

MINUTES OF THE MEETING DECEMBER 5, 2022

PRESIDENT SHERER: Welcome everybody, and 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 Ward 3 Council Member, Jason Scaglione. 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 December 5, 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 Ward 3 Council Member, Jason Scaglione. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Member Scaglione.

AGENDA CORRECTIONS AND CHANGES

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

MEMBER SMUCKLER: Mr. President I move Rule 22A be suspended to add second readings of Ordinances... uh, 17 through 21 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 17 through 21 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 17 through 21 are a legal part of your agenda.

PUBLIC HEARINGS

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

OLD BUSINESS

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

MINUTES OF THE MEETING DECEMBER 5, 2022**PUBLIC SPEAKS**

PRESIDENT SHERER: We are now under Public Speaks and we have one speaker for tonight. It is Miss Kimberly Bell. Miss Bell, could you please state your name and residential address, please.

KIMBERLY BELL: Yes. Kimberly Bell, 1733 Morris Avenue, Canton. I see the Can... I was supposed to be here last week, but I got sick. The Canton Inn came down, and I thought maybe it was gonna be where they put the... uh, sports betting complex. Somebody... uh, said I think it's gonna be where they put the new McKinley High School. Is that correct? If it is, that's... that's awful. You just put our city kids anywhere. You... you may not be the one that... that... that... that... uh, said put it there, but you could have been the one that said don't put it there. You could... you... it would have been better off if you would have bought the oh... if they would have bought the old McKinley High School and redid that and moved the nursing home there, and... or bought the fairgrounds and put the high school there. But, we're just citizens in this city and you do what you want, and that's gonna change here soon. Also, why is it there's no more dollar amounts on this paper, cause you all don't want us to know how much you all spending cause I can't write fast enough to write down all the money that be on these papers. Why is there no more dollar amounts on here? Whose decision was that? So we can't see how much you all got, how much you all spend. Well, now what else did I want to say to you all. There was something else. I... I ha... my... my memory's not good anymore. Oh... oh... oh... yes, of course. Um, we're coming up on the anniversary of James Williams' murder, and Christmas is around the corner. I took the kids school shopping as a matter of fact. But Christmas is around the corner and this is gonna be their Christmas without James. While Robert Huber's celebrating Christmas and opening presents with his family, they will be mourning the death of James, and it's awful that you guys just go ahead and just go on with your life when Marquette is dealing with the children's... uh... uh, what they witnessed. And it's sad that... it's com... the holidays... Christmas is coming and those kids won't be with their father, but Robert Huber will be sitting around the tree opening presents with his children and having his eggnog and rum or whatever, and Marquette's still trying to deal with this... this tragedy. And... but again, she's not here and it's dead to you all, but it's not dead to her. (*Inaudible*)

PRESIDENT SHERER: Thank you, Miss Bell.

KIMBERLY BELL: You're welcome.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: We are now under Informal Resolutions and we have three for this evening. Madam Clerk, would you please read Informal Resolution #1, by title.

1. PERSONNEL COMMITTEE: CONFIRMING THE APPOINTMENT OF MS. JULIE SPARKS TO THE ZONING BOARD OF APPEALS COMMENCING 1/1/23 TO 12/31/25. - ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #1.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #1. Are there any remarks? ...Hearing none, all those in favor si... by voice vote, signify by saying aye. Those opposed no.

MINUTES OF THE MEETING DECEMBER 5, 2022

NO REMARKS

RESOLUTION #1 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Informal Resolution #1 is adopted. Informal Resolution #2, please.

2. PERSONNEL COMMITTEE: CONFIRMING THE REAPPOINTMENT OF MS. CATHY WYATT TO THE ARCHITECTURAL REVIEW BOARD COMMENCING 1/1/23 TO 12/31/26. - ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #2.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #2. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #2 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Informal Resolution #2 is adopted. Informal Resolution #3, please.

3. PERSONNEL COMMITTEE: CONFIRMING THE REAPPOINTMENT OF MR. IVAN REDINGER, JR. TO THE FAIR HOUSING COMMISSION COMMENCING 1/1/23 TO 12/31/27. - ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #3.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #3. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #3 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Informal Resolution #3 is adopted.

COMMUNICATIONS

PRESIDENT SHERER: We are now under Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY, IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED DECEMBER 5, 2022.

MINUTES OF THE MEETING DECEMBER 5, 2022

4. REQ PAY GRADE AMOUNT BE INCREASED IN AUDITOR'S OFFICE (GRADE 001-21-SALARY AUDITOR). – AUDITOR MALLONN
5. REQ FOR ADDT'L AMENDED CERTIFICATION DATED 12/1/2022. – AUDITOR MALLONN
6. REQ REAPPT OF MR. DONN ANGUS AND APPT OF MR. CHRIS HARDESTY TO STARK CO. REGIONAL PLANNING COMMISSION (DONN ANGUS 12/31/22 TO 12/31/24; CHRIS HARDESTY 12/12/22 TO 12/31/23). – MAYOR BERNABEI
7. REQ WAGE INCREASE FOR SALARY AND NON-BARGAINING EMPLOYEES (3% COST OF LIVING EFFECTIVE 1/1/23; AMEND O#100/2022 TO INCREASE SALARY MIN AND MAX). – MAYOR BERNABEI
8. REQ APPT OF MR. CHRIS HARDESTY TO STARK COUNTY LAND REUTILIZATION BANK COMMENCING 12/12/22 WITH NO EXPIRATION DATE. – MAYOR BERNABEI
9. AMEND O#190/2021 (FUNDING AGMT WITH CCIC FOR SHORB NEIGHBORHOOD). – MAYOR BERNABEI
10. LETTER ADVISING NO PLA ON 11TH ST SE INTERSECTION AND ROADWAY IMPROVEMENT PROJECT. – SERVICE DIRECTOR HIGHMAN
11. REQ SALE OF REAL PROPERTY NO LONGER NEEDED FOR MUNICIPAL PURPOSES. – SERVICE DIRECTOR HIGHMAN

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 #12.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #12 THROUGH #16 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#12. (1ST RDG) AN ORDINANCE ADOPTING TEMPORARY APPROPRIATIONS FOR THE OPERATING AND CAPITAL EXPENDITURES OF THE CITY OF CANTON, OHIO, FOR FISCAL YEAR 2023; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#13. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A CONTRACT WITH AVO BEHAVIORAL HEALTH AND WELLNESS FOR SERVICES TO INCREASE THE MENTAL HEALTH AND WELLNESS OF OUR POLICE OFFICERS IN AN AMOUNT NOT TO EXCEED \$124,400.00; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#14. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 190/2021 REGARDING THE FUNDING AGREEMENT WITH THE CANTON COMMUNITY IMPROVEMENT CORPORATION (“CCIC”) TO INCLUDE THE USE OF MAKING LOANS OR GRANTS FOR THE DEVELOPMENT OF MULTIFAMILY HOUSING OPTIONS, INCLUDING AFFORDABLE, SENIOR, MARKET RATE AND MIXED-USE

MINUTES OF THE MEETING DECEMBER 5, 2022

DEVELOPMENTS AS PART OF THE SHORB NEIGHBORHOOD MASTER PLAN AND REDEVELOPMENT STRATEGY; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Community & Economic Development and Finance Committees

- O#15. (1ST RDG) **ADOPTED AS ORDINANCE NO. 277/2022** AN ORDINANCE DECLARING THE ONE (1) 2022 DODGE 5500 4X4 LIFE LINE TYPE 1 “SUPERLINER” AMBULANCE PREVIOUSLY AUTHORIZED BY THE 2022 CAPITAL BUDGET AS A SOLE SOURCE PURCHASE ALLOWING THE DIRECTOR OF PUBLIC SAFETY TO OPEN PURCHASE ORDERS DIRECTLY FOR ITS ACQUISITION IN A TOTAL AMOUNT NOT TO EXCEED \$329,599.00 WITHOUT FOLLOWING THE TYPICAL BID OR COOPERATIVE PURCHASING PROCESSES; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THE FOREGOING PURCHASE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement Committee

- O#16. (1ST RDG) **ADOPTED AS ORDINANCE NO. 278/2022** AN ORDINANCE DECLARING THE THREE (3) 2023 DODGE 5500 4X4 DIESEL LIFE “CUSTOM SUPERLINER TYPE 1” AMBULANCES PREVIOUSLY AUTHORIZED BY THE 2022 CAPITAL BUDGET AS SOLE SOURCE PURCHASES ALLOWING THE DIRECTOR OF PUBLIC SAFETY TO OPEN PURCHASE ORDERS DIRECTLY FOR THEIR ACQUISITION IN A TOTAL AMOUNT NOT TO EXCEED \$857,070.00 WITHOUT FOLLOWING THE TYPICAL BID OR COOPERATIVE PURCHASING PROCESSES; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THE FOREGOING PURCHASE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement Committee

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the Public Property Capital Improvement Committee to meet in regards to Ordinances 15 and 16 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:12 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE TO MEET IN REGARDS TO O#15 AND O#16; RECONVENED AT 7:16 PM)

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to plass... place Ordinances 15 and 16 back on this evening’s agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to suspend Rule 22A to place Ordinances 15 and 16 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.

MINUTES OF THE MEETING DECEMBER 5, 2022

PRESIDENT SHERER: The motion carries and Ordinances 15 and 16 are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend the Statutory... um, Rules on Ordinances 15 and 16.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 15 and 16. 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: You've heard the three readings, Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 277/2022

PRESIDENT SHERER: The motion carries and Ordinance #15 has been 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 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 278/2022

PRESIDENT SHERER: The motion carries and Ordinance #16 has been adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, would you please begin with Ordinance #17.

MINUTES OF THE MEETING DECEMBER 5, 2022

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #17 THROUGH #21 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS: (O#19 ADOPTED AS AMENDED; O#20 & O#21 ADOPTED ON 2ND RDG)

- O#17. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, ENTER INTO AN AGREEMENT FOR AND RECEIVE FAIR HOUSING SPECIAL ENFORCEMENT AND PARTNERSHIP FUNDS FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AUTHORIZES THE AUDITOR TO ESTABLISH THE 2240 2022 FAIR HOUSING SPECIAL ENFORCEMENT EFFORT GRANT FUND AND TO RENAME THE 2235 BROWNFIELD JOB TRAINING GRANT FUND TO 2235 2022 FAIR HOUSING PARTNERSHIP GRANT FUND; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#18. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEE TO: ESTABLISH THE FAIR MARKET VALUE (FMV) OF ALL PARCELS, BEING PERMANENT TAKES, AS OUTLINED IN EXHIBIT; NEGOTIATE WITH PROPERTY OWNERS FOR THE PURCHASE/ACQUISITION OF THEIR PARCELS UTILIZING FAIR MARKET VALUES AS THE BASIS OF SAID NEGOTIATIONS AND TO ENTER INTO AGREEMENTS FOR THE PURCHASE OF AND ACCEPT TITLE TO SAID PARCELS; DECLARING THE INTENT OF THE CITY OF CANTON TO APPROPRIATE THE ESTATES AND/OR INTERESTS IN FURTHERANCE OF THE 4TH STREET SE SEWER REPLACEMENT PROJECT G.P. 1338; AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEE TO MAKE MINISTERIAL CHANGES TO CORRECT PROPERTY OWNER NAMES, PARCEL NUMBERS, AND OTHER NUMERICAL, DESCRIPTIVE OR TYPOGRAPHICAL ERRORS; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#19. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 279/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022 BY MAKING VARIOUS APPROPRIATION TRANSFERS AND SUPPLEMENTAL APPROPRIATIONS; RATIFYING THE FOREGOING ACTIONS TAKEN PURSUANT TO SECTION 105.04 OF THE CANTON CODIFIED ORDINANCES; AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION TO BUTCHER & SON, INC. IN AN AMOUNT NOT TO EXCEED \$250,000.00 FOR A DEMOLITION; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS ASSOCIATED WITH THE HEALTH AND INSURANCE FUND THAT OCCUR PRIOR TO THE PASSAGE OF THIS ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#20. (2ND RDG) **ADOPTED AS ORDINANCE NO. 280/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (INTER-FUND TRF OF REMAINING CASH BALANCE AT YEAR END FR 2332 AIR POLLUTION (135) FUND TO 2331 AIR POLLUTION (134) FUND

MINUTES OF THE MEETING DECEMBER 5, 2022

O#21. (2ND RDG) **ADOPTED AS ORDINANCE NO. 281/2022** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION USING AMERICAN RESCUE PLAN ACT (“ARPA”) REVENUE LOSS FUNDS IN THE AMOUNT OF \$3,119.33 TO THE TYLER SCOTT LANCASTER FOUNDATION FOR SERVICES PERFORMED IN THIS PAST SUMMERS’S (2022) ARPA SUMMER CAMPS PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY

CLERK WOOD: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules on Ordinances 19 through 21.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to suspend the Statutory Rules on Ordinances 19 through 21. 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. You’ve heard the three readings, 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... or Leader.

CLERK WOOD: Amendment.

MEMBER SMUCKLER: Oh, almost forgot. Mr. President, I move we amend Ordinance #19 by the amendment before every Council person.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded to amend Ordinance #19 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 #19, as amended.

MINUTES OF THE MEETING DECEMBER 5, 2022

MEMBER BABCOCK: Second

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 19 by the substitution of the attached amended ordinance for the original pending ordinance.

PRESIDENT SHERER: It's been moved & seconded to adopt Ordinance #19, 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 WOOD: Twelve yeas, Mr. President.

#19 ADOPTED AS AMENDED AS ORDINANCE NO. 279/2022

PRESIDENT SHERER: The motion carries, and Ordinance #19, as amended, has been adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #20. 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.

#20 ADOPTED AS ORDINANCE NO. 280/2022

PRESIDENT SHERER: The motion carries and Ordinance #20 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #21. Are there any remarks? Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 281/2022

PRESIDENT SHERER: The motion carries and Ordinance #21 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, would you please begin with Ordinance #22.

MINUTES OF THE MEETING DECEMBER 5, 2022

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES O#22 THROUGH O#28 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 282/2022** AN ORDINANCE AMENDING ORDINANCE 59/2011 TO ADJUST TERRITORY INCLUDED WITHIN MILLS INDUSTRIAL PARK TAX INCREMENT FINANCING DISTRICT; 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 that you adopt Ordinance #22. 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.

#22 ADOPTED AS ORDINANCE NO. 282/2022

PRESIDENT SHERER: Motion carries and Ordinance #22 is adopted. Ordinance #23, please.

O#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 283/2022** AN ORDINANCE APPROVING AND AUTHORIZING THE MAYOR AND/OR THE DIRECTOR OF PUBLIC SERVICE TO EXECUTE AND DELIVER A COOPERATIVE TAX INCREMENT FINANCING AGREEMENT BY AND AMONG THE CITY, STARK COUNTY PORT AUTHORITY, HALL OF FAME RESORT & ENTERTAINMENT COMPANY AND HOF VILLAGE NEWCO, LLC, IN ORDER TO SUPPORT THE PORT AUTHORITY'S ISSUANCE AND SALE OF PORT AUTHORITY REVENUE BONDS TO PROVIDE FOR COSTS OF PUBLIC INFRASTRUCTURE IMPROVEMENTS CONSTITUTING PORT AUTHORITY FACILITIES BENEFITING THE DEVELOPMENT OF PROPERTIES LOCATED AND TO BE LOCATED WITHIN THE TAX INCREMENT FINANCING AREA ESTABLISHED BY THE CITY PURSUANT TO ORDINANCE NOS. 262/2015, 145/2017 AND 140/2021, AS AMENDED AND SUPPLEMENTED, INCLUDING REFUNDING REVENUE BONDS PREVIOUSLY ISSUED TO PROVIDE FOR A PORTION OF SUCH COSTS; APPROVING AND AUTHORIZING RELATED MATTERS; AND DECLARING AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #23.

MEMBER BABCOCK: Second.

MINUTES OF THE MEETING DECEMBER 5, 2022

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #23. Are there any remarks? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 283/2022

PRESIDENT SHERER: Motion carries and Ordinance #23 is adopted. Ordinance #24, please.

O#24. (3rd RDG) **ADOPTED AS ORDINANCE NO. 284/2022** AN ORDINANCE DECLARING IMPROVEMENT TO REAL PROPERTY OWNED BY LEHMAN HOUSING PARTNERS, L.P., LOCATED IN THE CITY OF CANTON, TO BE A PUBLIC PURPOSE; EXEMPTING ONE HUNDRED PERCENT OF THE IMPROVEMENT FROM TAXATION FOR A PERIOD OF THIRTY YEARS; AUTHORIZING THE MAINTENANCE AND CONSTRUCTION OF PUBLIC INFRASTRUCTURE IMPROVEMENTS UNDER SECTION 5709.40, ET. SEQ., OF THE OHIO REVISED CODE; REQUIRING SERVICE PAYMENTS IN LIEU OF TAXES; ESTABLISHING THE OXFORD PLACE TIF FUND; AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER ALL AGREEMENTS NECESSARY FOR THE MAINTENANCE AND CONSTRUCTION OF PUBLIC INFRASTRUCTURE; COMPENSATING THE SCHOOL DISTRICT FOR REVENUE NOT REALIZED; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #24.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #24. 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.

#24 ADOPTED AS ORDINANCE NO. 284/2022

PRESIDENT SHERER: Motion carries and Ordinance #24 is adopted. Ordinance #25, please.

O#25. (3rd RDG) **ADOPTED AS ORDINANCE NO. 285/2022** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 25949, 25950 AND 25951; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #25.

MINUTES OF THE MEETING DECEMBER 5, 2022

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #25. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#25 ADOPTED AS ORDINANCE NO. 285/2022

PRESIDENT SHERER: Motion carries and Ordinance #25 is adopted. Ordinance #26, please.

O#26. (3RD RDG) **ADOPTED AS ORDINANCE NO. 286** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF OUT LOT 783 AND ALL OF OUT LOT 784; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #26.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #26. Are there any remarks?
... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

#26 ADOPTED AS ORDINANCE NO. 286/2022

PRESIDENT SHERER: Motion carries and Ordinance #26 is adopted. Ordinance #27, please.

O#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 287/2022** AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF 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

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #27. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

MINUTES OF THE MEETING DECEMBER 5, 2022

CLERK WOOD: Twelve yeas, Mr. President.

#27 ADOPTED AS ORDINANCE NO. 287/2022

PRESIDENT SHERER: Motion carries and Ordinance #27 is adopted. Ordinance #28, please.

O#28. (3RD RDG) **ADOPTED AS ORDINANCE NO. 288/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A FIVE-YEAR LEASE AGREEMENT FOR THE FARMING OF APPROXIMATELY 271 ACRES OF LAND AT THE SUGAR CREEK WATER TREATMENT PLANT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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? ... 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. 288/2022

PRESIDENT SHERER: Motion carries and Ordinance #28 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Our next meeting date will be Monday, December 12th and Committee will start at 6:30 p.m.

MEMBER HALL: *(Inaudible)*

MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: Question.

PRESIDENT SHERER: Yes.

MEMBER HALL: Uh, are we gonna go over the temporary budget next week?

FINANCE DIRECTOR CROUSE: Yes.

MEMBER HALL: Are we okay with that time? Of course, you know I like 6:30, but... *(laughter)*... I just want to make sure we have enough time.

MINUTES OF THE MEETING DECEMBER 5, 2022

CLERK WOOD: Let's make it 6... we'll make it 6:15.

PRESIDENT SHERER: We can make it 6:15, Member Hall.

MEMBER HALL: Well, okay. When I get here... I don't...

CLERK WOOD: We'll do 6:15.

PRESIDENT SHERER: Okay. Mem... Member Hawk.

MEMBER HAWK: Finance Committee will meet Monday, December 12th at 6:15.

PRESIDENT SHERER: Thank you, Member Hawk.

MEMBER BABCOCK: Mr. President.

PRESIDENT SHERER: Member Babcock.

MEMBER BABCOCK: Personnel will meet same time, same place.

PRESIDENT SHERER: Thank you, Member Babcock.

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: Community & Economic Development, same time, same place.

PRESIDENT SHERER: Thank you, Member Hall.

MISCELLANEOUS BUSINESS

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

MAYOR BERNABEI: (*Inaudible*)

PRESIDENT SHERER: Mayor.

MAYOR BERNABEI: This is just a reminder to everyone that this coming Saturday, which is December 10, this is the Annual Post Thanksgiving, Pre-Christmas Give Away of Canton Outside of Canton... um, the donation of probably 20 to 25 thousand dollars worth of food stuffs sponsored by Canton Outside of Canton. They've done it for the last two to three years, and also with the Canton Urban League and many, many other donors including Giant Eagle and so forth. That will be... begin, I believe at 10:00 AM at St. Paul's AME Church on East Tuscarawas Street.

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

MINUTES OF THE MEETING DECEMBER 5, 2022

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: This... cause it... I drove by and I seen it. Mr. Mayor and Administration, do we have an update on the... uh, I don't want to say Huntington... the Nationwide Building?

MAYOR BERNABEI: The Nationwide Building is currently under contract to two LLC's. I cannot tell you their precise name, but this is the base agreement with Chris Maggione, who owns and operates our Jerzee's Cafe and other businesses and so forth in the... uh, in downtown and/or in Canton, and the closing date... he has until February 3 of 2023 to close that purchase.

PRESIDENT SHERER: Thank you, Mayor Bernabei. Is there any other Miscellaneous Business for this evening? Leader.

MEMBER SMUCKLER: Um, Mr. Hall, to piggyback on that, I spoke to Chris Maggione last Thursday, and he's well under the understanding that he has to bring down a plan just like everybody else does too, and he said he will have his plan down here before then.

MEMBER HALL: I... I guess my biggest concern was we're maintaining that building still, the cost.

MEMBER SMUCKLER: I don't know, but this is our hope. I'm sure that information can be gotten for you. Anyone else?... I move we adjourn.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK WOOD: Twelve yeas, Mr. President.

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

ADJOURNMENT TIME: 7:37 PM

ATTEST: December 6, 2022

APPROVED:

JILL M. WOOD
CLERK OF COUNCIL

WILLIAM SHERER
PRESIDENT