

MINUTES OF THE MEETING FEBRUARY 3, 2020

PRESIDENT PRO TEM SMUCKLER: With a quorum present, the Chair calls this meeting of Canton City Council to order. Roll call please, Mr. Clerk.

ROLL CALL TAKEN BY CLERK DOUGHERTY:

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

TWELVE COUNCIL MEMBERS PRESENT. (PRESIDENT SHERER ABSENT)

CLERK DOUGHERTY: Twelve present, Mr. President.

PRESIDENT PRO TEM SMUCKLER: Uh....Leader Babcock, could I have a motion to excuse...uh...the Council President, please.

MEMBER BABCOCK: Mr. President, I move we excuse President Sherer from tonight's meeting.

MEMBER SCHULMAN: Second.

PRESIDENT PRO TEM SMUCKLER: Any remarks? ...Hearing none, ro...uh...roll call vote.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT PRO TEM SMUCKLER: The motion passes and Member Sherer is excused from tonight's meeting. Um...There's the invocation given by Member Hawk with the pledge of allegiance following. Would you all please rise.

The regular meeting of Canton City Council was held on February 3, 2020 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council, David R. Dougherty. The invocation was given by Greg Hawk, Ward 1 Council Member. The Pledge of Allegiance was led by President Pro Tem Smuckler.

AGENDA CORRECTIONS & CHANGES

PRESIDENT PRO TEM SMUCKLER: We are now under Agenda Corrections and Changes.

MEMBER BABCOCK: Mr. President, I move Rule 24B be suspended to add Resolution #11 to this evening's agenda and Rule 22A be suspended to add 2nd Readings Ordinances 12 through 21 to this evening's agenda.

MEMBER SCHULMAN: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to suspend Rule 24B to add Resolution #11 to this evening's agenda and to suspend Rule 22A to add 2nd Readings Ordinances 12 through

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21 to this evening's agenda. Are there any remarks? ...Hearing none, roll call vote.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT PRO TEM SMUCKLER: The motion carries and Resolution #11 and Ordinances 12 through 21 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT PRO TEM SMUCKLER: Public Hearings. We're now under Public Hearings and we have no Public Hearings this evening.

OLD BUSINESS

PRESIDENT PRO TEM SMUCKLER: Old Business. We're now under Old Business and there's no Old Business this evening.

PUBLIC SPEAKS

PRESIDENT PRO TEM SMUCKLER: Public Speaks. We have 2 people signed up for Public Speaks tonight. Our first speaker is Kimberly Bell. Kimberly Bell. And she is a no show. Next speaker, Dave Kaminski. Mr. Kaminski, could you please state your name and address for the record.

DAVE KAMINSKI: Yes sir. David Kaminski. Um...130 32nd St. NW in Ward 9. Ladies and gentleman of City Council, um...in September I was appointed to complete an unexpired term on the Canton City Board of Education and in that role, I am asking you tonight, to support Issue 19, our school levy, on March 17. It is a 7.9 Mil operating levy which will raise about 5.1 million dollars a year. Now, that figure is never adjusted for inflation, it just continues at that level and that's why school districts in Ohio have to come back periodically and ask for new levies. School levies can last as little as five years but through good management and budget cutting, we have made the last levy last nine years. It was approved in 2011; however, we are running out of our reserves and by fiscal year 2022, which will start January...er...July of next year, we will uh...we will be out of money and um...if this levy fails, we will have to cut 5...mil...point 1 million dollars from next year's school budget after having cut 7.9 million dollars from this school year's budget. Uh...these new cuts would hurt classroom teaching and therefore, hurt children. Now, great things are happening in the Canton City School District under our new Superintendent, Jeff Graham. We are studying how we can return to neighborhood schools for kindergarten through fifth grade. We are finding partners in the community to help ensure that our students have uh...physical, dental, vision and mental health services. In addition to free lunches and free breakfast, we have now started a free dinner program for students and at last report, we are feeding 350 dinners per school night. We are listening hard to our teachers so we can provide them with support and professional development that will help them reach all children effectively. We are studying new ways to improve order and discipline so that every child has it's best chance to learn. There are good things happening in the Canton City Schools. Mayor Bernabei, on several occasions, has said, "Canton City Schools and the city of Canton government are partners in the betterment in the city of Canton." I believe that, I hope you believe that and I ask you individually, as leaders in the community as well as...as a body, to support Issue 7...Issue 19 on March 17th. Thank you very much.

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PRESIDENT PRO TEM SMUCKLER: Thank you. That concludes Public Speaks.

INFORMAL RESOLUTIONS

PRESIDENT PRO TEM SMUCKLER: We are now under Informal Resolutions. Informal Resolution #10.

#10. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SERV DIR TO OPEN ONE OR MORE PURCH ORDERS IN TOTAL AMT NOT TO EXCEED \$36,000.00 FOR REPAIR OF 15TH ST SW BETWEEN CLEVELAND AVE SW AND WEST BRANCH OF NIMISHILLEN CREEK. - ADOPTED

PRESIDENT PRO TEM SMUCKLER: (*Inaudible*). Mr. Majority Leader.

MEMBER BABCOCK: Mr. President, I move we adopt Informal Resolution #10.

MEMBER SCHULMAN: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Informal Resolution #10. Any discussion?

MEMBER SMITH: Yeah!...(*Laughs*). Ok, we'll wait. (*Laughter*).

PRESIDENT PRO TEM SMUCKLER: It least....at least I got her flustered! Um...by voice vote, all those in favor of Resolution #10 signify by saying aye. All those opposed.

NO REMARKS

RESOLUTION #10 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT PRO TEM SMUCKLER: Ayes have it, Resolution #10's adopted. Resolution #11 that you asked to be put on the agenda tonight.

#11. COUNCIL-AS-A-WHOLE: HONORING CHRIS SMITH IN RECOGNITION OF BLACK HISTORY MONTH FOR HER CONTRIBUTION TO CITY OF CANTON AS COUNCIL'S FIRST BLACK ELECTED MAJORITY LEADER. - ADOPTED

PRESIDENT PRO TEM SMUCKLER: Mr. Majority Leader.

MEMBER BABCOCK: Mr. President, I move we adopt Informal Resolution #11.

PRESIDENT PRO TEM SMUCKLER: Do I hear a second?

MEMBER SCHULMAN: Second.

PRESIDENT SHERER: It has been moved and seconded to adopt Resolution #11. Could I have that read, please? (*Inaudible*). Ok. We've got to vote. (*Laughter*). All those in favor signify by saying aye. All those opposed.

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NO REMARKS

RESOLUTION #11 PASSED UNANIMOUSLY BY VOICE VOTE

CLERK DOUGHERTY: An Informal Resolution respectfully submitted by Council-As-A-Whole on this 3rd day of February, 2020. **Whereas**, Christine Smith was born on October 17, 1952 in Montgomery, Alabama and moved to Canton in 1965; and **Whereas**, Chris graduated from Canton McKinley High School in 1970 and has proudly worn the Bulldog symbol ever since; and **Whereas**, Chris previously worked at Burger King and as a receptionist at Canton City Hall before becoming a licensed Beautician; and **Whereas**, Chris Smith was elected to Canton City Council and sworn in on January 1, 2008 and is currently serving her seventh term; and **Whereas**, Chris was elected and served as the first black female Majority Leader for Canton City Council from January 2018 through December 31, 2019; and **Whereas**, Chris was an intricate part of the revitalization of Canton by working closely with Mayor Thomas Bernabei during her tenure as Majority Leader; and **Whereas**, Chris was recognized for her role in Canton's 2018 comeback by Crain's Magazine. **Now, Therefore Be It Resolved:** In recognition of February 2020's Black History Month, we, the Members of Canton City Council, do hereby go on record congratulating Christine Smith as the first black elected female Majority Leader for Canton City Council and honoring her for her contributions to the City of Canton. *(Applause)*.

PRESIDENT PRO TEM SMUCKLER: You can all come up front.

MEMBER SMITH: You know nobody can surprise me! For real? They were all at my house yesterday! *(Laughter)*. Oh my God, that's deep!

N'TORI SMITH: Congratulations mom!

MEMBER SMITH: Yes, yes. *(Laughter)*.

PRESIDENT PRO TEM SMUCKLER: You can come up front and take pictures. *(Inaudible)*. It is...

MEMBER SMITH: *(Laughs)*. She said, "Why are you crying"? I'm happy.

PRESIDENT PRO TEM SMUCKLER...It is not the first time that I've gotten the best of Chris Smith and I hope it won't be the last time either! But I do know, and I want to thank your family because they were tremendous...

MEMBER SMITH: I know.

PRESIDENT PRO TEM SMUCKLER: ...and...Jill and Dave and Beth helped keep this a secret and did a fantastic job.

MEMBER SMITH: Yep.

PRESIDENT PRO TEM SMUCKLER: Fantastic job.

TOMMIE MATHIS: I'm the one who told them about the Burger King *(Laughter)*. *(Inaudible)*. and you was a receptionist at City Hall. *(Laughter)*.

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UNIDENTIFIED VOICE: I'll take the picture. *(Inaudible)*.

MEMBER SMITH: Wow! *(Inaudible)*.

PRESIDENT PRO TEM SMUCKLER: Now, I want you to know that as far as being a beautician, I've asked Chris Smith for hair, she's done nothing for me. *(Laughter)*.

MEMBER SMITH: She said, "Me too"!

PRESIDENT PRO TEM SMUCKLER: *(Laughs)*. On the serious side, the city's come a long way. A long way. And, years ago I did some articles about the history of this city. And the sad part is, on the local basis, nobody's collecting all of this. My good friend, Peel Coleman at the time, walked me through a lot of the history of the black community and I think that we're...we have a void. But, Black History Month helps us, at least in the black community, recognize people that have done a lot for this community and our firsts in this community. And I know Chris was proud of being the first, black, female, elected Majority Leader. And this is to recognize her efforts with working with the Mayor to help bring this city back to where we are right now. And I would like you all to please join me in recognizing her because it doesn't happen often that we get to pull one over on her! *(Applause)*.

CHRIS SMITH: Well, thank you so very much. Um...to the Administration and uh...to Council Members and to all of my family, I'm gonna get y'all! *(Laughter)*. Um...I thank you so very much. I am proud to be the first African American female to be Majority Leader. And this really is a great honor, just to even be a part of Black History Month. Thank you so very much. And I wish...I'm going to tell y'all a little secret. I fell today and my lip is busted, but that's ok, so let me make sure that my lip is in so it won't be on the picture...go ahead...! *(Laughter)*. Alright. Thank you so very much and I love y'all. That was such a surprise, oh my goodness. Alright! Thank you. Yes. *(Inaudible)*. Oh...okay. *(Inaudible)*. *(Laughter)*.

(PICTURES BEING TAKEN)

PRESIDENT PRO TEM SMUCKLER: Jill, thank you.

MEMBER SMITH: Thank you, Jill. *(Laughter)*. *(Inaudible)*.

PRESIDENT PRO TEM SMUCKLER: That was fun and that's one of the good things we get to do down here, every once in a while.

COMMUNICATIONS

PRESIDENT PRO TEM SMUCKLER: Okay, moving on. Communications. 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 FEBRUARY 3, 2020.

60. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO APPLY FOR,

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ENTER INTO AGMT FOR AND RECEIVE LEAD HAZARD REDUCTION GRANT FUNDS IN AMT OF \$3,000,000.00 AND HEALTHY HOMES GRANT FUNDS IN AMT OF \$300,000.00 FR HUD; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE (2) SEPARATE FUNDS, 2218 LEAD HAZARD REDUCTION FUND AND 2223 HEALTHY HOME FUND, FOR TRACKING GRANT REVENUE AND EXPENDITURES; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ALL PROF CONTRACTS NECESSARY TO ALLOW EFFECTIVE OPERATION OF PROG DURING GRANT PERIOD USING ANY PROCESS IN CODIFIED ORD OR ORC; AMEND APPROP O#246/2019 (\$220,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001.506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$800,000.00 SUPP APPROP FR UNAPPROP BAL OF 2218 LEAD HAZARD REDUCTION FUNDS TO 2218.506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 2223 HEALTHY HOME FUND TO 2223.506001 COMMUNITY DEVELOPMENT ADMIN - OTHER; \$220,000.00 INTER-FUND TRF FR 1001.506001 COMMUNITY DEVELOPMENT ADMIN - ADV OUT TO 2218.506001 COMMUNITY DEVELOPMENT ADMIN - ADV IN FOR \$200,000.00 AND TO 2223.506001 COMMUNITY DEVELOPMENT ADMIN - ADV IN FOR \$20,000.00). - COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES

61. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO PARKING LEASE AGMT WITH SCHAUER INDEPENDENT INSURANCE SERVICES AT MILLENNIUM PARKING GARAGE. - FINANCE COMMITTEE
62. FINANCE DIRECTOR CROUSE: REQ \$7,441.72 SUPP APPROP FR UNAPPROP BAL OF 2780 FY19 BULLET PROOF VEST PARTNERS GRANT FUND TO 2780 102009 POLICE - 2009 STIMULUS - OTHER; REQ \$7,441.72 INTER-FUND TRF FR 2780 102009 POLICE - 2009 STIMULUS - TRF OUT TO 1001 102001 POLICE ADMIN - TRF IN. - FINANCE COMMITTEE
63. LIQUOR CONTROL DIV (OHIO): REQ NEW C2 PERMIT FOR SPEEDWAY LLC, DBA SPEEDWAY 6465 AT 2215 FAIRCREST ST SW (WARD 4). - RECEIVED & FILED
64. SAFETY DIRECTOR PERRY: AUTHORIZE ANNUAL SALARY OF \$56,000.00 AND TEN (10) DAYS VACATION UPON APPT FOR 2020 CALENDAR YR WITH VACATION ACCRUALS RETURNING TO APPLICABLE CITY VACATION SCHEDULE IN 2021 FOR POLICE DEPT FISCAL MANAGER POSITION. - PERSONNEL AND FINANCE COMMITTEES
65. SAFETY DIRECTOR PERRY: AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO AGMT FOR AND ACCEPT \$58,756.00 IN GRANT FUNDS FR US DEPT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE; AUTHORIZE AUDITOR TO RENAME FUND #2793 US DEPT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE IN WHICH TO PLACE GRANT MONEY UPON RECEIPT FR US DEPT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE; AUTHORIZE MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF (100) BODY WORN CAMERAS, INCLUDING ALL NECESSARY EQUIP, SERVER LICENSE, WARRANTY AND TRAINING AND PURCH OF (6) IN-CAR VIDEO SYSTEMS W/EXTENDED WARRANTY; ALTERNATIVELY AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR ABOVE PURCH IN

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ACCORDANCE WITH ANY ORC AND/OR CANTON CODIFIED ORD; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; AMEND APPROP O#246/2019 (\$117,512.00 SUPP APPROP FR UNAPPROP BAL OF 2793 US DEPT OF JUSTICE/BUREAU OF JUSTICE ASSISTANCE TO 2772 102001 - POLICE ADMIN - OTHER; \$117,512.00 SUPP APPROP FR UNAPPROP BAL OF FUND 1001 GENERAL FUND TO 1001 102001 - POLICE ADMIN - OTHER; \$58,756.00 INTER-FUND TRF/ADV FR 1001 102001 - POLICE ADMIN - TRF OUT TO 2772 102001 - POLICE ADMIN - TRF IN; \$58,756.00 INTER-FUND TRF/ADV FR 1001 102001 - POLICE ADMIN - ADV OUT TO 2772 102001 - POLICE ADMIN - ADV IN). - FINANCE COMMITTEE

66. SERVICE DIRECTOR HIGHMAN: AUTHORIZE SERV DIR TO OPEN PURCH ORDER IN AMT OF \$36,000.00 TO CENTRAL ALLIED ENTERPRISES, INC. FOR REPAIR AND REPAVING OF 15TH ST SW BETWEEN CLEVELAND AVE SW AND WEST BRANCH OF NIMISHILLEN CREEK. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT PRO TEM SMUCKLER: First Reading Ordinances. We're now under Ordinances and Formal Resolutions for their First Reading. Mr. Clerk, please begin with Ordinance #1.

NOTE: PRESIDENT PRO TEM SMUCKLER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #11; FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#11 ADOPTED ON 1ST RDG):

- #1. (1ST RDG) AN ORDINANCE AUTHORIZING THE FUNDING OF CANTON COMMUNITY IMPROVEMENT CORPORATION FOR A TWO-YEAR PERIOD UTILIZING GENERAL FUND DOLLARS IN A TOTAL AMOUNT OF \$75,000.00 PER YEAR; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #2. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$2,340.00 FOR STARK COUNTY PUBLIC DEFENDER'S OFFICE LEGAL SERVICES; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #3. (1ST RDG) AN ORDINANCE VACATING A PORTION OF ROSLYN AVENUE SW; APPROVING AND ACCEPTING THE REPLAT OF ALL OF LOTS 30240 - 30252, LOTS 30254 - 30282, LOTS 40866 - 40891, PART OF LOT 30253 AND PART OF OUTLOTS 633 AND 634 AND THE VACATED PORTION OF ROSLYN AVENUE SW; DEDICATING A PUBLIC TURN AROUND EASEMENT LOCATED ON LOT 30263 AT THE NORTH TERMINUS OF ROSLYN AVENUE SW; AND DECLARING THE SAME TO BE AN EMERGENCY (3224 NAVARRE RD SW, WILLIAM LOGAN, JR. FOR RWP LEASING LLC)

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- #4. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$3,800.00 TO DAVE'S ASPHALT CONCRETE AND SEALING FOR THE REPAIR OF INTERSECTION OF 13TH STREET NW, HARRISON AVE. NW, AND INTERSTATE 77; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

- #5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE PURCHASE OF ONE (1) FRONT LOADING SANITATION PACKER AND THE RETROFITTING OF SEVEN (7) REAR LOADING PACKER TRUCKS WITH DUAL TIPPERS; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Public Property Capital Improvement and Finance Committees

- #6. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO THE CHANGE OF FUNDING SOURCES TO BEAVER EXCAVATING COMPANY; AND DECLARING THE SAME TO BE AN EMERGENCY (12TH ST NW BRIDGE REPLACEMENT & STREETScape PROJ; GP 1160, PID 90671 - CHANGE ORDER 10)
Referred to Finance Committee

- #7. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH BURGESS & NIPLE IN AN AMOUNT NOT TO EXCEED \$93,800.00; AMENDING APPROPRIATION ORDINANCE NO. 246/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$93,800.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207068 HARVARD AVE AREA WATER MAIN REPLACEMENT PROJ - OTHER)
Referred to Finance and Environmental & Public Utilities Committee

- #8. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH CT CONSULTANTS, INC. IN AMOUNT NOT TO EXCEED \$93,000.00; AMENDING APPROPRIATION ORDINANCE NO. 246/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$93,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207067 34TH STREET AREA WATER MAIN REPLACEMENT PROJ - OTHER)
Referred to Finance and Environmental & Public Utilities Committees

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- #9. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; AND ENTER INTO AGREEMENT FOR GRANT FUNDS FOR THIS PROJECT FROM ODOT; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4590 13TH ST. NW ROADWAY RECONSTRUCTION PROJECT, GP 1248, PID 104873 FUND; AMENDING APPROPRIATION ORDINANCE NO. 246/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$925,056.00 SUPP APPROP FR UNAPPROP BAL OF 4590 13TH ST NW ROADWAY RECONSTRUCTION PROJ, 1248 PID 104873 FUND TO 4590 202057 13TH ST NW ROADWAY RECONSTRUCTION PROJ, 1248, PID 104873 - OTHER; \$170,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 202057 13TH ST NW ROADWAY RECONSTRUCTION PROJ, 1248 PID 104873 - OTHER)
Referred to Public Safety & Thoroughfares, Public Property Capital Improvement and Finance Committees
- #10. (1ST RDG) AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE SERVICE DIRECTOR'S WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY, AND TREATMENT DIVISION (WATER DEPARTMENT) MANAGEMENT AND NON-BARGAINING PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel and Finance Committees
- #11. (1ST RDG) **ADOPTED AS ORDINANCE NO. 10/2020** AN ORDINANCE VACATING A PORTION OF HURSH PLACE NW; APPROVING AND ACCEPTING THE REPLAT OF PART OF LOTS 11804, 11807, AND 11808 AND ALL OF LOTS 11805 AND 11821 AND THE VACATED PORTION OF HURSH PLACE NW; AND DECLARING THE SAME TO BE AN EMERGENCY (2707 TUSCARAWAS LLC)
Referred to Public Safety & Thoroughfares Committee

PRESIDENT PRO TEM SMUCKLER: At this time the Chair would declare an in-house recess for the Public Safety & Thoroughfares Committee to meet in regard to Ordinance 11 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:25 PM FOR THE PUBLIC SAFETY & THOROUGHFARES COMMITTEE TO DISCUSS O#11; RECONVENED AT 7:26 PM)

PRESIDENT PRO TEM SMUCKLER: Council is reconvening after the recess. Mem...um...Leader Babcock.

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MEMBER BABCOCK: Mr. President, I move we suspend Rule 22A to place Ordinance #11 back on this evening's agenda.

MEMBER SCHULMAN: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to put Ordinance #11 back onto the agenda. Are there any remarks? ...Hearing none, roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT PRO TEM SMUCKLER: Member Babcock, uh..Ordinance #11 is now a legal part of the agenda.

MEMBER BABCOCK: Mr. President, I move we suspend the Statutory Rules on Ordinance #11.

MEMBER SCHULMAN: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to suspend the Statutory Rules. Are there any remarks? Roll call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT PRO TEM SMUCKLER: Ordinance #11 is adopted. Second Read...

CLERK DOUGHERTY: Not yet, not yet.

PRESIDENT PRO TEM SMUCKLER: Oh, I'm sorry.

MEMBER BABCOCK: Mr. President, I move...

UNIDENTIFIED VOICE: We just suspended...

PRESIDENT PRO TEM SMUCKLER: Oh, suspended Rules...okay. Member Babcock.

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

MEMBER SCHULMAN: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #11. Is there any discussion? Roll call.

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NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#11 ADOPTED AS ORDINANCE NO. 10/2020

PRESIDENT PRO TEM SMUCKLER: Ordinance #11 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT PRO TEM SMUCKLER: Second reading of Ordinances, by title only.

NOTE: PRESIDENT PRO TEM SMUCKLER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #12 THROUGH #21 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#12 AND O#13 RETAINED IN COMMITTEE):

- #12. (2ND RDG) ***RETAINED IN COMMITTEE AN ORDINANCE APPROVING AMENDING THE AGREEMENT BETWEEN THE CITY OF CANTON AND THE CANTON COMMUNITY IMPROVEMENT CORPORATION AUTHORIZED BY ORDINANCE NO. 244/80; AND DECLARING THE SAME TO BE AN EMERGENCY***
- #13. (2ND RDG) ***RETAINED IN COMMITTEE AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY***
- #14. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS NECESSARY FOR DELL MARKETING LP EXPENSES; AND DECLARING THE SAME TO BE AN EMERGENCY (COMPUTERS FOR LAW DEPT & CIVIC CTR - \$30,297.26)
- #15. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS NECESSARY FOR OARNET EXPENSES; AND DECLARING THE SAME TO BE AN EMERGENCY (HIGH SPEED INTERNET CONNECTION IN INNOVATION DISTRICT- \$8,500.00)
- #16. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 246/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$530,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING FUND TO 5201 207046 44TH ST. NW WATER MAIN REPL PROJ - OTHER; \$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 206006 COLLECTION SYSTEM DEPARTMENT - OTHER) (44TH ST. NW WATER MAIN REPL PROJ, CLEANING OF STORM SEWERS @ U.S. RT 30)

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- #17. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 110 OF THE ADMINISTRATIVE CODE (PUBLIC RECORDS)
- #18. (2ND RDG) AN ORDINANCE AUTHORIZING A WAGE INCREASE FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL; AND DECLARING THE SAME TO BE AN EMERGENCY (2% RETRO TO 1/1/20)
- #19. (2ND RDG) AN ORDINANCE ACCEPTING THE RECOMMENDATION OF THE MAYOR CONCERNING THE ESTABLISHMENT OF A COMMUNITY ENTERTAINMENT DISTRICT AND DESIGNATING CERTAIN PROPERTY LOCATED IN THE CITY OF CANTON, OHIO AS A COMMUNITY ENTERTAINMENT DISTRICT PURSUANT TO OHIO REVISED CODE SECTION 4301.80; AND DECLARING THE SAME TO BE AN EMERGENCY
- #20. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS IN AN AMOUNT NOT TO EXCEED \$324,571.00; AMENDING APPROPRIATION ORDINANCE NO. 246/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$324,571.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207066 WATER DISTRIBUTION SYSTEM HYDRAULIC MODEL PROJECT - OTHER)
- #21. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ENVIRONMENTAL DESIGN GROUP IN AN AMOUNT NOT TO EXCEED \$49,279.00; AND DECLARING THE SAME TO BE AN EMERGENCY (MARKET AVE. SOUTH STREETScape PROJ, G.P. 1319 ENGINEERING DESIGN CONTRACT)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT PRO TEM SMUCKLER: We are now under Third Reading of Ordinances. Ordinance #22.

NOTE: PRESIDENT PRO TEM SMUCKLER CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #22 THROUGH #25 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- #22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 11/2020** AN ORDINANCE AUTHORIZING THE AUDITOR TO ENTER INTO A FOUR YEAR PROFESSIONAL SERVICES AGREEMENT WITH JULIAN & GRUBE, INC. IN AN AMOUNT NOT TO EXCEED \$25,400.00 ANNUALLY; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM SMUCKLER: Member Babcock.

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

MEMBER SCHULMAN: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #22. Is there any discussion? Roll Call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 11/2020

PRESIDENT PRO TEM SMUCKLER: Motion uh... I'm sorry. Ordinance #22 is adopted. Ordinance #23.

#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 12/2020** AN ORDINANCE AMENDING CHAPTER 515, FAIR HOUSING OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON

PRESIDENT PRO TEM SMUCKLER: Member Babcock.

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

MEMBER SCHULMAN: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #23. Is there any discussion? Roll Call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 12/2020

PRESIDENT PRO TEM SMUCKLER: Ordinance #23 is adopted. Ordinance #24.

#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 13/2020** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$34,540.00 TO GOVERNMENTJOBS.COM, INC. DBA NEOGOV; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT PRO TEM SMUCKLER: Member Babcock.

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

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MEMBER SCHULMAN: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adopt Ordinance #24. Is there any discussion? Roll Call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 13/2020

PRESIDENT PRO TEM SMUCKLER: Ordinance...Ordinance #24 is adopted. Ordinance #25.

#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 14/2020** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$6,990.00 TO THE OHIO TREASURER OF STATE; AND DECLARING THE SAME TO BE AN EMERGENCY (MARCS SYSTEM)

PRESIDENT PRO TEM SMUCKLER: Member Babcock.

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

MEMBER SCHULMAN: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded that we adopt Ordinance #25. Is there any discussion? Roll Call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#25 ADOPTED AS ORDINANCE NO. 14/2020

PRESIDENT PRO TEM SMUCKLER: Ordinance #25 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT PRO TEM SMUCKLER: Um...We are now under announcement of Committee Meetings.

MEMBER FERGUSON: Mr. President.

PRESIDENT PRO TEM SMUCKLER: Member Ferguson.

MEMBER FERGUSON: Community & Economic Development will meet at 6:00 on...

CLERK DOUGHERTY: February 10th.

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MEMBER MARIOL: Mr. President.

PRESIDENT PRO TEM SMUCKLER: Yes. Speak up. Just for the record, so it's February 10th, before everybody says "same time, same place." Okay, uh, Member Mariol.

MEMBER MARIOL: Finance, same time, same place.

PRESIDENT PRO TEM SMUCKLER: Yep!

MEMBER BABCOCK: Mr. President.

PRESIDENT PRO TEM SMUCKLER: Member Babcock.

MEMBER BABCOCK: Personnel, February 10th at 6:00. *(Inaudible)*.

MEMBER FISHER: Mr. President. Uh...Environmental & Public Utilities, February 10th, 6:00.

MEMBER SCAGLIONE: Mr. President. Public Property Capital Improvement, same time, same place.

PRESIDENT PRO TEM SMUCKLER: Anyone else? Member Kimbrough.

MEMBER KIMBROUGH: Okay. Downtown Development will also meet...

PRESIDENT PRO TEM SMUCKLER: No, no. We're doing...you're going to give me...uh...Public Safety & Thoroughfares.

MEMBER KIMBROUGH: Oh, Public Safety & Thoroughfares, same time, same place.

PRESIDENT PRO TEM SMUCKLER: Anyone else? Okay.

MISCELLANEOUS BUSINESS

PRESIDENT PRO TEM SMUCKLER: We are now under Miscellaneous Business. Anyone for Miscellaneous Business?

MEMBER SMITH: Yes, Mr. President.

PRESIDENT PRO TEM SMUCKLER: Member Smith.

MEMBER SMITH: Yes. I would just like to invite each and everyone of you, on Saturday, in this...uh...this uh...uh...*(Laughter)*...okay, Resolution, that's the word. I'm still tied tongue and surprised, but anyhow...my brother mentioned that I worked at City Hall. I worked under Paul Martin. At the time, he was uh...Youth Development for the city and his office was located here in City Hall. And on Saturday at 11:00, we're honoring him. His name has been placed in the gym floor, in his honor. So I would like to invite, especially the Council Members, I would like to invite each and everyone of you out at 11:00 at the Southeast Community Center. To be there to share in this grand

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occasion. And that's this Saturday, February 8th at 11:00 in the Southeast...Southeast Community Center. Thank you.

PRESIDENT PRO TEM SMUCKLER: Anyone else? Um...I'd just like to take an opportunity, first of all, to echo...um...Member Smith's remarks. Those of you that know Paul Martin, know what a contribution he's made in a volunteer effort in this community, over the years, alone. Uh, especially for kids that needed help, serious help, coming up throughout this community. And um,. I think the show of support that we can do for Paul would be greatly appreciated; those of you that can make it. Um...number two, I lost someone this past weekend, an Aunt. And it always brings me to the reality of what our life expectancy is on this great place we live. In doing that, um, I wanted to recognize a Councilman who served here, who also died at that same time. Rich McElroy, who was the Ward 8 Councilman. Um, he passed away of cancer this last weekend and those of you who didn't have the opportunity to know Rich, he was an author, he was a family man, he was a teacher and he was a gentleman. And I can think of no finer person than Rich when I look at someone who should represent this community. Number two, we've had a void in the audience of uh...a person for um...a few weeks now and I'd just like to give you an update. I talked to uh...and also Chris Smith talked to Pete DiGiacomo yesterday. He's back in the hospital and he is not doing well. And those of you who get an opportunity to give him a call, send him a note, wish him well, put him in your prayers, uh...even though Pete and I didn't see eye to eye everyday, um...he was a...was and is still a wonderful human being and um...our thoughts and prayers are with Pete. Anyone else? Clerk Dougherty.

CLERK DOUGHERTY: *"You can easily judge the character of a man by how he treats those who can do nothing for him."* - Johann Wolfgang von Goethe

PRESIDENT PRO TEM SMUCKLER: Member Babcock.

MEMBER BABCOCK: Mr. President, I move we adjourn.

MEMBER SCHULMAN: Second.

PRESIDENT PRO TEM SMUCKLER: It's been moved and seconded to adjourn Canton City Council. Roll Call.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT PRO TEM SMUCKLER: Canton City Council's adjourned. *(Gavel falls)*.

ADJOURNMENT TIME: 7:40 PM

ATTEST: 2/4/20

APPROVED:

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DAVID R. DOUGHERTY
CLERK OF COUNCIL

WILLIAM SMUCKLER
PRESIDENT PRO TEM