

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

PRESIDENT SHERER: You good?

CLERK DOUGHERTY: We're okay.

PRESIDENT SHERER: Okay. Council Members who are attending remotely, please make sure that your ear buds are in. If everybody could silence their cell phones to vibrate and we are encouraging social distancing here in Council Chambers. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please, Mr. Clerk.

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER FERGUSON ABSENT) (MEMBERS SCHULMAN, KIMBROUGH, FISHER, MARIOL & MORRIS APPEARED VIA VIDEOCONFERENCE)

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

**EXCUSING MEMBERS**

PRESIDENT SHERER: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move Member Ferguson be excused for this evening's meeting.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to excuse Member Ferguson...

CLERK DOUGHERTY: Excuse me, Mr. President. Sorry. Thank you.

PRESIDENT SHERER: It's been moved and seconded to excuse Member Ferguson 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 Ferguson is excused from this evening's meeting. Tonight's invocation will be given by Ward 8 Council Member, Peter Ferguson, and in Peter Ferguson's absence, Majority Leader Smuckler will be giving the invocation. If you would all please stand and remain standing for the Pledge of Allegiance.

*The regular meeting of Canton City Council was held on September 28, 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 Majority Leader, Bill Smuckler. The Pledge of Allegiance was led by President Sherer.*

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

PRESIDENT SHERER: Thank you, Majority Leader.

**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 so 2<sup>nd</sup> Readings of Ordinances... well, let's see here, 20, 29 be added back to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Okay. It's been moved and seconded to suspend Rule 22A to add 2<sup>nd</sup> Readings through Ordinances...

CLERK DOUGHERTY: 20 through 29.

PRESIDENT SHERER: 20 through 29 to this evening's agenda. Ordinances 20 through 29 will be retained in committee. Are there any remarks? ...Hearing none, roll call vote, please. *\*\* Note: President Sherer inadvertently stated "retained in committee." No ordinances were retained in committee.*

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 20 through 29 are a legal part of your agenda. Ordinances... okay.

**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 Deputy Mayor Williams, is there any Old Business for this evening.

DEPUTY MAYOR WILLIAMS: Yes, Mr. President. Um, at our September 14<sup>th</sup> meeting, there was several people that signed up for Public Speaks. Chief Angelo addressed some of the questions, but I'll summarize. Uh, Mrs. Jenn Robinson asked, how can the police determine if someone needs medical attention if they have no medical knowledge. Um, again, Chief Angelo addressed this, but I'll summarize. Officers are trained to provide necessary care until arrival of paramedics. Uh, she also asked why can't the same officers police the same neighborhoods so they can establish relationships and learn the community. Again, Chief Angelo did address this; I'll summarize. Officers are assigned to zones which does allow them to get to know various parts of the City and neighborhoods. The other question was why can't we take payments for police brutality out of the officer's pension funds since it's paid by taxpayers. Uh, this is not legal to do that. Uh, we have our Law

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

Director present, Kris Bates, if you want to address this any more. (*Brief pause*) I... I believe you're on mute, Law Director. (*Brief pause*) I'm sorry, I think the Law Director... we can't hear, so I'll continue. Um...

PRESIDENT SHERER: Should I let her on? Law...

DEPUTY MAYOR WILLIAMS: (*Inaudible*)

PRESIDENT SHERER: Deputy Mayor, Law Director, can you hear me? I think you might be muted.

I.T. DIRECTOR BARTON: Uh, Bill, tell her to disconnect and reconnect her audio.

PRESIDENT SHERER: Law Director, if you can hear me, can you disconnect and reconnect your audio, please. (*Brief pause*) Deputy Mayor, if you want to continue.

LAW DIRECTOR BATES: Can you hear me now?

PRESIDENT SHERER: Yes, we can hear you, Law Director.

LAW DIRECTOR BATES: Yeah, can you hear me now? I had to disconnect my headset. I don't know what was going on. Um, just real briefly to address what we were talking about. The only way to legally take a public service pension currently, which I would remind everyone is half, city money and half contributed roughly by the employee out of their own money, is if that employee commits a crime. If they're convicted of certain crimes while they're a public employee, yes, we can keep their pension to take damages arising from that crime. Other than that, there is no legal way to take a pension from a police officer or any other public employee unless they're convicted of a crime.

DEPUTY MAYOR WILLIAMS: Thank you, Law Director. Uh, Mr. President.

PRESIDENT SHERER: Deputy Mayor.

DEPUTY MAYOR WILLIAMS: Yes, I'll just continue. There are a couple more questions. Again, Chief Angelo did address these, but Mrs. Skylark Bruce asked a question, why are vehicles not being moved from a particular parking space a police matter. In this particular case, constituents had complained to a Member of Council. The Council Member turned this complaint in. Officers responded. The vehicle was not on private property, did not have current registration, nor was in working condition which is a violation of city code, therefore it was towed. Uh, lastly, the question was asked why can't the community be involved in some of the decisions being made for the City. Uh, the community is involved in matters of the City through the Mayor's Neighborhood Commission, Members of Council, etc. Thank you very much. That'll be all.

PRESIDENT SHERER: Thank you, Deputy Mayor.

**INFORMAL RESOLUTIONS**

PRESIDENT SHERER: We are now under Informal Resolutions and we have two for this evening. Mr. Clerk, would you please read Resolution #46, by title.

MINUTES OF THE MEETING SEPTEMBER 28, 2020

#46. COUNCIL-AS-A-WHOLE: CONGRATULATING SGT. CRAIG RILEY, 2020 CANTON POLICE OFFICER OF THE YEAR. – ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #46.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #46. Are there any remarks? ... Hearing none, by voice vote... Lea... Lea...

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader Smuckler.

MEMBER SMUCKLER: Could I have the Resolution read, please.

CLERK DOUGHERTY: After the vote.

PRESIDENT SHERER: Want to do it now? So, when... we'll do that after the vote, Leader.

UNIDENTIFIED VOICE FROM THE AUDIENCE: What if it's (*inaudible*) vote?

PRESIDENT SHERER: I want to remind everybody right now that's in the audience that we will maintain a level of professionalism in this Council. And we will adhere to the Rules of Council, so everybody tonight will get one warning and then they're gonna be asked to leave. So it's been moved and seconded to adopt Informal Resolution #46. Are there any remarks? ...Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #46 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #46 is adopted. Can we read Resolution #46 it its entirety, please.

CLERK DOUGHERTY: An Informal Resolution respectfully submitted by Council-as-a-Whole on this 28<sup>th</sup> day of September, 2020. **Whereas**, Sgt. Craig Riley has served Canton since May 10, 2001, proving to be a valued asset to this community. He has dedicated his time building relationships in the community by hosting conversations with community members, meeting with neighborhood associations, school officials, area churches and other organizations; and **Whereas**, Sgt. Riley has promoted and registered people for the Take Me Home Project, which allows law enforcement to identify and assist people with disabilities that may have been separated from their families and safely reunite them; and **Whereas**, Under the leadership of Sgt. Riley and through collaboration with Human Resources and Civil Service, job openings for officers are now being posted on government-jobs.com and the testing process has been switched to the National Testing Network, allowing people to apply and test for jobs from anywhere in the United States; and **Whereas**, We recognize the positive

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

impact that Sgt. Riley has had on the decision of new cadets to become Canton Police Officers. His selfless and dedicated service contributes beyond measure, to preserving and protecting the safety of all citizens of our community. **Now, Therefore be it Resolved:** That we, the Members of Canton City Council, do hereby go on public record congratulating and thanking the **2020 Canton Police Officer of the Year, Sergeant Craig Riley**, for his devotion and progressive efforts toward making the city of Canton a better place to live. Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, in recognizing Sergeant Riley for your work in the community and recognizing of getting police officers hired, that's been a problem for years here, and we appreciate your service to the community. Thank you very much.

SERGEANT RILEY: Thank you. Thank you, Council. (*Applause*) Uh, this is on... but, thank you, President, Council, Mayor. Um, I accept this Resolution proudly for myself, but more... more importantly, I accept this Resolution on the shoulders of the men in blue that I work with. Uh, since 2001, I stand on the shoulders of giants of all of the veterans that have retired before me and the current, you know, young officers that are coming aboard. So, thank you very much. I appreciate it. (*Applause*)

PRESIDENT SHERER: Mr. Clerk, Resolution #47, please.

#47. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SERVICE DIR TO OPEN ONE OR MORE PURCHASE ORDERS IN APPROXIMATE AMOUNT OF \$23,862.66 FOR PURCHASE OF SMALL SPORT UTILITY VEHICLE (ENGINEERING DEPT). – ADOPTED

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: I move we adopt Resolution #47.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Resolution #47. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

PRESIDENT SHERER: Those opposed no.

NO REMARKS

RESOLUTION #47 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #47 is adopted.

**PUBLIC SPEAKS**

PRESIDENT SHERER: We are now under Public Speaks and we have eight speakers for tonight. To clarify the ground rules for Public Speaks, Public Speaks is not a debate format. I would encourage anybody in the audience tonight, if you have any questions that you would like to have answered, to stay after the meeting. But

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

Public Speaks is not a debate format. Recently into our last Council meeting we did have some outbursts, so the ground rules are gonna be tonight that everybody is gonna get one warning and be asked to leave. So our first speaker tonight... out of courtesy for the rest of the speakers tonight. Our first speaker is Ms. Kim Bell.

CLERK DOUGHERTY: (*Checking the public speaks mic*) Got it. Okay.

PRESIDENT SHERER: Ms. Bell, could you please step forward and give us your name and residential address, please.

KIM BELL: Yes, my name is Kimberly Bell. I live in the City of Canton on 17<sup>th</sup> Street, 135 17<sup>th</sup> Street. Um, and I live in Canton, Ohio as I said. Today I want to address... first I want to address and thank Mayor Tom. Last year at this time, you allowed me to take you to a friend, family member's death of... killing of her son. Sabrina Ballard and her son, Duke, wa... her son was killed and you allowed me to take you around the city and I inter... took you to the family and... and then after that, thing es... things escalated because I wanted things done (*slams her palm down*) right then and there and I realize it takes a chain of command to do it, and if I say you do it, Mayor, cause you're the mayor, I realize after I did some research, it's no different than the President. If President Trump could push the button, do you know what kind of mess we'd all be in? If... if it would just take him to do it? It's a chain of command. He has to go through the Senate. He has to go through this person and that person to get it done, and I'm sure you have to go... just because you have that title, you don't have the authority to tell the police department, Angelo, go fire them officers. Go hire them officers. Go do this, go... you don't have that command, Mayor, and I... after I did my reading and research, I... I want to ask you to... I want to apologize to you because now I realize it's a chain of command. You have to go through City Council. You gotta go... you have a chain to go through. You just sittin' in the seat that says Mayor, and you can push certain buttons, but not all of them. And I'm hoping that, since I'm... I want to be the Mayor, I hope you'll teach me how. But... but let's go back to... to... to last year, and I gave every Council Member a layout of how we can stop this killing... these killings, because that... I have only one child and it's a son. He... and we got to somehow... do you think these young people would be out shooting and killing each other if they had their own home and if they had a job to go to? No. We have jobs to go to. We're not sitting around thinking about waking up being a...

PRESIDENT SHERER: Ms. Bell, you have... you have thirty seconds.

KIM BELL: Okay. Waking up to be a killer. You don't know who's gonna wake up that morning and decide I'm gonna be a killer today. If you knew that, you would have the police there the min... the minute they wake up, so I'll talk more about this at the next meeting. I got more things to address. Thank you.

PRESIDENT SHERER: Thank you, Ms. Bell. And you'll have to pardon us tonight. Our clock is out on the screen, so I'll just have to remind everybody about their timeframe that they have left. Our next speaker is Ms. Skylark Bruce. Ms. Bruce, could you please step forward and give us your name and residential address, please.

SKYLARK BRUCE: My name is Skylark Bruce and I live at 1242 Worley Ave NW. Our city again mourns the loss of young lives cut short by violence. The death of King Pleasant is a great tragedy made worse by his white killer not being held to account in the same way a black child would be. That is a problem laid squarely

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

at the feet of our justice system. When the black victim is treated as a suspect immediately, what gives? When white children who kill are treated as children but black children in similar circumstances are treated as adults, what do we call that? It's not just a bad day or an oversight. It's actual racism. In response to those who say that objectors should be nicer if they want to be heard, politeness is not a promise for change. Keeping an even tone, asking nicely, saying please does not help. When people in power refuse to move toward justice, it doesn't matter how pleasant and respectful the people crying out for justice are. Black folks have tried that for decades and longer to little avail. Respectability politics hasn't produced measurable justice. You could point to someone's word choice, volume or protest methods as a reason not to take them seriously, but how seriously you take anyone as individuals is not the issue. Do you take justice seriously? Do you take your part in equality seriously? Deflecting to someone's type of expression for why you won't find a way toward making things right is a cheap dodge. It's childish, and I expect more from my public officials. You patted yourselves on the back for rushing through a watered down version of Campaign Zero's Eight Can't Wait policies. Eight Can't Wait that doesn't truly band choke holds is a brutal officer's definition of seven minutes in heaven. This has been brought to your attention repeatedly, and what did you do? Not much. But the good news is you can still fix it. You can amend the sloppy policy you put into place. No choke holds. Full stop. And you can do great things yet when you move into Nix the Six, the next steps as laid out by Campaign Zero. You can get tough with the police union and stand up for the rights of the citizens of this city.

PRESIDENT SHERER: Thirty seconds, please.

SKYLARK BRUCE: You can do all of this without bothering to like anyone who protests. Black lives matter. *(Cheering and applause)*

PRESIDENT SHERER: Our next speaker is Mr. Cortezz White. Mr. White, could you please step forward and give us your name and residential address, please.

CORTEZZ WHITE: My name is Cortezz White. I live on Housel Avenue SE, Canton, Ohio. I'm the uncle of King Pleasant. I, myself, have been arrested. Police didn't ask was this okay or even as a juvenile, no one said, you know, he could be a good kid, it was send him to jail. That's what he needs. The Mayor did come to King's funeral, but I haven't heard the Mayor say anything about any of the killings in the City, mainly the children. If this city, if these officials... you want to keep your seats, you want votes? Then you need to stand up and do something for us as citizens. To have to do your job, go out, protest, fight against police officers, whoever in order to be heard is uncalled for when we have this platform here and you can hear me as clear as day. For my nephew to be murdered and his killer to be set free in less than twenty-four hours is unacceptable. Do any of you have children? How would you feel if it were your son, and the killer lived directly next door? My sister and his killer share a driveway. She has to go home and be right next door to the little boy who killed her son. Her son can't come home. He'll forever be pushing up daisies. This other child was just outside throwing rocks at cars. Does this speak of a child who does not know what he is doing? Or someone who is... or is... does it speak of a system that is biased? I've witnessed countless African American children be arrested for less than killing someone. My brother spent four years in a juvenile peniten... or in a juvenile system for stealing. This little boy stole a life. Not a candy bar, a bicycle, anything menial, an actual physical being is no longer here because of decisions that this child made. We understand that he is a child... what, thirty seconds?

PRESIDENT SHERER: Thirty seconds, please.

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

CORTEZZ WHITE: We understand that he is a child. Black children are held accountable for their decisions, he should be too. Black lives matter. (*Cheering and applause*)

PRESIDENT SHERER: Thank you, Mis... thank you, Mr. White. Our next speaker is Mr. Dan Fonte. Mr. Fonte, if you could please step forward and give us your name and residential address, please.

DAN FONTE: Yes, my name is Dan Fonte and I reside at 4415 Dawnridge Circle NW in Canton. Uh, I'm here to address Council again on the garbage carts, the new situation that you have. I have a few questions and I thought we might have had it resolved the last time I was here, but I'm kind of a little bit confused. It said in the letter we received that if you want an exemption, you need to call and get one. Well when I called they said you gotta call back in October. So if... my question... my first question is this. If I request an exemption, you... can I return the wheel cart to the Sanitation Department and will they give me something in writing that the re... that it was returned in the same condition as when I received it. That's the first question. And on the instructions we got with the letter and what come with the cart, it said the cart should be on the street adjacent to touching the curb or end of pavement adjacent to touch... touching the yard. The cart should not be on the sidewalk or tree lawn, but in the street backed up to the grass, tree lawn or curb. Now, when I look at 44<sup>th</sup> Street, cause I live off of 44<sup>th</sup> Street, and if everybody starts putting them carts against the curb, they're gonna be in about thirty inches, maybe thirty-six. You got buses going up and down both ways. Now what happens when it snows? Now people are gonna try to plow, they're gonna go this... this... I mean, was there any thought process put into this thing? So, that's what my question is, what happens when it snows or the paper delivery person, he's gotta drive around and put the paper in, the mail person's gotta do it. So, there's gonna be a problem there, so I don't know if anybody thought about addressing it, but I'll wait to get the answer. My third question is, does the City of Canton have a yard waste disposal site? And that's it. Thank you.

PRESIDENT SHERER: Thank you, Mr. Fonte. Our next speaker is Ms. Jennifer Robinson. Ms. Robinson, if you could please step forward and give us your name and residential address, please.

JENNIFER ROBINSON: My name is Jennifer Robinson. I live at 218 Cleveland Avenue. Um, my first question is again, where is Jack Angelo? We have so many questions for this man. He was here for the previous meeting, for the... what was it? The financial set meeting or whatever you guys call it. But he can't be here for the seven o'clock meeting. What's going on with that? We have so many questions for this man and he's not here to answer them directly. Um, I appreciate the... um, the answers that you guys did give me, however he's still not giving the community what they need. Um, he's still letting these prejudice and racist cops on his... on his force with no repercussions. I see you guys are quick to definitely give the police their props, but you guys are never quick to prosecute them. And you say that they... we have to wait until they get criminally charged. Well, how are they gonna get criminally charged when they never actually see the judge because they have their own. It's called the union. The union protects them, so how are they gonna pay if they're not ever technically charged, but we know for sure they did it. For instance, the guy that was... um, used racial slurs on social media and he was allowed to resign with his pension, he should have been fired point black period. Um, I want to know what each and every one of you City Council Members are doing for the community to stop these youth... these youths and people being killed in your community. You guys... Bill Smuckler likes to say we need more police, we need more police, but what Bill Smuckler and what everybody else don't seem to understand, the police that don't have the most violence, they don't have more police, they have more resources. And that's what we do not have. The youth in our community does not have resources.

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

That's why they're out here doing all this crazy stuff, and you guys are quick to lock them up. So quick to lock them up, you don't ask no questions and here's King's killer. King's killer is just in their home playing a video game. What type of justice is that? I was out there earlier protesting for this young man, and I'm gonna be out here protesting for all the other young kids that are being murdered. What is going on? How would you all feel if this was your kids? Why do I have to speak properly? Why do I have to be calm in monotone and wear a frilly dress and speak how you guys want for you guys to understand what the community needs?

PRESIDENT SHERER: Thirty seconds, please.

JENNIFER ROBINSON: I'm coming at you guys how you guys need to be came at because obviously being friendly is not helping anything. It's not, and I see a lot of hmm, a lot of this, oh she got a big mouth. You're dang right I got a big mouth and I'm gonna continue to speak up for the community that you guys do not listen to point blank period. I got seven minutes left? Um, and while I'm at it why do we have to tell us our address? Why do we have to tell the whole city the address? Why can't we tell them your guys's address?

PRESIDENT SHERER: Ms. Robinson, your time is up, please. Thank you, Ms. Robinson. (*Applause*) Our next speaker is Ms. Ida Ross Freeman. Ms. Freeman, if you could please state your name and residential address, please.

IDA ROSS FREEMAN: 1120... oh, my name. Ida Ross Freeman, 1129 7<sup>th</sup> Street NW. First of all, I want to thank the Deputy Mayor for getting back to us with answers. Not that we received all of the answers of the questions that we asked, but at least there was some effort. Thank you. Now I'm here again, and we want to treat our police officers as professionals, then we need to really treat them as professionals. Professional people have to have extra insurance. Not the company insurance, but their own personal insurance. The police officers should have their own personal insurance, so when they misbehave, the insurance will take care of it, not me the taxpayer. And, it will save money for the City because the money that we get sued, that million plus dollars a year that we get sued by the people in the community, that money could be stacked and... and hired new police officers. They said... you said we don't have enough police officers, that one way of stacking money and hiring new police officers. They need to be treated as professionals. Therefore, have professional police insurance, not the City of Canton insurance. Thank you.

PRESIDENT SHERER: Thank you, Ms. Freeman. (*Applause*) Our next speaker is Mario Elder. Mr. Elder, could you please state your name and residential address, please.

MARIO ELDER: My name is Mario Elder. I reside at 1153 Roslyn Avenue, Canton, Ohio. Um, so I'm yet another uncle of King Pleasant. And to see a boy go home the very next day, not even twenty-four hours after my nephew was murdered was outrageous, but the fact that my sister wasn't questioned until three days after was even worse to see. And he... she... he went home before they even questioned her. That's a problem. Then to receive lack of transish... uh, between her and the police is even worse because no one is actually being able to talk to each other because they're not willing to talk. That's a problem. If we gonna fix something, we can't just be one sided. Also, we're out here marching every day, but I have not seen one Council Member out there not one time. How can you be able to say I'm here for the ward when if something happens in your ward, you're not there to address it personally? You can't say that I'm... I'm in the mud if you're not getting your hands dirty. You need to come and be able to actually see people eye to eye to be able to actually understand

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

the pain that everyone is going through. You can hear it and be able to say, hey, that's alright. But when you see it, it's a whole different thing. I stand up here because my sister couldn't come in here and stand face to face and see all of you guys or anyone else on the police force because she feels like she has failed. And I agree that she's failed.

UNIDENTIFIED VOICE IN THE AUDIENCE: She's been failed.

MARIO ELDER: She's continuing to be failed by lack of transparency by the officers or in particular when I called down to actually... the only reason why the police officer even actually claimed to actually speak to my sister was because I actually had to call. I had to call for him to actually come and speak with her three days after my nephew was murdered. That is a problem. And if you all don't see that as a problem, then you all need to go back to the drawing board.

UNIDENTIFIED VOICE IN THE AUDIENCE: Or give up your seat.

MARIO ELDER: Or somebody needs to come stand with us. Cause we gonna be out there every day at eleven-thirty in front of the courthouse. So, if you really care, come show support. That's all I really got to say. Thank you. Black lives matter and King's life matters. *(Cheers and applause)*

UNIDENTIFIED VOICE IN THE AUDIENCE: *(Inaudible... show us what you care about.*

PRESIDENT SHERER: Thank you, Mr. Elder. And our last speaker for this evening is Ms. Sierra Mason. Ms. Mason, if you could please give us your name and residential address, please.

SIERRA MASON: Sierra Mason, 3004 16<sup>th</sup> Street. Uh, today I'm here to talk about the violence in our community. Uh, it's ridiculous that in 2015 I was... I was going to Stop the Violence assemblies, things they took me out of school, took my education for because it was that important. Now our kids are stuck at school and they're not getting any type of violence... uh, Stop the Violence assemblies, they're not getting any type of diversity assemblies, they're not getting any type of any of that. I've seen some of these... these kids' curriculums and they're... it's all strictly the four subjects they're supposed to be in, that's it. This whole COVID thing, it's messing our kids up. They already didn't have anything before this whole COVID thing and now they're stuck in their houses. You wonder why our kids and why the violence is so crazy this year is because our kids have nothing to do. And Canton isn't doing anything about that. We're worried about amphitheaters, we're worried about the Football Hall of Fame. Frankly, if you ask me, the Football Hall of Fame has enough endorsements to get whatever the fuck they want, whatever they want.

PRESIDENT SHERER: Ms. Mason, that's warning number one.

SIERRA MASON: Oh, I hear you. It's ridiculous that you all think that tourism is more important than King's life. Tourism is more important than Ace and Arcel's lives. Tourism is more important than making sure that these kids have an aquarium, a zoo, a park, a splash pad, something for them to do other than looking at their whoever it is, parents, uncles, family members, friends deal drugs in the park. All they have is to play basketball at a community center on probably the complete opposite of... of the side of the town that they live on, cause I know I couldn't even get to the southeast when I lived here and I live on the northeast. What about

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

the kids on the northwest? What about kids on the southwest? What do they have to do? Nothing, but be in the streets. Oh, but then a little white boy goes and shoots a little white... black boy, pulls him... murders him in your own streets and nothing is done? He's got some little petty charge and he gets to sit in his house and eat Oreos and snack on Cheerios all day while he's playing Call of Duty, probably shooting and thinking about all the other black kids he could have shot. Or that other person he was trying to shoot too. Get something for these kids to do. Black lives matter. *(Cheering and applause)*

PRESIDENT SHERER: Thank you, Ms. Mason.

**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 SEPTEMBER 28, 2020.***

329. COURT ADMIN KOCHERA: REQ \$476.48 APPROP TRF FR OTHER – RECOVERY COURT ATP FUND #2792-701001 TO PERSONNEL – RECOVERY COURT ATP FUND #2792-701001 FOR CONT'D OPERATION OF COURT. – FINANCE COMMITTEE
330. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO LOAN AGMT IN AMT NOT TO EXCEED \$2,000,000.00 OF ISSUE 13 COMP FUNDS, BETWEEN CITY OF CANTON AND 200 MARKET NORTH LLC (“DEVELOPER”) TO PROVIDE GAP FINANCING TO MILLENNIUM BLDG PROJ; AMEND APPROP O#59/20209 (\$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERTING FUND TO 1001.200501 GENERAL GOVERNMENT SUPPORT ADMIN; \$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 2175 COMPREHENSIVE PLAN FUND TO 2175.200501 GENERAL GOVERNMENT SUPPORT ADMIN; \$500,000.00 INTER FUND ADV FR 1001 GENERAL OPERATING FUND TO 2175 COMPREHENSIVE PLAN FUND); EMERGENCY (\$2,000,000.00 LOAN @ 0.5% INT FOR 10 YRS AND AMORTIZATION PERIOD OF 20 YRS WITH BALLOON PAYMENT TO ASSIST IN PURCH MILLENNIUM BLDG @ 200 MARKET AVE N. AND RETAIN TPM OFFICE IN DOWNTOWN CANTON). – FINANCE COMMITTEE
331. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO JOB RETENTION TAX INCENTIVE AGMT WITH TZANGAS PLAKAS MANNOS, LTD LAW FIRM (“TPM”) PURSUANT TO ECONOMIC GROWTH INITIATIVE REGULATIONS ADOPTED THRU O#2/2006 AND CONTINUED THRU O#59/2013; EMERGENCY (10 YR 50% EMPLOYEE INCOME TAX CREDIT TO RETAIN TPM OFFICE IN DOWNTOWN CANTON, 30 EMPLOYEES). – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
332. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SAF DIR TO ENTER INTO PARKING LEASE AGMT WITH TZANGAS PLAKAS MANNOS LTD LAW FIRM (“TPM”) AT MILLENNIUM PARKING GARAGE LOCATED @ 200 MARKET AVE N., PURSUANT TO ECONOMIC GROWTH INITIATIVE PROGRAM (EGI) ADOPTED THRU O#168/2018 (CURRENT RATES: #35 SPACES @ \$45 MO GENERAL PARKING, #5 SPACES @ \$50 MO PREFERRED

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

PARKING, 5 ACTIVATION FEE FOR NEW PASSES; PROPOSED NEW RATE: #35 SPACES @ \$15 MO GENERAL PARKING, #5 SPACES @ \$15 MO PREFERRED PARKING, \$5 ACTIVATION FEE FOR NEW PASSES FOR 10 YRS); EMERGENCY. – FINANCE COMMITTEE

333. FINANCE DIRECTOR CROUSE: AMEND APPROP O#59/2020 WITH SUPP APPROPS EQUAL TO AMT OF FUNDS RECEIVED IN THIRD ROUND OF CARES ACT FUNDING UPON RECEIPT OF FUNDS; APPROVE FIRING RANGE AS BOTH SOLE SOURCE PROJ AND EMERGENCY RESPONSE PURSUANT TO COD ORD 105.04 EXEMPT FR REQUIREMENTS OF COMPETITIVE BIDDING AND AUTH MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACTS FOR PROJ; AUTH AUDITOR TO PAY MORAL OBS RELATED TO PROJ; EMERGENCY. – FINANCE COMMITTEE
334. FINANCE DIRECTOR CROUSE: AMEND APPROP O#59/2020; EMERGENCY (SEE COM #334 FOR COMPLETE LIST OF APPROP TRFS AND SUPP APPROPS). – FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
335. FINANCE DIRECTOR CROUSE: AMEND APPROP O#59/2020 (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 1155 NIP ACQUISITION DEMO FUND TO 1155 101501 CODE ENFORCEMENT ADMIN – OTHER); EMERGENCY. – FINANCE COMMITTEE
336. HEALTH COMMISSIONER ADAMS: REQ AMEND APPROP O#59/2020 (\$44,700.00 SUPP APPROP FR UNAPPROP BAL OF FUND HIV PREVENTION TO FUND 2318 HIV PREVENTION – 700 OTHER DIRECT COSTS). – FINANCE COMMITTEE
337. LIQUOR CONTROL DIV (OHIO): DENIAL OF 2020-2021 RENEWAL APP (PERMIT #1232592-0003, CLASS D-2-2X-3-3A-6) FOR CANTON NEGRO OLD TIMERS ATHLETIC ASSOCIATION DBA OLD TIMERS ACTIVITY CENTER @ 1016 12<sup>TH</sup> ST NE. – RECEIVED & FILED
338. LIQUOR CONTROL DIV (OHIO): DENIAL OF 2020-2021 RENEWAL APP (PERMIT #6018969-0045, CLASS D-2-2X-3-3A-6) FOR MARK AND FRANCES MILLS DBA MILLS PLACE @ 3357 MAHONING ROAD NE. – RECEIVED & FILED
339. PLANNING COMMISSION: REQ REPLAT OF PART OF LOTS 35385 AND 35386 (PARCELS 304099 & 304101), LOCATED @ 4315 MARKET AVE. N, IN WARD 8 FOR MARCUS REED. – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
340. PLANNING COMMISSION: REQ REPLAT OF ALL OF OUTLOTS 1097, 1098, 1099 AND 1444 (PARCELS 8300021 & 10013144), LOCATED @ 2505 SHEPLER CHURCH AVE SW, IN WARD 5 FOR TIMKENSTEEL. – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
341. SERVICE DIRECTOR HIGHMAN: REQ INF RES AUTH SERV DIR TO OPEN PURCH ORDER IN APPROX AMT OF \$23,862.66 TO LIBERTY FORD CANTON FOR PURCH OF SMALL SPORT UTILITY VEHICLE (FORD ESCAPE FOR ENGINEERING DEPT). – RECEIVED & FILED
342. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR 12<sup>TH</sup> ST NW WATER MAIN REPLACEMENT PROJ; AUTH MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT FOR CONSTRUCTION OVERSIGHT SERVS FOR PROJ; AUTH AUDITOR

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE AND ENVIRONMENTAL AND PUBLIC SERVICES COMMITTEES

343. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR STEESE AREA (39<sup>TH</sup> ST NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS NEEDED FOR CONSTRUCTION OVERSIGHT OR INSPECTIONS; AUTH MAYOR AND/OR SERV DIR TO RECEIVE AND ENTER INTO CONTRACT FOR GRANT FUNDS FOR PROJ FR OPWC; AUTH AUDITOR TO ESTABLISH AND CREATE FUND 4593 FOR TRACKING PROJ REVENUES AND EXPENDITURES; AMEND APPROP O#59/2020 (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 4593 STEESE AREA (39<sup>TH</sup> ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284 FUND TO 4593 202060 STEESE AREA (39<sup>TH</sup> ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284 – OTHER; \$1,070,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING FUND TO 5201 2020605201 WATER WORKS OPERATING FUND, STEESE AREA (39<sup>TH</sup> ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284 - OTHER; \$80,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER OPERATING FUND TO 5410 202060 5410 SANITARY SEWER OPERATING FUND, STEESE AREA (39<sup>TH</sup> ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284 – OTHER; \$1,350,000.00 APPROP TRF FR 4501 202001 CAPITAL FUND, ENGINEERING ADMINISTRATION TO 4501 202060 CAPITAL FUND, STEESE AREA (39<sup>TH</sup> ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284 – OTHER); AUTH MAYOR AND/OR SERV DIR OR DESIGNEE TO ESTABLISH FAIR MARKET VALUE OF PARCELS, FOR FEE SIMPLE TAKES, PERM AND TEMP EASEMENTS NECESSARY FOR CONSTRUCTION OF PROJ; AUTH MAYOR AND/OR SERV DIR OR DESIGNEE TO NEGOTIATE WITH PROP OWNERS FOR PURCH/ACQUISITION OF PARCELS UTILIZING FAIR MARKET VALUE AS BASIS OF NEGOTIATIONS AND ENTER INTO AGMTS FOR PURCH OF AND ACCEPT TITLE TO SAID PARCELS; AUTH MAYOR AND/OR SERV DIR OR DESIGNEE TO NEGOTIATE SALE OR DONATION OF CITY-OWNED PROP FOR PERM ROAD RIGHT-OF-WAY, UTILITY EASEMENTS AND/OR TEMP CONSTRUCTION EASEMENTS NECESSARY FOR CONSTRUCTION OF PROJ AND TO ENTER INTO AGMTS FOR SALES OR DONATIONS; AUTH MAYOR AND/OR SERV DIR OR DESIGNEE TO MAKE MINISTERIAL CHANGES TO CORRECT PROPERTY OWNER NAMES, PARCEL NUMBERS AND OTHER NUMERICAL DESCRIPTIVE OR TYPO ERRORS; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE, PUBLIC PROPERTY CAPITAL IMPROVEMENT AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
344. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT BETWEEN CITY AND ENVIRONMENTAL DESIGN GROUP FOR ALLEN AVE. SANITARY SEWER REPLACEMENT PROJECT – PHASE 2, GP 1332; AUTH MAYOR AND/OR SERV DIR OR DESIGNEE TO ESTABLISH FAIR MARKET VALUE OF ALL PARCELS, FOR FEE SIMPLE TAKES, PERM AND TEMP EASEMENT NECESSARY FOR CONSTRUCTION OF PROJ; AUTH MAYOR AND/OR SERV DIR OR DESIGNEE TO NEGOTIATE WITH PROP OWNERS FOR PURCH/ACQUISITION OF PARCELS UTILIZING FAIR MARKET VALUE AS BASIS OF NEGOTIATIONS AND ENTER INTO AGMTS FOR PURCH OF AND ACCEPT TITLE TO SAID PARCELS; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO COOPERATIVE AGMTS WITH OTHER PROJ STAKEHOLDERS INCLUDING BUT NOT LIMITED TO OHIO

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

DEPT. OF TRANSP, WHEELING & LAKE ERIE RAILWAY COMPANY AND ADJACENT PROP OWNERS AS NEEDED; AUTH MAYOR AND/OR SERV DIR OR DESIGNEE TO NEGOTIATE SALE OR DONATION OF CITY-OWNED PROP FOR PERM ROAD RIGHT-OF-WAY, UTILITY EASEMENTS AND/OR TEMP CONSTRUCTION EASEMENTS NECESSARY FOR CONSTRUCTION OF PROJ AND ENTER INTO AGMTS FOR SALES OR DONATIONS; AUTH MAYOR AND/OR SERV DIR OR DESIGNEE TO MAKE MINISTERIAL CHANGES TO CORRECT PROP OWNER NAMES, PARCEL NUMBERS AND OTHER NUMERICAL DESCRIPTIVE OR TYPO ERRORS, SHOULD THEY OCCUR; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES

345. SERVICE DIRECTOR HIGHMAN: AUTH AND DIRECT AUDITOR TO PAY MORAL OB TO CIVICPLUS, INC. IN AMT OF \$8,316.00 FOR CIVIC CLERK LICENSES AND IMPLEMENTATION; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE COMMITTEE
346. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF AUGUST 31, 2020. – RECEIVED & FILED
347. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR AUGUST, 2020. – RECEIVED & FILED

**ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING**

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

***NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #19 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#9 THROUGH O#13 AND O#15 THROUGH O#19 ADOPTED; O#14 ADOPTED AS AMENDED):***

- O#1. (1<sup>ST</sup> RDG) AN ORDINANCE DECLARING A DESIGNATED AREA OF THE CITY OF CANTON AS A TOURISM DEVELOPMENT DISTRICT, TO BE KNOWN AS THE CENTENNIAL PLAZA 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  
Referred to Community & Economic Development Committee
- O#2. (1<sup>ST</sup> RDG) AN ORDINANCE, FOR THE PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THE AREA OF THE CITY OF CANTON DESIGNATED AS A TOURISM DEVELOPMENT DISTRICT, PURSUANT TO SECTIONS 715.014(D) AND 5739.101 OF THE OHIO REVISED CODE, LEVYING A TAX ON THE PRIVILEGE OF ENGAGING IN THE BUSINESS OF MAKING CERTAIN TYPES OF SALES IN THE DOWNTON CANTON TOURISM DEVELOPMENT DISTRICT;

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

AND DECLARING THE SAME TO BE AN EMERGENCY (CENTENNIAL PLAZA TDD)

Referred to Finance and Community & Economic Development Committees

- O#3. (1<sup>ST</sup> RDG) AN ORDINANCE ESTABLISHING A SPECIAL FUND TO BE DESIGNATED AS THE “CENTENNIAL PLAZA TOURISM DEVELOPMENT DISTRICT FUND”; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance and Community & Economic Development Committees
- O#4. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING SECTION 185 OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON IN ORDER TO AUTHORIZE THE REALLOCATION OF EXISTING TRANSIENT LODGING TAX FUNDS TO FOSTER AND DEVELOP TOURISM WITHIN THE CENTENNIAL PLAZA TOURISM DEVELOPMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance and Community & Economic Development Committees
- O#5. (1<sup>ST</sup> RDG) AN ORDINANCE AMENDING CHAPTER 187 ADMISSIONS TAX OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON IN ORDER TO AUTHORIZE A FIVE PERCENT ADMISSIONS TAX TO FOSTER AND DEVELOP TOURISM IN CONNECTION WITH THE CENTENNIAL PLAZA TOURISM DEVELOPMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance and Community & Economic Development Committees
- O#6. (1<sup>ST</sup> RDG) 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) PORTABLE PIPELINE INSPECTION UNIT; OR TO ALTERNATIVELY PURCHASE SAID UNIT VIA ANY PURCHASING PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (COLLECTION SYSTEMS DEPT)  
Referred to Finance Committee
- O#7. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; AND RECEIVE GRANT FUNDS IN THE AMOUNT OF \$1,050,000.00 AND A ZERO PERCENT INTEREST LOAN IN THE AMOUNT OF \$450,000.00 FOR THE CLEVELAND AVENUE WATER MAIN REPLACEMENT PROJECT; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5243 CLEVELAND AVENUE NW WATER MAIN REPLACEMENT PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5243 CLEVELAND

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

AVENUE NW WATER MAIN REPLACEMENT PROJECT FUND TO 5243 207055  
CLEVELAND AVENUE NW WATER MAIN REPLACEMENT PROJECT – OTHER)  
Referred to Finance and Environmental & Public Utilities Committees

- O#8. (1<sup>ST</sup> RDG) A RESOLUTION PURSUANT TO CHAPTER 719 AND CHAPTER 163 OF THE OHIO REVISED CODE DECLARING THE INTENT OF THE CITY OF CANTON TO APPROPRIATE THE ESTATES AND/OR INTERESTS IN THE PROPERTY DESCRIBED IN EXHIBIT A IN FURTHERANCE OF THE NE CANTON INDUSTRIAL PROJECT GP 1148; AND DECLARING THE SAME TO BE AN EMERGENCY (RIGHT-OF-WAY ACQUISITION)  
Referred to Public Safety & Thoroughfares Committee
- O#9. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 172/2020** AN ORDINANCE TO PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$250,000.00 FOR THE PURPOSE OF PAYING THE COSTS OF REVITALIZATION WITHIN THE CITY AND ADDRESSING PROPERTY CONDITIONS THAT ARE DELETERIOUS TO THE PUBLIC HEALTH AND SAFETY THROUGH THE DEMOLITION OF DETERIORATING STRUCTURES AND THE IMPROVEMENT OF THOSE SITES, THEREBY ENABLING THE USE OR REUSE OF LANDS WITHIN THE CITY  
Referred to Finance Committee
- O#10. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 173/2020** AN ORDINANCE, FOR THE PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THE AREA OF THE CITY OF CANTON DESIGNATED AS A TOURISM DEVELOPMENT DISTRICT, PURSUANT TO SECTIONS 715.014(D) AND 5739.101 OF THE OHIO REVISED CODE, LEVYING TAX ON THE PRIVILEGE OF ENGAGING IN THE BUSINESS OF MAKING CERTAIN TYPES OF SALES IN THE HOF FITNESS TOURISM DEVELOPMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance and Community & Economic Development Committees
- O#11. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 174/2020** AN ORDINANCE ESTABLISHING A SPECIAL FUND TO BE DESIGNATED AS THE “HOF FITNESS TOURISM DEVELOPMENT DISTRICT FUND”; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance and Community & Economic Development Committees
- O#12. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 175/2020** AN ORDINANCE AMENDING SECTION 185 OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON IN ORDER TO AUTHORIZE THE REALLOCATION OF EXISTING TRANSIENT LODGING TAX FUNDS TO FOSTER AND DEVELOP TOURISM WITHIN THE HOF FITNESS TOURISM

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

DEVELOPMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance and Community & Economic Development Committees

- O#13. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 176/2020** AN ORDINANCE AMENDING CHAPTER 187 ADMISSIONS TAX OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON IN ORDER TO AUTHORIZE A FIVE PERCENT ADMISSIONS TAX TO FOSTER AND DEVELOPMENT TOURISM IN CONNECTION WITH THE HOF FITNESS TOURISM DEVELOPMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance and Community & Economic Development Committee
- O#14. (1<sup>ST</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 177/2020** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$150,000.00 SUPP APPROP FR UNAPPROP BAL OF 5701 BUILDING CODE FUND TO 5701 101501 CODE ENFORCEMENT ADMIN – OTHER)  
Referred to Finance Committee
- O#15. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 178/2020** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,100,000.00 SUPP APPROP FR UNAPPROP BAL OF 2120 INCOME TAX FUND TO 2120 852101 INCOME TAX – ADMIN – OTHER; \$1,200,000.00 SUPP APPROP FR UNAPPROP BAL OF 7508 JACKSON-CANTON JEDD CLEARING FUND TO 7508 852004 DISTRICT SM JEDD – OTHER - \$510,000.00, TO 7508 852006 DISTRICT 18-001 COM DOC JEDD – OTHER - \$375,000.00, TO 7508 852007 DISTRICT 19-001 KECK PARK JEDD – OTHER - \$315,000.00)  
Referred to Finance Committee
- O#16. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 179/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO RESPOND TO THE 1747 10<sup>TH</sup> ST NE DEMOLITION; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS FROM RESPONDING TO THIS EMERGENCY SITUATION; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- O#17. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 180/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE SALE OF CITY OWNED REAL PROPERTY LOCATED AT STARK COUNTY AUDITOR PARCEL NUMBERS 214456, 221513 AND 284108 AND TO ENTER INTO ALL CONTRACTS

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

NECESSARY TO FACILITATE SAID SALE; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development Committee

O#18. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 181/2020** AN ORDINANCE AUTHORIZING AND CONSENTING TO SAFETY IMPROVEMENTS AT VARIOUS INTERSECTIONS IN THE CITY OF CANTON TO INCLUDE ENHANCEMENTS TO PAVEMENT MARKINGS, SIGNAGE, ROADWAY FEATURES (MEDIAN, CURB RAMPS, SIDEWALK) AND SIGNALS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Safety & Thoroughfares Committee

O#19. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 182/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT THE THIRD SUPPLEMENTAL AWARD OF CARES ACT FUNDING IN AN APPROXIMATE AMOUNT OF \$2,538,610.00; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; APPROVING THE FIRING RANGE AS A SOLE SOURCE PROJECT AND AN EMERGENCY RESPONSE PURSUANT TO CODIFIED ORDINANCE SECTION 105.04; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO ALL CONTRACTS NECESSARY FOR THE FIRING RANGE PROJECT; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO SAID PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,538,610.00 SUPP APPROP FR UNAPPROP BAL OF 2810 COVID-19 RELIEF FUND TO 2810 COVID-19 RELIEF FUND – OTHER)

Referred to Finance Committee

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for Finance, Community & Economic Development and Public Safety & Thoroughfares Committees to meet in regards to Ordinances 9 through 19 on your agenda this evening. You are now in recess.

***(COUNCIL RECESSED AT 7:48 PM FOR THE FINANCE, COMMUNITY & ECONOMIC DEVELOPMENT AND PUBLIC SAFETY & THOROUGHFARES COMMITTEES TO DISCUSS O#9 THROUGH O#19; RECONVENED AT 8:00 PM)***

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinances 9 through 19 back on this evening's agenda.

MEMBER BABCOCK: Second.

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 9 through 19 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: The motion carries and Ordinances 9 through 19 are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules on Ordinances 9 through 19.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 9 through 19. 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.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#9 ADOPTED AS ORDINANCE NO. 172/2020**

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

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

MEMBER BABCOCK: Second.

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

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

NO REMARKS

ROLL CALL 10 YEAS, 1 NAY  
(MEMBER MORRIS VOTED NO)

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

**#10 ADOPTED AS ORDINANCE NO. 173/2020**

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

MEMBER SMUCKLER: 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.

NO REMARKS

ROLL CALL 10 YEAS, 1 NAY  
(MEMBER MORRIS VOTED NO)

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

**#11 ADOPTED AS ORDINANCE NO. 174/2020**

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

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #12. Are there any remarks under this Ordinance? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 10 YEAS, 1 NAY  
(MEMBER MORRIS VOTED NO)

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

**#12 ADOPTED AS ORDINANCE NO. 175/2020**

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

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

MEMBER BABCOCK: Second.

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

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

NO REMARKS

ROLL CALL 10 YEAS, 1 NAY  
(MEMBER MORRIS VOTED NO)

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

**#13 ADOPTED AS ORDINANCE NO. 176/2020**

PRESIDENT SHERER: The motion carries and Ordinance #13 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #14.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #14. Are there any remarks under this Ordinance?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: I move we amend Ordinance #14 by the amendment before every Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved & seconded to amend Ordinance #14 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 BY MAJORITY VOICE VOTE  
(MEMBER MARIOL ABSTAINED)

PRESIDENT SHERER: The ayes have it. The motion carries. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: No, we have to approve the amendment, #14.

CLERK DOUGHERTY: You have to vote.

MEMBER SMUCKLER: Alright, I'm sorry. I move we adopt Ordinance #14, as amended.

MEMBER BABCOCK: Second.

**MINUTES OF THE MEETING SEPTEMBER 28, 2020****AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 14 by amending Section 1 to change the dollar amount from "\$150,000" to \$207,000."*

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #14, as amended. Are there any remarks under this Ordinance, as amended? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 1 ABSTENTION  
(MEMBER MARIOL ABSTAINED)

CLERK DOUGHERTY: Ten yeas, one abstention.

**#14 ADOPTED AS AMENDED AS ORDINANCE NO. 177/2020**

PRESIDENT SHERER: The motion carries and Ordinance #14 as amended has been adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #15. 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.

**#15 ADOPTED AS ORDINANCE NO. 178/2020**

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

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #16. Are there any remarks under this Ordinance? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#16 ADOPTED AS ORDINANCE NO. 179/2020**

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

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

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to 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. 180/2020**

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

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you 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. 181/2020**

PRESIDENT SHERER: The motion carries and Ordinance #18 is adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #19. 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.

**#19 ADOPTED AS ORDINANCE NO. 182/2020**

PRESIDENT SHERER: The motion carries and Ordinance #19 is adopted.

**ORDINANCES AND FORMAL RESOLUTIONS FOR SECOND READING**

PRESIDENT SHERER: We are now... now under Ordinances and Formal Resolutions for their Second Reading. Mr. Clerk, would you please begin with Ordinance #20.

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

***NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #20 THROUGH #29 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- O#20. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A LOAN AGREEMENT WITH A.M. RODRIGUEZ ASSOCIATES, INC. IN AN AMT NOT TO EXCEED \$1,000,000.00 AT 0.5% INTEREST UTILIZING ISSUE 13 COMPREHENSIVE FUNDS, FOR THE LEHMAN SCHOOL PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#21. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING SECTIONS 1195.09, FEE FOR SITE PLAN REVIEW AND SECTION 1195.10, SITE PLAN REQUIREMENTS OF PART ELEVEN PLANNING AND ZONING CODE **PUB HRG 10/19/20 @ 7:00 PM**
- O#22. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING SECTIONS 1194.08, FEES FOR ZONING PERMITS AND 1194.09, ZONING PERMIT FEE EXEMPTION FOR GOVERNMENT STRUCTURES OF PART ELEVEN PLANNING AND ZONING CODE **PUB HRG 10/19/20 @ 7:01 PM**
- O#23. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING CHAPTER 1195, ADMINISTRATIVE AGENCIES & DUTIES OF PART ELEVEN PLANNING AND ZONING CODE **PUB HRG 10/19/20 @ 7:02 PM**
- O#24. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING CHAPTERS 1139, PERMITTED ACCESSORY BUILDINGS AND STRUCTURES; 1140, PERMITTED ACCESSORY USES; AND 1194, ENFORCEMENT OF PART ELEVEN PLANNING AND ZONING CODE **PUB HRG 10/19/20 @ 7:03 PM**
- O#25. (2<sup>ND</sup> RDG) AN ORDINANCE AMENDING SECTION 1194.05, ADMINISTRATION AND ENFORCEMENT – FAILURE TO OBTAIN A PERMIT OF PART ELEVEN PLANNING AND ZONING CODE **PUB HRG 10/19/20 @ 7:04 PM**
- O#26. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT \$88,863.64 FROM THE DEPARTMENT OF HOMELAND SECURITY, ASSISTANCE TO FIREFIGHTERS GRANT; ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF EXHAUST REMOVAL SYSTEMS AND RELATED WARRANTIES AND ACCESSORIES AT VARIOUS STATIONS FOR THE FIRE DEPARTMENT OR TO ALTERNATIVELY ENTER INTO CONTRACT FOR SAID PURCHASE IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZING THE AUDITOR TO ESTABLISH THE 2819 2019 ASSISTANCE TO FIREFIGHTERS GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$97,750.00 FR UNAPPROP

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

BAL OF 2819 2019 ASSIT TO FIREFIGHTERS GRANT FUND TO 2819 103001 FIRE ADMIN – OTHER; \$97,750.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 103001 FIRE ADMIN – ADV OUT - \$88,863.64, TO 1001 103001 FIRE ADMIN – TRF OUT; \$8,886.36 APPROP ADV AND TRF FR 1001 103001 TRF OUT TO OTHER FUND TO 2819 103001 TRF IN FR OTHER FUND; \$88,863.64 APPROP ADV AND TRF FR 1001 103001 ADV OUT TO OTHER FUND TO 2819 103001 ADV IN FR OTHER FUND)

O#27. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS OWED FOR CONSTRUCTION SERVICES RELATED TO THE WOODLAWN AVENUE WATER MAIN EXTENSION PROJECT IN AN AMOUNT NOT TO EXCEED \$11,221.02 TO WENGER EXCAVATING, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY

O#28. (2<sup>ND</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 183/2020** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$18,927.10 SUPP APPROP FR UNAPPROP BAL OF 2659 701001 PROBATION AWARD FUND TO 2659 701001 PROBATION AWARD FUND – PERSONNEL)

O#29. (2<sup>ND</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 184/2020** AN ORDINANCE AUTHORIZING THE LEVYING OF SPECIAL ASSESSMENTS FOR THE HOF VILLAGE HOTEL II LLC PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

CLERK DOUGHERTY: Mr. President.

MR. PRESIDENT: Leader.

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

MEMBER BABCOCK: Second.

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

MEMBER SMUCKLER: Oh, I... Mr. President, I move we suspend Rule 20... suspend Rules for Ordinance #28 and 29.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Thank you, Leader. It's been moved and seconded to suspend the Statutory Rules on Ordinances 28 and 29. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

CLERK DOUGHERTY: Eleven yeas, Mr. President.

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

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #28. Are there any remarks? Leader.

CLERK DOUGHERTY: Amendment.

MEMBER SMUCKLER: I... I have that on 29.

PRESIDENT SHERER: It should be on both.

MEMBER SMUCKLER: I'm on my Agenda. That's why I didn't know.

PRESIDENT SHERER: Okay. So we need to amend 28.

CLERK DOUGHERTY: Yes.

MEMBER SMUCKLER: Mr. President, I move we adopt... I'm sorry, I move we amend Ordinance #28 by the amendment before City Council.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved & seconded to amend Ordinance #28 per the copy before each of you. Are there any remarks? ... Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. The motion carries. Leader.

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

MEMBER BABCOCK: Second.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 28 by the substitution of the attached amended Ordinance for the original pending Ordinance."*

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

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#28 ADOPTED AS AMENDED AS ORDINANCE NO. 183/2020**

PRESIDENT SHERER: The motion carries and Ordinance #28 as amended has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #29.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #29. Are there any remarks?  
Leader Smuckler.MEMBER SMUCKLER: Mr. President, I move to amend Ordinance #29 by the amendment before every  
Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved & seconded to amend Ordinance #29 per the copy before each of you.  
Are there any remarks? ... Hearing none, by voice vote, all those in favor signify by saying aye. Those  
opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. The motion carries. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #29, as amended.

MEMBER BABCOCK: Second.

**AMENDMENT***Pursuant to Rule 36, I move to amend Agenda Item No. 29 by the substitution of the attached amended  
Ordinance and Exhibits for the original pending Ordinance and Exhibits."*PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #29, as amended. Are there any  
remarks under this Ordinance, as amended? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 1 NAY  
(MEMBER MORRIS VOTED NO)

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

**#29 ADOPTED AS AMENDED AS ORDINANCE NO. 184/2020**

PRESIDENT SHERER: The motion carries and Ordinance #29 as amended has been adopted.



**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #31. Are there any remarks?  
...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#31 ADOPTED AS ORDINANCE NO. 185/2020**

PRESIDENT SHERER: Motion carries and Ordinance #31 is adopted. Ordinance #32, please.

O#32. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 186/2020** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$12,851.65 APPROP TRF FR 2772 102019 COVID-19 STIMULUS FUND – PAYROLL TO 2772 102019 COVID-19 – OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #32.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #32. Are there any remarks?  
...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#32 ADOPTED AS ORDINANCE NO. 186/2020**

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

O#33. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 187/2020** AN ORDINANCE ESTABLISHING THE STOREFRONT REINVESTMENT PROGRAM (“SRP”) AND AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO SRP GRANT AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #33.

MEMBER BABCOCK: Second.

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #33. Are there any remarks?  
...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#33 ADOPTED AS ORDINANCE NO. 187/2020**

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

O#34. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 188/2020** AN ORDINANCE AUTHORIZING THE MAYOR OF DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT AMENDMENT/MODIFICATION IN AN ESTIMATED AMOUNT OF \$110,000.00 WITH AECOM TECHNICAL SERVICES, INC. FOR ENGINEERING SERVICES RELATED TO THE 11<sup>TH</sup> STREET SE INTERSECTION AND ROADWAY IMPROVEMENT PROJECT, PID 90465, GP 1144; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS FROM RESPONDING TO THIS EMERGENCY SITUATION; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #34.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #34. Are there any remarks?  
...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#34 ADOPTED AS ORDINANCE NO. 188/2020**

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

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

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

CLERK DOUGHERTY: Mis... Mr. President.

PRESIDENT SHERER: Clerk.

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

CLERK DOUGHERTY: We'll have a presentation given by Community Building Partnership at 6:15 on October 19<sup>th</sup>.

PRESIDENT SHERER: We'll get to that.

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Finance will meet October 19<sup>th</sup> at 6:15 P.M.

PRESIDENT SHERER: Thank you, Member Mariol.

CLERK DOUGHERTY: Community & Economic Development.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

MEMBER SCAGLIONE: Community & Economic Development will meet same time, same place.

PRESIDENT SHERER: Thank you, Member Scaglione.

CLERK DOUGHERTY: Public Safety & Thoroughfares, please announce.

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

PRESIDENT SHERER: Thank you, Member Kimbrough.

CLERK DOUGHERTY: Member Fisher.

MEMBER FISHER: Mr. President.

PRESIDENT SHERER: Member Fisher.

MEMBER FISHER: Environmental & Public Utilities will meet October 19<sup>th</sup> at 6:15.

PRESIDENT SHERER: Thank you, Member Fisher. And also I had talked to Michael Crawford from the... with the Hall of Fame prior to tonight's meeting, and we are gonna try to line... I'm gonna try to line up a tour, which I'll confirm that tomorrow morning, probably around 5:30, our next scheduled meeting, two weeks from now. So we can do it maybe at a quarter after five or 5:30, give us plenty of time.

CLERK DOUGHERTY: Three weeks. (*Chuckles*)

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

PRESIDENT SHERER: Or three weeks. Sorry about that. Thank you, Clerk Dougherty. So... but, it would be nice. The hotel's almost finished and I know that Michael Crawford had wanted to come down and give an update on the... the Hall of Fame Village, so hopefully we can get that to line up, so...

**MISCELLANEOUS BUSINESS**

PRESIDENT SHERER: Alright, we are now under Miscellaneous Business. Is there any Miscellaneous Business for this evening? I do have one thing. I would like to thank Pat Barton. I think the sound system is a lot better. I'm not quite sure about your guy's end where everybody's at... at home tonight, but I see a lot of thumbs up tonight, so you know, hats off to our I.T. Department with the City, that's for sure. So, that's all that...

MEMBER SCHULMAN: Very good.

PRESIDENT SHERER: That's all that I have.

MEMBER SMITH: Mr. President.

PRESIDENT SHERER: Member Smith.

MEMBER SMITH: Yes, I know it's been a while since Mr. DiGiacomo...

CLERK DOUGHERTY: Please talk into the mic, please.

MEMBER SMITH: Oh, okay.

CLERK DOUGHERTY: Thank you.

MEMBER SMITH: We got a new mic and I ain't even talking into it. Alright.

CLERK DOUGHERTY: Yeah, we want to hear you.

PRESIDENT SHERER: (*Chuckles*) You gotta press the button.

CLERK DOUGHERTY: You gotta press the button.

MEMBER SMITH: Oh, press the button. Okay, which button?

CLERK DOUGHERTY: Right in the middle.

MEMBER SMITH: Okay. Oh, I like the way I sound. Okay. I know it's been a while since Mr. Pete DiGiacomo has passed, but on Sunday his family is inviting Council Members to the Eagles, FOP Lodge in North Canton from one to five. They're gonna do a short memorial service and they just wanted to fellowship because they knew that he was great friends with the Council Members. So they are inviting us out there from

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

one to five on Sunday, October the 4<sup>th</sup> at the FOP Hall in North Canton. For further information I will leave that information with the staff in case you all forget. Thank you.

PRESIDENT SHERER: Thank you, Member Smith.

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: Between the Safety Director and the Mayor, I'm kinda concerned that through Public Speaks, that they mentioned that the mother of the child had never been spoken to for three days. I would like to know if that was true or not.

SAFETY DIRECTOR PERRY: Uh, Mr. President, to the Councilman, I don't know what the timeframe was prior to them... for the Chief to speak with the family. I do know the Chief spoke with the grandmother today, but I don't want to take a guess and the Chief's not here, but I will find out.

PRESIDENT SHERER: Thank you, Safety Director.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

MEMBER SCAGLIONE: I'd just like to take a minute to thank everybody that was involved in finally completing a project in Ward 3, that being the Fawcett Court Detention Project. I know this is greatly gonna reduce the flood waters on West Tuscarawas Street as well as a surrounding neighborhood, and the neighbors greatly appreciate the work that was done. At the worst, we may have to do a little bit more, maybe another phase. At the best, we may have fixed a problem that's been lingering for over seventy years. So I... I greatly appreciate everybody's help in getting to this point, and hopefully we've made a very big impact in this area. Thank you all.

PRESIDENT SHERER: Thank you, Member Scaglione. Is there...

SERVICE DIRECTOR HIGHMAN: Mr. President.

PRESIDENT SHERER: Uh, Member Morris?

SERVICE DIRECTOR HIGHMAN: This is... this is the Service Director.

PRESIDENT SHERER: Oh, Service Director Highman. Sorry about that.

SERVICE DIRECTOR HIGHMAN: Thank you, Mr. President.

MEMBER MORRIS: I have a sexier voice. (*Laughter*)

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

SERVICE DIRECTOR HIGHMAN: Um, I just wanted to update everybody on the wheeled cart distribution. Uh, to date we still do have approximately five thousand carts that need to be delivered. We had five large shipments today, so that hopefully that they will be delivered between tomorrow and Wednesday. Um, the... Schaefer & Company deliveries will still be on site through the end of the week to address any last standing issues and on into next week, if necessary. Um, a couple other things that I'll mention just so that everyone knows where we're at. So for folks who live on a main road, I know 44<sup>th</sup> Street was used as an example, those people who live on a main road did actually receive a supplemental notice with their cart instructing them how to place that on a main road. So 44<sup>th</sup> Street for example, they actually did have the carts in time for their one day pickup and everyone did in fact comply. Um, we did check that, so that was addressed. Um, there's a question about a yard waste site within the City. We do not have a yard waste collection site, but we do collect a lot of different type of yard waste with your weekly sanitation trash, so that is all in the rules and regulations that went out. And then finally about exemptions, two wheeled cart, we have had a... uh, of the... of the eighteen to nineteen thousand who have... who have been delivered, we have a couple dozen requests for those that are ability issues. We have worked with those. Uh, for those that were more nuanced, we have asked people to give Mr. Parker a chance to actually get through the implementation process. With 24,000 you need a delivery point. We will address those concerns on an individual basis as appropriate once the carts are delivered. But, we do ask and we have been asking folks for those more nuanced requests to give the Sanitation management a chance to get through the process. Thank you very much.

PRESIDENT SHERER: Thank you, Service Director, and Mr. Fonte, I'm assuming that answers your question?

DAN FONTE: Yeah, I guess sometime in October I just call out, begin or just... do you have a timeframe?

PRESIDENT SHERER: Service Director, is there a timeframe for the exemptions?

SERVICE DIRECTOR HIGHMAN: Well, October is two days away, and so essentially there is no exact time for actually getting the carts delivered, so they are keeping a log. So I would just say give Sanitation a few days to give you a call. I know Mr. Parker will probably... either him or Assistant Superintendent McCrae will probably be calling and actually visiting people to work through the issues that are... that are problematic. Uh, but I... there is no exact science and we got to get through that process first, so I would say if you haven't heard from him by the end of the week, I would, you know, give him a call back. Sounds like they did get the information in question. Uh, I... I would ask... like I guess everybody... I know we have had people get the carts and... and try them out and have given me the improved safety, the improved litter retention and all the other things that come with it. Um, and I'll ask everyone to give it a shot. I know my... uh, I... I think that it's went well so far and, like I said, we do have a few dozen people to get through once the carts are out and we'll go from there.

PRESIDENT SHERER: Thank you, Service Director.

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Member Hall.

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

MEMBER HALL: Service Director, to bring to your attention, someone posted that there was carts being delivered to vacant properties. I just wanted to let that be known because they said they didn't get one, so they took the one from the vacant property. So we need to keep an eye on that.

SERVICE DIRECTOR HIGHMAN: Mr. President, I can address that. So, obviously, the data that the company uses is the data that was available at the... the time of the delivery pending the purchase, so hypothetically there can be a change that was not a part of our utility billing system, so what they're doing is if they know that house is vacant, they are marking it not delivering a cart. Even if it's questionable, they're delivering a cart so as to not... not give someone a cart. So then what we'll do is after the fact if there are issues that need to be addressed, we will go collect those carts. Uh, most should be confident and certainly not foolproof as things change, but that is a part of the process, so it is frustrating to not ever have perfect data, but not surprising.

PRESIDENT SHERER: Thank you, Service Director. Is there anything else under Miscellaneous Business ... Hearing none, Clerk Dougherty, our quote for the week, please.

CLERK DOUGHERTY: *"When I'm sometimes asked, 'When will there be enough women on the Supreme Court?' and my answer is 'When there are nine!' people are shocked. But there'd been nine men and nobody's ever raised a question about that."* –Ruth Bader Ginsburg

PRESIDENT SHERER: Amen.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: 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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: This meeting is adjourned. Thank you for attending tonight. *(Gavel falls)*. Have a good evening, everybody.

ADJOURNMENT TIME: 8:34 PM

**MINUTES OF THE MEETING SEPTEMBER 28, 2020**

ATTEST:

APPROVED:

DAVID R. DOUGHERTY  
CLERK OF COUNCIL

WILLIAM SHERER, II  
PRESIDENT