

MINUTES OF THE MEETING NOVEMBER 20, 2023

PRESIDENT SHERER: Good evening ladies and gentle... 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.

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

ELEVEN COUNCIL MEMBERS PRESENT (MEMBER HAWK ABSENT)

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

EXCUSING MEMBERS

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to excuse Member Hawk from this evening's meeting. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Member Hawk is excused from this evening's meeting. Tonight's invocation will be given by Ward 6 Council Member, Kevin Hall. 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 November 20, 2023 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 6 Council Member, Kevin Hall. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Member Hall.

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 reading of Ordinances 27 through 31 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 27 through 31 to this evening's agenda. Are there any remarks? ...Hearing none, roll call vote.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

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CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 27 through 31 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.

PUBLIC SPEAKS

PRESIDENT SHERER: We are now under Public Speaks and we have four speakers for this evening. I would like to re... remind our speakers that under Public Speaks rules do you get three minutes under Public Speaks. And our first speaker is Miss Kimberly Bell. (*Buzzer sounds*)

KIMBERLY BELL: No, I didn't bring breakfast. My name is Kimberly Bell, 1733 Morris Avenue. With me, I... I rant and rave just like everybody else on social media. Pick your battles with me, it's not personal to any of you Members. Please forgive me if I offended you, but I... I don't mean harm. I just rant and rave just like everybody else. Okay, so... Mr. John, the Building Code guy, came and did the inspection. Mr. President, may I bring this to you?

PRESIDENT SHERER: Sure.

KIMBERLY BELL: This is black mold. This... (*inaudible*)... Metropolitan Housing, and I got black mold growing in my food. And I brought it to show you, and I'll wait till Council's over to collect it from Mister... uh, Mr. President, and I'll show it to everybody. But black mold is growing in my food, so I know it's growing in food of other properties of Stark Metropolitan Housing. So our chi... this is... this is why our children that live in these complexes have asthma problems and other health problems. If black mold is growing in our food and a child goes to grab her Apple Jacks, or his Apple Jacks, and see the black mold, they don't know what it is. So they go ahead and eat it. Metropolitan needs to be handled. And when I say handled, we need a director like myself, I'm willing to do the job. I'll go in all these properties, and if I see an issue, I'm gonna bring it to the table cause this is... this is terrible that I wake up to get some cereal and reach for it and pull the pac... whole pack out cause it's down at the bottom and discover there was black mold in my food. Then I have other issues with the... with the property that Mister... the Building Code guy came in and took care of. Again, please help me with this issue with Stark Metropolitan Hel... Housing and help the other children who's dealing with the same problem who go grab something to eat. It's... this is just not acceptable.

PRESIDENT SHERER: Thank you, Miss Bell. And, Miss Bell, I'm gonna throw that away, alright?

KIMBERLY BELL: Okay, that's fine.

PRESIDENT SHERER: Our next speaker is gonna be... let me get my glasses on real quick... Chelle Inman. (*Buzzer sounds*) Miss Inman...

CHELLE INMAN: Yes.

PRESIDENT SHERER: Could you please state your name and residential address, please.

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CHELLE INMAN: Yes, my name is Chelle Inman. I reside at 717 O'Jay's Parkway NE. Um... I have concerns with the City's Building Department and Zoning Department not being on the same accord. I have a property at 3110 Glen Place NW, and...

PRESIDENT SHERER: Ms. Inman, could you turn the mic down, please. Thank you.

CHELLE INMAN: Do I need to re... repeat?

PRESIDENT SHERER: No, you're good.

CHELLE INMAN: Okay, I have a property over at 3110 Glen Place. I brought the issue... um, to Council last year. Um... the Councilman apparently in that neighborhood was complaining of it being a public nuisance and trash that the... a John Mariol, the inspector, brought to me. But currently it's still an ongoing issue as far as my building being a public nuisance, and I've done everything I could within my means to keep it presentable, but there's other complexes around me that is actually being used that still have a small dumpster and things of that sort for seven families. More so... um, as far as the Building Department, the Zoning Department not being on the same accord. The Building Department's telling me it's residential use and zoned and the other department's telling me it's commercial. And I need to get my property fixed... um, and they want... the Building Department is saying it's commercial, and I just need somebody to clarify what I need to do because it's not commercial use, the Zoning Department won't let me use it for any business, so how do I go about getting it zoned prop... well, it's zoned for residential, but I need a general contractor for residential use instead of commercial because commercial just isn't affordable for me to have two apartments remodeled on it. So...

PRESIDENT SHERER: Miss Inman...

CHELLE INMAN: Yes.

PRESIDENT SHERER: If you're looking for an answer, you know, to your question, I would encourage you to stay after the meeting, but this is not kind of a debate... if you would...

CHELLE INMAN: Okay. That's fine, but I just wanted you guys to know this. Something needs to be done, more so with Council being more helping with their new members in the community and the Building Department's all being one accord, whether it's residential or commercial, or how do I get that changed because it's not a commercial use structure. Thank you.

PRESIDENT SHERER: Thank you. (*Buzzer sounds*) Our next speaker for tonight is Miss Phyllis Jefferson.

PHYLLIS JEFFERSON: Good afternoon...

PRESIDENT SHERER: Miss Jefferson, could you please state your name and residential address, please.

PHYLLIS JEFFERSON: Yes. It's Phyllis Jefferson, 2014 Georgetown Road NE. Um... I'm having a problem in my neighborhood as far as... uh, it's called loitering to engage in drug abuse and... uh, noise nuisance, or something like that. I don't rightly know, but I have... uh, I've went to work and I've had police officers at my... knocking at my door... uh, because I have cameras, and there's been a... uh... uh, an issue of drug violence, shooting in my neighborhood. And I've actually tried to clean up the neighborhood, make it a little bit more accessible to other neighbors because I live in a low income community. But the situation is... at hand... I'm trying to ascertain other people to get into this situation or... or... or City Council Members to try to get

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into the situation to where they can... uh... uh... uh, take care of this issue. And I don't know how to go about... I have talked to... uh, my ward city Councilwoman, Miss Smith, and I did tell her at one time that I thought that I wouldn't have an issue anymore. But, just a couple weeks ago, I've had the police knocking on my door trying to check my video camera... uh, cameras. And I also have health issues to where I have high blood pressure... blah, blah, blah. But I need to know how to go about trying to get some assistance in this neighborhood, getting cameras up or something because there's an elementary school like no more than nine... uh, 90 feet, 100 feet away from my area where there's always violence. So it's... always some type of violence, and we have high school kids going to Hartford, elementary kids going to Belden, and right in the middle is all of this violence, shooting, drugs, drug activity in the middle of the night. In the morning, six o'clock in the morning, there's undesirables walking through my property. I'm paying property taxes. I can't afford to keep fighting this issue by myself, and then ending up a felon because I'm taking on a community that has no, you know, no respect. So, I just need some help in trying to figure this issue out. Thank you.

PRESIDENT SHERER: Thank you, Miss Jefferson. And our last speaker for this evening is Mr. Alan Harold.
(Buzzer sounds)

ALAN HAROLD: Thank you, Mr. President, Members of Council, Mayor. Uh... there has been a lot said tonight about the fiber project that's going on within the City, and I just wanted to come as the... uh, as the County Auditor, head of I.T. for the County, and thank Council, thank the Administration for their work on this project. It is so meaningful to the growth of our community, and particularly to the efficient operation of local government, which includes our safety services. And I just wanted to, again, come here and on the record say thank you for all that Council has done, all that the City has done. I think I saw Pat Barton here earlier, done a great job. Mr. Highman's done a great job... uh, in... in facilitating this project, and on behalf of the County, we couldn't be more proud than to work with you all on this very, very good... uh, good deal. So thank you very much.

PRESIDENT SHERER: For the record, Alan, could you state your name and residential address, please.

ALAN HAROLD: Oh, sure. Sorry. Uh... Alan Harold, Stark County Auditor, 110 Central Plaza in Canton.

PRESIDENT SHERER: Thank you.

ALAN HAROLD: Thank you.

PRESIDENT SHERER: Thank you.

MEMBER SMITH: Mr. President.

PRESIDENT SHERER: Member Smith.

MEMBER SMITH: Uh... before we go any further, I... *(buzzer sounds)*... could you please ask Miss Jeffries ** to stay afterwards so that we could conversate with you. But the best person that you need to talk to is sitting right in front of you, so if you would conversate with him, and maybe we can get this solved for you. I appreciate your coming down. Thank you. **** Member Smith said "Jeffries," but she is referring to Miss Jefferson.**

MISS JEFFERSON: Thank you.

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PRESIDENT SHERER: Thank you, Member Smith.

INFORMAL RESOLUTIONS

We are now under Informal Resolutions and we have one for this evening. Madam Clerk, would... would you... I'm sorry, two. Madam Clerk, would you please read Resolution #1, by title.

1. COUNCIL-AS-A-WHOLE: COMMENDING 2023 FIRE FIGHTERS OF THE YEAR, CAPTAIN BRIAN HOGAN, ERIC MILLER AND ERIC KENNEL. – ADOPTED

CLERK WOOD: An Informal Resolution respectfully submitted by Council-as-a-Whole on this 20th day of November, 2023. **Whereas**, Captain Brian Hogan has been a Firefighter/Paramedic with the Canton City Fire Department since March 5, 2001; and **Whereas**, Eric Miller has been a Firefighter/Paramedic with the Canton City Fire Department since October 14, 2019; and **Whereas**, Eric Kennell has been a Firefighter/Paramedic with the Canton City Fire Department since May 15, 2015; and **Whereas**, A structure fire was reported at 1407 7th Street NW at nearly 11:30 PM on February 1, 2023; and **Whereas**, A Rescue Team consisting of Captain Hogan, Firefighter Miller and Firefighter Kennell responded to the scene where, upon arrival, they found a smoking 2.5 story wood frame home. Fire was located in the kitchen and had spread up to the second story and attic; and **Whereas**, Wasting no time, the Rescue Team began searching the residence and located an unresponsive male inside the structure between a couch and the back of a door; and **Whereas**, Through a devoted team effort, Captain Hogan, Firefighter Miller and Firefighter Kennell successfully transported the victim to safety where he could receive further treatment. **Now, therefore be it resolved:** that we, the Members of Canton City Council, do hereby go on public record commending and honoring **Captain Brian Hogan, Eric Miller and Eric Kennell, the 2023 Canton Firefighters of the Year**, for their tremendous show of true teamwork and their heroic devotion to saving lives. (*Applause*)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

RESOLUTION #1 PASSED UNANIMOUSLY BY VOICE VOTE

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

MEMBER SMUCKLER: This... this is as easy as it gets. This is the whole thing of what, I'm sure, you folks signed on years ago, besides fighting fires is pulling people out of fires. Uh... you saved a life, and we are grateful citizens of Canton that you did save that life. We appreciate everything you do, and we'd like to just show you a token of our appreciation by you having these Resolutions tonight. Thank you. (*Applause*)

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CAPTAIN BRIAN HOGAN: Good evening. Um... I'd like to just say a few words, give a little insight on what we do and how it... it happens. Uh... it's an honor to be recognized here this evening. It's the proudest moment in a firefighter's career to save a life. And that is what Eric Miller, Eric Kennell and I were able to do on... uh, February 2nd. Um... although we charged into a dangerous situation that night, I think that our probably greatest act of bravery was the day that we joined Canton Fire Department, and the way that we've looked at everything since is that we were just doing our duty. Uh... that evening of February 1st, 2023, I responded on Engine 7 as the supply pump for the structure fire. Uh... Eric Miller was with me. Upon arrival, the attack team and the search crews were stuck on the porch, and so we adjusted fire and Eric Kennell and I made entry into the... uh, structure and started knocking down the main stream of the fire. We realized that the other teams hadn't made it in and that there was possibly... there could be somebody entrapped. We adjusted fire and we began to search the structure. Uh... Eric Miller met up with us at that time, and we were able to find somebody to distract him and save that life. But we did as we acted as members of a team and... uh, we accomplished this as that team and wouldn't have been able to do it if it hadn't been for a lot of other firefighters, Adam Rich driving Engine 7, rapidly and safely, Dan Grier operating the pump on the attack engine to get us water so we could change the environment inside that structure, Chief Lauer directing all operations on the fire ground and having manpower waiting for us to receive the victim. Safety Officer Mike Evans getting the medics prepared to receive the patient and medics Joe Buday, Brandon Miner and Bryce Beach for providing life saving interventions en route to the hospital. So, it was... it's always a team effort on Canton Fire. And... um, it's... I'm sure that they feel the same. That it... it's a blessing and an honor and a privilege everyday that we get to serve with the Canton Fire Department. Thank you. (*Applause*)

PRESIDENT SHERER: Informal Resolution #2, please.

2. MAJORITY LEADER SMUCKLER: AUTHORIZE PURCHASE TO JOSEPH A. JEFFRIES COMPANY FOR PUBLIC WORKS DEPARTMENT DEWATERING PAD. – 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 other 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.

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

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IN THEIR ENTIRETY, IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED NOVEMBER 20, 2023.

3. RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR OCTOBER 2023. – CHIEF BENNETT
4. AUTH PAYMENT FOR MORAL OB TO YATES TECHNOLOGY; EMERGENCY. – CHIEF DEPUTY CLERK KODY GONZALEZ
5. AMEND APPROP O#51/2023; EMERGENCY (VARIOUS SUPP APPROP AND TRFS). – FINANCE DIRECTOR CROUSE
6. REQ C1, C2 LIQUOR PERMIT TRF FROM CANTON COUNT LLC TO KHAWA LLC, DBA CLASSIC DRIVE THRU @ 1135 MARKET AVE N (WARD 2). – LIQUOR CONTROL DIV
7. AUTH TO ADOPT PAY RAISES FOR MAYOR’S CABINET SALARIES PRIOR TO JANUARY 1, 2024; EMERGENCY (DIRECTOR OF PUBLIC SERVICE, DIRECTOR OF PUBLIC SAFETY, FINANCE DIRECTOR AND DIRECTOR OF ECONOMIC DEVELOPMENT). – MAYOR BERNABEI
8. REQ TO VACATE ALL OF VERTOLLI-HARMON MEMORIAL LANE (OUTLOT 840 AND 841). – APPLICANT, CITY OF CANTON
9. REPLAT OF OUTLOTS 1345 & 1346, PARCELS 10004114 & 10004113, WARD 5 (SIMON WARSTLER, 1120 CAMDEN AVE SW). – PLANNING COMMISSION
10. REQ REPLAT AND VACATION OF VERTOLLI-HARMON MEMORIAL LANE NE AND PART OF OUTLOT 840 & 841, WARD 6 (CITY OF CANTON AND STARK COUNTY, 4500 ATLANTIC BLVD NE). - PLANNING COMMISSION
11. AUTH PURCH ORDER TO JOSEPH A. JEFFRIES COMPANY FOR PUBLIC WORKS DEPT DEWATERING PAD. – 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 #26 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#12. (1ST RDG) AN ORDINANCE ESTABLISHING THE “KATO AUTOMOTIVE LLC NON-SCHOOL TIF,” AUTHORIZING THE FINANCING AND MAINTENANCE OF PUBLIC INFRASTRUCTURE IMPROVEMENTS UNDER SECTION 5709.40, ET. SEQ., OF THE OHIO REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
- O#13. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 2176 DOWNTOWN CANTON TDD FUND TO 2176 861101 TOURISM DEVELOP DISTRICT – OTHER)

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- O#14. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO CREATE FUND 2805 2023 COPS HIRING PROGRAM GRANT 15JCOPS-23-GG-04598-UHPX; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$625,000.00 SUPP APPROP FR UNAPPROP BAL OF 2805 2023 COPS HIRING GRANT FUND TO 2805 102001 POLICE ADMIN – OTHER)
Referred to Finance Committee
- O#15. (1ST RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR SERVICES PERFORMED BY AND/OR ON BEHALF OF THE CITY OF CANTON BUILDING ND CODE DEPARTMENT DURING CALENDAR YEAR 2022 FOR MOWING AND LITTER CLEAN UP; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#16. (1ST RDG) AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR UNPAID AND DELINQUENT CHARGES FOR SERVICES PERFORMED BY AND/OR ON BEHALF OF THE CITY OF CANTON BUILDING AND CODE DEPARTMENT DURING CALENDAR YEAR 2021 FOR MOWING AND LITTER CLEAN UP; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#17. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE ALL CONTRACTS NECESSARY FOR THE WATER SERVICE SHOP RENOVATION PROJECT; ENTER INTO ALL CONTRACTS NECESSARY FOR THIS PROJECT UTILIZING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14 WITHIN THE ESTABLISHED DOLLAR AMOUNT THRESHOLDS; AUTHORIZES THE AUDITOR TO RECEIVE ALL LOAN AND REVENUE PROCEEDS AND TRACK PROJECT EXPENSES IN THE 5252 WATER SERVICE SHOP RENOVATION FUND; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#18. (1ST RDG) A RESOLUTION AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, ACCEPT AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT ON BEHALF OF THE CITY OF CANTON FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF DRINKING WATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN; AND DECLARING HE SAME TO BE AN EMERGENCY
Referred to Finance Committee

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- O#19. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE, OR THEIR DESIGNEE TO: ENTER INTO AGREEMENTS WITH THE BOARD OF STARK COUNTY BOARD OF COMMISSIONERS (BOARD) AND/OR THE OHIO DEPARTMENT OF TRANSPORTATION NECESSARY FOR THE ACQUISITION OF THE 0.758 ACRE EXCESS LAND; NEGOTIATE WITH THE BOARD FOR THE DONATION/ACQUISITION OF THEIR EXCESS LAND PARCEL, AND FOR THE CITY TO ACCEPT TITLE TO SAID PARCEL; 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
Referred to Public Safety & Thoroughfares Committee
- O#20. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE LTD FOR DESIGN OF THE 42" EAST SIDE INTERCEPTOR REHABILITATION, GP 1441 PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$46,800.00 APPROP TRF FR 5410 206006 COLLECTION SYSTEMS DEPARTMENT – OTHER TO 5410 202045 42" EAST SIDE INTERCEPTOR REHABILITATION, GP 1380 – OTHER)
Referred to Environmental & Public Utilities and Finance Committees
- O#21. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$250,000.00 FOR THE E. TUSCARAWAS STREETSCAPE PHASE 2 PROJECT – GP 1422 DESIGN; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$510,000.00 APPROP TRF FR 4501 202001 ENGINEERING – ADMINISTRATION – OTHER TO 4501 202075 E. TUSCARAWAS STREETSCAPE PHASE 2 – GP 1422 – OTHER FOR \$250,000.00 AND TO 4501 202033 NORMAN AVE NW STORM SEWER & ROAD RECONSTRUCTION – GP 1388 – OTHER; \$25,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING FUND TO 5201 202033 NORMAN AVE NW STORM SEWER & ROAD RECONSTRUCTION – GP 1388 – OTHER; \$15,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 202033 NORMAN AVE NW STORM SEWER & ROAD RECONSTRUCTION – GP 1388 – OTHER)
Referred to Finance Committee
- O#22. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO CONTRACT WITH SOL HARRIS/DAY ARCHITECTURE, INC. IN THE AMOUNT OF \$200,000.00 FOR DESIGN AND OVERSIGHT OF THE CANTON MEMORIAL CIVIC CENTER UPGRADES PROJECT; ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ONE OR MORE CONTRACTS FOR THE PROJECT AND/OR TO ALTERNATIVELY ENTER INTO ALL CONTRACTS NECESSARY TO COMPLETE THE ABOVE-NAMED PROJECT UTILIZING ANY PROCUREMENT PROCESS AUTHORIZED BY LAW;

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AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14 WITHIN THE ESTABLISHED DOLLAR AMOUNT THRESHOLDS; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$165,000.00 SUPP APPROP FR UNPPROP BAL OF 1001 GENERAL FUND TO 1001 204010 OTHER BUILDINGS – OTHER)
Referred to Public Property Capital Improvement and Finance Committees

O#23. (1ST RDG) AN ORDINANCE AMENDING VARIOUS PORTIONS OF CHAPTER 182, MUNICIPAL INCOME TAX EFFECTIVE JANUARY 1, 2016; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Judiciary Committee

O#24. (1ST RDG) **ADOPTED AS ORDINANCE NO. 188/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO RESPOND TO THE 1408 6TH ST NE DEMOLITION; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS FROM RESPONDING TO THIS EMERGENCY SITUATION; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

O#25. (1ST RDG) **ADOPTED AS ORDINANCE NO. 189/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO SUBMIT ANY SUBSTANTIAL AMENDMENTS TO THE CITY'S 2019 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD); AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMELY EXPENDITURE OF CDBG-CV PROGRAM FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

O#26. (1ST RDG) **ADOPTED AS ORDINANCE NO. 190/2023** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY YATES TECHNOLOGY A MORAL OBLIGATION IN AN AMOUNT NO TO EXCEED \$16,683.00; AND DECLARING THE SAME TO BE EMERGENCY
Referred to Finance Committee

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the Finance and Community & Economic Development Committees to meet in regards to Ordinances 24 through 26 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:37 PM FOR THE FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES TO MEET IN REGARDS TO O#24 THROUGH O#26; RECONVENED AT 7:46 PM)

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

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MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A and add Ordinances 24, 25 and 26 back to the agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 24 through 26 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 WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 26... 24 through 26 are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend statutory Rules on Ordinances 24 through 26.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 24 through 26. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

PRESIDENT SHERER: You've heard the three readings, 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 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 188/2023

PRESIDENT SHERER: The motion carries and Ordinance #24 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

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

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NO REMARKS

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

CLERK WOOD: Ten yeas, one abstention, Mr. President.

#25 ADOPTED AS ORDINANCE NO. 189/2023

PRESIDENT SHERER: The motion carries and Ordinance #25 is adopted. 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 10 YEAS, 1 ABSTENTION
(MEMBER GIAVASIS ABSTAINED)

CLERK WOOD: Ten yeas, one abstention, Mr. President.

#26 ADOPTED AS ORDINANCE NO. 190/2023

PRESIDENT SHERER: The motion carries and Ordinance #26 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READINGPRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading.
Madam Clerk, would you please begin with Ordinance #27.***NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #27 THROUGH #31 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- O#27. (2nd RDG) AN ORDINANCE AMENDING ORDINANCE NO. 55/77 AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 11/27/23 @ 7:00 PM**
- O#28. (2nd RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$26,050.79 SUPP APPROP FR UNAPPROP BAL OF 2786 2023 STATE OF OHIO CAMERA GRANT FUND TO 2786 102001 POLICE ADMIN – OTHER; \$26,050.79 INTER-FUND TRF FR 2786 2023 STATE OF OHIO CAMERA GRANT FUND TO 1001 GENERAL OPERATING FUND)
- O#29. (2nd RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AGREEMENT WITH THE CITY OF FAIRLAWN, DBA FAIRLAWNGIG, AND THE CANTON COMMUNITY IMPROVEMENT CORPORATION FOR THE PURPOSES OF PROVIDING INTERNET SERVICES TO QUALIFYING CUSTOMERS WITHIN THE INNOVATION DISTRICT AND TO

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ENTER INTO ALL CONTRACTS NECESSARY IN ORDER TO COMPLETE THE FOREGOING PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

O#30. (2nd RDG) **ADOPTED AS ORDINANCE NO. 191/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AMERICAN RESCUE PLAN ACT SUBAWARD AGREEMENT WITH THE NORTHEAST WELLNESS AND BUSINESS CENTER IN AN AMOUNT NOT TO EXCEED \$250,000.00; AND DECLARING THE SAME TO BE AN EMERGENCY

O#31. (2nd RDG) **ADOPTED AS ORDINANCE NO. 192/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO ALL CONTRACTS NEEDED FOR THE POLICE IN PARKS INITIATIVE PROGRAM UTILIZING ANY PROCUREMENT PROCESS AUTHORIZED BY THE LAW AND TO ENTER INTO A SOLE SOURCE/PROFESSIONAL SERVICES CONTRACT WITH WIFIBER LLC FOR CAMERAS, LIGHTING AND VARIOUS EQUIPMENT NECESSARY TO CONNECT TO THE CITY CAMERA NETWORK IN THE AMOUNT NOT TO EXCEED \$136,240.00 FOR THIS INITIATIVE; WAIVES THE INFORMAL RESOLUTION REQUIREMENTS OF CANTON CODIFIED ORDINANCE 105.09 FOR PURCHASES APPROVED THROUGH THIS ORDINANCE; 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 of Ordinances 30 and 31.

MEMBER BABCOCK: Second.

PRESIDENT SHERER It's been moved and seconded to suspended the Statutory Rules on Ordinances 30 and 31. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

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

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance 30.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #30. Are there any remarks? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

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PRESIDENT SHERER: The motion carries and Ordinance #30 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #31.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#31 ADOPTED AS ORDINANCE NO. 192/2023

PRESIDENT SHERER: The motion carries and Ordinance #31 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 #32.

NOTE: PRESIDENT SHERER CALLED UPON CLERK WOOD TO READ ORDINANCES #32 THROUGH #48 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#32. (3rd RDG) **ADOPTED AS ORDINANCE NO. 193/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: SUBMIT A SUBSTANTIAL AMENDMENT TO THE CITY'S 2022 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT, ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMELY EXPENDITURE OF HOME PROGRAMS FUNDS AND TO ENTER INTO ALL PROFESSIONAL CONTRACTS NECESSARY FOR THE EFFECTIVE OPERATION OF THE PROGRAM; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

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

O#33. (3RD RDG) **ADOPTED AS ORDINANCE NO. 194/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$38,070.00 APPROP TRF FR 2413 702001 COURT'S COMPUTER FUND – PERSONNEL TO 2413 702001 COURT'S COMPUTER FUND – OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#33 ADOPTED AS ORDINANCE NO. 194/2023

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

O#34. (3RD RDG) **ADOPTED AS ORDINANCE NO. 195/2023** AN ORDINANCE DECLARING IMPROVEMENT TO REAL PROPERTY OWNED BY MILLER CLYDE ALVIN TTEE, 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 2188 MAC.BID 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 #34.

MEMBER BABCOCK: Second.

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

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#34 ADOPTED AS ORDINANCE NO. 195/2023

PRESIDENT SHERER: The motion carries and Ordinance #34 is adopted. Ordinance #35, please.

O#35. (3rd RDG) **ADOPTED AS ORDINANCE NO. 196/2023** AN ORDINANCE MODIFYING THE AUTOMATIC COST OF LIVING ADJUSTMENT INCREASES FOR CERTAIN ELECTED OFFICIALS FOR CALENDAR YEAR 2024; AND DECLARING THE SAME TO BE AN EMERGENCY

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 10 YEAS, 1 NAY
(MEMBER MORRIS VOTED NAY)

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

#35 ADOPTED AS ORDINANCE NO. 196/2023

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

O#36. (3rd RDG) **ADOPTED AS ORDINANCE NO. 197/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500.00 SUPP APPROP FR UNAPPROP BAL OF 2786 2023 STATE BODY WORN CAMERA GRANT FUND TO 2786 102001 POLICE ADMIN – OTHER; \$1,500.00 INTER-FUND TRF FR 2786 2023 STATE BODY WORN CAMERA GRANT FUND TO 1001 GENERAL OPERATING FUND)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

MINUTES OF THE MEETING NOVEMBER 20, 2023**#36 ADOPTED AS ORDINANCE NO. 197/2023**

PRESIDENT SHERER: The motion carries and Ordinance #36 is adopted. Ordinance #37, please.

O#37. (3rd RDG) **ADOPTED AS ORDINANCE NO. 198/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$4,029.61 SUPP APPROP FR UNAPPROP BAL OF 2780 FY 19 BULLET PROOF VEST GRANT FUND TO 2780 102001 POLICE ADMIN – OTHER; \$4,029.61 INTER-FUND ADV REPAYMENT FR 2780 FY 19 BULLET PROOF VEST GRANT FUND TO 1001 GENERAL OPERATING FUND)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #37.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #37. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#37 ADOPTED AS ORDINANCE NO. 198/2023

PRESIDENT SHERER: The motion carries and Ordinance #37 is adopted. Ordinance #38, please.

O#38. (3rd RDG) **ADOPTED AS ORDINANCE NO. 199/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$131,181.82 INTER-FUND ADV REPAYMENT FR 2775 ASST. TO FIREFIGHTERS GRANT FUND TO 1001 GENERAL OPERATING FUND)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: I move we adopt Ordinance #38.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #38. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#38 ADOPTED AS ORDINANCE NO. 199/2023

PRESIDENT SHERER: The motion carries and Ordinance #38 is adopted. Ordinance #39, please.

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O#39. (3rd RDG) **ADOPTED AS ORDINANCE NO. 200/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$16,800.00 SUPP APPROP FR UNAPPROP BAL OF 2794 PROJ SAFE NEIGHBORHOOD GRANT FUND TO 2794 102001 POLICE ADMIN – OTHER; \$16,800.00 INTER-FUND ADV REPAYMENT FR 2794 PROJ SAFE NEIGHBORHOOD GRANT FUND TO 1001 GENERAL OPERATING FUND)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #39.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #39. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#39 ADOPTED AS ORDINANCE NO. 200/2023

PRESIDENT SHERER: The motion carries and Ordinance #39 is adopted. Ordinance #40, please.

O#40. (3rd RDG) **ADOPTED AS ORDINANCE NO. 201/2023** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND DECLARING THE SAME TO BE AN EMERGENCY (\$58,756.00 SUPP APPROP FR UNAPPROP BAL OF 2793 US DEPT. JUST/BUREAU ASST FUND TO 2793 102001 POLICE ADMIN – OTHER; \$58,756.00 INTER-FUND ADV REPAYMENT FR 2793 US DEPT JUST/BUREAU ASST FUND TO 1001 GENERAL OPERATING FUND)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #40.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #40. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#40 ADOPTED AS ORDINANCE NO. 201/2023

PRESIDENT SHERER: The motion carries and Ordinance #40 is adopted. Ordinance #41, please.

O#41. (3rd RDG) **ADOPTED AS ORDINANCE NO. 202/2023** AN ORDINANCE AUTHORIZING A WAGE INCREASE OF 3% FOR MANAGEMENT AND NON-BARGAINING UNIT

MINUTES OF THE MEETING NOVEMBER 20, 2023PERSONNEL EMPLOYED BY THE CITY AS OF JANUARY 1, 2024; AND
DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move that we adopt Ordinance #41.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #41. Are there any remarks?
Leader.

MEMBER SMUCKLER: Mr. President, I move that we amend Ordinance #41 by the amendment before every
Council Person.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #41 per the copy before each of
you. Are there any remarks?

MEMBER MORRIS: Mr. President. *(Microphone noise)* Jesus! Sorry. *(Inaudible)*

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: May we have that summarized? *(Brief pause)* *(Inaudible voices)* Yeah, there's
something wrong here. Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Uh... just for a point of clarification, we're on #41, correct?

PRESIDENT SHERER: Yes.

MEMBER MORRIS: Okay. So #41 is a 3% wage increase for management and non-bargaining personnel, and
sitting in front of me is an amendment for an ordinance to enter into an agreement for a grant for \$12,600.00 for
some vests. So, I don't have this amendment in front of me, so can somebody tell me exactly what we're
amending on 41?

MAYOR BERNABEI: Uh... Member Morris and Members of Council, I am aware, and it was the
Administration and myself that initiated Ordinance #41, that is a 3% pay increase for management and non-
bargaining unit personnel. We have not initiated any amendments to that. I mean, to my understanding the
Law Department has not prepared an amendment to that, and I know that... uh, that Mark in Finance did not
initiate an amendment. So, to my knowledge, I don't know what the source of that is. There is no amendment
to that ordinance.

MEMBER MORRIS: Thank you, Mayor. *(Brief pause)* *(Inaudible voices)*

PRESIDENT SHERER: So Majority Leader, there is no amendment at this time?

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MEMBER SMUCKLER: Mr. President, I apologize, I withdraw Amendment #41.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #41. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#41 ADOPTED AS ORDINANCE NO. 202/2023

PRESIDENT SHERER: Ordinance #41 is adopted. Ordinance #42, please.

O#42. (3rd RDG) **ADOPTED AS ORDINANCE NO. 203/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A SUB-AWARD AGREEMENT WITH NEWTON FAMILY APARTMENTS LIMITED PARTNERSHIP IN AN AMOUNT NOT TO EXCEED \$2.1 MILLION IN HOME FUNDS FOR THE NEWTON FAMILY APARTMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #42.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #42. Are there any remarks?
(*Someone sneezes*) God Bless you. Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#42 ADOPTED AS ORDINANCE NO. 203/2023

PRESIDENT SHERER: The motion carries and Ordinance #42 is adopted. Ordinance #43, please.

O#43. (3rd RDG) **ADOPTED AS ORDINANCE NO. 204/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A SUB-AWARD AGREEMENT WITH NEWTON FAMILY APARTMENTS LIMITED PARTNERSHIP IN AN AMOUNT NOT TO EXCEED \$.9 MILLION IN ARPA FUNDS FOR THE NEWTON FAMILY APARTMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #43.

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MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #43. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#43 ADOPTED AS ORDINANCE NO. 204/2023

PRESIDENT SHERER: The motion carries and Ordinance #43 is adopted. Ordinance #44, please.

O#44. (3rd RDG) **ADOPTED AS ORDINANCE NO. 205/2023** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN AMERICAN RESCUE PLAN ACT SUB-WARD AGREEMENT WITH CANTON FOR ALL PEOPLE ACQUISITION AND HOLDINGS, LLC IN AN AMOUNT NOT TO EXCEED \$2.0 MILLION FOR THE CONSTRUCTION OF SINGLE-FAMILY HOUSING IN THE SHORB NEIGHBORHOOD; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #44.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #44. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#44 ADOPTED AS ORDINANCE NO. 205/2023

PRESIDENT SHERER: The motion carries and Ordinance #44 is adopted. Ordinance #45, please.

O#45. (3RD RDG) **ADOPTED AS ORDINANCE NO. 206/2023**: AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO DIRECTLY TRANSFER REAL PROPERTY TO THE STARK COUNTY PORT AUTHORITY FOR SUBSEQUENT TRANSFER TO CANTON FOR ALL PEOPLE ACQUISITION AND HOLDINGS, LLC FOR THE CONSTRUCTION OF SINGLE-FAMILY HOUSING IN THE SHORB NEIGHBORHOOD AND TO ENTER INTO ALL AGREEMENTS NECESSARY TO ACCOMPLISH THE SAME; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

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MEMBER BABCOCK: Second. No... 45.

MEMBER SMUCKLER: I'm sorry, Ordinance #45.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #45. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#45 ADOPTED AS ORDINANCE NO. 206/2023

PRESIDENT SHERER: The motion carries and Ordinance #45 is adopted. Ordinance #46, please.

O#46. (3RD RDG) **ADOPTED AS ORDINANCE NO. 207/2023** AN ORDINANCE AUTHORIZING
THE AUDITOR TO CLOSE PURCHASE ORDER 2021-00005196; AND
DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #46. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#46 ADOPTED AS ORDINANCE NO. 207/2023

PRESIDENT SHERER: The motion carries and Ordinance #46 is adopted. Ordinance #47, please.

O#47. (3RD RDG) **ADOPTED AS ORDINANCE NO. 208/2023** AN ORDINANCE AUTHORIZING
THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ACCEPT THE 2023
PRISONER EXTRADITION REIMBURSEMENT GRANT IN THE AMOUNT OF
\$6,810.00; AMENDING APPROPRIATION ORDINANCE NO. 51/2023; AND
DECLARING THE SAME TO BE AN EMERGENCY (\$6,810.00 SUPP APPROP FR
UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 102001 POLICE
ADMIN – OTHER)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #47.

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MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #47. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#47 ADOPTED AS ORDINANCE NO. 208/2023

PRESIDENT SHERER: The motion carries and Ordinance #47 is adopted. Ordinance #48, please.

O#48. (3RD RDG) **ADOPTED AS ORDINANCE NO. 209/2023** AN ORDINANCE AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #48.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #48. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK WOOD: Eleven yeas, Mr. President.

#48 ADOPTED AS ORDINANCE NO. 209/2023

PRESIDENT SHERER: The motion carries and Ordinance #48 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Our next meeting date will be here at the McKinley Room, which will be November 27th, next Monday, and Committee starts at 6:15 PM. And for the audience, we're gonna kind of take this one week at a time because Council Chambers is being renovated right now. So we're definitely gonna be here next week, and we're just gonna take it from there.

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Finance Committee will meet the 27th at 6:15 here in the McKinley Room.

MEMBER FISHER: Mr. President.

PRESIDENT SHERER: Thank you, Member Mariol.

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MEMBER GIAVASIS: Mr. President.

PRESIDENT SHERER: Member Giavasis.

MEMBER GIAVASIS: Judiciary Committee will meet same time, same place.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Ah... hang on. Member... Member Fisher.

MEMBER FISHER: Environmental & Public Utilities will November 27th, 6:15.

PRESIDENT SHERER: Thank you, Member Fisher. Member Scaglione.

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

PRESIDENT SHERER: Thank you, Member Scaglione.

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Member Hall.

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

PRESIDENT SHERER: Thank you, Member Hall.

MEMBER KIMBROUGH: Mr. President.

PRESIDENT SHERER: Member Kimbrough.

MEMBER KIMBROUGH: Public Safety & Thoroughfares will meet the same time on the 27th (*inaudible*).

PRESIDENT SHERER: Thank you, Member Kimbrough.

MISCELLANEOUS BUSINESS

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

MEMBER SMITH: Yes, Mr. President. Uh... before Council Members... you have an invite where we're doing the Unforgettable Christmas, which will be held on December the 16th. Uh... I've asked for donations on that list, or if there's anything that you see on that list that you would like to do, we would gladly appreciate it. Um... it is to go towards having the kids in the community to share in the Unforgettable Christmas. If you have any questions, issues or concerns, you can see me. I greatly appreciate it. Thank you.

PRESIDENT SHERER: Thank you, Member Smith.

SERVICE DIRECTOR HIGHMAN: Mr. President.

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PRESIDENT SHERER: Member High... or not Member Highman, Service Director. Sorry about that.
(*Laughter*)

SERVICE DIRECTOR HIGHMAN: Just a follow up to a question that was asked by Member Hall last week. I send an email out to Council with a report on the ARPA Summer Programs. Uh... so to summarize, we had over 20 programs that we funded through ARPA, we spent just over \$785,000.00 and we had over 1,500 participants in the programs. On the report is a breakdown of what all the programs were, how many participants and what it cost, but I think a big props goes to Sherice in CD for the job they did on handling these programs on top of the normal duties. Um... it's one of those things where you... you can't do these individually. When you add it up, you realize what an impact we have, so that was worth sharing publicly.

PRESIDENT SHERER: Thank you, Service Director. Member Hall.

MEMBER HALL: Mr. President. Uh... I almost said Member Highman too. (*Chuckles*) Service Director... uh, I was gonna wait, but I was just curious, the money is... the money that you have shown on here, is that what was actually spent on these programs?

SERVICE DIRECTOR HIGHMAN: Uh... yes, except for there is a note on there on the Summer's Subsidy Program... um, through the City where we actually subsidize the summer employment, we're still waiting on some of those invoices to come in, so that was an estimate that Mark gave us. So we had a... well, where we think it's gonna go.

PRESIDENT SHERER: Is there any other Miscellaneous Business for this evening? Leader.

MEMBER SMUCKLER: Mr. President, first I'd like to apologize to Council. Um... that resolution was... amendment was on my script as well as the Council President's, and it was from last week's Agenda, and... uh, that was the confusing part of this whole thing. Um... some had copies, some didn't, and I don't know what happened, but... uh, we'll fix it. Um... number two, it is Thanksgiving week, and I'd like to wish everyone in the audience, every Council Member, everyone from the Administration, the Law Department, the Auditor's Office, the Treasurer's Office, a very happy Thanksgiving. We do have a lot to be thankful for in this country and... um, I think that on behalf of my family, who I'm fortunate enough to have my family here this week... uh, they started rolling in today with a little baby, and... um, I think that it's important that this is a family holiday, and that all of you, please share this with your families and remember how much we all have to be grateful for them. 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

CLERK WOOD: Eleven yeas, Mr. President.

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

ADJOURNMENT TIME: 8:17 PM

MINUTES OF THE MEETING NOVEMBER 20, 2023

ATTEST: November 27, 2023

APPROVED: November 27, 2023

JILL M. WOOD
CLERK OF COUNCIL

WILLIAM SHERER
PRESIDENT