

**MINUTES OF THE MEETING JUNE 29, 2020**

PRESIDENT SHERER: Let's try that one more time. Good evening ladies and gentlemen and welcome to Canton City Council. Please turn your cell phones to vibrate. We are encouraging everybody to socially distance. Obviously, you guys can see that tonight. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please, Mr. Clerk.

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

TWELVE COUNCIL MEMBERS PRESENT. (MEMBERS SCHULMAN, KIMBROUGH, FISHER, MARIOL & MORRIS APPEARED VIA VIDEOCONFERENCE)

CLERK DOUGHERTY: Twelve present, Mr. President.

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

*The regular meeting of Canton City Council was held on June 29, 2020 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 Ward 2 Council Member, Brenda Kimbrough. The Pledge of Allegiance was led by President Sherer.*

PRESIDENT SHERER: Thank you, Member Kimbrough.

**AGENDA CORRECTIONS AND CHANGES**

PRESIDENT SHERER: We are now under Agenda Corrections and Changes, Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move Rule 22A be suspended to add 2<sup>nd</sup> Readings of Ordinances 9 through 15 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add 2<sup>nd</sup> Readings to Ordinances 9 through 15 on 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... twelve yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 9 through 15 are a legal part of your agenda.

**PUBLIC HEARINGS**

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

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CLERK DOUGHERTY: AN ORDINANCE DECLARING A DESIGNATED AREA OF THE CITY OF CANTON AS A TOURISM DEVELOPMENT DISTRICT, TO BE KNOWN AS THE HALL OF FAME FITNESS TOURISM DEVELOPMENT DISTRICT, FOR THE PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT, PURSUANT TO OHIO REVISED CODE SECTION 715.014; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Is there anyone in the audience wishing to speak for or against this Ordinance, please step forward. I must repeat, is there anyone in the audience wishing to speak for or against this Ordinance, please step forward... Ms. Bell.

KIMBERLY BELL: Yes.

PRESIDENT SHERER: This is... this is not Public Speaks. Are you speaking on behalf of this...

KIMBERLY BELL: (*Inaudible*)

PRESIDENT SHERER: This is not... are you speaking on behalf of that?

KIMBERLY BELL: (*Inaudible*)

PRESIDENT SHERER: Okay. You're more than welcome. And please state your name and residential address, please.

KIMBERLY BELL: (*Inaudible*)

PRESIDENT SHERER: Ms. Bell, could you please speak a little bit louder cause I don't think everybody can hear.

KIMBERLY BELL: (*Inaudible*)... was... was... was making masks. There's your employees right there. You could have opened up a garment district right there instead of putting a wasteful attachment to the Hall of Fame there. You're not gonna even make your \$12.3 million back when you get... when... when this all done and said. Opp, nobody goes to the Hall of Fame that lives here in Canton. We don't visit the Hall of Fame. For one, it's too expensive, and second, it's just lost its... it's just lost its touch. It doesn't entertain anybody anymore. So it was wasteful spending with this Hall of Fame attachment at this Centennial Plaza. So this... with this Fitness Center, we don't need the mon... save the money and put it towards something with this racism thing that you said's a health crisis. Do something with that.

PRESIDENT SHERER: Thank you, Ms. Bell. Is there anyone else in the audience wishing to speak for or against this Ordinance, please step forward. Seeing no one step forward, the Chair declare... 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. Mr. Clerk, the second Public Hearing, please.

CLERK DOUGHERTY: AN ORDINANCE DECLARING A DESIGNATED AREA OF THE CITY OF CANTON AS A TOURISM DEVELOPMENT DISTRICT, TO BE KNOWN AS THE DOWNTOWN CANTON TOURISM DEVELOPMENT DISTRICT FOR THE PURPOSE OF FOSTERING AND

**MINUTES OF THE MEETING JUNE 29, 2020****DEVELOPING TOURISM IN THAT DISTRICT, PURSUANT TO OHIO REVISED CODE SECTION 715.014; AND DECLARING THE SAME TO BE AN EMERGENCY**

PRESIDENT SHERER: Is there anyone in the audience wishing to speak for or against this Ordinance, please step forward. I must repeat, is there anyone in the audience wishing to speak for or against this Ordinance, please step forward. Seeing no one step forward, the Chair declares the Public Hearing over in regards to this matter. The matter now rests in the hands of Council. 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: We are now under Public Speaks and we have five speakers for this evening. Our first speaker is Ms. Kimberly Bell. And I would like to remind everybody that you have three minutes during Public Speaks, and Ms. Bell, could you please state your name and residential address, please.

KIMBERLY BELL: Yes, Kimberly Bell, 135 17<sup>th</sup> Street NW, Canton, Ohio. I... I'm here about... I haven't been here in awhile cause there... cause of the COVID and I didn't know you guys were back open, so I just was... I was off work today so I said I'm gonna stop in. The... the... I'm having an issue with this racism thing that you guys were all over taking pictures and out with the community and the protesters and nu... there seems... you guys... you... you're spending more money on things on this agenda and not one word in this pamphlet, in this agenda, about the racism issue we have going on that you all were taking pictures with the community and the... and the young lady back there and... and the protesters. You were all taking pictures with these people. Not one mention of a dollar going to this issue, that issue. But you claim and it's a prob... racism is a problem, and the police department is a problem. I have a problem with one particular officer. After he... he uses his dog as a weapon on... on... on... on... uh, people he detain or people he's arresting. Officer Mark Diels, you... Mike DeWine said he was gonna look at all office... all the... all the officers' records in the State of Ohio. Mayor Tom Bernabei, I'm asking you, please look at this man's record. He's... he put his dog on two of my friends' sons. The dog ate them up. Another young man, they said he drowned, but I... I found that hard to believe that he was... they found him down the stream drowned and dead. I find that hard to believe. The... that has something to do with them police officers, but I'm asking you to please take Officer Mark Diels' badge, tell him he has to go, cause he... he... he's hurting too many young men. He uses his dog as a weapon and if you... if you saying racism is a problem, start right there. He did it too... too many times. I gotta picture of him and I made... uh, I made a protest sign about all the things he's been with since he's been an officer of the law. I got it off the internet, and I couldn't believe some of the things he... you guys have overlooked with this officer. And he continued to do it and nobody said anything about it. But I'm saying something here today. He put that dog on my... my best friends' son and his legs were tore all up and all up to his back. I mean, he had to have stitches, and then he end up going to prison for what that officer did, and I think it was something as small as being pulled over or something like that. But... but you start with your police department and that's the one... that's the officer you start with, Mark Diels. You should... you got... you should take time out and look at every officer's record yourself. Don't... don't count on Andrea Perry to do it. You do it. I mean, you're the Mayor. You do it. You got acc... you... you're allowed to do anything in that office you want when it comes to them police officers, but you need to take the time out, Tom, and... and... and look over them... them police officers' records. (*Applause*)

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PRESIDENT SHERER: Our next... our next speaker is Skylark Bruce. Ms. Bruce, could you please step forward and give us your name and residential address, please.

SKYLARK BRUCE: I am Skylark Bruce and I live at 1242 Worley Ave NW. I hope you don't think you're done. I hope you don't think you can declare racism to be a public health crisis and then walk away. Words about health disparities, accurate though they may be... thank you, Chris... do not fix the policing crisis that kills our black neighbors. City Council is the boss of the police department. They cannot continue business as usual without you Council Members letting that happen. When a police officer murders a black person in the City of Canton, it's on you. When there is a pattern of police officers murdering black people in the City of Canton, it's on you. The good thing about being responsible for the problem is that you have the ability to fix it. Don't pass the responsibility off as under investigation or we have to research that. How much investigation and research do you need to take the black citizens of this City seriously when they say they're targeted by police. If white football executives were murdered in this City by cops at the same rate as black people, you would find a way to do something about it, and quick. When we put tourism dollars ahead of black people's lives, that is racism. It was Canton police officers emboldened by white supremacy and a system that absolves them of responsibility who murdered Ja'Ron Nero, Darryl Ross and so many more. It was Canton police officers shrouded in secrecy who continued to abuse black residents for the mere fact of existing, for objecting to police abuse, for exercising their Constitutional right to protest, for any reason or non-reason the police choose. Some of you are very concerned about traffic. I call on white people to put half as much energy into deconstructing racism in our own areas of power as we put into traffic flow. Let's see how far we can get with updated priorities. Will you be the City Council who again does nothing? Or will you be the City Council who listens, learns and changes local policing to work for everyone. Black lives matter. (*Applause*)

PRESIDENT SHERER: Thank you, Ms. Bruce. Our next speaker is Joseph Fisher. Mr. Fisher, could you please step forward and give us your name and residential address, please.

JOSEPH FISHER: My name's Joseph Fisher and I live at 1012 Colonial Boulevard NE, Canton, Ohio, and I'm here to speak on policing body cameras. Uh, it is a necessity in the City that every officer, no matter if you're the Chief of the newest cadet, will mu... and must have a... uh, body camera on at all times. Um, this will protect both the residents in and around Canton from the unwarranted abuses of the Canton police officers when they de... when they seem fit and will also protect you, the Council, when you come up for the next year's budget and you don't have to pay for the thousands upon thousands of dollars in court fines when a police officer is accused of excessive force. Um, this... these forces may end up in a jury and will cost you time and money and honestly, the people, the City of Canton, will look at you and frown upon you because you have done nothing for the policing actions that have been taken in the City. No matter what time, as long as you are not on a break and you're not going to the bathroom, a police officer should not be interacting with any member of the public without a body camera recording their actions in the case of an event or any action taken by either side happens. This will help everybody in the long run and in the short run, and everything should happen. And I propose to you, since 2020's Hall of Fame festival has been cancelled, and through the CPPA contract which guarantees overtime pay for every single one of the officers during that week... uh, since this festival is no longer running, you should divert that overtime pay fund to investing in body cameras for every single officer. You have the money and it will greatly help you and us in the long run no matter what chance happens. I yield back the rest of my time.

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PRESIDENT SHERER: Thank you, Mr. Fisher. (*Applause*) Our next speaker is Abby Henry. Ms. Henry, could you please step forward and give us your name and residential address, please.

ABBY HENRY: I am Abby, 113 Lippert Street NE. So, to highlight all of my friends' and colleagues' sentiments that they gave today, we're here to talk about serious change that we need from the City Council. We've tried to talk directly to the Canton Police Department, we've tried to talk to the Law Director, we've tried to talk to the Safety Director, and we have gotten nowhere. So we need the City Council to do something about it. So, body cameras, just like Joe just talked about. Did you know that... I'm sure you do cause you approved the budget, but almost two million dollars this year has been spent on settlements by the Canton Police Department. That two million dollars could be used to buy body cams for pretty much everyone on the force. You should look into it. The Canton Police Department has told us that the force only has a hundred body cameras, approximately only eighty of which are in currently good condition. There's a hundred and sixty-three officers employed by the Canton Police Department. So only half of the officers have body cameras? That's ridiculous. And plain clothes officers aren't required to wear body cameras. Special ops aren't required to wear body cameras. So the people who go out in the SWAT vehicles aren't required to wear body cameras. So the people who tear gassed us that Friday, May 29<sup>th</sup>, didn't have to wear body cameras? How can you sit here and live with yourselves knowing that fact that your citizens can be tear gassed in the streets? And you're doing nothing about it. Maybe you declare racism as a public health crisis, but that's just conjecture. This docket has literally nothing to do with race relations on here. If racism is such a public health crisis, every single week you should have a policy proposal about racism, about race... racial justice, race relations and anti-racism on that agenda and you should be voting on it. You should be voting on having every single officer required to have a body camera and wear it during their entire shift, and having a third party review board look at when they turn off their cameras and when they don't and seeing if that's acceptable. You should be requiring the Canton Police Department and the Law Department to have a disciplinary data base that is open to the public on the website that sa... that states every single police officer on the force's disciplinary record, because that is public record and the people deserve to know who is supposed to be serving and protecting them. You should also make sure that juveniles can't be questioned without a parent or guardian present because that's currently not a law in the State of Ohio. You should also make sure that the police department has a data scientist on their team so that they know where the best places to put resources are, and not, you know, the cops doing it who we know are already biased. We need change and you guys need to do that. We're not seeing that and we're disappointed, and we're gonna be here every day until you do what we've asked you to. (*Applause*)

PRESIDENT SHERER: Thank you, Ms. Henry. And our last speaker for the night is Sierra Manson? Ms. Manson, could you please step forward and give us your name and residential address, please. (*Note: President Sherer pronounces the last name as "Manson," but it is "Mason."*)

SIERRA MASON: Sierra Mason, 3004 16<sup>th</sup> Street SW. Um, hi. Again, my name is Sierra Mason. I'm a ca... uh, constituent, a single mother and a business owner here in Canton, Ohio. I'm also the President of Ohio Community Coalition who has organized the protest that is going on outside right now at this very meeting. Today I'm here to... because the... Canton currently does need to see change, not only for my daughter, but for every generation to come. First, we really do need to see police officers, every single officer other than undercovers, required to wear body cameras and to be held accountable by third party or review board. Second, we need to see a public data base of the disciplinary records of every officer employed by Canton City Police.

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Officers are fired in one pre... precinct in ex... for excessive force and then able to be hired in another city right here in Stark County, and that's not right. Third, there needs to be... there needs to be an end to questioning minors without a parent or guardian present. There must be a law or policy that's local that pro... prohibits this from happening and pro... to protect our youth from self-incrimination and manipulation. Fourth, there needs to be more transparency between CPD, Canton City Police Department, their intelligence lead policy strategy and professional data scien... scientists solely in charge of analyzing the data... um, so that it is as unbiased as possible. I'm calling on City Council to help my community enact these policies that will achieve these four goals. We want justice and we need it now. There's not enough happening between Canton City Police and our community, and I'm again calling you guys out to make a change because my daughter's life matters, my life matters and every single black life in Canton matters. (*Applause*)

PRESIDENT SHERER: Thank you, Ms. Mason.

**INFORMAL RESOLUTIONS**

PRESIDENT SHERER: We are now under Informal Resolutions and we have one for this evening. Mr. Clerk, would you please read Resolution #27, by title.

#27. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SAFETY DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL AMOUNT NOT TO EXCEED \$26,000.00 FOR ANNUAL SUBSCRIPTION FROM TARGET SOLUTIONS FOR FIRE/EMS CONTINUING EDUCATION. – ADOPTED

PRESIDENT SHERER: Leader Smuckler.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #27. Are there any remarks? ...Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #27 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #27 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 JUNE 29, 2020.***

220. FINANCE DIRECTOR CROUSE: ADOPT ALTERNATIVE TAX BUDGET FOR FISCAL YR ENDING 12/31/21. – FINANCE COMMITTEE

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221. HEALTH COMMISSIONER ADAMS: AMEND APPROP O#59/2020 (\$65,000.00 SUPP APPROP FR UNAPPROP BAL OF FUND 2328 PUBLIC HEALTH INFRASTRUCTURE TO FUND 2328.301019 PUBLIC HEALTH INFRASTRUCTURE – 600 PERSONNEL COSTS - \$20,000.00, TO FUND 2328,301019 PUBLIC HEALTH INFRASTRUCTURE – 700 OTHER DIRECT COSTS - \$45,000.00). – FINANCE COMMITTEE
222. LAW DIRECTOR AYLWARD: REQ AUTHORITY TO PREPARE ORDINANCE SETTling CANTON’S CLAIM AGAINST DAY KETTERER LTD IN AMT OF \$51,978.71. – FINANCE COMMITTEE
223. MAYOR BERNABEI: LTR ADVISING OF APPT OF ROBERT S. GEORGE TO MAYOR’S NEIGHBORHOOD COMMISSION, FILLING REMAINDER OF JIM WOOFter’S TERM AND EXPIRING 5/31/21. – RECEIVED & FILED
224. MAYOR BERNABEI: REQ AUTH TO APPT OF JILL PFEIFFER-WARD TO TREE COMMISSION EFFECTIVE 6/29/20 THRU 12/31/20. – PERSONNEL COMMITTEE
225. SAFETY DIRECTOR PERRY: REQ INFORMAL RESOLUTION AUTH SAF DIR TO ENTER ONE OR MORE PURCHASE ORDERS IN AMT NOT TO EXCEED \$26,000.00 FOR ANNUAL SUBSCRIPTION WITH TARGET SOLUTIONS (FIRE/EMS). – RECEIVED & FILED
226. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT WITH BURGESS & NIPLE FOR ENGINEERING SERVS DURING PLANNING, DESIGN AND BIDDING PHASES OF SUGAR CREEK WATER TREATMENT PLANT RENOVATION PROJECT IN AMT OF \$2,670,000.00, CONTINGENT UPON RECEIVING OWDA FUNDING; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH OHIO WATER DEVELOPMENT AUTHORITY FOR PLANNING LOAN IN AMT NOT TO EXCEED \$2,670,000.00 TO FUND PLANNING, DESIGN AND BIDDING SERVS FOR PROJ; AUTH AUDITOR TO ESTABLISH AND CREATE FUND 5241 SUGAR CREEK WATER TREATMENT PLANT RENOVATION PROJECT FUND UPON APPV’L OF OHIO WATER DEVELOPMENT AUTHORITY, TO RECEIVE ALL LOAN AND REVENUE PROCEEDS AND TRACK PROJ EXPENDITURES; AMEND APPROP O#59/2020 (\$2,670,000.00 SUPP APPROP FR UNAPPROP BAL OF 5241 SUGAR CREEK WATER TREATMENT PLANT RENOVATION PROJECT FUND TO 5241 207069 SUGAR CREEK WATER TREATMENT PLANT RENOVATION PROJECT – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
227. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO EASEMENT AGMT WITH EAST OHIO GAS COMPANY D/B/A/ DOMINION ENERGY OHIO (DEO), FOR INSTALLATION OF GAS PIPE LINE ON CITY PROP; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
228. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 5/31/20. – RECEIVED & FILED
229. TREASURER PEREZ: AMEND SECTION 125 OF COD ORD OF CANTON (NONPAYMENT CHECKS, DISHONORED REMITTANCE FEES). – JUDICIARY COMMITTEE

**MINUTES OF THE MEETING JUNE 29, 2020****ORDINANCES AND 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 #8 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#6 – O#8 ADOPTED):***

- O#1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT PARCEL NO. 243103 FROM HOF VILLAGE HOTEL II, LLC FOR SUBSEQUENT TRANSFER TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Community & Economic Development Committee
- O#2. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$6,156.00 TO BLACK MCCUSKEY SOUERS & ARBAUGH LPA; AND DECLARING THE SAME TO BE AN EMERGENCY (PROF SERVS RENDERED)  
Referred to Finance Committee
- O#3. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 21925, 21926 AND 21927; AND DECLARING THE SAME TO BE AN EMERGENCY (GANESH CANTON LLC)  
Referred to Public Safety & Thoroughfares Committee
- O#4. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE TIMKENSTEEL CORPORATION – 2505 SHEPLER CHURCH AVE SW ANNEXATION AREA CONTAINING APPROXIMATELY 7.431 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 5 OF THE CITY; ZONING SAID TERRITORY AS I-2 HEAVY INDUSTRY DISTRICT (I-2); AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Annexation Committee **PUB HRG 7/27/20 @ 7:00 PM**  
*(Note: Clerk Dougherty read the zoning designation as I-1, however it is I-2 as indicated above)*
- O#5. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY CENTRAL ALLIED ENTERPRISES, INC. A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$21,405.74 RELATED TO THE SHORB AVE SANITARY SEWER EXTENSION AND MANHOLE CONSTRUCTION; AND DECARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee

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- O#6. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 121/2020** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR HUNTINGTON BANK EXPENSES RESULTING PRIOR TO THE PASSAGE OF THIS ORDINANCE; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$40,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 852001 TREASURER ADMIN – OTHER; \$105,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING FUND TO 5201 207003 BILLING AND RECORDS – OTHER)  
Referred to Finance Committee
- O#7. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 122/2020** AN ORDINANCE AUTHORIZING THE SETTLEMENT OF CITY OF CANTON V. DAY KETTERER LTD; AND DECLARING THE SAME TO BE AN EMERGENCY (\$51,978.71)  
Referred to Finance Committee
- O#8. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 123/2020** AN ORDINANCE AMENDING SECTION 125.02, NONPAYMENT CHECKS; DISHONORED REMITTANCE FEES; AND DECLARING THE SAME TO BE AN EMERGENCY (TREASURER’S OFFICE)  
Referred to Judiciary Committee

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for Finance and Judiciary Committees to meet in regard to Ordinances 6 through 8 on your agenda this evening. You are now in recess.

***(COUNCIL RECESSED AT 7:29 PM FOR THE FINANCE AND JUDICIARY COMMITTEES TO DISCUSS O#6 THROUGH O#8; RECONVENED AT 7:48 PM)***

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to play Ord... place Ordinances 6 through 8 back on this evening’s agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to suspend Rule 22A to place Ordinances 6 through 8 back on this evening’s agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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PRESIDENT SHERER: The motion carries and Ordinances 6 through 8 are a legal part of your agenda. Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we suspend the statutory rules of Ordinances 6 through 8.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the statutory rules on Ordinances 6 through 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.

PRESIDENT SHERER: You've heard the three readings, 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?

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: I hope that we very, very rapidly find a solution to this (*inaudible*)... negotiate a better deal with Huntington Bank or find another bank. To have a cost of \$240,000 a year to be banking is unacceptable, and in two to three months of this is too many months for this to go on, so I hope that once we pass this, then (*inaudible*)... find a solution to this problem. Thank you.

PRESIDENT SHERER: Thank you, Member Mariol. Are there any additional remarks under this Ordinance?

MEMBER MORRIS: Yeah, Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Yeah, I'd like to chime in on what Member Mariol just said. You know, the whole time we were discussing that, (*inaudible*)... myself, so many things out there are (*inaudible*)... everything. And here we're smack in the (*inaudible*)... middle of a pandemic (*inaudible*)... moral ob for Huntington Bank. Uh, I would really like to see us exploring our options elsewhere if need be (*inaudible*). Thank you.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#6 ADOPTED AS ORDINANCE NO. 121/2020**

PRESIDENT SHERER: The motion carries and Ordinance #6 has been 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?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader Smuckler.

MEMBER SMUCKLER: I liken this to a tax abatement, that we go back and we've... re-evaluate these on an ongoing basis, and in some instances, Law Director, you correct me if I'm wrong, we've gone back and gotten back taxes off of people who have not fulfilled their contracts with us. Is that correct?

LAW DIRECTOR BATES AYLWARD: Can you hear me?

MEMBER SMUCKLER: Yeah.

PRESIDENT SHERER: Yes, we can, Law Director.

LAW DIRECTOR BATES AYLWARD: (*Inaudible*)... yes, we certainly have (*inaudible*)... we have absolutely... if someone breached their agreement not to obtain jobs or create jobs, we absolutely go after them. And we take away their (*inaudible*)... and then we get our money back. Unfortunately, this will be the first time that I recall where a company actually went under like this so that we can't take away (*inaudible*)... they're actually out of business and we can't get more than whatever (*inaudible*)... As soon as they breach, the Administration lets me know. Uh, if they breach their agreement or (*inaudible*)... whenever they breach their agreement, it's brought to our attention and we again take away (*inaudible*).

MEMBER SMUCKLER: Aren't all these attorneys on an individual basis responsible for the taxes that were waived?

LAW DIRECTOR BATES AYLWARD: No.

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MEMBER SMUCKLER: It's paid through the corporation?

BY UNIDENTIFIED VOICE: Yes.

LAW DIRECTOR BATES AYLWARD: I didn't catch that last part.

MEMBER SMUCKLER: It's the... the individual taxes are paid through the corporation? Mr. McEnaney, can you help us, please?

DEPUTY TREASURER MCENANEY: Um, Mr. President, Leader Smuckler, first of all, we're not talking about an assessment of tax. For Day, Ketterer, the tax was assessed and paid by Day, Ketterer. Under the Jobs Creation Agreement, the City agrees to pay an incentive payment from the General Fund, not taxes collected, calculated based upon the amount of tax that was paid, a percentage. So, Day, Ketterer filed and paid the taxes, and you're absolutely right, in the terms of the partnership, essentially the tax is imposed upon each individual. But in this situation, the tax has been paid. What Canton is doing is calling back an incentive payment it made to Day, Ketterer based upon the taxes that they have paid.

MEMBER SMUCKLER: So we've reimbursed Day, Ketterer for this money?

DEPUTY TREASURER MCENANEY: I wouldn't say reimbursed. It is an incentive payment based upon taxes that they paid. They pay the tax, it goes into the General Fund for the Jobs Creation Incentives. Those incentives are directed by Council to pay from the General Fund. So it's an incentive payment based... you know, pursuant to a number of ordinances that Council has set up, saying under these circumstances we want to incent a company to bring in jobs or to stay here and retain jobs or whatever, and you're paying that incentive from the General Fund. It doesn't have anything more to do with the tax return other than it's based upon a percentage of those taxes which were...

MEMBER SMUCKLER: Yeah, we've... we've given them money back.

DEPUTY TREASURER MCENANEY: Yeah.

MEMBER SMUCKLER: Based on taxes collected.

DEPUTY TREASURER MCENANEY: Right. So the tax has been collected and we haven't given them tax back. We've paid them an incentive.

MEMBER SMUCKLER: When was this settled?

DEPUTY TREASURER MCENANEY: When was which settled?

MEMBER SMUCKLER: When was this Ordinance... when was this settled? When... who... who was involved in this in making this type of settle...

DEPUTY TREASURER MCENANEY: In... in the Day, Ketterer or the whole job creation?

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MEMBER SMUCKLER: Yeah, in the Day, Ketterer.

DEPUTY TREASURER MCENANEY: The Day, Ketterer... um, I think that we had paid... we, the City of Canton, has paid to Day, Ketterer three years worth of incentives roughly. Um, and so that would have been eighteen, seventeen, sixteen, so it would have been 2015. Uh, we're again...

MEMBER SMUCKLER: When was this settlement drafted for the third?

DEPUTY TREASURER MCENANEY: Oh, I would... I don't know, that has to go to the Law Department.

MEMBER SMUCKLER: Mister... uh, Madam Law Director, when was this settled?

LAW DIRECTOR BATES AYLWARD: (*Inaudible*)... settled?

MEMBER SMUCKLER: Well, when was the... okay.

LAW DIRECTOR BATES AYLWARD: I did call and offer this amount this past week and wanted to accept at that time. We explained to him he could not do it until we brought (*inaudible*)... I believe it's like the end of last week, middle of last week, and we told him we couldn't and that's when we put this on your agenda.

MEMBER SMUCKLER: I'm just at a loss because, as Majority Leader, I didn't know anything about this.

LAW DIRECTOR BATES AYLWARD: Well, what... we didn't either until a few days ago. (*Brief pause*)

MEMBER SMUCKLER: I'm done.

PRESIDENT SHERER: Madam Chair.

CLERK DOUGHERTY: We're done.

PRESIDENT SHERER: Okay.

CLERK DOUGHERTY: She's done.

PRESIDENT SHERER: We're done. Are there any additional remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 1 NAY  
MEMBER SMUCKLER VOTED NO

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

**#7 ADOPTED AS ORDINANCE NO. 122/2020**

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

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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 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#8 ADOPTED AS ORDINANCE NO. 123/2020**

PRESIDENT SHERER: The motion carries and Ordinance #8 has been adopted.

**ORDINANCES AND 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 #9.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCE #9 THROUGH #15 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#15 ADOPTED):***

- O#9. (2<sup>ND</sup> RDG) AN ORDINANCE DECLARING A DESIGNATED AREA OF THE CITY OF CANTON AS A TOURISM DEVELOPMENT DISTRICT, TO BE KNOWN AS THE HOF FITNESS TOURISM DEVELOPMENT DISTRICT, FOR THE PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT, PURSUANT TO OHIO REVISED CODE SECTION 715.014; AND DECLARING THE SAME TO BE AN EMERGENCY (HOF FITNESS CENTER) **PUB HRG 6/29/20 @ 7:00 PM**  
**PUB HRG 7/13/20 @ 7:00 PM**
- O#10. (2<sup>ND</sup> RDG) AN ORDINANCE DECLARING A DESIGNATED AREA OF THE CITY OF CANTON AS A TOURISM DEVELOPMENT DISTRICT, TO BE KNOWN AS THE DOWNTOWN CANTON TOURISM DEVELOPMENT DISTRICT, FOR THE PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT, PURSUANT TO OHIO REVISED CODE SECTION 715.014; AND DECLARING THE SAME TO BE AN EMERGENCY (FORMER MCKINLEY GRAND) **PUB HRG 6/29/20 @ 7:01 PM**  
**PUB HRG 7/13/20 @ 7:01 PM**
- O#11. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER A ONE (1) YEAR CONTRACT WITH THE OPTION OF TWO (2) ONE (1) YEAR EXTENSIONS WITH STARK METROPOLITAN HOUSING AUTHORITY FOR VEHICLE MAINTENANCE AND FUEL SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY

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- O#12. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY FOR PURCHASE AND DISTRIBUTION OF APPROXIMATELY 25,000 WHEELED CARTS FOR THE SANITATION DEPARTMENT TO BE DISTRIBUTED FOR SINGLE FAMILY RESIDENTIAL USE; OR TO ALTERNATIVELY ENTER INTO ALL CONTRACTS NECESSARY USING ANY PROCUREMENT METHOD AUTHORIZED BY LAW; AND TO ENTER INTO A LEASE TO PURCHASE AGREEMENT TO FACILITATE SAID PURCHASE; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#13. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING CHAPTER 975, SOLID WASTE MANAGEMENT SYSTEM AND SECTION 947.09, PAYMENT OF CHAPTER 947, SEWER RATES, OF PART 9 OF THE STREETS, UTILITIES & PUBLIC SERVICES CODE
- O#14. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT AMENDMENT NO. 1 AND FINAL IN AN AMOUNT NOT TO EXCEED \$56,182.00 WITH ARCADIS FOR THE WATER RECLAMATION FACILITY SLUDGE PROCESSING MODIFICATIONS PROJECT, CONTRACT 27 PROFESSIONAL ENGINEERING SERVICES CONTRACT AMENDMENT NO. 1 AND FINAL; AUTHORIZES THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO SAID CONTRACT AMENDMENT; RETROACTIVELY AUTHORIZES ALL ACTIONS TAKEN PRIOR TO THE PASSAGE OF THIS ORDINANCE RELATED TO THE SAME; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#15. (2<sup>ND</sup> RDG) **ADOPTED AS ORDINANCE NO. 124/2020** AN ORDINANCE VACATING A PORTION OF BEDFORD AVENUE S.W., GROVE PLACE S.W. AND ENGLE PLACE S.W. AND PORTIONS OF MOSLEY COURT S.W.; APPROVING AND ACCEPTING THE REPLAT OF ALL OF LOTS 14355 THRU 14404, 42971 THRU 42975, 10176, 10178, 10179, 10192, 10193, 36944, OUTLOT 1392 AND PART OF LOTS 36943, 10175, 10177 & 10180 AND THE VACATED PORTIONS OF STREETS VACATED HEREIN; AND DECLARING THE SAME TO BE AN EMERGENCY (AULTMAN HEALTH FOUNDATION, WARD 3)  
*(Note: Clerk Dougherty read two of the lot numbers as 12971 and 12975, however the correct lot numbers are 42971 and 42975 as indicated above)*

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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CLERK DOUGHERTY: You gotta suspend the Rule.

PRESIDENT SHERER: No, we need to suspend the Statutory Rules.

MEMBER SMUCKLER: I'm sorry. Mr. President, I move we suspend Statutory Rules for second reading of Ordinance #15.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinance #15. 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 carry... the motion carries. You've heard the three readings, Leader Smuckler.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#15 ADOPTED AS ORDINANCE NO. 124/2020**

PRESIDENT SHERER: The motion carries and Ordinance #15 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.

O#16. (3<sup>RD</sup> RDG) **RECONSIDERED AND AMENDED AS ORDINANCE NO. 116/2020** AN ORDINANCE AUTHORIZING THE AUDITOR TO RENAME THE 2810 CJIS TASK 48 FUND TO 2810 COVID-19 RELIEF FUND; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,750,000.00 SUPP APPROP FR UNAPPROP BAL OF THE 2810 COVID-19 RELIEF FUND TO 2810 506019 COVID-19 STIMULUS – OTHER)

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PRESIDENT SHERER: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we reconsider Ordinance #116/2020 adopted on June 15th.

MEMBER BACOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to reconsider Ordinance #116/2020 adopted on June 15th, 2020. Are there any remarks?

FINANCE DIRECTOR CROUSE: Mr. President.

PRESIDENT SHERER: Member Mariol.

FINANCE DIRECTOR CROUSE: This is Finance Director Crouse.

PRESIDENT SHERER: Oh, sorry about that.

FINANCE DIRECTOR CROUSE: You're fine.

PRESIDENT SHERER: It sounded like it.

FINANCE DIRECTOR CROUSE: Uh, I just wanted to explain the reason for the reconsideration. Um, when we passed this Ordinance at our last meeting, we appropriated all the funds into the (*inaudible*) CD Department (*inaudible*)... 506019. Well, after a conversation that I had with the Auditor's Office, it was determined that it would be best to appropriate all the funds in this grant to the fund level. It just gives us a little bit more flexibility with spending the money. Um, as of right now, we're not exactly sure which department and how much we're gonna be spending out of each department, so this gives us a little bit of flexibility on controlling the funds.

PRESIDENT SHERER: Thank you, Finance Director. Are there any additional 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. Leader Smuckler.

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

PRESIDENT SHERER: Leader Smuckler, we need to amend first, amend the Ordinance.

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

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CLERK DOUGHERTY: 116... yeah, 16. Yeah.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: For the record, it's Ordinance 116?

CLERK DOUGHERTY: 2020, yes.

PRESIDENT SHERER: 2020. It's been moved and seconded to amend Ordinance 116/2020 per the copy before each of you. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #116/2020, as amended.

MEMBER BABCOCK: Second.

**AMENDMENT**

*Pursuant to Rules 41 and 46 respectively, I move to reconsider and amend Ordinance No. 116/2020 by deleting the numbers "506019" in the TO: portion of Section 2.*

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #116/2020, as amended. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

**#16 RECONSIDERED AND AMENDED AS ORDINANCE NO. 116/2020**

PRESIDENT SHERER: The motion carries and Ordinance 116/2020, as amended, has been adopted.

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

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

MEMBER FERGUSON: *(Inaudible, however Member Ferguson did call Community & Economic Development for July 13<sup>th</sup> at 6:15 PM)*

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

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

PRESIDENT SHERER: Thank you, Member Mariol.

MEMBER BABCOCK: Mr. President.

PRESIDENT SHERER: Personnel will meet the same time, same place.

PRESIDENT SHERER: Thank you, Member Bab... Thank you, Member Babcock. Member Kimbrough.

MEMBER KIMBROUGH: Public Safety & Thoroughfares will meet same time, same place.

PRESIDENT SHERER: Thank you, Member Kimbrough. Member Hawk.

MEMBER HAWK: Mr. President, I... I didn't realize I had one, so I apologize for that. Environmental and Pub... uh...

PRESIDENT SHERER: Annexation.

MEMBER HAWK: Pardon me?

PRESIDENT SHERER: I believe it's Annexation, the committee? I believe it's Annexation, Member... yeah.

MEMBER HAWK: Annexation Committee will meet same time, same place. I'm sorry.

PRESIDENT SHERER: No, thank you, Member Hawk.

MEMBER HAWK: Sorry, I apologize.

PRESIDENT SHERER: No, not a problem.

**MISCELLANEOUS BUSINESS**

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

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader Smuckler.

MEMBER SMUCKLER: Go ahead.

UNIDENTIFIED VOICE: Leader Smuckler, please.

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MEMBER SMUCKLER: I... I... I have a couple questions. Number one, to the Treasurer, does Council designate at the beginning of every term who the bank is that we will be using?

DEPUTY TREASURER MCENANEY: Mr. President, Leader Smuckler, no, Council designates every five years who are the eligible depositories for the City to... to deposit its funds in.

MEMBER SMUCKLER: Well, I don't know if I'll still be here in five years, but let the record show that I've been around a long time. Don't bring me back Huntington Bank.

DEPUTY TREASURER MCENANEY: Uh, Mr. President, Member Smuckler, the Treasurer is gonna negotiate with all the banks that it can and do the best that it can. Again, as I mentioned before, there are services that Huntington provides for the City of Canton that are specialized services that no other banks in the area can... the area can provide. Specifically, five lock boxes, Building and Code, two in Income Tax, Utilities, Ambulance. The... the services that... that they're lock box provides, other banks cannot. Otherwise, I would... I think that we wouldn't have been with them to begin with.

MEMBER SMUCKLER: I am in shock that Huntington's the only bank in the United States that can provide that service.

DEPUTY TREASURER MCENANEY: Yeah, you're right. And we are looking. We are considering all the alternatives... alternatives that are available.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: To the Law Director, whoever can answer this question. Is it State law, is it local law about minors being questioned without adults present?

PRESIDENT SHERER: Law Director.

LAW DIRECTOR BATES AYLWARD: Can you hear me?

PRESIDENT SHERER: Yes, we can. Yes...

LAW DIRECTOR BATES AYLWARD: You can hear me?

PRESIDENT SHERER: Yes, we can.

LAW DIRECTOR BATES AYLWARD: I'm back on? Okay, I'm sorry about that. Um, it is basically Constitutional law, Majority Leader Smuckler, that has been handed down by the Court. At a certain age the Courts have found that a minor may, in fact, (*inaudible*) waive his rights, like his right to counsel, right to (*inaudible*), that he or she has some assurity to be able to do that. It's kind of a (*inaudible*)... and then younger than a certain age, they are not (*inaudible*) to be competent (*inaudible*)... someone has a learning disability or a

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mental incapacity as well. So it's a combination of State and National Constitutional law that brought this to the fore.

MEMBER SMUCKLER: Is... do we know what that age is?

LAW DIRECTOR BATES AYLWARD: I would (*inaudible*)... look into if there is any recent ruling. Typically, it's about 13 and over, they can be questioned, although it all depends too what they are talking about. We could talk about this (*inaudible*). If you are talking school officials, police officers (*inaudible*)... cause there's... a difference is there in the school setting as well.

MEMBER SMUCKLER: I just believe that since we don't speak during public speaks that while people keep coming down here searching for answers, I want to know what some of the answers are. Is the body cam situation by contract? Is it by policy? Is it... how is this filled out?

LAW DIRECTOR BATES AYLWARD: Which... which situation? I could not hear you. Which situation are you talking about?

MEMBER SMUCKLER: The body cams. Is...

LAW DIRECTOR BATES AYLWARD: The cameras... we have basically newer on the forefront of body cameras. We are the first in the county and one of the first in the state. They're very expensive. We armed our beat cops, obviously our patrolmen first because that's most important. Um, we have worked out bugs with the search system. We had a lot of breakage and a lot of reliability because they were a new technology. We are now in the process of purchasing brand new ones. We're gonna have 130 of them, so we'll be expanding it even further. We also had a problem with storage, so we have cloud storage (*inaudible*)... but it's worth it to store the footage, and so we are, rapidly I think, and to the Police Department's credit, expanding (*inaudible*)... body cameras. This has been discussed extensively with the young folks (*inaudible*)... I don't know why they didn't mention some of these things that... yeah, currently, our older broken down cameras, we probably only have about 80 functioning, but that still services all of our patrol, and we're in the process of and purchasing brand new ones, and we'll have 130, and we're moving in that direction. Some of our interior officers who work in the building and do not interact with the public, I don't know why they would need a body camera, but again, we're gonna have 130 here shortly.

MEMBER SMUCKLER: Thank you.

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Thank... Ms... ma...

MEMBER HALL: Uh, I want to know... if the Administration, somebody could answer. I thought even before I came on Council, there was a body... I should say sub with residents that's like an advisory or review board for the community to interact with the policing. I thought we had that already.

LAW DIRECTOR BATES AYLWARD: We do have that.

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MEMBER HALL: I thought so.

LAW DIRECTOR BATES AYLWARD: (*Inaudible*)

MAYOR BERNABEI: Mr. President.

PRESIDENT SHERER: Mayor Bernabei.

MAYOR BENABEI: With regard to that, we have a Community Relations Board. I believe it is made up of five members from the community. They meet at least quarterly, I believe. I believe that they met just last week. One of the primary functions they... that they perform is to review internal disciplinary items that are brought to them by Internal Affairs.

MEMBER HALL: Thank you.

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

MEMBER MARIOL: Yes, I (*inaudible*)... something that Leader Smuckler mentioned. Uh, I... I would like to request maybe at the next meeting if Treasurer Perez could come and give us an update about negotiations between them or other banks. And I appreciate that (*inaudible*)... on that now, but quite frankly this goes back to April, and every week that goes by, we get closer to another \$20,000.00 banking charge and we should have had a solution to this quickly after the first (*inaudible*)... so I would like to maybe next week we have an update and have a regular update (*inaudible*)... \$20,000.00 a month with the uncertainty of (*inaudible*)... just completely unacceptable. Thank you.

PRESIDENT SHERER: Thank you, Member Mariol. Is there anything else under Miscellaneous Business for this evening?

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: Clerk Dougherty.

CLERK DOUGHERTY: Does Member Mariol want that at the next meeting, and if so, we have to change the Committee Meetings to make them at 6:00 or 6:15, however long you folks think that's gonna last with the Treasurer here, so please...

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Leader Smuckler... uh, um...

MEMBER SMUCKLER: I agree with you, 6:15.

MEMBER MARIOL: 6:15 then.

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PRESIDENT SHERER: Thank you, Member Mariol. May... Mayor Bernabei.

MAYOR BERNABEI: We have... tomorrow night there is scheduled, and this is a Stark County Collaborative on Race Relations. This is a voluntary group, primarily affiliated very closely with everyone involved in Coming Together Stark County. They are holding tomorrow night a Town Hall on policing. Everyone is encouraged to attend either in person... when I say everyone, Members of Council, elected officials and members of the public, this has been in the newspaper two or three times in the last one to two weeks. Uh, this is scheduled for 7:00 PM. It's gonna be held tomorrow night at Faith Family Church, which is located at 8200 Freedom Drive NW, but you can attend either in person or by Facebook, and if you attend in Facebook, that is a Facebook at Coming Together Stark County. That is a Facebook page. Again, we strongly encourage everyone to attend or at least participate via Facebook. Uh, the City of Canton will be represented by members of the police department and the Administration. And such issues as... as Member Smuckler was talking about tonight are gonna be covered, hiring process, rule of psychological evaluations in the hiring process, use of force policies, training, disciplinary, Internal Affairs review, Community Relations Commission, body cameras – one of the topics, the role of police unions, knowing your legal rights, public records questions, State and Federal police retur... reform, the Obama Foundation – my brother keeper's pledge, an opportunity for everyone to ask questions - a little Q and A period. So this is scheduled for 90 minutes, 700 PM tomorrow night. This is going to be the first of several forums. There will be another one on Thursday night. The first one is the Canton Police Department though, so that is the focus that's on us. On Thursday night it's gonna be on the Stark County Sheriff and the other departments within the county. Then we anticipate that other forums on race relations will be scheduled in the future by this group. But it's very, very important to the community. Thank you.

PRESIDENT SHERER: Thank you, Mayor Bernabei. Clerk Dougherty, our quote for the week, please.

CLERK DOUGHERTY: *"No one is born hating another person because of the color of his skin, or his background, or his religion. People must learn to hate, and if they can learn to hate, they can be taught to love."* –Nelson Mandela

PRESIDENT SHERER: Thank you, Clerk Dougherty. Leader.

MEMBER SMUCKLER: 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 this evening. *(Gavel falls)*.

ADJOURNMENT TIME: 8:23 PM

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ATTEST: 7/1/20

DAVID R. DOUGHERTY  
CLERK OF COUNCIL

APPROVED:

WILLIAM SHERER, II  
PRESIDENT