

MINUTES OF THE MEETING NOVEMBER 16, 2020

PRESIDENT SHERER: (*Gavel falls*) Good evening, ladies and gentle...gentlemen and welcome to Canton City Council. Council Members, please make sure that your earplugs are in and if everyone could turn their cell phones to vibrate. And we are encouraging social distancing here in Canton City Council...in Council Chambers. 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: All present, Mr. President.

PRESIDENT SHERER: Tonight's invocation will be given by Member-at-Large, James Babcock. If you would all please stand and remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on November 16, 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 Council Member-at-Large, James Babcock. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: (*Inaudible*). There you go, that sounds a little bit better. Thank you, Member Babcock.

AGENDA CORRECTIONS AND CHANGES

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

MEMBER SMUCKLER: Mr. President, I move Rule 22A be suspended to add 2nd Reading of Ordinances 8 through 16 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add 2nd Readings to Ordinances 8 through 16 to this evening's Agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 8 through 16 are a legal part of your agenda.

MINUTES OF THE MEETING NOVEMBER 16, 2020**PUBLIC HEARINGS**

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

OLD BUSINESS

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

INFORMAL RESOLUTIONS

PRESIDENT SHERER: We are now under Informal Resolutions and we have five for this evening. Mr. Clerk, would you please read Resolution #55 by title.

#55. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SERVICE DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL AMT NOT TO EXCEED \$49,629.00 FOR MARKET AVENUE/EASTWOOD ST TRAFFIC SIGNAL INSTALLATION, GP 1325. – ADOPTED

PRESIDENT SHERER: It'll be fine. We'll just continue on, it'll be fine. (*Speaking to Admin Assist.*) Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #55.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #55. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #55 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #55 is adopted. Mr. Clerk, Informal Resolution #56, please.

#56. PERSONNEL COMMITTEE: AUTHORIZE RE-APPOINTMENT OF MS. MAUREEN AUSTIN TO TREE COMMISSION COMMENCING 1/1/21 THRU 12/31/22. – ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr...Mr. President, I move we adopt Resolution #56.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #56. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #56 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #56 is adopted. Informal Resolution #57, please.

MINUTES OF THE MEETING NOVEMBER 16, 2020

#57. PERSONNEL COMMITTEE: AUTHORIZE RE-APPOINTMENT OF MS. JILL PFEIFFER-WARD TO TREE COMMISSION COMMENCING 1/1/21 THRU 12/31/22. – ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #57.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #57. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #57 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #57 is adopted. Mr. Clerk, Informal Resolution #58, please.

#58. PERSONNEL COMMITTEE: AUTHORIZE RE-APPOINTMENT OF MS. AMANDA STEWART TO COMMUNITY REINVESTMENT AREA HOUSING COUNCIL COMMENCING 1/1/21 THRU 12/31/23. – ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #58.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #58. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #58 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #58 is adopted. Mr. Clerk, Resolution #59, please.

#59. PERSONNEL COMMITTEE: AUTHORIZE RE-APPOINTMENT OF MS. GEORGIA PAXOS TO CANTON ARCHITECTURAL REVIEW BOARD COMMENCING 1/1/21 THRU 12/31/24. – ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #59.

MEMBER BABCOCK: Second.

MINUTES OF THE MEETING NOVEMBER 16, 2020

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #59. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #59 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #59 is adopted.

PUBLIC SPEAKS

PRESIDENT SHERER: We are now under Public Speaks and we have one speaker for this evening. And our only speaker tonight is Ms. Kim Bell. Ms. Bell, if you could please step forward and state your name and residential address, please.

KIM BELL: My name is Kim Bell...

PRESIDENT SHERER: Uh...hang on for one second...let's get...we gotta get the mic. (*Laughs*).

KIM BELL: Yes, my name is Kimberly Bell. I live at 135 17th St. Canton, Ohio. Um...today I want to talk about...address the Civil Service test. I took that test here, maybe a few...maybe a year ago. Has anyone...have...have you all taken that test? Okay. That test is very complicated and, you know, a lot of our...our...uh...um...black men and women...they've taken the test. I know a few people. That test is very difficult and there's some way you guys need to eliminate that test for certain jobs. It doesn't take a genius to dump trash, so why are you taking a Civil Service test to dump some trash? So that...that needs to be addressed, that Civil Service test. And I understand certain positions should...that test should be...uh...used for, but something as simple as answering a phone or dumping trash, you don't need to know what the measurements of this is or the measurement of that is...to answer a phone or take out some trash. Um, the other thing...the violence I had been speaking about last year and this year. I have an idea that can...can slow down, I didn't say stop, I said slow down the gun violence. You know, offer a program to these people who's totin'...gun totin' people. Turn in your gun for a job. And when I say that, I'm talking back to the Civil Service test. Turn in your guns to us and we'll give you a job. And then we could call it something as simple as a Community Plea Deal. That's what the gun program can...the...so we won't have any more kids like Ace and...and these...the young man the other day I seen in the paper. He got shot in the groin area. What is wrong with...what...I mean...they're...they're...they're doing this because they have nothing else to do but fight amongst each other, but we need to stop the gun violence or slow it down. I have more things to talk about but I'll talk about it at the next meeting. But I think we made the best presidential choice in his...in presidential history. The second best choice in presidential history. No...no Ronald Reagan, he was alright, he was alright, he was just...he just sold too much cocaine for me. But...alright, you guys have a nice one.

PRESIDENT SHERER: Thank you, Ms. Bell.

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

MINUTES OF THE MEETING NOVEMBER 16, 2020***IN THEIR ENTIRETY IN THE COUNCIL OFFICE.***

395. APPLICANT, SCOTT HASTINGS: REQ VACATION OF PORTION OF ROBIN CT SE FOR SARTA (WARD 4). – PLANNING COMMISSION
396. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 10/29/20. – RECEIVED & FILED
397. AUDITOR MALLONN: STATEMENT OF CASH POSITION (RPT BY FUND) DATED 10/30/20. – RECEIVED & FILED
398. AUDITOR MALLONN: REQ \$35,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO OTHER – 1001 103001 BANKED VACATION LINE ITEM. – FINANCE COMMITTEE
399. CHIEF OF POLICE ANGELO: RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR OCTOBER, 2020. – RECEIVED & FILED
400. DOMINION ENERGY: NOTICE OF FILING EXTENSION OF APPROVAL FOR PIR (PIPELINE INFRASTRUCTURE REPLACEMENT) PROG; PUCO CASE NO. 20-1634-GA-ALT. – RECEIVED & FILED
401. FINANCE DIRECTOR CROUSE: REQ \$3,878.51 SUPP APPROP AND APPROP TRF FR UNAPPROP BAL OF 2185 URBAN TIF FUND TO 2185 871002 INNOVATION DISTRICT TIF – OTHER (HISTORIC ONESTO TIF). – FINANCE COMMITTEE
402. FINANCE DIRECTOR CROUSE: ADOPT TEMPORARY BUDGET FOR 2021 PRIOR TO END OF 2020. – FINANCE COMMITTEE
403. MAYOR BERNABEI: REQ AUTH FOR RE-APPT OF MR. DON TARVER TO BOARD OF BUILDING APPEALS COMMENCING 1/1/21 THRU 12/31/23. – PERSONNEL COMMITTEE
404. MAYOR BERNABEI: REQ AUTH OF RE-APPTS OF MS. LISA SIMS AND MR. STUART KRAFT TO CANTON CONSTRUCTION BOARD, BOTH TERMS COMMENCING 1/1/21 AND EXPIRING 12/31/23. – PERSONNEL COMMITTEE
405. MAYOR BERNABEI: REQ AUTH OF RE-APPT OF MR. DONN ANGUS AS PUBLIC APPOINTEE TO STARK COUNTY REGIONAL PLANNING COMMISSION COMMENCING 1/1/21 THRU 12/31/22. – PERSONNEL COMMITTEE
406. MAYOR BERNABEI: REQ AUTH OF RE-APPTS OF MR. HENRY RENFRO AND MR. ERNIE SCHOTT TO FAIR HOUSING COMMISSION, BOTH TERMS COMMENCING 1/1/21 AND EXPIRING 12/31/25. – PERSONNEL COMMITTEE
407. MAYOR BERNABEI: REQ AUTH OF RE-APPTS OF MS. LOVIE HAILEY, MS. VIRGINIA JEFFRIES AND MR. WILLIAM JONES TO FAIR EMPLOYMENT PRACTICES BOARD, ALL THREE TERMS COMMENCING 1/1/21 AND EXPIRING 12/31/22. – PERSONNEL COMMITTEE

MINUTES OF THE MEETING NOVEMBER 16, 2020

408. MAYOR BERNABEI: AMEND O#100/2011, AS AMENDED, TO REMOVE PLANNING DIR FROM MAYOR'S OFFICE MGMT AND NON-BARGAINING CLASSIFICATION PLAN AND PLACE INTO NEWLY CREATED DEPT OF PLANNING AND ZONING PER EXHIBITS A AND B; AMEND O#100/2011, AS AMENDED, TO ADD NEWLY CREATED DEPT OF PLANNING AND ZONING POSITION OF PLANNING ADMIN PER EXHIBIT B; AMEND O#40/2000, AS AMENDED, UPDATING BARGAINING UNIT CLASSIFICATION PLAN FOR DIV OF COMMUNITY & ECONOMIC DEV & PLANNING MGMT REPLACING IT WITH EXHIBIT C PENDING APPROVAL OF STATE EMPLOYMENT RELATIONS BD (SERB) WITH CAVEAT THAT NO POSITIONS BE ELIMINATED UNTIL VACATED; WILL ELIMINATE PLANNING TECH, PLANNING AND MGMT ANALYST AND PLANNING AND DEVELOPMENT ANALYST POSITIONS; AMEND O#40/2000, AS AMENDED, UPDATING BARGAINING UNIT CLASSIFICATION PLAN FOR SAF DIR'S DEPT OF CODE ENFORCEMENT REMOVING POSITION OF ZONING INSPECTOR PER EXHIBIT D; AMEND O#40/2000, AS AMENDED, ESTABLISHING CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL FOR DEPT OF PLANNING AND ZONING PER EXHIBIT E MOVING ZONING INSPECTOR TO SAID DEPT AND CREATING NEIGHBORHOOD PLANNER POSITION PENDING SERB APPROVAL; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. – PERSONNEL & FINANCE COMMITTEES
409. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR 3000 8TH ST NE ANNEXATION (ZONING CLASSIFICATION I-1- LIGHT INDUSTRIAL, WARD 4). – ANNEXATION COMMITTEE
410. PLANNING COMMISSION: REQ VACATION OF SOUTHERLY END OF ROBIN CT SE AND REPLAT OF OUT LOTS 297, 305, 306 AND 307 FOR SARTA AND SMHA (1600 GATEWAY BLVD SE NORTH TO SHERRICK RD SE, WARD 4). – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
411. PLANNING COMMISSION: REQ REPLAT OF LOTS 41838, 41839 AND OUT LOT 991, PARCEL #10010437, FOR HERB KOHLER ON BEHALF OF COURIS HOLDINGS, LLC (1200 BLOCK 3RD ST SW, WARD 4). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
412. PLANNING COMMISSION: REQ REPLAT OF LOTS 35841, 35842 & 35843, PARCELS 300966, 300968 & 10001621 FOR RICHARD ABBRUZZI ON BEHALF OF VICTORIA AND JACQUELINE BERBELIS AND RICHARD AND TRISHA ABBRUZZI (4801-4817 ELLINDA CIR NW, WARD 8). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
413. PLANNING COMMISSION: REQ REPLAT OF LOTS 2416 & 2417, PARCELS 206994 & 206995 FOR TERRENCE HUDSON ON BEHALF OF JESSE HUDSON (625 O'JAY'S PKWY NE, WARD 2). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
414. SAFETY DIRECTOR PERRY: AMEND O#68/2019, CLASSIFICATION PLAN FOR MGMT AND NON-BARGAINING UNIT PERSONNEL PER AMENDMENT ATTACHED AS EXHIBIT A (HUMAN RESOURCES COORDINATOR). – PERSONNEL & FINANCE COMMITTEES
415. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR OR SERV DIR TO AUTH PAYMENT TO DEBORAH HOUESHELL FOR 10 DAYS OF UNUSED VACATION IN CALENDAR YR 2020 EXEMPTING TIME FRAME REQUIREMENTS OF CANTON CODIFIED ORD 151.07(h); AUTH

MINUTES OF THE MEETING NOVEMBER 16, 2020**AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. – FINANCE AND PERSONNEL COMMITTEES**

416. SERVICE DIRECTOR HIGHMAN: AUTH APPROPRIATE APPOINTING AUTHORITY, DURING CALENDAR YR 2021, TO SELL CITY OWNED PERSONAL PROP WHICH IS NOT NEEDED FOR PUBLIC USE OR IS OBSOLETE OR UNFIT FOR USE FOR WHICH IT WAS ACQUIRED BY INTERNET AUCTION PURSUANT TO ORC 721.15(D); AUTH INTERNET AUCTIONS TO BE CONDUCTED UNDER AUTHORITY AND DIRECTION OF SERV DIR AND/OR HIS DESIGNEE(S); AUTH INTERNET AUCTIONS TO BE CONDUCTED BY EITHER (a) PUBLIC SURPLUS INTERNET AUCTION SERVICE, PO BOX 530861, HENDERSON, NV 89053 OR (b) KIKO AUCTIONEERS, 2722 FULTON DR NW, CANTON OH 44718; REQUIRE THAT ALL INTERNET AUCTION SALES BE CONDUCTED PURSUANT TO RULES AND REGS PROMULGATED AND IN EFFECT FOR EITHER (a) PUBLICSURPLUS.COM OR (b) KIKO AUCTIONEERS ONLINE AUCTION PROCESS; REQUIRE THAT FOR EACH INTERNET AUCTION SALE, BIDDING SHALL REMAIN OPEN FOR NOT LESS THAN 10 DAYS, INCLUDING SATURDAYS, SUNDAYS AND LEGAL HOLIDAYS; AUTH SERV DIR AND/OR HIS DESIGNEE(S) TO ESTABLISH MINIMUM PRICES FOR ITEMS BEING SOLD VIA INTERNET AUCTION; REQUIRE PRIOR TO PERFORMANCE OF ANY INTERNET AUCTION THAT SERV DIR AND/OR HIS DESIGNEE(S) PROVIDE NOTICES TO BE ADVERTISED AND POSTED PURSUANT TO ORC 721.15(D). – FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
417. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR PURCH OF (1) SM PACKER (ALLEY TRUCK) AND (1) BOOM LOADER TRUCK (CLAW TRUCK) AND ONE ROLL-OFF TRUCK FOR SANITATION DEPT; ALTERNATIVELY AUTH MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR PURCH OF SAID ITEMS IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY EITHER ORC OR CANTON CODIFIED ORD; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. –PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
418. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR BUILDING NEW DECHLORINATION BLDG FOR LAGOONS AT CANTON WATER DEPT’S SUGAR CREEK WATER TREATMENT PLANT; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. – FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
419. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH BURGESS & NIPLE FOR DESIGN OF BRENTWOOD INTERIOR TANK PAINTING PROJ; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS (WATER DEPT). – FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
420. SERVICE DIRECTOR HIGHMAN: AUTH SERV DIR TO OPEN PURCH ORDER IN AMT OF \$49,629.00 TO CENTRAL ALLIED ENTERPRISES FOR MARKET AVE/EASTWOOD ST TRAFFIC SIGNAL INSTALLATION PROJ, GP 1325. – RECEIVED & FILED

MINUTES OF THE MEETING NOVEMBER 16, 2020

421. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO EXECUTE CHANGE ORDER #2 AND FINAL WITH HM MILLER CONSTRUCTION CO IN AMT OF \$26,671.55 FOR 4TH ST SW SEWER RELOCATION PROJ, GP 1303; RETRO AUTH ANY AND ALL ACTIONS TAKEN IN REGARDS TO THIS PROJ PRIOR TO FINALIZING FINAL CHANGE ORDER AND DIRECT AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED TO SAME; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. – FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
422. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO EXECUTE CHANGE ORDER #3 AND FINAL WITH S.E.T., INC IN AMT OF \$17,047.17 FOR FAWCETT CT NW DRAINAGE PROJ, GP 1300; RETRO AUTH ANY AND ALL ACTIONS TAKEN IN REGARDS TO THIS PROJ PRIOR TO FINALIZING FINAL CHANGE ORDER AND DIRECT AUDITOR TO PAY ANY ALL MORAL OBS RELATED TO SAME; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. – FINANCE COMMITTEE
423. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SER DIR TO EXECUTE CHANGE ORDER #2 AND FINAL WITH FIRST CHOICE ELECTRIC SOLUTIONS LLC IN AMT OF \$6,317.76 FOR EAST TUSCARAWAS ELECTRIC VEHICLE CHARGING STATIONS PROJ, GP 1316; RETRO AUTH ANY AND ALL ACTIONS TAKEN IN REGARDS TO THIS PROJ PRIOR TO FINALIZING FINAL CHANGE ORDER AND DIRECT AUDITOR TO PAY ANY ALL MORAL OBS RELATED TO SAME; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. – FINANCE COMMITTEE
424. SERVICE DIRECTOR HIGHMAN: AUTH ODOT TO CONSTRUCT D04 PM R-WR (US62 PAVEMENT MARKINGS), PID 113339, GP 1348 PER ATTACHED CONSENT LEGISLATION; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH ODOT FOR CONSTRUCTION OF SAID PROJ. – PUBLIC SAFETY & THOROUGHFARES
425. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR OCTOBER 2020. – RECEIVED & FILED
426. TREASURER PEREZ: RPTS OF 10/31/20 BANK REC AND OUTSTANDING INVESTMENTS AS OF 10/31/20. – 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 #7 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#6 RECONSIDERED, O#7 ADOPTED):

- O#1. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE CIVIL SERVICE COMMISSION MANAGEMENT AND NON-BARGAINING PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

MINUTES OF THE MEETING NOVEMBER 16, 2020Referred to Personnel and Finance Committees

- O#2. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF TWO (2) PICKUP TRUCKS; OR TO ALTERNATIVELY PURCHASE SAID VEHICLES PURSUANT TO ANY COOPERATIVE PURCHASING AGREEMENTS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (COLLECTION SYSTEMS DEPT)

Referred to Public Property Capital Improvement and Finance Committees

- O#3. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OR PUBLIC SERVICE OR DIRECTOR OF PUBLIC SAFETY TO APPLY FOR, ENTER INTO AGREEMENT FOR, AND RECEIVE FUNDS FROM MULTIPLE POTENTIAL FUNDING SOURCES FOR VARIOUS CITY PROJECTS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- O#4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACTS FOR THE SALE OF CITY OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, LOCATED AT STARK COUNTY AUDITOR PARCEL NUMBER 246024 AND TO ENTER INTO ALL CONTRACTS NECESSARY TO FACILITATE SAID SALE; AND DECLARING THE SAME TO BE AN EMERGENCY (15TH ST & DUEBER AVE SW, WARD 5)

Referred to Community & Economic Development Committee

- O#5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE AND SAFETY TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO VARIOUS CONTRACTS FOR SUPPLY EQUIPMENT, ITEMS, MATERIALS, SUPPLIES, AND SERVICES PURUSANT TO CODIFIED ORDINANCE SECTION 105.09; ENTER INTO PROFESSIONAL SERVICES CONTRACTS PURSUANT TO CODIFIED ORDINANCE SECTION 105.10; ENTER INTO CONTRACTS PURSUANT TO O.R.C. SECTIONS 735.05 WITH QUALIFIED NONPROFIT AGENCIES; ENTER INTO CONTRACT FOR THE PURCHASE OF SUPPLY EQUIPMENT, ITEMS, MATERIALS, SUPPLIES, AND SERVICES UTILIZING ANY PURCHASING PROCESS AUTHORIZED BY EITHER THE O.R.C. OR CANTON CODIFIED ORDINANCES; ENTER INTO CHANGE ORDERS AND/OR CONTRACT AMENDMENTS FOR SAID PURCHASES DURING THE 2021 CALENDAR YEAR; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

- O#6. (1ST RDG) **RECONSIDERED AND ADOPTED AS ORDINANCE NO. 205/2020** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND

MINUTES OF THE MEETING NOVEMBER 16, 2020

DECLARING THE SAME TO BE AN EMERGENCY (\$68,100.00 SUPP APPROP FR UNAPPROP BAL OF 2215 FAIR HOUSING ASSISTANCE FUND TO 2215 505010 FAIR HOUSING DEPARTMENT – PERSONNEL) (FAIR HOUSING ASSISTANCE PROG)

Referred to Finance and Community & Economic Development Committees

O#7. (1ST RDG) **ADOPTED AS ORDINANCE NO. 216/2020** AN ORDINANCE AUTHORIZING A WAGE INCREASE FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Personnel and Finance Committees

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the Finance, Community & Economic Development and Personnel Committees to meet in regards to Ordinances 6 and 7 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:14 PM FOR THE FINANCE, COMMUNITY & ECONOMIC DEVELOPMENT AND PERSONNEL COMMITTEES TO DISCUSS O# 6 AND 7; RECONVENED AT 7:17 PM)

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A...I think that's vibrating or reverberating because hers is on. (*Inaudible*)... move...uh...suspend Rule 22A to add Ordinances 6 and 7 back to the agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 20...22A to place Ordinances 6 and 7 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.

PRESIDENT SHERER: The motion carries and Ordinances 6 and 7 are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, I move we reconsider and adopt Ordinance #205/2020, from the November 2, 2020 Council Meeting.

MEMBER BABCOCK: Second.

MINUTES OF THE MEETING NOVEMBER 16, 2020

PRESIDENT SHERER: Leader. Leader Smuckler, I believe we need to suspend the Statutory Rules on Ordinances 6 and 7, first.

CLERK DOUGHERTY: Yes.

MEMBER SMUCKLER: Apologize. Mr. President, I move we suspend the Statutory Rules for Ordinances 6 and 7.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 6 and 7. Are there any remarks?

MEMBER SMUCKLER: Yeah, just for the record, you only have to suspend the Statutory Rules on 7, I don't believe you have to do it on 6 when you're doing a Reconsideration.

CLERK DOUGHERTY: Yes, yes, this is a different Reconsideration, so we do need to do that.

MEMBER SMUCKLER: Oh...this was adopted last week, though? Or two weeks ago?

CLERK DOUGHERTY: Yes, but it wasn't read, so we have to do the whole process.

MEMBER SMUCKLER: Okay.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 6 and 7. 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: You've heard the three readings. Leader Smuckler.

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

CLERK DOUGHERTY: No, Reconsider.

MEMBER SMUCKLER: I move we Reconsider Ordinance #6...

CLERK DOUGHERTY: ...And adopt...

MEMBER SMUCKLER: ...And adopt Ordinance #6.

MEMBER BABCOCK: Second.

MINUTES OF THE MEETING NOVEMBER 16, 2020

PRESIDENT SHERER: So...just to clarify, we need to Reconsider first before we adopt the Ordinance, so...

CLERK DOUGHERTY: That was his motion...

PRESIDENT SHERER: ...Okay...

CLERK DOUGHERTY: ...To Reconsider it to Adopt...

PRESIDENT SHERER: Then we have a motion and a second, right? Yes. It's been moved and seconded to reconsider and adopt Ordinance #205/2020 from the November 2, 2020 meeting. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinance #205/2020 is reconsidered and adopted. Leader.

MAYOR BERNABEI: Question, point of order. I believe that the correct first motion was to reconsider, at the point then it is reconsidered, there...you now need a motion to adopt. You did not reconsider and adopt at the same time. You can check with the Law Director if you'd like, but I think that's the case.

PRESIDENT SHERER: You are...you are...you are correct, so...

MEMBER SMUCKLER: That's why I didn't understand what was going on. I know what this says, but I don't believe you can reconsider and adopt at the same time.

PRESIDENT SHERER: No...and...you, you can't. And you are correct. So, Leader...

MEMBER SMUCKLER: I think we ought to re-do...do a re-do.

PRESIDENT SHERER: Let's do a re-do real quick. So...Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to reconsider Ordinance 205/2020 from the November 2, 2020 Council meeting. Are there any remarks? Leader.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: Ordinance...

MINUTES OF THE MEETING NOVEMBER 16, 2020

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader Smuckler.

MEMBER SMUCKLER: I move we adopt Ordinance #6.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#6 RECONSIDERED AND ADOPTED AS ORDINANCE NO. 205/2020

PRESIDENT SHERER: Ordinance #6 is adopted, and for the record, Leader, I do apologize. Leader Smuckler.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#7 ADOPTED AS ORDINANCE NO. 216/2020

PRESIDENT SHERER: Motion carries and Ordinance #7 is adopted.

ORDINANCES AND FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading. Mr. Clerk, would you please begin with Ordinance #8.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #8 THROUGH #16 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#16 ADOPTED):

O#8. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PARKING INCENTIVE AGREEMENT WITH STARK METROPOLITAN HOUSING AUTHORITY; AND DECLARING THE SAME TO BE AN EMERGENCY (APPROX 10 PARKING SPACES AT LOT ADJACENT TO 427 E.

MINUTES OF THE MEETING NOVEMBER 16, 2020

TUSCARAWAS STREET AT RATE OF \$15.00 PER MONTH FOR EACH GENERAL PARKING SPACE FOR 10 YRS)

- O#9. (2ND RDG) AN ORDINANCE AMENDING SECTION 151.10, HEALTH AND WELFARE BENEFITS, OF PART ONE OF THE ADMINISTRATIVE CODE OF THE CANTON CODIFIED ORDINANCES (INCREASE LIFE INS FOR NON-BARGAINING UNIT PERS FR \$ 20,000.00 TO \$50,000.00)
- O#10. (2ND RDG) AN ORDINANCE AUTHORIZING THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY (ORDINANCES FR 4/15/20 TO 8/24/20)
- O#11. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO AMEND PROFESSIONAL SERVICES AGREEMENT CONTRACT NO. 2018-84; AND DECLARING THE SAME TO BE AN EMERGENCY (RA ENGINEERING, INC; RITO ALVAREZ, COMMERCIAL PLANS EXAMINER FOR BLDG. DEPT.)
- O#12. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO: ACCEPT THE 2020-DJ-BX-0664 EDWARD BYRNE MEMORIAL GRANT IN AN AMOUNT NOT TO EXCEED \$34,676.50; ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF CLOUD STORAGE; OR TO ALTERNATIVELY PURCHASE SAID CLOUD STORAGE PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZING THE AUDITOR TO CREATE FUND 2794 2020 EDWARD BYRNE MEMORIAL GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$34,676.50 SUPP APPROP FR UNAPPROP BAL OF 2794 EDWARD BYRNE MEMORIAL GRANT FUND TO 2794 102001 POLICE ADMIN – OTHER)
- O#13. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ACCEPT A DONATION OF LAND FROM JUANITA C. POWE; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL 226516, LOTS 8447 AND 8448, LOCATED @ NW CORNER OF MARION MOTLEY AVE NE AND IRWIN PL NE)
- O#14. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO SIGN A PETITION FOR ANNEXATION FOR THE PARCELS LISTED ON EXHIBIT A; AND DECLARING THE SAME TO BE AN EMERGENCY (SERVICE CENTER PROP ON 30TH ST NE) (EXHIBITS ATTACHED)
- O#15. (2ND RDG) A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNER IN THE CANTON SERVICE CENTER –

MINUTES OF THE MEETING NOVEMBER 16, 2020

30TH ST NE ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY (APPROX 6.389 ACRES)

O#16. (2ND RDG) **ADOPTED AS ORDINANCE NO. 217/2020** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$5,821.47 SUPP APPROP FR UNAPPROP BAL OF 2792 RECOVERY COURT ATP FUND TO 2792 RECOVERY COURT ATP FUND – PERSONNEL) (FOR CONTINUED OPERATION OF COURT)

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend the Statutory Rules on Ordinance #16.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinance #16. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #16. 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 ADOPTED AS ORDINANCE NO. 217/2020

PRESIDENT SHERER: The motion carries and Ordinance #16 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. Mr. Clerk, please begin with Ordinance #17.

MINUTES OF THE MEETING NOVEMBER 16, 2020

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #17 THROUGH #22 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 218/2020** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOTS 35385 AND 35386; AND DECLARING THE SAME TO BE AN EMERGENCY (MARCUS REED, 4315 MARKET AVE N)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 218/2020

PRESIDENT SHERER: Motion carries and Ordinance #17 is adopted. Ordinance #18, please.

O#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 219/2020** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF OUTLOTS 1097 – 1099 AND ALL OF OUTLOT 1444; AND DECLARING THE SAME TO BE AN EMERGENCY (TIMKENSTEEL, 2505 SHEPLER CHURCH AVE SW)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 219/2020

MINUTES OF THE MEETING NOVEMBER 16, 2020

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

O#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 220/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT AND TO EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES FOR THE 12TH STREET NW WATER MAIN REPLACEMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 220/2020

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

O#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 221/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT; ENTER INTO ALL CONTRACTS NEEDED FOR CONSTRUCTION OVERSIGHT SERVICES; RECEIVE GRANT FUNDS IN THE AMOUNT OF \$1.5M FOR THE STEESE AREA (39TH ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4593 STEESE AREA (39TH ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284 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 4593 STEESE AREA (39TH ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284 FUND TO 4593 202060 STEESE AREA (39TH 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 202060 STEESE AREA (39TH ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTON PROJECT, GP 1284 – OTHER; \$80,000.00 SUPP APPROP FR UNAPPROP BAL OF

MINUTES OF THE MEETING NOVEMBER 16, 2020

5410 SANITARY SEWER OPERATING FUND TO 5410 202060 STEESE AREA (39TH ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284 – OTHER; \$1,350,000.00 APPROP TRF FR 4501 202001 ENGINEERING ADMINISTRATION TO 4501 202060 STEESE AREA (39TH ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284 – OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 221/2020

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

O#21. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 222/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ENVIRONMENTAL DESIGN GROUP FOR THE ALLEN AVE. SANITARY SEWER REPLACEMENT PROJECT – PHASE 2, GP 1332; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #21. Are there any remarks?
Leader.

MEMBER SMUCKLER: Mr. President, I move to amend Ordinance #21 by the amendment before every Council Member.

MEMBER BABCOCK: Second.

MINUTES OF THE MEETING NOVEMBER 16, 2020

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #21 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: (*Laughs*). The squeaky wheel gets the grease, right! The ayes have it. The motion carries. Leader.

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

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 21 by amending the substitution of the attached amended Ordinance for the original pending Ordinance.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#21 ADOPTED AS AMENDED AS ORDINANCE NO. 222/2020

PRESIDENT SHERER: The motion carries and Ordinance #21, as amended, has been adopted. Ordinance #22 please.

O#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 223/2020** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY CIVICPLUS, INC. A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$8,316.00 FOR CIVIC CLERK LICENSES AND IMPLEMENTATION; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #22.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #22. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

MINUTES OF THE MEETING NOVEMBER 16, 2020

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 223/2020

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Finance will meet November 30th at 6:15, here in Council Chambers.

PRESIDENT SHERER: Thank you, Member Mariol.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

MEMBER SCAGLIONE: Public Property Capital Improvement and Community and Economic Development will meet, same time, same place.

PRESIDENT SHERER: Thank you, Member Scaglione.

MEMBER BABCOCK: Mr. President.

PRESIDENT SHERER: Member Babcock.

MEMBER BABCOCK: Personnel, same time, same place.

PRESIDENT SHERER: Thank you, Member Babcock.

LAW DIRECTOR AYLWARD: Mr. President.

PRESIDENT SHERER: Law Director.

LAW DIRECTOR AYLWARD: Thank you. Um, we will be requesting an Executive Session before Council, at the same time and also at Council Chambers, to discuss pending litigation.

PRESIDENT SHERER: Thank you, Law Director. And we still have Community & Economic Development, Member Ferguson.

CLERK DOUGHERTY: No, that was called...

MINUTES OF THE MEETING NOVEMBER 16, 2020

MEMBER FERGUSON: ...Jason...

CLERK DOUGHERTY: ...He called it.

PRESIDENT SHERER: Oh, okay. Thank you.

MISCELLANEOUS BUSINESS

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

MEMBER SMUCKLER: Mr. President.

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Smuckler first.

MEMBER SMUCKLER: Yeah, um, I had a discussion with Member Morris earlier this week and I'm sure he's going to want to talk about what we've discussed, and that's COVID-19. Um...some of you have talked to mem...um...Auditor Mallonn. Some of you who don't know...uh...Treasurer Perez has been in the hospital under oxygen...

MEMBER KIMBROUGH: Oh no...

MEMBER SMUCKLER: And um...Member Morris was pretty sick for a while too. This is real. This is become a safety issue in the community, in the state of Ohio and in the United States. And for those that may or may not believe it's real, I'd like to yield to Member Morris to discuss how real this re...this is.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Thank you, Leader. Uh, back on November 2nd, I contacted our Clerk and uh...informed him that I had a head cold and uh...I would not be attending that...that meeting that night. Well, come to uh...go a few days on November 5th I was feeling quite ill so I went and got a COVID test and sure enough, it came back positive. And uh...the effects of this virus will completely knock you off your feet. For a 53-year-old man with no underlying health issues and it made me quite ill. And I think what is getting to me even more than that and what's making me even sicker is the perception in the community that this is not serious. Uh, I'll give you a perfect example. We had a comparison that somebody had posted on social media. It says that, "Over 480,000 people per year died from cigarette smoke." Smoking cigarettes. It says, "Yet the Government has never in...never forced anyone to stop smoking, so they are forcing us to wear a mask." Okay, well first off, we do...it is our job as elected officials, we have taken an oath for the health and welfare of our community. We have taken steps against smoking cigarettes. You can't smoke in public places. You can't smoke on public transit. You can't smoke within 20 feet of a door. You cannot smoke a cigarette in your car with a minor, without getting a citation for it. We are not doing anything with masks that we haven't done when other public health issues have arisen. It is our job as public officials to protect the health and welfare of our community. Today alone, we had 137,000 cases. Now you'll see on social media, you will debate with your constituents.

MINUTES OF THE MEETING NOVEMBER 16, 2020

They will say, “but the percentage of people passing away is minimal. That is correct. Only two percent of people are fatal. Sixty-three percent become ill like myself, Auditor Mallonn, Treasurer Perez and many, many others. And...I don’t know how to beg you even more than I am right now, to pound the drum, be that voice, encourage people to wear masks, but more importantly, to be the example. Please. I never in a million thought that it would affect me like it has. Right now, I still don’t feel well and this is...I contracted it anywhere from October 16th to October 28th, and here it is, November 16th and I’m still not a hundred percent. So, my prayers go out to R.A., I hope...hope he’s recovering well. My prayers go out to Kim, that he gets out of the hospital soon and we’ve gone from a disease or a virus that nobody knew anybody, to now I think everybody knows somebody who has suffered the effects of this. So, it is our job as elected officials, for the health and welfare of our community. And we all need to do our part and be an advocate for wearing masks. Thank you, Mr. President and Leader.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: To finish the follow up on that, um...um...Clerk Dougherty and I have had a number of discussions about the way that we need to conduct ourselves at City Hall and people coming in and out. Make sure you need to be here. Um...especially the Council people, we want to make sure that this place is as safe as possible and set the example. So, if you’ve got business here, please stop by, please conduct your business and please move on. Um...I know the Governor has an announcement this coming Thursday and we’re all waiting to see what happens, but none of the news has been good so far in any other state, so we’re probably all going to be very cautious about what’s going to take place. Um...our...Member Morris is correct; our thoughts and prayers go out to everybody that has this and since this is brand new, nobody understands what the long-term effects could be. Please wear masks and please be careful and be safe out there. Thank you.

PRESIDENT SHERER: Thank you, Leader Smuckler and thank you, Member Morris.

MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Thank you. To add to Member Morris’ or Councilman Morris’ statement, one thing about cigarette smoking, we know it’s bad for our health, but it’s not contagious, the disease caused by...it is not part of a pandemic. So, anybody who looks at those numbers and believes them to be anything but just hot air, is just seriously mistaken. Again, diseases caused by cigarette smoking are not contagious. Thank you.

PRESIDENT SHERER: Thank you, Member Hawk. Is there any other Miscellaneous Business for this evening?

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

MINUTES OF THE MEETING NOVEMBER 16, 2020

MEMBER SCAGLIONE: I...I'd just like to add to this subject a little bit. You know, I don't think anybody's given much thought to the fact that our...our medical personnel are worn out. Our hospitals are full. If this continues to go the way it is, there won't be enough nurses and doctors to care for everybody. I think it...we all have a part here and we need to do our best to do what we can to slow and stop this. And uh...after losing loved ones, you'll find out how real it is. We all need to do our part. We all need to do what we can to get some relief to our medical personnel and get the hospitals down to where we're not full of COVID cases.

PRESIDENT SHERER: Thank you Member Scaglione. Is there any other Miscellaneous Business for this evening? ... Hearing none, Clerk Dougherty, our quote for the week, please.

CLERK DOUGHERTY: With the holiday season upon us, here's a quote from Rick Riordan, "*If there's one thing I've learned over the years, it's that you can't give up on your family no matter how tempting they make it.*" (*Laughter*).

PRESIDENT SHERER: Duly noted.

MEMBER SMUCKLER: Mr. President, how appropriate!

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 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: I'd like to thank everybody for coming and happy holidays to you and your family. This meeting is adjourned. (*Gavel falls*).

ADJOURNMENT TIME: 7:45 PM

ATTEST:

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

WILLIAM SHERER, II
PRESIDENT