

MINUTES OF THE MEETING MARCH 16, 2020

PRESIDENT SHERER: Good evening ladies and gentlemen and welcome to Canton City Council. Just as a reminder, if you could please silence your cell phones. With a quorum being 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

CLERK DOUGHERTY: Twelve present, Mr. President.

PRESIDENT SHERER: 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. Kevin.

MEMBER HALL: At this time I had asked Pastor Sherman Martin of Union Baptist Church to give the invocation for tonight.

The regular meeting of Canton City Council was held on March 16, 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 Pastor Sherman Martin of Union Baptist Church. The Pledge of Allegiance was led by President Sherer.

AGENDA CORRECTIONS & CHANGES

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

MEMBER SMUCKLER: Mr. President, I move Rule 22A be suspended to add 2nd Reading Ordinances 8 through 12 back to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add 2nd Readings to Ordinances 8 through 12 to this evening's agenda. Ordinances... Are there... Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 8 through 12 are a legal part of your agenda.

PUBLIC HEARINGS

Note: President Sherer did not address the Public Hearings portion of the meeting, however no Public Hearings were scheduled.

MINUTES OF THE MEETING MARCH 16, 2020**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 one speaker for this evening, our Health Director, Mr. Jim Adams. Could you please step forward and give us your name and residential address, please.

JIM ADAMS: Alright. Thank you, Mr. President. My name's Jim Adams and I am the Health Commissioner for Canton City Public Health, and I live at 1250 Longshadow Avenue NE in North Canton, Ohio. Thank you for the few minutes to be able to talk to you. I understand you're relaxing the rules a little bit. I don't see the timer going down or anything like that, and we might have time for a couple of quest... or now it's going. Thanks, Jill. *(Laughter)* We might have... good, let's keep it short. I do have a couple brief comments and then I'll be glad to answer a few questions, but before I forget, I just want to thank the Members of Council for meeting tonight. And the reason why is because government is an essential function that has to continue in our community, and especially in these times our community is gonna rely upon the government to help lift them up and support them through these difficult times. And so being able to meet and being able to make these decisions is critical as we recover from this outbreak in our community. So I really applaud you for meeting tonight and as you've seen, you've taken some steps to encourage social distancing and things, so... but I just want to really applaud you for your service. I appreciate that very much. So as we know, the numbers of cases of COVID disease in our community continue to rise. In Ohio they reported there were 50 positive cases, three of those are in Stark County. Uh, we do know that we are assuming there is widespread virus in the community, so we will see cases rise in the future, and that is the way that outbreaks work. Uh, our jobs right now at the Health Department are to track these confirmed cases and then also do con... what we call contact tracing for people that have been in close contact with these confirmed cases. Early in the outbreak we were also tracking contacts to... to what we call presumptive cases or people that were not positive yet for the disease, but we were still tracking them. That takes on less of an importance once we know there is widespread disease in the community. Uh, we... to talk about testing, we still know that testing is really very limited. There are some commercial labs that have started to come on line across the country and in Ohio. I think there's four or five hospitals that are able to provide private testing in Ohio, plus the Ohio Department of Health. But it is still quite limited. And for reasons that I don't have any control over or even fully understand, you know, that has been a very slow process. And other countries have done it had a different experience with... with laboratory testing, but that is coming more available and as it becomes more available, then that'll be used for diagnostic testing to help us identify these cases early. Uh, at the Health Department we have fully activated our Incident Command System. This has impacted our daily operations as we expect it would, and we have curtailed a few services but we're still open for business and doing what we need to do. But we have modified some of our clinics. Uh, some of our non-essential clinics we're not gonna do right now. We are still con... still continuing our STD Clinic. I'm sure Mr. Morris would appreciate that. *(Laughter)* Just get that out before he says something. But we are taking steps to limit the number of people in the room at the same time and things like that. We're also providing... still providing WIC services. Uh, the State has deemed that as an essential service also, so we're gonna try to maintain that as much as possible. We're... but we have taken steps to limit the number of people in these waiting rooms. We're no longer offering window service for birth and death records, but we have ample opportunity to people to get their vital records either by on line or E... um, mail or by phone. So we're able to still deliver those services, and we've limited our public access. So our... our main goals right

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now are to continue to identify positive cases in the community and do that contact tracing because that's gonna slow the spread of the infection through the community. Uh, as I said before, we're really no longer looking at suspects because of the amount of effort it takes to do the contact tracing for positives, so we have to concentrate on that. Um, the messaging around... again, the messaging around testing is that... um, for the community is that you don't need to have a test for the virus if you're not ill. Okay? The test will not pick up anything if you're not ill, and the test is really... only has value as a diagnostic test if you have serious illness. So there... I know there's a lot of people that have flooded our doctor's offices today, and with... they're basically worried well and they are really impacting the ability for the physicians to be able to provide quality healthcare to people that are really sick. So I encourage people to really think about testing. You know, kinda steady on and understand the symptoms themselves and manage those at home if they are slightly ill. Uh, we are working with hospitals to set up alternate testing sites. Uh, that may be a few days to a week or more before some of those come on line, but it's really in conjunction with the hospitals that those are gonna be set up and operated. As I've said before, we need to prepare ourselves for more cases in our community. I think the numbers will go up, and they will go up and they will alarm us at how quickly they increase, but they will get better, okay? So these efforts that we're implementing right now, this social distancing, does have an impact. Now we don't see that impact yet cause we don't see large numbers of cases of illness in the community, but it will have an impact and it will slow the spread of the disease and we'll have less cases. And as we've seen with the Governor's Office today with some of the recent unbelievable things they've done to restrict movement, unless we as citizens take the responsibility to listen to those... uh, those requirements, there will be more restrictions coming down the line, right? So unless we take it seriously, you know, this will happen, they'll be more restrictions coming down the line and more and more until this infection passes. So I encourage everyone to follow the directions. This next two weeks is a critical, critical time. So with that I'll just pause. You know, we're kinda waiting for the storm to hit and then we're gonna, you know, evaluate that as we go along and kinda pick up the pieces on the other side. So I'll be glad to answer a few questions, Mr. President.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Majority Leader.

MEMBER SMUCKLER: Gonna emphasize a few things and then ask your advice. Four positive tests in the county, correct?

JIM ADAMS: Three.

MEMBER SMUCKLER: Three positive tests in the county. Okay. And how many in the state?

JIM ADAMS: Uh, fifty.

MEMBER SMUCKLER: Fifty?

JIM ADAMS: Fifty confirmed cases, yeah.

MEMBER SMUCKLER: And if you think you're sick, what steps should be followed based on the symptoms?

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JIM ADAMS: The symptoms are dry... generally a dry cough, fever and lower respiratory distress. So lower, down in your lungs, difficulty breathing, shortness of breath. Now, I'm not a physician, okay? I'm looking at some of the doctors in the room here, but those are the general symptoms that happen. So if you do that, you should not come to work, right? And you should monitor your symptoms to see if they become worse. Call your physician, talk to the doctor's office and kinda take your steps from there.

MEMBER SMUCKLER: I understand that there's certain things that if you're over 65, if you've had heart problems, if you are diabetic, which I resemble all those remarks right now. Cancer, you are more susceptible to getting this, is that correct?

JIM ADAMS: I wouldn't say more susceptible to getting this, Mr. Majority Leader, but the effects of it could be more severe.

MEMBER SMUCKLER: And so what do we recommend to our constituents if they think they're sick from this?

JIM ADAMS: If they think they're sick, they should stay home, right? Don't go out in public and infect other people and call your physician. Don't go into the office and don't go to the emergency room unless medically necessary. Call your physician and follow their advice.

MEMBER SMUCKLER: A lot of us people who represent certain aspects of the City, the standard practice is to head to the emergency room first.

JIM ADAMS: Correct.

MEMBER SMUCKLER: And that's not what we're looking for, correct?

JIM ADAMS: It is not what we're looking for. We want to reserve the emergence... emergency rooms so that they can treat people that are seriously ill. And so if you are not seriously ill, you need to access medical care through another means by calling... calling first rather than going in because you're just gonna clog up the emergency room and you won't be able to get care if you're really sick.

MEMBER SMUCKLER: And right now you have no test kits in Stark County, is that correct?

JIM ADAMS: That is correct. The tests are available in a variety of... of medical facilities around our area and in the Ohio Department of Health, but there's nothing in the county that I'm aware of.

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Director Adams, can you clear this up for me. All the information that we're getting through the media states that people can potentially be infected with the virus with absolutely no symptoms, but you stated that the tests are only good if you're ill. And one of the concerns is that this does not have much of an effect on children, although we do have one case in Ohio that's fourteen, but ultimately children

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could carry this virus with them without even being ill. But you're saying that the test is no good unless you're ill, so am I ... are we being misrepresented... getting misinformation from the media? Or... could you just kinda clarify that cause I'm kinda confused.

JIM ADAMS: It's more complicated than just the story in the media, and part of the complication is, is that for the test to work, you need to have enough virus in your system for the test to pick it up. So if you... um, if you have a mild illness or you don't exhibit symptoms, you may still have the virus in you, but not at sufficient quantities to be... to be positive on the test.

MEMBER MORRIS: Not sufficient quantities to be positive on the test, but sufficient quantities to pass it on?

JIM ADAMS: That is possible, but you are... the more sick you are, the more infectious you are. So it's a continuum. So the more sick you are, in other words if you are exhibiting symptoms that you can identify, then you're more infectious than if you don't have the symptoms.

MEMBER MORRIS: Now, devil's advocate. The more sick you are, the more infectious you are, however how you... our Leader is an example. If a small child is near him and the child is not that infectious, his immune system isn't as... quite as strong as Member Mariol's, so would that be a fair assumption to say that everybody should be tested to some extent?

JIM ADAMS: Uh, the testing I... no, I don't think so.

MEMBER MORRIS: No?

JIM ADAMS: But what I will say about that is that is the whole reason behind these strategies to increase social distancing, so the strategy for closing schools is to address the issues that you brought up, is that young children because of their healthy nature could have... could be infected but not show symptoms. And so... this... and this is done in a variety of infectious diseases, so getting the kids away from school and out of school and away from each other is a strategy to limit that... that chance of spreading the infection to somebody like your Majority Leader.

MEMBER MORRIS: Okay, thank you.

JIM ADAMS: Yeah, that's the point.

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Regarding testing, any person who shows the symptoms that it's not diagnosed to be something else and there is a suspicion that they have coronavirus, are they able to get tested? Are they available for that?

JIM ADAMS: Yeah, I understand your question. I'm thinking of the... the way to phrase the answer. The...

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the... the Ohio Department of Health guidance is that people that need a test will get a test. And that determination is made by the person's physician based upon their symptomology and based upon their level of illness where that test is performed. In the vast majority of cases now, those tests are gonna be done by private laboratories. Ohio Department of Health is only testing people that are hospitalized.

MEMBER MORRIS: So you can essentially... you could have it, and as long as you're not hospitalized, the Department of Health is not administering those tests, correct?

JIM ADAMS: The guidance that we have now is that if you want to have the Ohio Department of Health run the test for the COVID virus, that you have to be hospitalized and also have all these other signs and symptoms that they have in their algorithm.

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: So let me see if I follow this from the State.

JIM ADAMS: (*Chuckles*)

MEMBER MORRIS: You pretty almost... you are almost going to be damned near convinced yourself your positive at the point where they actually will agree to give you a test. Cause you have to be hospitalized.

JIM ADAMS: I cannot speak to the policy that the State has.

MEMBER MORRIS: I... I... (*inaudible*) ...odd...

JIM ADAMS: Yeah. I'm just following the rules. I'm just following the rules. But the strategy is... the strategy is, is that we don't have... there is not a lot of testing available in Ohio and they have to control that so they can test the people that most need it.

MEMBER MORRIS: I don't... I don't mean to shoot the messenger...

JIM ADAMS: Yeah.

MEMBER MORRIS: ...but it... it sounds like a load of shit.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

MEMBER SCAGLIONE: Health Director Adams, I think we all continue to hear different things, but is there... if... if all these things are done, the social distancing and we follow everything that's out there, is there an expected time frame that this will pass and we'll start to see us come on the other side of that curve where we're seeing less and less cases?

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JIM ADAMS: The... the time... the answer is yes, however I have not seen the modeling studies that have put those dates in line that I've seen... that I have seen. But it... the State Health Director has stated that they feel that the... the initial wave will come through around the middle of April till the end of April and then taper off through the summer, but I don't have any more specificity than that.

PRESIDENT SHERER: Are there any additional questions from any Council Member?

MEMBER SMUCKLER: I just want to make a statement now. Um, I've had the Health Director up here two weeks in a row and as this goes on I'm gonna continue to invite you back, and I think you are doing a fabulous job at trying to help protect our community and I commend you on that. Thank you, Mr. Adams. *(Applause)*

JIM ADAMS: Thank you. If I might... if I might close with just a couple statements. It's not me, it's my staff that's doing all the work. They are doing a fantastic job. They've been at it now for ten days, every day, twelve hours a day monitoring this. But what I really want to say is we need to hold up our healthcare workers in our thoughts and prayers now because as people become more ill, they are gonna be on the front line of providing this care for people that desperately need it, and they are fighting through their fear and they are doing it with courage and boldness. And I think we need to hold up our healthcare workers and... and keep them in our prayers. So thank you, Mr. President.

PRESIDENT SHERER: Director Adams, I would like to thank you for your leadership directing the Cit... our City through these tough times right now. You're doing a fantastic job.

JIM ADAMS: You're welcome. Thank you.

PRESIDENT SHERER: You are, absolutely.

JIM ADAMS: Thank you.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: We are now under Informal Resolutions and we have one Informal Resolution for this evening. Mr. Clerk, would you please read Informal Resolution #18 by title.

#18. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SAFETY DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN AMOUNT NOT TO EXCEED \$13,000.00 FOR MAINTENANCE CONTRACT FOR "MOBILE ENHANCEMENTS" FOR COMPUTER AIDED DISPATCH (CAD) SYSTEM. - ADOPTED

PRESIDENT SHERER: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #18.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #18. Are there any

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remarks? ...Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #18 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #18 is adopted.

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED MARCH 16, 2020.

111. APPLICANT, WILLIAM SHERER II: REQ VACATION OF ZIMMER PL NW FR EAST LINE OF PARCEL NO. 238018 EAST TO TERMINUS OF ZIMMER PL NW, WARD 2 (FOR 618 HIGH AVE CORP.) PUBLIC HRG WAIVED. - PUBLIC SAFETY & THOROUGHFARES COMMITTEE
112. CHIEF ANGELO: CANTON POLICE DEPT ANNUAL RPT - 2019. - RECEIVED & FILED
113. LAW DIRECTOR AYLWARD: REQ TO COMPENSATE LAW DEPT ATTY WITH MORE THAN 3% MERIT RAISE; COMMUNITY & ECONOMIC DEVELOPMENT WILL FUND RAISE WITH FEDERAL DOLLARS. - COMMUNITY & ECONOMIC DEVELOPMENT AND PERSONNEL COMMITTEES
114. PARK DIRECTOR FOLTZ: AUTH PARKS & RECREATION DEPT TO OPEN PURCHASE ORDERS TO LIBERTY FORD LINCOLN CANTON LLC FOR TWO FORD ESCAPE S 4WD - \$24,290.14; TWO FORD F250 4X4 SD REGULAR CAB TRUCKS - \$31,855.00 EACH; ONE FORD T-350 TRANSIT 12 PASSENGER VAN - \$38,484.00. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
115. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR JR COLEMAN SENIOR OUTREACH SERVICES INC. ANNEXATION (ZONING CLASSIFICATION - B-3-GENERAL BUSINESS DISTRICT, WARD 1). - ANNEXATION COMMITTEE
116. PLANNING COMMISSION: REQ VACATION OF PART OF ZIMMER PL NW AND CONSOLIDATION PLAT OF OUTLOT 1424, PART OF LOTS 3008, 3009, 3010 AND VACATED PORTION OF ZIMMER PL NW, @ 618 HIGH AVE NW, WARD 2 (618 HIGH AVE CORP FOR IRONWORKERS LOCAL 550). - PUBLIC SAFETY & THOROUGHFARES COMMITTEE

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117. SAFETY DIRECTOR PERRY: AUTH SAF DIR TO ENTER INTO PARKING LEASE AGMT WITH COMMQUEST SERVICES, INC ALLOWING FOR LEASE OF 7 STREET PARKING SPACES ON NORTH SIDE OF 6TH ST NW, BETWEEN CLEVELAND AVE NW AND DEWALT AVE. NW, TO BE LEASED TO COMMQUEST SERVICES, INC. AT THE RATE OF \$15.00 PER MO. PER SPACE. - FINANCE COMMITTEE
118. SAFETY DIRECTOR PERRY: AUTHORIZE SAF DIR TO ENTER ONE OR MORE PURCH ORDERS IN AMT NOT TO EXCEED \$13,000.00 FOR MAINTENANCE CONTRACT AMENDMENT (COMPUTER AIDED DISPATCH (CAD) SYSTEM). - RECEIVED & FILED
119. SERVICE DIRECTOR HIGHMAN: AUTH AUDITOR TO PAY OMNIPRO SERVICES, LLC \$6,374.00 AS MORAL OB FOR PROJ; RETRO AUTH ANY ACTIONS TAKEN PRIOR TO PASSAGE OF RESULTING ORD; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (12TH ST NW BRIDGE REPLACEMENT AND STREETScape PROJ, G.P. 1160, PID 90671 - CONSTRUCTION OVERSIGHT & CHANGE ORDER #1 AND FINAL). - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their First Reading. Mr. Clerk, would you please begin with Ordinance #1.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1 THROUGH #7; FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #1 THROUGH O#7 ADOPTED):

- #1. (1ST RDG) **ADOPTED AS ORDINANCE NO. 46/2020** AN ORDINANCE AMENDING ORDINANCE NO. 95/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (2019 PROGRAM YR BUDGET TO HUD, TOTAL ORIGINAL REQ - \$2,936,977.00, TOTAL AMENDED REQ - \$3,506,002.00)
Referred to Community & Economic Development and Finance Committees
- #2. (1ST RDG) **ADOPTED AS ORDINANCE NO. 47/2020** AN ORDINANCE AUTHORIZING THE MAYOR TO FILE WITH HUD A 2020 ANNUAL ACTION PLAN FOR THE 2020 COMMUNITY DEVELOPMENT BLOCK GRANT, 2020 HOME INVESTMENT PARTNERSHIP, AND 2020 EMERGENCY SOLUTIONS GRANT PROGRAMS; RATIFYING SUBMISSION AND FILING OF SAID PLAN; AUTHORIZING THE MAYOR TO EXECUTE GRANT AGREEMENTS WITH HUD AND TO ACCEPT FUNDING FOR THE THREE PROGRAMS; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMELY EXPENDITURE OF COMMUNITY DEVELOPMENT BLOCK GRANT, EMERGENCY SOLUTIONS GRANT AND HOME INVESTMENT PARTNERSHIP PROGRAM FUNDS; AMENDING THE 2020 FINAL APPROPRIATION ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (PROGRAM: CDBG - 2020 GRANT FUNDS -

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\$2,666,724.00 (CDBG TOTAL - \$2,666,724.00); HOME - 2020 GRANT FUNDS - \$711,353.00, 2019 CARRYOVER - \$373,406.99 (HOME TOTAL - \$1,084,759.99); ESG - 2020 GRANT FUNDS - \$227,312.00 (ESG TOTAL - \$227,312.00)

Referred to Community & Economic Development and Finance Committees

- #3. (1ST RDG) **ADOPTED AS ORDINANCE NO. 48/2020** AN ORDINANCE RENAMING RIVERSIDE DRIVE NE FROM TUSCARAWAS STREET EAST TO 6TH STREET NE IN THE CITY OF CANTON, BETTY BELLE WAY NE
Referred to Public Safety & Thoroughfares Committee
- #4. (1ST RDG) **ADOPTED AS ORDINANCE NO. 49/2020** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY WENGER EXCAVATING, INC. ALL MORAL OBLIGATIONS RELATED TO THE RIDGEWOOD EAST PHASE 1 PART 1 WATER MAIN REPLACEMENT PROJECT AND RIDGEWOOD EAST PHASE 1, PART 2 (22ND/24TH NE) ROADWAY RECONSTRUCTION PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- #5. (1ST RDG) **ADOPTED AS ORDINANCE NO. 50/2020** AN ORDINANCE AUTHORIZING THE DIRECTOR OF PUBLIC SERVICE AND CANTON PARK COMMISSION TO TRADE IN A 2002 MODEL BOBCAT 341 D TOWARDS THE PURCHASE OF A NEW BOBCAT COMPACT EXCAVATOR; AND DECLARING THE SAME TO BE AN EMERGENCY (PARKS & REC DEPT)
Referred to Public Property Capital Improvement and Finance Committees
- #6. (1ST RDG) **ADOPTED AS ORDINANCE NO. 51/2020** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION TO THE STARK COUNTY LAND REUTILIZATION CORPORATION IN AN AMOUNT NOT TO EXCEED \$76,251.19; AMENDING THE 2020 FINAL APPROPRIATION ORDINANCE AND DECLARING THE SAME TO BE AN EMERGENCY (\$76,251.19 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 200501 GENERAL GOVERNMENT SUPPORT ADMIN - OTHER)
Referred to Finance and Community & Economic Development Committees
- #7. (1ST RDG) **ADOPTED AS ORDINANCE NO. 52/2020** AN ORDINANCE APPROVING THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF CANTON AND AFSCME LOCAL 2937 AND OHIO COUNCIL 8; AND DECLARING THE SAME TO BE AN EMERGENCY (EFFECTIVE TO 12/31/21)
Referred to Finance and Personnel Committees

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

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MEMBER SMUCKLER: Uh, just a point of information for the record. Um, as the Council people know and the media and the audience will find out, we are going to clear the agenda tonight because things are in a fluid movement out of Columbus, and at some point in time they may ask us not to meet. It is Council's intention to com... to make a commitment to leadership in this community and to meet every Monday night till summer session and not do anything differently than we normally do, however we want to be prepared, we want to make sure that the City's business continues. The City is the basic defense for this community. If the garbage needs picked up, if you have a fire, you need a fireman, if you have an ambulance... you need an ambulance, it'll be there, and the police will be there. We will continue to meet until Memorial Day weekend when we normally go on summer session. If some elected official needs something, please talk to me. Unless it's some type of controversy, we will continue to clear agendas till Memorial Day and see how things go. Thank you, Mr. President.

PRESIDENT SHERER: At this time the Chair would declare an in-house recess for Community... Community & Economic Development, Finance, Public Safety & Thoroughfares, Public Property Capital Improvement and Personnel Committees to meet in regards to Ordinances #1 through #7 on your agenda. You are now in recess.

COUNCIL RECESSED AT 7:27 PM FOR THE FINANCE AND PERSONNEL COMMITTEES TO DISCUSS O#7; RECONVENED AT 7:33 PM)

(COUNCIL RECESSED AT 7:33 PM FOR THE FINANCE COMMITTEE TO DISCUSS O#4; RECONVENED AT 7:35 PM)

COUNCIL RECESSED AT 7:35 PM FOR THE FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES TO DISCUSS O#6; RECONVENED AT 7:38 PM)

(COUNCIL RECESSED AT 7:38 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES TO DISCUSS O#1 & O#2; RECONVENED AT 7:42 PM)

COUNCIL RECESSED AT 7:42 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES TO DISCUSS O#5; RECONVENED AT 7:44 PM)

(COUNCIL RECESSED AT 7:44 PM FOR THE PUBLIC SAFETY & THOROUGHFARES COMMITTEE TO DISCUSS O#3; RECONVENED AT 7:46 PM)

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A and add Ordinance 1 through 7 back to the agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 1 through 7 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: Ordinances 1 through 7 are a legal part of your agenda, Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend statutory rules on Ordinances 1 through 7.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 1 through 7. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #1. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#1 ADOPTED AS ORDINANCE NO. 46/2020

PRESIDENT SHERER: Ordinance #1 is adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #2. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 1 ABSTENTION
(MEMBER SMUCKLER ABSTAINED)

CLERK DOUGHERTY: Eleven yeas, one abstention, Mr. President.

#2 ADOPTED AS ORDINANCE NO. 47/2020

PRESIDENT SHERER: Ordinance #2 is adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded that you adopt Ordinance #3. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#3 ADOPTED AS ORDINANCE NO. 48/2020

PRESIDENT SHERER: Ordinance #3 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #4.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded that you adopt Ordinance #4. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#4 ADOPTED AS ORDINANCE NO. 49/2020

PRESIDENT SHERER: Ordinance #4 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #5.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded that you adopt Ordinance #5. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#5 ADOPTED AS ORDINANCE NO. 50/2020

PRESIDENT SHERER: Ordinance #5 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #6.

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It’s been moved and seconded that you adopt Ordinance #6. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#6 ADOPTED AS ORDINANCE NO. 51/2020

PRESIDENT SHERER: Ordinance #6 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #7.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It’s been moved and seconded that you adopt Ordinance #7. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#7 ADOPTED AS ORDINANCE NO. 52/2020

PRESIDENT SHERER: Ordinance #7 is adopted.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Second Reading. Mr. Clerk, would you please begin with Ordinance #8.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #8 THROUGH #12 FOR THE SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE #8 THROUGH O#12 ADOPTED):

#8. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 53/2020** PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED \$3,750,000.00 TO PROVIDE FUNDS TO PAY A PORTION OF THE COSTS OF ACQUIRING, CONSTRUCTING, IMPROVING, FURNISHING OR EQUIPPING AN ECONOMIC DEVELOPMENT PROJECT IN THE CITY; AUTHORIZING RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY (EXPIRING NOTE APPV’D VIA O#40/2019, PAYMENT DUE 4/9/20, FUND 1154)

PRESIDENT SHERER: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #8.

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MEMBER BABCOCK: Second.

PRESIDENT SHERER: No, you need to... I believe we need to suspend the Statutory Rules, Leader.

MEMBER SMUCKLER: Oh, I'm sorry. Mr. President, I move we suspend Statutory Rules on Ordinance #8.

MEMBER BABCOCK: Second. 8 through 12.

PRESIDENT SHERER: Should be 8 through 12.

MEMBER BABCOCK: 8 through 12.

MEMBER SMUCKLER: Mr. President, I move that we suspend Statutory Rules on Ordinances 8 through 12.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 8 through 12. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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

CLERK DOUGHERTY: He needs to move to adopt Ordinance 8 only.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #8.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #8. Are there any remarks?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader Smuckler.

MEMBER SMUCKLER: I move we amend Ordinance #8 by the amendment before every Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Law Director, would you please explain the amendment on Ordinance #8.

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LAW DIRECTOR BATES AYLWARD: Yes, I will. First of all, I would apologize that you do not have an amendment before you because we just found out that this amendment was necessary moments before we began Council. But, it is a very small one so I will explain it to you and read it into the record and it will be then placed into the Ordinance. This is the Hall of Fame bond, and on the second page of the Ordinance in the Definition section it talks about the definition of what an original purchaser means, and currently it reads, "Original Purchaser means KeyBanc Capital Markets Inc.," but we have to add to that. And the only phrase we'll be adding in amendment is, "or such other original purchaser designated by the Auditor in the certificate of award." So if we have someone else that purchases other than that. So that's the only amendment. So I'll take any questions and we'll be discussing another amendment of one of the other bonds as well, but it's the same thing. So, do you have any questions about that particular amendment?

PRESIDENT SHERER: Thank you, Law Director. It's been moved and seconded to amend Ordinance #8. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #8, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 8 by amending the definition of "Original Purchaser" on page 2 to include the following language after the word Inc.: "or such other original purchaser designated by the Auditor in the certificate of award."

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #8, as amended. Are there any remarks on this Ordinance, as amended? ...Hearing none, roll call vote, please.

NO REMARKS ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#8 ADOPTED AS AMENDED AS ORDINANCE NO. 53/2020

PRESIDENT SHERER: Ordinance #8, as amended, has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #9.

MEMBER BABCOCK: Second.

MEMBER SMUCKLER: I'm sorry. Mr. Pres... I gotta tell you something. And I'm angry right now, and this is why I'm losing it. Point of information, Mr. President.

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PRESIDENT SHERER: He has to read the Ordinance.

MEMBER SMUCKLER: I would like to have a point of information before he reads the Ordinance.

PRESIDENT SHERER: Leader Smuckler.

MEMBER SMUCKLER: You know, I'm so sick of social media, I could just scream. And they say what's so important about that now during the Council meeting. Because just because someone filed to go to court to postpone the election for tomorrow, it's being taken as truth. The election is not postponed for tomorrow. But this is spreading like wildfire out there, and it just agitates the hell out of me about social media because you think if it's said on line it's true. And I'm furious and that's why. Someone showed me something and I saw this. You get a phone call, right now as of 8:00 tonight, this election is still on for tomorrow, and there's people gonna read this crap and not go out to vote. I apologize.

CLERK DOUGHERTY: Majority Leader, I'll go...

MEMBER SMUCKLER: Mr. President.

CLERK DOUGHERTY: Majority Leader, I will read Ordinances 9 through 12 and then we can go back and vote on them one at a time.

MEMBER SMUCKLER: Thank you.

PRESIDENT SHERER: Thank you, Leader Smuckler.

- #9. (2ND RDG) **ADOPTED AS ORDINANCE NO. 54/2020** PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$3,400,000.00 FOR THE PURPOSE OF PAYING THE COST OF ACQUIRING, CONSTRUCTING, RECONSTRUCTING AND IMPROVING CITY BUILDINGS, INCLUDING, WITHOUT LIMITATIONS, THE REPLACEMENT OF THE CITY HALL ROOF, THE CIVIC CENTER ROOF AND IMPROVEMENTS TO OTHER CITY FACILITIES (EXPIRING NOTE APPV'D VIA O#41/2019, PAYMENT DUE 4/9/20, FUND 4504)
- #10. (2ND RDG) **ADOPTED AS ORDINANCE NO. 55/2020** PROVIDE FOR THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$800,000.00 FOR THE PURPOSE OF PROVIDING FUNDS TO PAY A COURT-APPROVED SETTLEMENT OF A CLAIM AGAINST THE CITY (EXPIRING NOTE APPV'D VIA O#42/2019, PAYMENT DUE 4/9/20, FUND 1105)
- #11. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 56/2020** PROVIDE FOR THE ISSUANCE AND SALE OF REVENUE BOND ANTICIPATION NOTES IN THE MAXIMUM AGGREGATE PRINCIPAL AMOUNT OF NOT TO EXCEED

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\$1,525,000.00 TO PROVIDE FUNDS TO MAKE A LOAN FOR ECONOMIC DEVELOPMENT IN THE CITY; AUTHORIZING RELATED MATTERS; AND DECLARING THE SAME TO BE AN EMERGENCY (CURRENT NOTE APPV'D VIA O#43/2019, (HERCULES), PAYMENT DUE 4/9/20, FUND 1156)

- #12. (2ND RDG) **ADOPTED AS ORDINANCE NO. 57/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ANY AND ALL CONTRACTS NECESSARY FOR THE PURCHASE OF ONE (1) 4X4 SHORT BED PICKUP TRUCK, ONE (1) 4X4 PICKUP TRUCK WITH UTILITY BOX, ONE (1) 4X4 LONG BED PICKUP TRUCK, ONE (1) FULL SIZE CARGO VAN AND ONE (1) BACKHOE; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER DEPT)

CLERK DOUGHERTY: We'll go back and vote on #9 through 12, one at a time.

PRESIDENT SHERER: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we sus... suspend Statutory three readings of Ordinance #9.

CLERK DOUGHERTY: No, we already did that, so we can just go ahead and vote.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #9.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #9. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 54/2020

PRESIDENT SHERER: Ordinance #9 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #10.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #10. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

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CLERK DOUGHERTY: Twelve yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 55/2020

PRESIDENT SHERER: Ordinance #10 has been adopted. 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? Leader Smuckler.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: Law Director, would you please explain the amendment on Ordinance #11.

LAW DIRECTOR BATES AYLWARD: Yes. Uh, thank you, Mr. President. Uh, as I stated earlier, this is going to be the same verbiage that we're going to add to this Ordinance as well. Where it states "Original Purchaser means KeyBanc Capital Markets Inc." on page 2 of the Ordinance, we are going to add, "or such other original purchaser designated by the Auditor in the certificate of award." So again, any questions?

PRESIDENT SHERER: Thank you, Law Director. It's been moved and seconded to amend Ordinance #11. Are there any remarks?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: I move we adopt Ordinance #11 as amended.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: We have to do a voice vote first for the amendment. If there's no other remarks, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. Leader.

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

MEMBER BABCOCK: Second.

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Pursuant to Rule 36, I move to amend Agenda Item No. 11 by amending the definition of "Original Purchaser" on page 2 to include the following language after the word Inc.: "or such other original purchaser designated by the Auditor in the certificate of award."

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#11 ADOPTED AS AMENDED AS ORDINANCE NO. 56/2020

PRESIDENT SHERER: Ordinance #11, as amended, 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?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: No, I'm sorry. Go ahead with the vote.

PRESIDENT SHERER: Okay. Are there any additional remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#12 ADOPTED AS ORDINANCE NO. 57/2020

PRESIDENT SHERER: Ordinance #12 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... and a vote. Mr. Clerk, please begin with Ordinance #13.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ THE FOLLOWING ORDINANCES #13 THROUGH #21 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

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- #13. (3RD RDG) **ADOPTED AS ORDINANCE NO. 58/2020** AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT AS THE CLASSIFICATION PLAN FOR THE AUDITORS OFFICE MANAGEMENT AND NON-BARGAINING PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY (INCREASE MIN/MAX FOR GRADE 002-SA-SALARY AUDITOR BY 1% FACTOR, ADDT'L \$0.1773 AND \$0.2996 FR CURRENT MIN/MAX AMTS)

PRESIDENT SHERER: Leader Smuckler.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#13 ADOPTED AS ORDINANCE #58/2020

PRESIDENT SHERER: Motion carries and Ordinance #13 is adopted. Ordinance #14, please.

- #14. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 59/2020** AN ORDINANCE ADOPTING THE 2020 ANNUAL APPROPRIATIONS FOR THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #14.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #14. Are there any remarks? Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I move that we amend Ordinance #14 by the amendment before every Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #14 per the copy before each of you. Are there any remarks? ...Hearing none, by voice vote, all those in favor... favor signify by saying aye. Those opposed no.

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NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. The motion carries. Leader.

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

MEMBER BABCOCK: 15.

MEMBER SMUCKLER: 15.

CLERK DOUGHERTY: 14.

MEMBER BABCOCK: 14, I'm sorry.

MEMBER SMUCKLER: I move we adopt Ordinance #14 by...

CLERK DOUGHERTY: As amended.

MEMBER SMUCKLER: As amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 14 by amending pages 4 and 29 of Exhibit A by replacing the current pending pages with the attached pages.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #14, as amended. Are there any remarks under this Ordinance as amended? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#14 ADOPTED AS AMENDED AS ORDINANCE NO. 59/2020

PRESIDENT SHERER: The motion carries and Ordinance #14, as amended, has been adopted. Ordinance #15, please.

#15. (3RD RDG)

ADOPTED AS ORDINANCE NO. 60/2020 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 (\$39,000.00 - WITHOUT OPOTA CERT, \$40,000.00 - WITH OPOTA CERT, UNIFORMS PROVIDED UPON HIRE AS DETERMINED BY CHIEF OF POLICE)

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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?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#15 ADOPTED AS ORDINANCE NO. 60/2020

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

#16. (3RD RDG) **ADOPTED AS ORDINANCE NO. 61/2020** 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 (ANY COMBINATION OF INFO CLERKS AND ADMIN CLERKS UP TO TOTAL OF 13 IN POLICE DEPT)

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 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#16 ADOPTED AS ORDINANCE NO. 61/2020

PRESIDENT SHERER: Motion carries and Ordinance #16 is adopted. Ordinance #17, please.

#17. (3RD RDG) **ADOPTED AS ORDINANCE NO. 62/2020** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$9,942.90 TO SUMMIT TESTING & INSPECTION CO.; AND DECLARING THE SAME TO BE AN EMERGENCY (PROF SERVS RENDERED AT CENTENNIAL PLAZA)

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PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #17.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #17. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#17 ADOPTED AS ORDINANCE NO. 62/2020

PRESIDENT SHERER: Motion carries and Ordinance #17 is adopted. Ord... Ordinance #18, please.

#18. (3RD RDG) **ADOPTED AS ORDINANCE NO. 63/2020** AN ORDINANCE AUTHORIZING THE HIRING OF MR. DYLAN PEOPLES, P.E. AS ENGINEER II IN THE WATER DEPARTMENT AT AN ANNUAL SALARY OF \$72,722; AND DECLARING THE SAME TO BE AN EMERGENCY (2 WKS VACATION)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #18.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #18. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#18 ADOPTED AS ORDINANCE NO. 63/2020

PRESIDENT SHERER: Motion carries and Ordinance #18 is adopted. Ordinance #19, please.

#19. (3RD RDG) **ADOPTED AS ORDINANCE NO. 64/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LEASE AGREEMENT WITH THE OHIO POWER COMPANY FOR THE USE OF THE PARKING LOT LOCATED AT PARCEL NO. 242262; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #19.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #19. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#19 ADOPTED AS ORDINANCE NO. 64/2020

PRESIDENT SHERER: Motion carries and Ordinance #19 is adopted. Ordinance #20, please.

#20. (3RD RDG) **ADOPTED AS ORDINANCE NO. 65/2020** AN ORDINANCE AUTHORIZING THE CLERK OF COUNCIL TO CERTIFY TO THE COUNTY AUDITOR A LIST OF UNPAID AND DELINQUENT CHARGES FOR SERVICES PERFORMED BY AND/OR ON BEHALF OF THE CITY OF CANTON ENGINEERING DEPARTMENT, URBAN FORESTRY DIVISION; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #20. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#20 ADOPTED AS ORDINANCE NO. 65/2020

PRESIDENT SHERER: Motion carries and Ordinance #20 is adopted. Ordinance #21, please.

#21. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 66/2020** AN ORDINANCE AUTHORIZING THE APPROPRIATE OFFICIAL(S) TO: PURCHASE AND/OR LEASE VARIOUS TITLED VEHICLES; ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THOSE PURCHASES AND ANY PROJECTS DESCRIBED IN EXHIBIT A THAT EXCEED ANY APPLICABLE DOLLAR AMOUNT THRESHOLD(S); ALTERNATIVELY ENTER INTO CONTRACT FOR THE PURCHASES AND PROJECTS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; ENTER INTO ALL

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PROFESSIONAL SERVICES CONTRACTS DESCRIBED IN EXHIBIT A; WAIVES THE INFORMAL RESOLUTION REQUIREMENTS OF CANTON CODIFIED ORDINANCE 105.09 FOR PURCHASES APPROVED THROUGH THIS ORDINANCE; AMENDING APPROPRIATION ORDINANCE NO. 246/2019; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,747,110.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 102001 POLICE ADMIN - OTHER - \$207,500.00, TO 4501 103001 FIRE ADMIN - OTHER - \$150,000.00, TO 4501 202001 ENGINEERING ADMIN - OTHER - \$425,000.00, TO 4501 204010 OTHER BUILDINGS - OTHER - \$474,600.00, TO 4501 208001 MOTOR VEHICLE ADMIN - OTHER - \$61,225.00, TO 4501 301001 HEALTH ADMIN - OTHER - \$133,325.00, TO 4501 501101 HUMAN RESOURCES - OTHER - \$21,835.00, TO 4501 504010 INFORMATIONAL TECHNOLOGY - OTHER - \$150,000.00, TO 4501 701001 COURTS - OTHER - \$70,000.00, TO 4501 753001 LAW ADMIN - OTHER - \$6,900.00, TO 4501 852001 TREASURER ADMIN - OTHER - \$46,725.00; \$1,270,000.00 SUPP APPROP FR UNAPPROP BAL OF 4502 MOTOR VEHICLE PURCHASES FUND TO 4502 102001 POLICE ADMIN - OTHER - \$295,000.00, TO 4502 103001 FIRE ADMIN - OTHER - \$525,000.00, TO 4502 202001 ENGINEERING ADMIN - OTHER - \$25,000.00, TO 4502 202210 MAINTENANCE - OTHER - \$400,000.00, TO 4502 504010 INFORMATION TECHNOLOGY - OTHER - \$25,000.00)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #21. Are there any remarks?
Leader.

MEMBER SMUCKLER: Mr. President, I move to amend Ordinance #21 by the amendment before everybody.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #21 per the copy before each of you. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it. The motion carries. Leader.

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

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MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 21 by the substitution of the attached amended Ordinance and Exhibit for the original pending Ordinance and Exhibit.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #21, as amended. Are there any remarks under this Ordinance, as amended? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#21 ADOPTED AS AMENDED AS ORDINANCE NO. 66/2020

PRESIDENT SHERER: The Motion carries and Ordinance #21, as amended, has been adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under announcement of Committee Meetings, and there are no Committee Meetings for next week.

MISCELLANEOUS BUSINESS

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

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: As I said earlier in a point of information, social media oughta be for social media and not for grandiose announcements to be made. And I always find such misinformation out there. I hope no one doesn't vote because they don't get a chance to because they read that in social media it was cancelled, the election. This election's too far important for all of us of what's going to happen to this country for the next four years. And just because you filed in court, that doesn't mean that the judge just accepts whatever's filed. The judge refused to postpone the election for tomorrow, and that's as of 8:00 this evening. Now that may change, but let's let the news media handle their own sources rather than social media dictating whether there's going to be an election or not. We got enough people that can't go to the polls now. Most of you have been elected or re-elected with 11% of the vote out there. And it's a time we had people to want to come vote show up. I voted yesterday at the Board of Elections and I waited in line. I hope those lines continue tomorrow. Just to correct one other thing... um, I try not to go on social media, but as I was reading, I get into these water bills. It may not have been the clearest message, but it was clear we put in an envelope with their bills that we were going to monthly billing. It's not that we're trying to get any more money with monthly billing. Every utility charges monthly other than the Water Department, and I could never figure out why we didn't charge monthly. So we're following the lead of the rest of the world for a change instead of trying to fix things ourselves, which usually we break down here. The water bills will be charged at the same rates no matter whether you paid every other month, once a quarter or on a monthly

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basis. So to my constituents, don't believe everything you see on Facebook. Um, I think that the Health Department coming down here and keeping people abreast of what's going on is very important to all of us. Um, I'm one of the people that got hit very hard with a business on restaurants not opening today. We will weather this storm like we've weathered so many other storms. But in the interest of helping these people that are living off of tips, minimum wage, below minimum wage because they get tips, I know the Mayor and myself have talked about asking the restaurant that you may like if they're doing carry out, please help them out for the next couple weeks. I think we all would believe that we want them to survive two, three weeks from now when the world goes back to some normalcy. If you can help, help. Um, the grocery stores are getting crushed. Don't get frustrated because your favorite product isn't there. It's taking time to restock the shelves. But I can tell you that I've seen everybody come together to make sure that this is a storm that can be weathered. And I'm willing to cooperate in my business world, willing to cooperate in the City, and I will see you all back here next Monday night whether we have an ordinance or don't have an ordinance just to say hello. Be healthy, and I'll wait Mr. Dougherty till you give the quote of the week before I move to adjourn.

PRESIDENT SHERER: Clerk Dougherty, our quote for the week, please.

CLERK DOUGHERTY: *"We are getting a lot of reports of a lot of stigma being placed on Mercy Medical Center healthcare workers. That is a huge shame. We need to support those who will be providing care for our loved ones, not excluding them from coffee shops and other public places. As we prepare for an increase in cases in Ohio and here in our community, we must pull together. Don't be part of the problem. Get the facts first. Educate more, fear less."* - Jim Adams, Canton Public Health Commissioner

PRESIDENT SHERER: Thank you, Clerk Dougherty. Leader.

MEMBER SMUCKLER: Mr. President, in the interest of getting the facts first, see ya next Monday. I move we adjourn.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

PRESIDENT SHERER: This meeting is adjourned. *(Gavel falls)*.

ADJOURNMENT TIME: 8:20 PM

ATTEST: 3/19/20

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

WILLIAM SHERER, II
PRESIDENT