now, Therefore be it Resolved:** That we, the Members of Canton City Council, do hereby go on public record congratulating and honoring **Samantha Boggio** as the 4th grade winner of the 2019 Fire Prevention Essay Contest. Thank you, Samantha, for reminding us that in the case of a fire, planning and practice on our part can help our heroic firefighters save lives. (*Applause*).

PRESIDENT SHERER: Are there any additional remarks regarding Informal Resolution #31?

MEMBER SMITH: Mr. President, I move we adopt Resolution #31.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: And this will be about...by voice vote also. If there are no additional remarks, by voice vote all those in favor signify by saying aye. Those opposed, no.

NO REMARKS

RESOLUTION #31 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #31 is adopted. Leader Smith.

MEMBER SMITH: Mr. President, that Resolution will be presented by uh...Member Babcock.

MEMBER BABCOCK (*Inaudible*). Will the real Samantha Boggio please stand up! (*Laughter*). Samantha, on behalf of Cant...Canton City Council, we want to congratulate you on your world class essay during Fire Prevention Week and we want you to keep up the good work. I gotta ask, did you do this all on your own?

SAMANTHA BOGGIO: Yes.

MEMBER BABCOCK: Don't lie! (*Laughter*). But anyhow, we want to congratulate you and that's on behalf of all City Council on the job well done and keep up the good work. Now, we'd like to have you read your essay for us. Do you have it?

SAMANTHA BOGGIO: I have never seen firemen flying in capes going to put out a fire. Firemen don't need a cape with powers, their super powers are love for their community. They risk their lives to save us from fires. They're heroes but we can help them by planning and practicing our escape. We should plan with our family, what exits to use in case of a fire and practice how to escape. We should also practice staying low because smoke rises and practice stop, drop and roll in case we catch on fire. Firemen, planning and practice equals surviving.

MEMBER BABCOCK: Thank you very much. Let's give Samantha a great hand applause. Did you want to say something else? Samantha...

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SAMANTHA BOGGIO: Thank you.

MEMBER BABCOCK: keep up the good work. (*Inaudible*).

PRESIDENT SHERER: Mr. Clerk, would you please read Resolution #32, by title.

#32. COUNCIL-AS-A-WHOLE: CONGRATULATING ST. PAUL'S EPISCOPAL CHURCH ON ITS 150TH YEAR ANNIVERSARY. - ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #32.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Inform...Informal Resolution #32. Are there any remarks?

MEMBER SMITH: Yes, Mr. President. Could we have that read, please.

CLERK DOUGHERTY: An Informal Resolution Respectfully Submitted By Council-As-A-Whole on this 21st day of October, 2019. **Whereas**, St. Paul's Episcopal Church took root in Canton in 1869, turning land at 425 Cleveland Ave. SW that had been a city jail into the first Episcopal parish in the city; and **Whereas**, The church has remained at the site for the last 150 years; first as a red brick church and now as a Gothic stone sanctuary; and **Whereas**, St. Paul's has provided more than a century of outreach to the city, including: Leading home front efforts during World War I; Housing children orphaned by the flu pandemic of 1918; Providing support and faith to the community during the Depression; Establishing a renowned Boys Choir performing around the city and the state, including at military hospitals during World War II; Providing housing for the Hoover children evacuated from England during World War II; Supporting the World War II effort through the military service of more than 100 members, losing nine in combat in World War II; Operating a summer Bible School for inner-city children; Providing tutoring for Canton school children; Establishing the Harvest Outreach Table that continues to provide meals for people living in poverty in the city; Establishing Next to New Shoppe, one of the first clothing ministries in the city; Establishing the first preschool in the city; Offering social and respite care for people with mental illness; Participating in ecumenical efforts to provide housing in Canton for people with limited incomes; Co-founding the Interfaith Campus Ministries; Co-founding the Interfaith Thanksgiving Service with Rabbi Paul Gorin 40 years ago; Providing space and support for Alcoholics Anonymous and Narcotics Anonymous efforts to help those in our community overcome addiction; Coordinating the Thanksgiving Baskets Downtown ecumenical effort to provide Thanksgiving meals to 1,200 families; Partnering in ongoing efforts to improve race relations in Canton. **Now, Therefore be it Resolved:** That we, the Members of Canton City Council, do hereby go on public record congratulating **St. Paul's Episcopal Church** on its 150th anniversary and long history of faith and service to the Canton community.

PRESIDENT SHERER: Hearing no additional remarks by voice, all those in favor signify by saying aye. Those opposed, no.

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NO REMARKS

RESOLUTION #32 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #32 is adopted. Resolution #33, please.

MEMBER SMITH: Excuse me...

PRESIDENT SHERER: Leader.

MEMBER SMITH: I would like to present that..um...to...uh, the member from St. Paul's.

PRESIDENT SHERER: Are they present?

MEMBER SMITH: Yes they are.

PRESIDENT SHERER: Okay.

MEMBER SMITH: And...and I want to take the liberty to do it, that's why I had the rest of them do that, because St. Paul's and my church, which is Mt. Olive Missionary Baptist Church, we collaborate together on racism and we've been doing that for the past year. And I also would like to invite anyone that would like to come, it is a great event and we have become great churches together, as we blend. So, I would like to present this to him, please. Ain't nobody's gonna run and take our picture? (*Laughter*). Thank you! That's right, get me Frank! (*Inaudible*). I present this to you on behalf of Canton City Council and we certainly appreciate all the great work that St. Paul's has been doing for the city and the community. And thank you for the collaboration that our two churches have been doing also. Did you get us, Frank? Okay. (*Applause*).

RICK SENFTEN: Thank you. Sorry I couldn't get any of the original...original members out tonight. It got big laughs in Vegas, come on! (*Laughter*). We were gonna send Schultze over here, but we thought you'd all run! (*Laughter*). Okay, I'm out of jokes! Anyway, uh...for...on behalf of St. Paul's, thank you for this. Uh, I really do wish some of the people from...from yesteryear could be here to talk about what the city's been over the years. It's...it's...it's... and uh, you know they're...we still haven't given up. We have this collaborative with...with uh...with Chris' church. It's a...it says that there's still some fighting spirit in this community and I would invite any of you, all of you, to uh, St. Paul's Episcopal on uh...the third Tuesday of each month where we have, we have uh...courageous conversations, we call it. And it's a...it's a program that's not really a program, it's...because it's so casual, you don't get that feeling, but we have some really, really important discussions on some really important matters. Right now we're on redlining. I'm sure that all of you know what that, what that is. And it's still, it's still an issue here and we'd like to have some hand in fixing it. So, please come for...come for discussion, come for...come for the food, but please come. And thank you for this again. (*Applause*).

PRESIDENT SHERER: For the families that received their Resolutions tonight, you got...you're more than welcome to stay but you're more than welcome to leave if you want. So...

AUDIENCE MEMBER: Congratulations.

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AUDIENCE MEMBER: Thank you.

PRESIDENT SHERER: Resolution #33, please, Mr. Clerk.

#33. MAJORITY LEADER SMITH: AUTHORIZE SAFETY DIRECTOR TO OPEN ONE OR MORE PURCH ORDERS IN TOTAL AMT NOT TO EXCEED \$33,550.00 FOR PURCH OF NEW FORD F150 FROM LIBERTY FORD LINCOLN CANTON LLC FOR BLDG. DEPT. - ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMITH: Mr. President, I move we adopt Informal Resolution #33.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #33. Are there any remarks? ...Hearing none, by voice vote all those in favor signify by saying aye. Those opposed, no.

NO REMARKS

RESOLUTION #33 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #33 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 OCTOBER 21, 2019.

342. AGENT FOR PETITIONER SLIMAN: COPY OF ANNEX PETITION DOCS FILED WITH STARK CO COMMISSIONERS FOR THE CENTRAL ALLIED ENTERPRISES - COLUMBUS RD NE ANNEX. - RECEIVED & FILED
343. ANNEXATION CHAIRMAN MARIOL: REQ STATEMENT OF SERVICES FOR CENTRAL ALLIED ENTERPRISES - COLUMBUS RD NE ANNEX. - ANNEXATION COMMITTEE
344. AUDITOR MALLONN: REQ \$160,000.00 SUPP APPROP FR UNAPPROP BAL OF 6023 COMPENSATED ABSENCES CLAIM FUND TO 6023 801001 AUDITOR - PERSONNEL - FINANCE COMMITTEE
345. DEPUTY MAYOR WILLIAMS: AUTHORIZE AUDITOR TO CREATE 1157 MCKINLEY GRAND HOTEL PROJECT FUND; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL NECESSARY AGMTS FOR ISSUANCE AND PAYBACK OF \$3,500,000.00 LOAN FOR PURCH AND RENOVATION OF MCKINLEY GRAND HOTEL; AUTHORIZE AUDITOR TO ISSUE ANTICIPATORY NOTE UTILIZING COMPREHENSIVE

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PLAN FUNDS IN AMT OF \$3,500,000.00; REQ \$3,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 1157 MCKINLEY GRAND HOTEL FUND TO 1157 201001 - SERVICE DIRECTOR ADMIN - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

346. HEALTH COMMISSIONER ADAMS: REQ \$2,000.00 APPROP TRF FR FUND 2312 301001 STD CONTROL PROGRAM - 600 PAYROLL TO FUND 2312 301001 STD CONTROL PROGRAM - 700 OTHER AND \$18,000.00 APPROP TRF FR FUND 2319 301001 EARLY INTERVENTION SERVICES - 600 PAYROLL TO FUND 2319 301001 EARLY INTERVENTION SERVICES - 700 OTHER. - FINANCE COMMITTEE
347. LIQUOR CONTROL DIV (OHIO): REQ TRF OF C1 PERMIT TO HEINCHIMONE LLC, DBA HEINCHIMONE FR GIANT OHIO LLC, DBA GIANT 447, 2211 TUSC ST W. - RECEIVED & FILED
348. PLANNING COMMISSION: REQ REPLAT OF LOTS 4934 AND 4935 LOCATED AT 646 GARFIELD AVE SW FOR STEVEN E. BAIZE (PARCELS 208440, 229367 & 218117, WARD 5). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
349. PLANNING COMMISSION: REQ REPLAT OF LOT 878 LOCATED AT 1450 HOUSEL AVE SE FOR HABITAT FOR HUMANITY (PARCELS 201295 & 220027, WARD 4). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
350. PLANNING COMMISSION: REQ REPLAT OF LOTS 1916 AND 1917 LOCATED AT 1412 SYCAMORE AVE SE FOR HABITAT FOR HUMANITY (PARCEL 244669, WARD 4). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
351. PLANNING COMMISSION: REQ REPLAT OF LOTS 24399, 24400, 24403 & 24404 LOCATED IN 2400 BLOCK OF 21ST ST NE FOR HABITAT FOR HUMANITY (PARCELS 204172, 204173, 204174 & 204175, WARD 6). PUBLIC SAFETY & THOROUGHFARES COMMITTEE
352. PLANNING COMMISSION: REQ REPLAT OF PART OF LOT 2801 AND ALL OF LOT 2802 LOCATED IN 1400 BLOCK OF WILLET AVE SE (PARCELS 216172 & 216173, WARD 4). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
353. PLANNING COMMISSION: REQ REPLAT OF LOTS 43392, 43393 AND 43394 LOCATED IN 3000 BLOCK OF RICHMOND AVE NE FOR ONE RICHMOND AVE CO LLC, WARD 6. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
354. PLANNING COMMISSION: REQ REPLAT OF PART OF OUTLOT 239 LOCATED AT 1120 15TH ST NW FOR CANTON COMMUNITY IMPROVEMENT CORP (PARCEL 280008, WARD 1). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
355. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR MEADOWLAKE ANNEX, WARD 8. - ANNEXATION COMMITTEE

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356. SAFETY DIRECTOR PERRY: AMEND O#68/2019, CLASSIFICATION PLAN FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL PER AMENDMENT MARKED EXHIBITS A AND B. - PERSONNEL COMMITTEE
357. SERVICE DIRECTOR HIGHMAN: AMEND O#100/2011, AS AMENDED, TO ESTABLISH ATTACHED EXHIBIT AS CLASSIFICATION PLAN FOR SERV DIR'S WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY AND TREATMENT DIV (WATER DEPT) MANAGEMENT AND NON-BARGAINING PERSONNEL; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PERSONNEL COMMITTEE
358. SERVICE DIRECTOR HIGHMAN: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ONE OR MORE AGMTS TO SETTLE LITIGATION RE 38TH ST NW WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJ; RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN PRIOR TO COMPLETION OF SETTLEMENT AGMTS AND DIRECT AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED TO SAME; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; REQ \$65,760.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 207037 38TH ST NW IMPROV PROJ - OTHER, \$50,160.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS FUND TO 5201 207037 38TH ST NW IMPROV PROJ - OTHER, AND \$4,080.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 207037 38TH ST NW IMPROV PROJ - OTHER. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
359. TREASURER PEREZ: RPTS OF 9/30/19 BANK REC AND OUTSTANDING INVESTMENTS AS OF 9/30/19. - RECEIVED & FILED
360. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO OPEN ONE OR MORE PURCH ORDERS IN AMT NOT TO EXCEED \$33,550.00 TO LIBERTY FORD LINCOLN CANTON LLC FOR PURCH OF NEW FORD F150 FOR BLDG DEPT. - 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 #3 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #1. (1ST RDG) AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 68/2019, AS AMENDED, THE CLASSIFICATION PLAN FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO: ENTER INTO AGREEMENT FOR AND ACCEPT

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\$31,000.00 IN GRANT FUNDS FROM THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES FOR THE 2018 PROJECT SAFE NEIGHBORHOOD GRANT AND ENTER INTO CONTRACT FOR THE PURCHASE OF CAMERAS AND HARDWARE TO BE TIED INTO THE CITY'S EMERGING WI-FIBER NETWORK; AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- #3. (1ST RDG) 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) COMBINATION SEWER CLEANER, ONE (1) TRUCK CAB AND CHASSIS ONE (1) TRACK-MOUNTED SEWER CLEANER, AND ONE (1) TRACK LOADER; OR TO ALTERNATIVELY PURCHASE SAID EQUIPMENT PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND TO TRADE IN ONE (1) S300 BOBCAT SKID LOADER AND ONE (1) BOBCAT 24-INCH WHEEL SAW TOWARDS SAID PURCHASES; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance and Public Property Capital Improvement Committee

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 #4.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #4 THROUGH #7; FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #4. (2ND RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE TAMSAL & JEL LAUNDRY - FULTON DR/BLAKE AVE NW ANNEXATION AREA CONTAINING APPROXIMATELY 1.832 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY AS B-3 GENERAL BUSINESS; AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 10/28/19 @ 7:00 PM**

- #5. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF TABLETS AND RELATED WARRANTIES AND ACCESSORIES FOR THE POLICE DEPARTMENT; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZING THE AUDITOR TO RENAME THE 2771 FY 2012 LOCAL SOLICITATION BYRNE GRANT FUND TO 2771 FY 2019 EDWARD BYRNE MEMORIAL GRANT FUND; AMENDING

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APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$37,826.50 SUPP APPROP FR UNAPPROP BAL OF 2771 FY 2019 EDWARD BYRNE MEMORIAL GRANT FUND TO 2771 102001 POLICE ADMIN - OTHER)

- #6. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT \$12,639.61 IN GRANT FUNDS FROM THE OFFICE OF JUSTICE PROGRAM, BUREAU OF JUSTICE ASSISTANCE; AUTHORIZING THE AUDITOR TO RENAME THE 2780 BYRNE MEMORIAL 2009 RECOVERY STIMULUS ACT GRANT FUND TO 2780 FY 2019 BULLETPROOF VEST PARTNERSHIP FUND; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO 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. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$12,639.61 SUPP APPROP FR UNAPPROP BAL OF 2780 FY 2019 BULLETPROOF VEST FUND TO 2780 102001 POLICE ADMINISTRATIVE - OTHER; \$12,639.61 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102001 POLICE ADMINISTRATIVE - OTHER; \$12,639.61 INTER-FUND TRF FR 1001 102001 POLICE ADMINISTRATIVE - TRF OUT TO 2780 102001 POLICE ADMINISTRATIVE - TRF IN)
- #7. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT; ENTER INTO AGREEMENT(S) FOR AND RECEIVE GRANT FUNDS IN THE AMOUNT OF \$753,329.00 AND LOAN FUNDS IN THE AMOUNT OF \$322,855.00 FOR THE 49TH ST NW STORM SEWER REHAB PROJECT, GP 1289; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4589 49TH ST NW STORM SEWER REHAB PROJECT, GP 1289 FUND; AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,076,184.00 SUPP APPROP FR UNAPPROP BAL OF 4589 49TH ST. NW STORM SEWER PROJECT, GP 1289 FUND TO 4589 202055 49TH ST. NW STORM SEWER REHAB PROJECT, GP 1289 - OTHER)

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 #8.

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NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #8 THROUGH #11 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

#8. (3RD RDG) **ADOPTED AS ORDINANCE NO. 200/2019** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO A LEASE AGREEMENT FOR THE TENANCY AND OPERATION OF THE CAFÉ STRUCTURE AT CENTENNIAL PLAZA; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#8 ADOPTED AS ORDINANCE NO. 200/2019

PRESIDENT SHERER: Motion carries and Ordinance #8 is adopted. Ordinance #9, please.

#9. (3RD RDG) **ADOPTED AS ORDINANCE NO. 201/2019** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS NECESSARY IN ORDER TO PAY BACK THE WATER AND SEWER FUNDS FROM THE CAPITAL PROJECTS FUND FOR PAYMENTS MADE IN REGARDS TO CHANGE ORDER #5 OF THE 38TH ST. NW WATER MAIN REPLACEMENT AND ROADWAY RECONSTRUCTION PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$62,056.79 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 207037 38TH ST NW IMPROV PROJ- OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It’s been moved and seconded to adopt Ordinance #9. Are there any remarks?
...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 201/2019

PRESIDENT SHERER: Motion carries and Ordinance #9 is adopted. Ordinance #10, please.

#10. (3RD RDG) **ADOPTED AS ORDINANCE NO. 202/2019** AN ORDINANCE
AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE
COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR
WATER AND/OR SEWER SERVICES; AND DECLARING THE SAME TO
BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to adopt Ordinance #10. Are there any remarks?
...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 202/2019

PRESIDENT SHERER: Motion carries and Ordinance #10 is adopted. Ordinance #11, please.

#11. (3RD RDG) **ADOPTED AS ORDINANCE NO. 203/2019** AN ORDINANCE AMENDING
APPROPRIATION ORDINANCE NO. 50/2019; AND DECLARING THE
SAME TO BE AN EMERGENCY (\$43,574.66 SUPP APPROP FR
UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 103501 CENTRAL
COMMUNICATION ADMIN - OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 203/2019

PRESIDENT SHERER: Motion carries and Ordinance #11 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: First I apologize to you sir, for the malfunction on my cellphone. I actually don't know what was going on with it. I was trying to pull up...next...uh...Finance will meet October 28th at 6:30.

PRESIDENT SHERER: Thank you, Member Morris.

MEMBER BABCOCK: Mr. President.

PRESIDENT SHERER: Member Babcock.

MEMBER MARIOL: Personnel, same time, same place.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

MEMBER SCAGLIONE: Public Property Capital Improvement, same time, same place.

LAW DIRECTOR AYLWARD: Mr. President.

PRESIDENT SHERER: Law Director.

LAW DIRECTOR AYLWARD: Yes, um...we would ask for an Executive Session to discuss pending litigation on the same time, same place, (*Inaudible*), Mr. Dougherty says we have to change that. It should not be more than five or ten minutes.

CLERK DOUGHERTY: Go to uh...6:15 for Committee Meetings, then. (*Inaudible*).

MINUTES OF THE MEETING OCTOBER 21, 2019**MISCELLANEOUS BUSINESS**

PRESIDENT SHERER: Thank you, Law Director. 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 is from Jimmy Dean. *“You know you’re getting old when you go to more funerals than you do weddings.” (Inaudible). (Laughter).*

PRESIDENT SHERER: Leader Smith.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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

ADJOURNMENT TIME: 7:33 PM

ATTEST: 10/22/19
DAVID R. DOUGHERTY
CLERK OF COUNCIL

APPROVED:
WILLIAM SHERER, II
PRESIDENT