

MINUTES OF THE MEETING AUGUST 22, 2022

PRESIDENT SHERER: Good evening, ladies and gentlemen, and welcome to Canton City Council. If everyone could please turn your cell phones to vibrate. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please, Madam Clerk.

ROLL CALL TAKEN BY CLERK WOOD:

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

TWELVE COUNCIL MEMBERS PRESENT.

CLERK WOOD: Twelve present, Mr. President.

PRESIDENT SHERER: Thank you, Madam Clerk. Tonight's invocation will be given by At-Large Council Member, Louis Giavasis. If you would all please stand and remain standing for the Pledge of Allegiance, please.

The regular meeting of Canton City Council was held on August 22, 2022 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, Jill M. Wood. The invocation was given by Council Member-at-Large, Louis Giavasis. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Mem... Member Giavasis.

AGENDA CORRECTIONS AND CHANGES

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

MEMBER SMUCKLER: Mr. President, I move Rule 22A be suspended to add second readings of Ordinances 29 through... 34 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add second readings to Ordinances 29 through 34 to this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 29 through 34 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SHERER: We are now... 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.

MINUTES OF THE MEETING AUGUST 22, 2022**PUBLIC SPEAKS**

PRESIDENT SHERER: We are now under Public Speaks, and we're going to have a busy night tonight. We have nine speakers. I would like to remind all of our speakers... um... you... you have three minutes to speak. So out of courtesy for everybody that would like to speak tonight and I know we have a lot of individuals here tonight. But I just want to remind everybody that Coun... the Council rules do permit three minutes. So our first speaker is Maryah Leos.

CRYSTAL MIRAGLIA: Miraglia? Crystal?

PRESIDENT SHERER: Mar... Ms. Leos... no I believe it's her right there.

CRYSTAL MIRAGLIA: Oh, I'm sorry.

PRESIDENT SHERER: Sorry about that hopefully I'll... bear with me with the names. Ms. Leos, could you please state your name and residential address, please.

MARYAH LEOS: Maryah Leos (*inaudible*)...

PRESIDENT SHERER: And you can... might want to talk directly into the mic or you can take it off... you can pull... pull it out of there if you want to hold it.

ANGELA REMBERT: Excuse me Mr. President, can I have the rest of our youth group?

PRESIDENT SHERER: Absolutely.

ANGELA REMBERT: Just to support her, please.

PRESIDENT SHERER: Absolutely you can. (*Sidebar conversation with President Sherer*)

ANGELA REMBERT: My name is Angela Rembert and I live at 808 28th St NE, Canton. I am the youth coordinator one of the youth coordinators with the program the city of Canton has funded. It's called the Youth Enrichment Academic Program under the leadership of Amanda Williams and under the direction of Stark County Community Action Agency. I have some of our youth here to share their appreciation of what you all have given to them, throughout the year and to share some of their (*inaudible*). So, the first person will be Maryah Leos... can we switch up a little bit?

PRESIDENT SHERER: Yeah...

ANGEL REMBERT: I just kinda of (*inaudible*).

PRESIDENT SHERER: No you can... that'll be perfectly fine.

ANGELA REMBERT: Ja'Corey Lipkins is going to be first.

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PRESIDENT SHERER: So Ja'Corey would you please state your name and residential address please.

JA'COREY LIPKINS: My name is Ja'Corey Lipkins, I live (*REDACTED*). I attend Glenoak High School, I'm a junior. I've been in this program for about two years has been great spirits. Um... I've meet with people, traveled a little um... came together as a family and learned good skills. We went to food banks and helped packaged food and stuff like that so... (*inaudible*). (*applause*)

PRESIDENT SHERER: Thank... Thank you, Mr. Lipkins. (*applause*)

MARYAH LEOS: My name is Maryah Leos, I live (*REDACTED*). Um... I've been in the program for two years too. We've been to like colleges and stuff. We uh... we did this (*inaudible*) manager (*inaudible*) Canton. We learned like car skills, soft skills, like what you need in life. And everybody's like... like Ja'Corey said like everybody's like family so everybody just comes together and... yeah. (*applause*)

PRESIDENT SHERER: Thank you, Ms. Lipkins.

INAUDIBLE: My name is (*inaudible*)... so some background on me I live on (*REDACTED*). I also attend Glenoak High School I'm a junior and today I'm just going to be reading (*inaudible*). This summer I learned a lot not only have I meet new people, made new connections, and developed different skills but I also really enjoyed the summer program. The personal conversations we have had about our lives, the work skills we have learned and our college tour trips have been immaculate. In this program we have gotten the chance to learn about business, hard and soft skills, what it takes to run a business, hard work, integrity, and we have also learned more about ourselves as people. We've put so much work into this program while also working together like a family. On the first day a lot of us were quiet and didn't really want to talk. The more we were around each other, working together, the more we developed friendships and learned about one another and choice that we have. I'll never forget about this program, it was fun and I learned a lot of new things. And there is many other (*inaudible*) to talk about the topics that we talked about every day in the classroom. We also couldn't have this much fun in the summer camp without the help of Ms. Val, Ms. Maline, and Ms. Rembert. Thank you guys for so much for all the hard work and the thought you put into our summer camp as well as us. Thank you for believing in every single one of us and helping us every step of the way. You guys are amazing and I will miss this camp so much. It pains me that it's really over now. In conclusion, our summer together was remarkable. I learned a lot about myself and business owners also working with others and obtaining information about the next person. In other words, I have grown, I have grown mentally and emotionally. The skills I have obtained will help me in the future. Thank you for everything. (*applause*)

MEMBER SMITH: Mr. President.

PRESIDENT SHERER: Member Smith.

MEMBER SMITH: Yes, I would just like to uh... thank the students and all of the coaches for... and I'd like to thank Council for us allowing them the opportunity to display their skills. I had the opportunity to attend their plaza, which you all didn't tell them about the plaza. But in this building, which was the church, they had different rooms and it was a plaza that you visited. And each one of them had they own skills and they own experience and they own uh... businesses and it was really nice. And we hope that we can continue to help you

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all in this way, for you all's future endeavors. Thank you so much for being a part of this summer camp.
(*applause*)

PRESIDENT SHERER: Ms. Rembert... you... you guys are more than welcome to stay but you don't have to. Okay, but thank you for coming...

ANGELA REMBERT: Thank you, I appreciate it.

PRESIDENT SHERER: Thank... thank you for bringing the kids down.

ANGELA REMBERT: Yes, absolutely.

PRESIDENT SHERER: Our next speaker is going to be Mr. Will Dent. Mr. Dent could you please state your name and residential address please.

WILL DENT: Will Dent uh... 701 Stone Crossing St NE Canton, Ohio. I'm the CEO of ABCD and that's what I'll be speaking on. ABCD has three projects that will be coming before Council hopefully tonight. Uh... two of the projects relates to Crystal Park revitalization, one relates to Richmond Heights Housing Development. I'm able to say the Crystal Park evolved from us looking to build a new garage. We outgrew our current garage where we store our vehicles, so we said "Well, we just don't want to build a garage, we want to find a place where we can make a big difference in the neighborhood." So we did find that on Mahoning Road and Harrisburg Road, uh... we've acquired the old former back branch and all of the shopping center there. We will be doing demolition and new construction and our plans are to renovate back branch and move our offices in there. Uh, we also will be constructing a new facility that will be a training facility for the construction industry as well as storing our vehicles. And we also will be constructing 24 housing units in that area with commercial space on the lower level. The uh... Richmond Heights request uh... it's a massive project in Richmond Heights uh... that we're in a partnership with Harry Giltz of Giltz & Associates. The first phase of that involves 100 unit... 100 unit uh... apartment complex uh... it will be duplexes for workforce development. It will be sen... senior homes, day care center and number of projects that we're in partnership with that. So stop and say that uh... two of the requests with APR funds and one is with uh... Block Grant Funds. Thank you.

PRESIDENT SHERER: Thank you, Mr. Dent.

KIMBERLY BELL: Excuse me Mr. President, you guys going regular list cause...

PRESIDENT SHERER: No you're... Ms. Bell you are out of order right now but you are on the list.

KIMBERLY BELL: Okay thank you.

PRESIDENT SHERER: Thank you, Mr. Dent. (*applause*) Alright our next speaker is Ms. Crystal Miraglia... did I get that right?

CRYSTAL MIRAGLIA: Miraglia.

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PRESIDENT SHERER: Ms.... Ms. Miraglia you're more than like... welcome to take the mic out and could you please state your name and residential address please.

CRYSTAL MIRAGLIA: My name is Crystal Miraglia, and I live 4125 Will St. NE, Canton, Ohio and it's one of... you are going to hear it again Harry Giltz projects. We moved into the community there about fif... fifteen months ago and there were some issues of course we moved into a new housing project. But I just wanted to say that I heard that there were somethings coming down about Mr. Giltz senior. And I just wanted to say to you that he's really... very few people I know today that has integrity. He came up and he said, "Hey, look, just give me to September to get all these things, issues that weren't taking care of before you moved in." And he has kept his word. And he has been by his word and he has helped all of us to... nine of us... all nine of us this...(inaudible). And uh... and he has made our home so beautiful and so lovely to live in that community. So I just wanted to say some nice things about Mr. Giltz because... he because... because (inaudible)... you're always going to have a comeback person in your group and so we're just saying and we all agree he is a wonderful man with good integrity. Thank you.

PRESIDENT SHERER: Thank you, Ms. Miraglia.

CRYSTAL MIRAGLIA: Anything else?

PRESIDENT SHERER: uh... no I'm sorry.

CRYSTAL MIRAGLIA: Thank you.

PRESIDENT SHERER: Thank you (*applause*). Alright our next speaker is Mr. Geoff Mears. Mr. Mears could you please state you name and residential address, please.

GEOFF MEARS: Geoffrey Mears 1601 Vassar Ave NW Canton. Mayor Bernabei and members of City Council, city officials, I come to you tonight as a concerned resident and concerned home owner. On the morning of August 17, I discovered my Kia Rio had been stolen from the front of my home. Person or persons responsible apparently installed a security weakness to the vehicle's design, one that's... going across the news lately. Making headlines prompting a class action lawsuit for owners of Kia and Hyundai vehicles, which have also been targeted in this scheme. Uh... The inconvenience of not having (inaudible)... is bad enough. Imagine my surprise when pictures and reports from Canton Police report revealed multiple vehicle thefts within the Vassar Park neighborhood and the surrounding area (inaudible)... some of those thefts involve Kia and Hyundai vehicles. (inaudible)... concerns you, you ask, I'm less interested in laying blame to the feet of elected officials or the police than I am in finding additional ways to fight crime issues. When I moved to Vassar Park in 2008, I was excited to become a part of the neighborhood (inaudible)... potential for a great future. (inaudible)... and to say the least...(inaudible)... activity. In recent years, I've had chairs stolen from my front porch, attempted break-in on my home, vehicles broken into for small change and tires slashed. Now I've had the unfortunate experience to deal with that... (inaudible)... I must ask you, "What's next?" I'm aware of the perception of criminal activity in my neighborhood may not be as high profile as it is in others, but I believe that's irrelevant. I should not concern myself on these issues on a regular basis, if at all. The Vassar Park Neighborhood Association has a slogan that states, and I quote, "You won't have to move to live in a better neighborhood." Not that I'm really particularly interested in the thought of moving. I like living in the

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city and I came here with the intent to stay here long term. However, this experience has left me questioning that belief and what I, as an individual, or anyone organization or government entity for that matter, can legitimately do to address these issues, which are certainly not mine alone. Thank you.

PRESIDENT SHERER: Thank you, Mr. Mears and I would encourage you... if you could stick around till after the meeting. Thank you. Our next speaker is Ms. Tina Stevens. Ms. Stevens... Ms. Steve... Ms. Stevens present? (*inaudible*)

TINA STEVENS: Good evening everyone, prior to starting the clock first and foremost I would to thank everyone who has helped with my situation to City Council, to all the things like that...

PRESIDENT SHERER: Ms. Stevens can you please state your name and address please.

TINA STEVENS: My name is Tina Stevens and I reside at 929 Wertz Ave SW Canton, Ohio 44710.

PRESIDENT SHERER: Thank you.

TINA STEVENS: And today I'm back returning because I still have a situation with my RV. I have the original complaint violation for storing and hauling. Someone from the city did come out and said I was not in violation and (*inaudible*). Now again, I'm just trying to understand why I'm in violation and literally two houses over they are not. Both of our RV's are parked in the driveway, both of them are on approved surfaces. Approved surfaces in the State of Ohio and Stark County are gravel, pavement, blacktop and concrete. My driveway of course is concrete. Um... I haven't heard from anybody. Councilman (*inaudible*)... I heard today you have the incorrect numbers and were trying to reach me. Which I appreciate that but my number is on file and easy to obtain, but I do want to let you know that I appreciate your efforts. Um... again I was not giving a solution in regards to compliance. Anyone I spoke to as told me to simply remove my RV. So my neighbor complained about RV I purchased almost two years ago and said I don't deserve to have it because I'm black and the city is going through with trying to fine me. But now the reason is because it's not on approved surface but none of these documents say that is the reason. I actually have the original documentation that says hauling and storing. Nobody lives there lights or electricity hooked up to it. Again I invested in this to invest in my daughter that wants to be a future engineer interior designer. She's a National Honors Society student, she is in Early College and will graduate this year with her associates degree and I do not intend on moving my vehicle. Rightfully I am not breaking any law, so I come before the city and Council again to ask for proper looking at the situation and... and understanding of me and my frustration. To literally be house "A", house "B" is my racist neighbor and house "C". "A" and "C" both have an RV. The only difference is my skin color. So I'm asking the city, to avoid me from getting evicted because they are trying to fine my landlord \$500 a day, while also switching the original violation. And I will (*inaudible*)... say because of the terrain and surface it is parked on. I'm legal person, I'm educated person and that is not legal procedure or legal documentation. So moving forward I'm just asking for fairness and someone to actually, physical drive out and get out and not drive past. Get out and come up my driveway and see that my neighbor does have access in and out the driveway. I'm not blocking. Feel free to google me. I am a pillar individual in the community. I am (*inaudible*)... we spoke today. My daughter is also a part of the Stark County Community Action Agency program. I just want to be a part of community and an amazing influence in my community but I do want and request fair treatment. Thank you very much.

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PRESIDENT SHERER: Thank you, Ms. Stevens.

TINA STEVENS: Here are the documentations I would like to pass throughout the board and I will collect at the end.

PRESIDENT SHERER: Tha... Thank you Ms. Stevens. And our last speaker is Ms. Kimberly Bell. I didn't forget about you Kim.

KIMBERLY BELL: I was actually the first speaker but the crowd didn't want to hear me say nothing about that white man up there.

PRESIDENT SHERER: Ms. Bell could you please state your name and residential address please.

KIMBERLY BELL: Yeah, Kimberly Bell, 1733 Morris Ave. Okay uh... again I was first one here during the week, signing up but last time I spoke I pointed out the white man over there, the Mayor. You... You three... you three black folks won't stand up to but I ain't scared of 'em. Uh... but an... mov... moving on, I would like to say I watched that video of James Williams being killed fifteen times and... and every time I learn something different. The police officer looked through the window, was on the porch, looked through the window and said, "I saw him put the gun away." So that means if you saw him put the gun away, you saw that he was a black man you made it up in your mind when you walked off that porch. When you said it on the body cam that you was going to kill a black man. So that's what happened and I don't know if you city Council members were... were... approved this officer to go back to work sixteen days later. If you were aware of it or if he did something sneaky and kept it away... kept it... kept it away from you. But it was a sneaky white man move what... what can we expect. But he... if... if you guys approved it, you're just as guilty as he is and the Police Chief Angelo and whoever else okayed it. You're just as guilt but you can make it right, you can't bring him back to life but you can make this right. Uh... Mr. Mayor uh... and go to legislator and go to... and go to Ohio legislator and put... and tweak that law to put a clause in there about celebratory gun fire. I mean you have all these other laws being tweaked and... and... and put a clause in for drunk drivers, for this, the black girl who got killed by (*inaudible*). You do all that, tweaked this law about celebratory gun fire in honor of James Williams and his family. Uh... what else I want to talk about? Okay... and what... what... why couldn't he... why couldn't he go to jail pending the investigation. Did you break any laws? I'm trying to find... we're trying to find something that could be wrong. For the uh... in... in...in either the ordinance or one of the laws that you broke by letting him come back to work sixteen days after... before... sixteen days after the murder and before BCI's report was given to the prosecutor. You... you broke some kind of clause or you broke... did something, we'll find it and we're probably hoping to put you behind bars. Cause you been the prosecutor, the law director and you know the law you know what you did. And you kept it away from the other members.

PRESIDENT SHERER: Ms. Bell can you pl...please bring your remarks to a close...

KIMBERLY BELL: Okay... okay I can't remember... I... was going to say something else but I thought I was number one but y'all didn't want me to hear say nothing about these other white men in the building...

PRESIDENT SHERER: Ms. Bell... Ms... Ms. Bell... Ms. Bell your time is up.

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KIMBERLY BELL: Okay.

PRESIDENT SHERER: Thank you, Ms. Bell.

KIMBERLY BELL: You welcome.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: We are now under Informal Resolutions and we have no Informal Resolutions for this evening.

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.

1. RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR JULY 2022 - CHIEF OF POLICE GABBARD
2. AMEND APPROP O#68/2022; EMERGENCY (STOLLE MACHINERY) - FINANCE DIRECTOR CROUSE
3. REPLAT LOCATED @ 1453 HOUSEL AVE SE (HABITAT FOR HUMANITY) - PLANNING COMMISSION
4. REPLAT LOCATED @ 1400 BLK HOUSEL AVE SE (HABITAT FOR HUMANITY) - PLANNING COMMISSION
5. REPLAT LOCATED @ 2400 BLK ENDROW AVE NE (HABITAT FOR HUMANITY) - PLANNING COMMISSION
6. REPLAT LOCATED @ 1700 BLK ROOT AVE NE (HABITAT FOR HUMANITY) - PLANNING COMMISSION
7. REPLAT LOCATED @ 2200 BLK FREDERICK AVE SW (DONALD GRIMM) - PLANNING COMMISSION
8. REPLAT LOCATED @ 2734 12TH ST SW (RICHARD BOWER) - PLANNING COMMISSION
9. REPLAT LOCATED @ 1018 14TH ST NW (PAUL HALL) - PLANNING COMMISSION
10. REPLAT LOCATED @ 5700 BLK QUARRY LAKE DR SE (FONDA & PAM WILLIAMS) - PLANNING COMMISSION
11. REPLAT LOCATED @ 1507 ROWLAND AVE NE & 1217 15TH ST NE (MORNING GLORY PROP GRP) - PLANNING COMMISSION

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12. VACATION OF PORTION OF ORCHARD AVE NE AND REPLAT OF LOTS (REFUGE OF HOPE) - PLANNING COMMISSION
13. VACATION OF PORTION OF ORCHARD AVE NE AND REPLAT OF LOTS (RIVERTREE CHRISTIAN CH) - PLANNING COMMISSION
14. ZONING & PLANNING CODE TEXT AMENDMENTS (CH. 1134.02 - FENCES & WALLS) - PLANNING COMMISSION
15. WARD ASSIGNMENT & ZONING CLASSIFICATION FOR REGENT AVE - CITY SERV CTR ANNEX - PLANNING COMMISSION
16. WARD ASSIGNMENT & ZONING CLASSIFICATION FOR 3801 HARMONT AVE NE 2022 ANNEX - PLANNING COMMISSION
17. AMEND DEPT OF DEVELOPMENT MANAGEMENT AND NON-BARGAINING CLASSIFICATION PLAN; EMERGENCY - SERVICE DIRECTOR HIGHMAN
18. ADDT'L SUPP APPROP OF HOME-ARPA FUNDS; EMERGENCY (STARK HOUSING NETWORK, INC.) - SERVICE DIRECTOR HIGHMAN
19. CONSTRUCTION CONTRACT FOR 31ST ST NE WATERLINE REPLACEMENT AND STORM SEWER PROJ, GP 1398; EMERGENCY - SERVICE DIRECTOR HIGHMAN
20. RIGHT-OF-WAY APPROPS AUTH FOR 11TH ST SE INTERSECTION AND ROADWAY IMPROVEMENT PROJ, GP 1144, PID 90465; EMERGENCY - SERVICE DIRECTOR HIGHMAN
21. RPTS OF BANK REC AND OUTSTANDING INVESTMENTS AS OF 7/29/22 - TREASURER PEREZ
22. RPT OF PARKING METER REVENUE FOR JULY 2022 - TREASURER PEREZ

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their First Reading. Madam Clerk, would you please begin with Ordinance #23.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #23 THROUGH #28 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#23. (1ST RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE 2525 CLEARVIEW AVE NW 2022 ANNEXATION AREA CONTAINING APPROXIMATELY .0138 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 7 OF THE CITY; ZONING SAID TERRITORY AS B-3 GENERAL BUSINESS; AND REQUIRING THE OWNER OF THE ANNEXED TERRITORY TO PROVIDE A BUFFER SEPARATING THE USE OF THE ANNEXED TERRITORY AND THE ADJACENT LAND REMAINING WITHIN THE TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY

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Referred to Annexation Committee

O#24. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$4,029.61 SUPP APPROP FR UNAPPROP BAL OF 2780 FY 2019 BULLETPROOF VEST PARTNERSHIP FUND TO 2780 102001 POLICE ADMIN – ADV OUT)

Referred to Finance Committee

O#25. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR THE PRO FOOTBALL HALL OF FAME INCLUDING EXPENSES RESULTING PRIOR TO THE PASSAGE OF THIS ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$110,000.00 SUPP APPROP FR UNAPPROP BAL OF 2421 CENTENNIAL PLAZA MAINT FUND TO 2421 200501 GENERAL GOVERNMENT SUPPOTY ADMIN – OTHER)

Referred to Finance Committee

O#26. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE PURCHASE OF ONE (1) REAR LOADING PACKER; OR TO ALTERNATIVELY PURCHASE SAID ITEM PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$360,000.00 SUPP APPROP FR UNAPPROP BAL 5601 REFUSE OPERATION FUND TO 5601 205001 REFUSE ADMINISTRATION – OTHER)

Referred to Public Property Capital Improvement and Finance Committees

O#27. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH NEOTREKS, INC. FOR ROUTE MANAGEMENT EQUIPMENT AND SERVICES FOR THE DEPARTMENT OF PUBLIC WORKS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

O#28. (1ST RDG) **ADOPTED AS ORDINANCE NO. 184/2022** AN ORDINANCE AUTHORIZING THE JUDGES OF THE CANTON MUNICIPAL COURT TO ENTER INTO AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF MENTAL HEALTH & ADDICTION SERVICES FOR RECEIPT OF THE FY2023 SPECIALIZED DOCKET SUBSIDY GRANT IN THE AMOUNT OF \$90,000.00; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$90,000.00 SUPP APPROP FR UNAPPROP BAL 2797 SPECIALIZED DOCKET GRANT FUND TO 2797 701001 SPECIALIZED DOCKET GRANT – PERSONNEL)

Referred to Finance Committee

PRESIDENT SHERER: At this time the Chair would declare an in-house recess for the Finance Committee to meet in regards to Ordinance #28 on your agenda this evening. You are now in recess.

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(COUNCIL RECESSED AT 7:37 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #28; RECONVENED AT 7:39 PM)

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinance 28 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to sus... suspend Rule 22A to place Ordinance #28 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 WOOD: Twelve yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinance 28 are a legal part of your agenda, Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules on Ordinance #28.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

PRESIDENT SHERER: Leader you... you've heard the three readings.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#28 ADOPTED AS ORDINANCE NO. 184/2022

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

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

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PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, would you please begin with Ordinance #29.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #29 THROUGH #34 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#29. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,500.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 601002 CANTON HELPING CANTON – OTHER)
- O#30. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$870,000.00 SUPP APPROP FR UNAPPROP BAL OF 6017 HEALTH & LIFE INSURANCE FUND TO 6017 201001 SERVICE DIRECTOR ADMIN – OTHER; \$2,750,000.00 SUPP APPROP FR UNAPPROP BAL OF 2120 INCOME TAX FUND TO 2120 852101 INCOME TAX ADMIN – OTHER)
- O#31. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE AND DELIVER A COOPERATIVE AGREEMENT BY AND AMONG THE CITY, THE STARK COUNTY PORT AUTHORITY, HOF VILLAGE NEWCO, LLC AND THE HUNTINGTON NATIONAL BANK, AS TRUSTEE, IN ORDER TO SUPPORT THE PORT AUTHORITY’S ISSUANCE AND SALE OF PORT AUTHORITY REVENUE BONDS TO FUND OR PAY OR TO REIMBURSE PERSONS FOR FUNDING OR PAYMENT OF, COSTS OF TOURISM FACILITIES LOCATED OR TO BE LOCATED IN THE TOURISM DEVELOPMENT DISTRICT ESTABLISHED BY THE CITY PURSUANT TO ORDINANCE NO. 260/2016; APPROVING AND AUTHORIZING CERTAIN RELATED MATTERS; AND DECLARING AN EMERGENCY
- O#32. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE AGENCIES LISTED ON EXHIBIT A FOR THE RESPECTIVE PROGRAMS OUTLINED; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER)
- O#33. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONSTRUCTION AND ENGINEERING SERVICES RELATED TO THE EDGEFIELD PHASE II WATER MAIN REPLACEMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#34. (2ND RDG) **ADOPTED AS ORDINANCE NO. 185/2022** AN ORDINANCE AMENDING SECTION 919.06(B), APPLICATION PROCEDURES OF CHAPTER 919 OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE

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CLERK WOOD: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend the Statutory Rules on Ordinance #34.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

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

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#34 ADOPTED AS ORDINANCE NO. 185/2022

PRESIDENT SHERER: The motion carries and Ordinance #34 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Third, Final Reading and Vote. Madam Clerk, will you please begin with Ordinance #35.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCE #35 AND ORDINANCE #36 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#35. (3rd RDG) **ADOPTED AS ORDINANCE NO. 186/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,128,500.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER OPERATING FUND TO 5201 207003 WATER UTILITY BILLING – OTHER FOR \$33,500.00; 5201 207010 WATER PUMPING – OTHER FOR \$55,000.00; 5201 207022 WATER DISTRIBUTION – OTHER FOR \$915,000.00; 5201 207054 MARKET AVE WATER MAIN REPL PROJ – OTHER FOR \$125,000.00; \$16,500.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 207003 SEWER UTILITY BILLING – OTHER; \$10,800.00 SUPP

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APPROP FR UNAPPROP BAL OF 5601 REFUSE OPERATION FUND TO 5601
207003 SANITATION UTILITY BILLING – OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #35.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #35. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#35 ADOPTED AS ORDINANCE NO. 186/2022

PRESIDENT SHERER: Motion carries, and Ordinance #35 is adopted. Ordinance #36, please.

O#36. (3rd RDG) **ADOPTED AS ORDINANCE NO. 187/2022** AN ORDINANCE AUTHORIZING
THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT
WITH MOTTER & MEADOWS ARCHITECTS FOR DESIGN AND
CONSTRUCTION OVERSIGHT OF THE HEALTH DEPARTMENT RENOVATION
PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt #36.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #36. Are there any remarks?
...Hearing none, Madam Clerk roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#36 ADOPTED AS ORDINANCE NO. 187/2022

PRESIDENT SHERER: Motion carries and Ordinance #36 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Our next meeting day will
be Monday, August 29nd and committee starts at 6:15 P.M.

MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

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MEMBER HAWK: Finance Committee will meet will meet Monday, August 29nd at 6:30... 6:15 P.M.

PRESIDENT SHERER: Thank you, Member Hawk.

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Finance... oh I'm sorry Annexation will meet same time, same place.

PRESIDENT SHERER: Thank you, Member Mariol.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

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

PRESIDENT SHERER: Thank you, Member Scaglione and we will also have a finance presentation from Mr. Crouse.

MISCELLANEOUS BUSINESS

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

SERVICE DIRECTOR HIGHMAN: Mr. President.

PRESIDENT SHERER: Service Director.

SERVICE DIRECTOR HIGHMAN: Uh... in front of all of the Council members is a poster. It's... It's very similar to a mailer that is going to start going out in the utility bills to all of our utility customers. This is just a heads up the next couple of days we will rolling out a new utility uh... billing uh... website and a processing system... Paymentus. The accounts were passed uh... several months ago. Uh... I've seen a test of offline, it's much more user friendly. Um... it will have an increase of functionality, we're able to take virtually uh... everything you can check your account balance in real-time. So... just a heads up that's going on if you do have questions. If anybody wants any extra handouts, I do have some but just a heads up that will be happening here in the very near future.

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Service Director, you're not mailing this out?

SERVICE DIRECTOR HIGHMAN: No sir, we're mailing... we're mailing these small mailers. We just have a few posters to... to hang on the building. We're mailing this very small uh... light not expensive things.
(Laughter)

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MEMBER MORRIS: This look pretty pricey, you want them back. *(Laughter)*

SERVICE DIRECTOR HIGHMAN: If you don't want them, I'll take them back. *(Laughter)*

MEMBER MORRIS: I think for the cost of them you might want to collect them back and use them to hang up.

MEMBER SMITH: Mr. President.

PRESIDENT SHERER: Member Smith.

MEMBER SMITH: I'd just like to thank uh... all of the Council members that participated in the town hall meeting. Uh... I'd like to personally thank uh... Ms. Sherice Freeman, our new City Director. She also stepped in for the Mayor for the Habitat dedication and she was also there at the meeting. Bill Smuckler, thank you very much. Mr. Babcock, I'd thank you very much also. Uh... I'd like to really give a thank you to uh... our President of Council. He stayed a meeting that's supposed to be two hours lasted three and a half, Bill Smuckler... so I'm glad you left.

MEMBER SMUCKLER: You would of got me killed. *(Laughter)*

MEMBER SMITH: Uh... so uh... I know that you had to leave but I thank you so very much. These meetings are very important to our community. So uh... I would like to really give a shout out to all of the uh... residents that was there and for the information that was gathered also. Uh... a special thank you to uh... Chief... Police Chief and our Fire Chief also. Did I forget anybody? Who you pointing at Babby?... The Mayor?... I said the Mayor. See you know what Babby. *(Laughter)* that's what I'm saying.

MEMBER BABCOCK: It's okay... old age.

MEMBER SMITH: Okay... Mayor going to need to point you out, especially I said you name but you know how that go, Babby wasn't listening. But it's okay Babby... alright thank you so very much. I'm going to walk this around cause some of the uh... Council members on the other side, haven't got a chance to see it. Alright.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: Mr. President... uh... speaking more to the administration. I hope we really take a good look at uh... Tina's situation. Because I have in my neighborhood two motor homes sitting, they're not on the street but they're sitting in front of the house. From what I read that's illegal, but I've been told there's nothing they can do. So I hope we really take a look at her situation because, worse than her situation, I've had and they said there is nothing they can do. So I hope we take a good look at it.

PRESIDENT SHERER: Thank you, Member Hall. Member Smith I would like to thank you for everything you did for the town hall. I think it worked out great. I think there was a lot of great interaction with a lot of residents in your neighborhood. Especially with Chief Gabbard... and he faced... the Chief faced a lot of tough questions he did.

MEMBER SMITH: He did.

PRESIDENT SHERER: No, he did but I think he did a great job trying to answer everybody's questions and...

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I just want to... I'd like to thank you for lining that up. You did a great job. Is there any other Miscellaneous Business for this evening?

MEMBER SMITH: I would like to just ask Ms. Tina, if you could just hold on a minute till after the meeting.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I normally don't do this but uh... I direct the administration to Communication #10. I suggest you have that individual attending for the vote on that uh... replat. *(Laughter)* I'm sure there will be a lot of questions.

PRESIDENT SHERER: At least he doesn't have to abstain himself right. *(Laughter)*

MEMBER SMITH: I would... I would just like to uh... comment on what he just said. Please everyone vote for it. That's in Ward 4. *(Laughter)*

MEMBER MORRIS: Uh... Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: I would ask that everybody vote against that one. *(Laughter)* Ward 9 residents looking to slide out on us. *(Laughter)*

PRESIDENT SHERER: Thank you, Member Morris, duly noted.

MEMBER SMUCKLER: Even in abstentia, he is still thought of. Um... ladies and gentlemen I do want to tell you that I encourage you uh... I left Saturday and Chris you know why I left on Saturday.

MEMBER SMITH: I said you was excused.

MEMBER SMUCKLER: Yeah.

MEMBER SMITH: It was his anniversary everybody...

MEMBER SMUCKLER: But I would encourage you all have... have neighborhood meetings, invite us. We will all come and this is very important to trying... to grasp. Especially what we think is important in the community, there may be something that's a little more important to the community themselves. And I commend Member Smith. And I move we adjourn.

MEMBER SMITH: Aye Babby second that. Babby.

MEMBER BABCOCK: Second

MEMBER SMUCKLER: Chris said "Wake up."

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK WOOD: Twelve yeas, Mr. President.

PRESIDENT SHERER: This meeting is adjourned, and thank you for coming this evening. (*Gavel falls*)

ADJOURNMENT TIME: 7:55 PM

ATTEST:

APPROVED:

JILL M. WOOD
CLERK OF COUNCIL

WILLIAM SHERER
PRESIDENT