

MINUTES OF THE MEETING JUNE 5, 2023

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.

(Note: Due to technical difficulties, a sporadic echo can be heard beginning with the Roll Call and ending just prior to the Invocation)

ROLL CALL TAKEN BY CLERK PRO TEM WENSEL:

11 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)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER MORRIS ABSENT)

CLERK PRO TEM WENSEL: Eleven present, one absent Mr. President.

EXCUSING MEMBERS

MEMBER SMUCKLER: Mr. President, hang on. *(Pause while attempts are made to correct the technical difficulties)*

PRESIDENT SHERER: Are we good?

CLERK PRO TEM WENSEL: I think so.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we excuse Member Morris from tonight's meeting.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: *(Inaudible)*... for a second. *(Pause while more attempts are made to correct the technical difficulties)* It's been moved and seconded to excuse Member Morris from this evening's meeting. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

PRESIDENT SHERER: The motion carries and Member Morris is excused from this evening's meeting. *(Pause while continuing attempts are made to correct the technical difficulties)* Tonight's invocation will be given by Ward 1 Council Member, Greg Hawk. 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 June 5, 2023 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk Pro Tem, Elizabeth Wensel. The invocation was given by Ward 1 Council Member, Greg Hawk. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Member Hawk. Well, at least we got a short meeting, Majority Leader.

MEMBER SMUCKLER: I get that.

MINUTES OF THE MEETING JUNE 5, 2023**AGENDA CORRECTIONS AND CHANGES**

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinances 11 through 13 back on... Mr. President, yeah... second... second reading of Ordinance 14 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add second reading to Ordinance #14 to this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinance #14 is 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.

PUBLIC SPEAKS

PRESIDENT SHERER: We are now under Public Speaks and we have no one signed up for Public Speaks tonight.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: Moving on. We are now under Informal Resolutions and we have none 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 WITH THE AGENDA ITEMS FILE DATED JUNE 5, 2023.

1. Req Amend O#51/2023 (Health Equity & Overdose Prevention Mentorship Program). – Health Commissioner Adams
2. 2022 Annual Report for Canton City Public Health. – Health Commissioner Adams
3. Req trans C1, C2 permit to Mo Vapes LLC, 1816 Cleveland Ave NW from SFHAM LLC dba Cleveland Ave Mini Mart. – Liquor Control Div
4. Ltr informing Council that City of Canton will not be entering into a PLA for the 6th St NW Streetscape Project – GP 1404. – Service Director Highman

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5. Est Engineering and GIS Related Positions Classification Plan Updates; emergency. – Service Director Highman
6. Req Fair Housing Investigator Hire (Karen Esposito); emergency. – Service Director Highman
7. Req acceptance of Office of Criminal Justice Services, Prisoner Extradition Reimbursement Fund Grant; emergency. – Safety Director Perry
8. Comparative Rpt of Cash Receipts as of May 31, 2023. – Treasurer Perez

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions... it's okay. *(Brief pause)* Once again, we are now under Ordinances and Formal Resolutions for their First Reading. Madam Clerk, would... would you please begin with Ordinance #9.

NOTE: PRESIDENT SHERER CALLED UPON CLERK PRO TEM WENSEL TO READ ORDINANCES #9 THROUGH #13 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#9. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT THE 2023 WALMART LOCAL COMMUNITY GRANT IN THE AMOUNT OF \$3,000.00 FOR THE CANTON POLICE DEPARTMENT; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN – OTHER)
Referred to Finance Committee
- O#10. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OF DIRECTOR OF PUBLIC SERVICE TO ENTER A ONE (1) YEAR CONTRACT WITH THE OPTION OF TWO (2) ONE (1) YEAR EXTENSIONS WITH STARK METROPOLITAN HOUSING AUTHORITY FOR VEHICLE MAINTENANCE AND FUEL SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#11. (1ST RDG) **ADOPTED AS ORDINANCE NO. 84/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO AGREEMENT WITH THE OHIO ENVIRONMENTAL PROTECTION AGENCY FOR A LOW-INTEREST LOAN FOR THE 11TH STREET IMPROVEMENT REPLACEMENT PROJECT, GP 1144, PID 90465; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5446 11TH STREET IMPROVEMENT PROJECT (SANITARY) FUND; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,791.232.40 SUPP APPROP FR UNAPPROP BAL OF 5446 11TH STREET IMPROVEMENT PROJECT, GP 1144 FUND TO 5446 202095 11TH ST IMPROV PROJ GP 1144 – OTHER; \$800,000.00 APPROP TRF FR 4501 202095 11TH ST IMPROV PROJ GP 1144 – OTHER TO 4501 202001 ENGINEERING – ADMINISTRATION – OTHER)
Referred to Finance Committee

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O#12. (1ST RDG) **ADOPTED AS ORDINANCE NO. 85/2023** AN ORDINANCE AUTHORIZING THE HIRING OF MS. KAREN ESPOSITO TO FILL THE FAIR HOUSING INVESTIGATOR POSITION AT AN ANNUAL SALARY OF \$45,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Personnel Committee

O#13. (1ST RDG) **ADOPTED AS ORDINANCE NO. 86/2023** A RESOLUTION AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, ACCEPT AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND AGREEMENT ON BEHALF OF THE CITY OF CANTON FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WASTEWATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the Finance and Personnel Committees to meet in regards to Ordinances 11 through 13 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:09 PM FOR THE FINANCE AND PERSONNEL COMMITTEES TO MEET IN REGARDS TO O#11 THROUGH O#13; RECONVENED AT 7:14 PM)

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

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules of Ordinances 11 through 13.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: I believe it would be... Majority Leader, I believe it would...

MEMBER SMUCKLER: I'm sorry. Mr. President, I move we suspend Rule 22A to place Ordinances 11 through 13 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 11 through 13 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 11 through 13 are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, now I move we suspend the Statutory Rules of Ordinances 11 through 13.

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MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 11 through 13. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Eleven yeas, Mr. President.

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

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #11.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #11. Are there any remarks under this Ordinance? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Eleven yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 84/2023

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

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Eleven yeas, Mr. President.

#12 ADOPTED AS ORDINANCE NO. 85/2023

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

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK PRO TEM WENSEL: Eleven yeas, Mr. President.

#13 ADOPTED AS ORDINANCE NO. 86/2023

PRESIDENT SHERER: The motion carries and Ordinance #13 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 #14.

NOTE: PRESIDENT SHERER CALLED UPON CLERK PRO TEM WENSEL TO READ ORDINANCE #14 FOR ITS SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#14. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY

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 #15, please.

NOTE: PRESIDENT SHERER CALLED UPON CLERK PRO TEM WENSEL TO READ ORDINANCES #15 THROUGH #16 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#15. (2ND RDG) **ADOPTED AS ORDINANCE NO. 87/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN EASEMENT AGREEMENT WITH THE EAST OHIO GAS COMPANY, DBA DOMINION ENERGY, FOR THE INSTALLATION OF THEIR NATURAL GAS FACILITIES ON THE CITY SERVICE CENTER PROPERTY NECESSARY FOR DELIVERING GAS SERVICE TO THE NEW SANITATION BUILDING; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Eleven yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 87/2023

PRESIDENT SHERER: The motion carries and Ordinance #15 is adopted. Ordinance #16, please.

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O#16. (3rd RDG) **ADOPTED AS ORDINANCE NO. 88/2023** AN ORDINANCE AUTHORIZING THE AUDITOR TO CREATE THE 7510 PERRY TOWNSHIP JOINT ECONOMIC DEVELOPMENT DISTRICT (JEDD) FUND AND TO REMIT ALL APPROPRIATE SUMS TO PERRY TOWNSHIP AS ARE CALLED FOR IN THE JEDD CONTRACT AND TAX AGREEMENT; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: 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 11 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Eleven yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 88/2023

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

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Our next meeting date will be three weeks from now on Monday, June 26th and committee will start at 6:45 PM, which this will start the City Council summer schedule. And I believe the only committee is Finance.

MEMBER HAWK: Mr. President, Finance Committee will meet Monday, June 26th at 6:30?

PRESIDENT SHERER: 6:45.

MEMBER HAWK: 6:45, I'm sorry... (*inaudible*).

PRESIDENT SHERER: Thank you, Member Hawk.

MISCELLANEOUS BUSINESS

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

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: Mr. Mayor and Finance Director, with the President signing that debt ceiling bill, what will that do to our COVID funding cause they said they was recalling COVID funding?

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MAYOR BERNABEI: Member Hall... *(balance of Mayor's comments was inaudible due to technical difficulties)*

MR. PRESIDENT: Member Smith.

MEMBER SMITH: Oh, Mr. President, I don't have anything to say to what they was discussing. I just wanted to thank the Council Members and Mayor for coming down, and Lady Bebe... uh, to the open of the Spray Park, and the kids had a great time and it was used for this hot weather. So, let them know that it is open and ready for a splashing. Thank you.

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

MEMBER KIMBROUGH: Yes.

PRESIDENT SHERER: Member Kimbrough.

MEMBER KIMBROUGH: I just want to thank everybody for the Canton Serving Canton. Our Police Department did a wonderful event at the Centennial Plaza... *(inaudible)*... Mayor and Chris came down and supported us. Also, just thanking them for all of the... uh, First Friday event was wonderful... *(inaudible)* and I thought that was very successful. And of course, everyone who was out on Memorial Day to give tribute to those who have died to give us the privilege of having our freedom.

PRESIDENT SHERER: Thank you, Member Kimbrough. Is there any other Miscellaneous Business? Leader.

MEMBER SMUCKLER: Mr. President, before we adjourn... Mr. Mayor, I asked you the other day... um, we are having a Party in the Park for July 4th. Is that correct?

MAYOR BERNABEI: Yes, we have a traditional party. I believe it is on July 3rd, I think. *(Inaudible)*... double check. *(Inaudible)*... so it was the day before the holiday which is actually the best day for us to schedule it and on a preferred date, so that would be the 3rd of July. We have fireworks and as traditionally, there will be a band. Uh, Betty Smith and the kids will be there to assist. I'm sure that Chris Smith will be there to do a little line dancing *(laughter)*... and uh...

MEMBER SMITH: Me and Brenda will be there to line dance.

MAYOR BERNABEI: Same as we've done for the last several years, yes.

MEMBER SMUCKLER: I'm just trying to get that out in the community cause I've been asked by several people, are we having a party at McKinley Monument, and I told them, yes we are, and now we have something extra special to look forward to. Mr. President, on that note, 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 11 YEAS, 0 NAYS

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CLERK PRO TEM WENSEL: Eleven yeas, Mr. President.

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

ADJOURNMENT TIME: 7:27 PM

ATTEST: June 7, 2023

APPROVED:

ELIZABETH J. WENSEL
CLERK OF COUNCIL PRO TEM

WILLIAM SHERER
PRESIDENT