

**MINUTES OF THE MEETING APRIL 5, 2021**

PRESIDENT SHERER: Good evening, ladies and gentlemen, and welcome to Canton City Council. Council Members, please make sure your earbuds are in, and if we could ask everybody to have their cell phones to vibrate, please. We are encouraging social distancing... distancing tonight in Council Chambers. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll call please, Mr. Clerk.

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

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER FISHER ABSENT); (MEMBERS SCHULMAN, MARIOL & MORRIS APPEARED VIA VIDEOCONFERENCE)

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

**EXCUSING MEMBERS**

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to excuse Member Fisher from this evening's meeting. Are there any remarks?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Member Smuck... Leader Smuckler.

MEMBER SMUCKLER: Uh, I would ask you if we could have a moment of silence for Mr. Fisher's family for this evening, and I think most of you know that, based on his family loss, this has not been an easy two years for Member Fisher.

PRESIDENT SHERER: I... I would agree. At this time could we please have a moment of silence, please.

*(Brief pause)*

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Member Fisher is excused from this evening's meeting. Tonight's invocation will be given by Ward 8 Council Member, Peter Ferguson. If you would all please stand and remain standing for the Pledge of Allegiance.

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*The regular meeting of Canton City Council was held on April 5, 2021 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 Ward 8 Council Member, Peter Ferguson. The Pledge of Allegiance was led by President Sherer.*

PRESIDENT SHERER: Thank you, Member Ferguson. Slight delay on the Pledge.

**AGENDA CORRECTIONS AND CHANGES**

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

MEMBER SMUCKLER: Mr. President, I move Rule 22A be suspended for 2<sup>nd</sup> Readings of Ordinances 8 and 9 to add it to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add 2<sup>nd</sup> Readings to Ordinances 8 and 9 to this evening's Agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 8 and 9 are a legal part of your agenda.

**PUBLIC HEARINGS**

PRESIDENT SHERER: We are now under Public Hearings and we have one for this evening. Mr. Clerk, would you please announce the Public Hearing.

CLERK DOUGHERTY: AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE CANTON SERVICE CENTER – 30<sup>TH</sup> ST NE ANNEXATION AREA CONTAINING APPROXIMATELY 6.389 ACRES, ASSIGNING SAID TERRITORY AS I-1 LIGHT INDUSTRIAL

PRESIDENT SHERER: Is there anyone in the audience wishing to speak for or against this Ordinance, please step forward. I must repeat, is there anyone in the audience wishing to speak for or against this Ordinance, please step forward. Seeing no one step forward, the Chair declares the Public Hearing over in regards to this matter. The matter now rests in the hands of Council. The Ordinance will follow later this evening.

**OLD BUSINESS**

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

**PUBLIC SPEAKS**

PRESIDENT SHERER: We are now under Pub... Public Speaks and we have five speakers for this evening. Our first speaker is Laura Simon. And I would like to remind our speakers that you do have three minutes, okay, and you're more than welcome to take your mask off if you would like to speak that way.

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LAURA SIMON: Thank you.

PRESIDENT SHERER: Uh, Ms. Simon, could you please state your name and residential address, please.

LAURA SIMON: My name is Laura Simon. I live at 520 32<sup>nd</sup> Street NW, Canton, Ohio 44709. It has been fourteen months ago when I voiced my opinion in this exact room that I opposed the sale of the Arthur Cirelli Building and the property to the Stark Metropolitan Housing Authority for one dollar to build Garden Apartments and four retail store fronts. What a year. I'm here tonight not to do... be a complaining resident of Canton, but to offer my help. I am proposing that Canton City repurpose that property, parcel number 380308 at 630 30<sup>th</sup> Street NW, Canton, Ohio to create a dog park for the residents of Canton. I walk my dog everyday through my neighborhood. I waive at the passerbys, say hello. Sometimes we talk neighborhood news, sometimes just friendly small talk. All the while my dog, Penny, is on her leash. A dog park would give Canton dogs the freedom to run, walk and sniff at their leisure without a leash. Owners of the dogs would be able to sit and watch their pet in a controlled area. This simple action has the potential of uniting neighbors and neighborhoods together because we can see, talk and enjoy the scenery and the beauty of our city. My vision for the proposed dog park is a fenced in area for the safety of the dogs to run and play, a few shade trees and a water source. Of course, we will need a poop station for cleanup purposes. A dusk to dawn operation with involvement of many different organizations to teach the residents of the many resources that involve pet care. I don't at this time have an artist drawing for my vision, however what I do have is me. I would like to be involved. I don't have to reinvent the wheel, that is city government's job, but it is my duty to keep the wheel moving forward. You now know where I live. Canton City, put to use what we already own that doesn't involve the downtown district or the Hall of Fame Village. Canton City, reinvest in the residents of the city that you work for. Canton City, help me help you to create a uniting dog park. Thank you.

PRESIDENT SHERER: Thank you, Ms. Simon. Our next speaker is Ms. Kimberly Bell. Ms. Bell, could you please step forward and give us your name and residential address, please.

KIMBERLY BELL: Yes. Kimberly Bell, 1733 Morris Avenue. Um, first I... um, I want to continue my conversation about the Mayor and... and you playing musical chairs in this building for over decades, and you need to step down and allow others to have that same position. You keep... I mean you, like I said in the past meeting, you... you been playing musical chairs in this building and you move from seat to seat to seat, and now I guess you're at the top of the ladder with... as being mayor. But I want that opportunity and I... and I'm gonna run for it and I hope that you would mentor me into the... becoming a mayor. But... uh, there's a few other things I wanna... I wanna address too. Since December I've dealt with every issue I've been bringing to this table. I've dealt with homelessness. I've dealt with... with job issues. I... and... and those are the... the... the issues I brought here back when Mr. Hawk and Ms. Schulman did what they did to me. It was the... the jobs for people that's coming home from prison. It was the gun violence. It was the... it was... it was the... um, issue of City Council helping with the... the... um, the housing situation. So I've dealt with homelessness since December, I've dealt with jobs since December, I've dealt with... with the... with... with violence since December, and none of those three issues have been... been... been on this paper where eleven million or more dollars is being spent from this coun... from City Council. You don't... you... you have not addressed one of the issues I brought here back in... you've addressed it, but you've not... you... you spoke about it and you... you pretend like you were doing something, but you didn't really do anything. So you ask the Mayor that... you been playing musical chairs for decades in this building. Tackle some of the issues. Like... like... like me

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for instance that I'm living in a... in public housing and the... the... how that building has been there for so many years and it's so run down. I mean, they... they do the minor work in it, but you want to spend millions of dollars on this woman... she said on that property you... somebody... Metropolitan bought for one dollar, and she wants to put a dog park there, you want to put apartments there. Address some of the issues that I brought to you and stop playing musical chairs like you're doing something and let's put a modern day administration in this building.

PRESIDENT SHERER: Thank you, Ms. Bell. Our next speaker is Ms. Ida Ross Freeman. Ms. Freeman, could you please

IDA ROSS FREEMAN: Good evening.

PRESIDENT SHERER: And if you would like to take your mask off, you're more than welcome to.

IDA ROSS FREEMAN: Good evening, and thanks for allowing me to come up and speak. I'm here again complaining about my next door neighbors. I thought we had an ordinance that was implemented some years ago about landlord/tenants. If a landlord rents housing to tenants that are not becoming to our civ... civility code that the landlord would have to pay something. The... the land... the property would be taken. This house next to me is a trap house, and all kinds of things be going on over there. And I've been... my house has been shot at two or three times and the police don't seem to be doing anything about it. Although they did tell me they had a raid last week, I think it was Thursday. It's mighty strange, they had a... um, a raid and they had the... the man that bring the drug in, who sit out there for over two weeks conducting, I call it Wendy's business, with drugs and whatever else goes on there. And the very day that they raided the place, this man was gone. It's like, I'm... you know, I'm an old woman. Deductive theory say to me that maybe you all got a leak, cause he was gone. The main contributor to this mess was not there, and I don't know if they arrested anybody. But business is still going at it... going on as usual. We need help. The drive-by shooting, the defecating in the yard, the urinating in the yard. They have no... no electricity. They have no gas. They have no water. I can only imagine what it's... the stench is gonna be like when it get hot over there. I know we live in a broken neighborhood, but it's a part of the city and I do pay my taxes and I expect some help. Maybe I'm expecting too much. I don't know. But I expect some help. Thank you.

PRESIDENT SHERER: Ms. Freeman.

IDA ROSS FREEMAN: Yes.

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

IDA ROSS FREEMAN: Oh, I forgot. (*Chuckles*) Yeah.

PRESIDENT SHERER: Thank you. Thank you.

IDA ROSS FREEMAN: Ida Ross Freeman, 1129 7<sup>th</sup> Street NW, Canton, Ohio 44703.

PRESIDENT SHERER: Thank you, Ms. Freeman.

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IDA ROSS FREEMAN: Oh, okay. Thank you.

PRESIDENT SHERER: Our next speaker is Ms. Kim Justice. Ms. Justice, could you please step forward and give us your name and residential address, please.

KIMBERLY JUSTICE: Uh, yes, sir. My name is Kimberly Justice. I live at 1317 14<sup>th</sup> Street NW 44703.

PRESIDENT SHERER: Yep.

KIMBERLY JUSTICE: Good evening, ladies and gentlemen. Uh, my comments here echo a lot of what Ida had to say about what's happening in the community. For around five months last year when the world was advised to stay home for safety and solace, I was harassed, threatened, menaced by a violent juvenile parolee on a weekly, sometimes daily basis. His behavior was enabled by many. And I have to mention specifically Stark County Family Court Magistrate Jacquelyn Huntley, who minimized this juvenile's criminal actions because of his emotions. And with the nicer weather, it's beginning all over again. The juvenile began harassing me as I would come and go and that turned to a brick through my window at midnight on May 19<sup>th</sup>, 2020. On May 31<sup>st</sup> my house was egged. On June 7<sup>th</sup> he began shouting violent, vulgar threats to... excuse me, and I'm gonna comment as he did... to beat my ass and blow my home up. Canton Police were called. Officer Andrew Moore responded to the scene and chastised me for speaking out to this juvenile who had been yelling vulgar threats at my house all day, and said I deserved the threat that I got. The juvenile likes to enlist others in his mean spirited pursuits and after a few visits to help his son menace us, the juvenile's father was arrested in his car outside my home with heroine bag to sell, large amounts of cash, with a BB and pellet gun on June 8<sup>th</sup>. A week or so later on June 17<sup>th</sup>, the juvenile was clearly intoxicated in public. He was rolling in the streets and laughing manically. On June 30<sup>th</sup> in the middle of the night, a large four inch rock was thrown through another window. The juven... the juvenile comments about this on line, laughing at our security video and photos documenting our damages. City officials are telling us the family is moo... moving though so that should stop the problems. Sure, they moved on August 2<sup>nd</sup> of last year, but the juvenile was right back in the neighborhood at 11:19 PM after curfew for parole pacing in the street and rambling, loudly spewing his violent sexual threats in the street outside my home. On August 4<sup>th</sup>, he's back and announcing he's here for trouble. It's 2:14 PM. This day he watched my home for four hours while I was working outside on my property. He would occasionally shout vulgar, violent threats. Throughout early August, he had been repeatedly breaking into his old residence across the street from mine and squatting there. On June... or excuse me, August 28<sup>th</sup>, he's there all night in and out of the vacant property. We wake up to find him drunk in the garage. Canton Police are called. They won't make a police report. They give him a ride home.

PRESIDENT SHERER: Ms. Davis, could you please bring your remarks to a close, please. (*Note: President Sherer inadvertently said Ms. "Davis" rather than Ms. "Justice."*)

KIMBERLY JUSTICE: Oh, I'm... I'm sorry. This is still happening. I am still being threatened. The juvenile is still in the community reeking havoc even though he is on parole, and last weekend he kicked the door open on a 96 year old woman's home and destroyed many of her belongings and bled all over her residence during the commission of the crime.

PRESIDENT SHERER: And just to clarify, Ms. Davis. Um...

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KIMBERLY JUSTICE: Justice.

PRESIDENT SHERER: Clar... or, sorry, Ms. Justice. To clarify your address, please.

KIMBERLY JUSTICE: 1317 14<sup>th</sup> Street NW.

PRESIDENT SHERER: 1317 14<sup>th</sup> Street?

KIMBERLY JUSTICE: Yes. This juvenile was arrested and released immediately. He is out in the community now. He's on parole. He's a violent offender. And the citizens of this community need some help because what Canton is doing clearly isn't working.

PRESIDENT SHERER: Ms. Justice, and I would encourage you to stick around for the meeting... till after the meeting so we can have a discussion with the right people and see what we can do.

KIMBERLY JUSTICE: I can do that.

PRESIDENT SHERER: Alright, thanks.

KIMBERLY JUSTICE: Yeah, you just... you didn't hear half of it.

PRESIDENT SHERER: And that... that's fine, out of respect for the rest of the speakers. But...

KIMBERLY JUSTICE: I understand that. Thank you for listening.

PRESIDENT SHERER: Thank you for coming tonight.

KIMBERLY BELL: You want me to stick around, talk about (*inaudible*) musical chairs?

PRESIDENT SHERER: Ms. Bell.

KIMBERLY BELL: Yeah.

PRESIDENT SHERER: You're always welcome to stick around.

KIMBERLY BELL: Okay.

PRESIDENT SHERER: Our last speaker for this evening is Cliffie Davis. Ms. Davis, could you please step forward and give us your name and resid... residential address, please.

CLIFFIE DAVIS: Ooh, thank you. I can take this off, can't breathe.

PRESIDENT SHERER: You're welcome.

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CLIFFIE DAVIS: (*Chuckles*) Um, Cliffie... Mrs. Cliffie Davis, 147 31<sup>st</sup> Street, Ward 9. I come humbly but with good intentions. And first I want to commend the work that you all have done in Canton. Our Mayor, I thank you because (*inaudible*), I'm happy to be here. Um, I come for two issues, and the two issues are about youth camps and youth employment. I want to first address the Mayor. Um, I, along with the committee... um, well, we... we've been meeting for weeks planning a community wide back to school event to bring most, and almost all hopefully, organizations together for a free backpack and school supplies for our community. And it's basically to show unity in the community. Um, I'm not saying every group and organization has to participate... um, but it would... it would appear unified together if the majority of Canton would come together with one event instead of like six or eight. Um, and (*inaudible*), you know, at a different date, I would love to share the plan and garner your support. But today I come to speak on two main areas, again youth employment and summer camps. Um, they're two months away, and we're coming out of pandemic and suffering financial struggles and social isolation, and people have lost their family members. I've lost my brother, not with COVID, but things have been going on while we've been at home. And yet I have not yet heard an announcement about our...our plans for our youth. And that might not mean just the basic normal activities that we've seen the pas... for this year... um, giving the level of crime, which we see and which I anticipate more. Every urban city in Ohio is announcing plans for summer camps and programs for children but us. With millions of Care Act dollars, we need to put a robust plan together for our children. I'm a product of ATPA. My mom and dad got divorced and that was what saved our life and helped me get my school clothes. Summer camps made me who I am today, (*inaudible*) social skills were important to me. And I'm disappointing to seeing that there's no summer camp funding in the low... for the low income areas. So I come to you humbly and boldly, speaking on behalf of the youth, the future... the future of this city, the future that will sit here and take your all spot, my children, that we need to have summer camps. We need summer camps. We need youth funding. We need unemploy... we need employment, excuse me, for our youth. Where are the fun... where are the funds at for our youth, for the summer camps? I'm startled and I'm disappointed, and I come as an advocate, not to... um, to come in and spit on anyone negatively, but just to come as a mother of this community. We're recovering from a pandemic and this is a call to action and not to attack, but a call to action, Leaders. We need you, Leaders. We need you, Leaders, for our future Leaders. Thank you.

PRESIDENT SHERER: And, Ms. Davis, I would encourage you to stay after the meeting also.

CLIFFIE DAVIS: Thank you, sir.

PRESIDENT SHERER: Yeah.

CLIFFIE DAVIS: Uh-huh.

PRESIDENT SHERER: But thank you for coming tonight.

CLIFFIE DAVIS: U-mmm.

**INFORMAL RESOLUTIONS**

PRESIDENT SHERER: We are now under Informal Resolutions and we have two for this evening. Mr. Clerk, would you please begin with Ordinance... or Resolution... now, just for clarity, Clerk Dougherty, we're doing 6 and 7 or just 7?

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CLERK DOUGHERTY: 7 and 8.

PRESIDENT SHERER: 7 and 8, sorry about that. We're now under Informal Resolutions and we have two for this evening. Mr. Clerk, would you please be... read Informal Resolution #7 by title.

#7. PERSONNEL COMMITTEE: APPROVE RE-APPOINTMENT OF JAMES REINHARD TO STARK AREA REGIONAL TRANSIT AUTHORITY (SARTA) BOARD COMMENCING RETRO 4/1/21 THRU 3/31/24. – ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #7. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #7 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #7 is adopted. Informal Resolution #8, please.

#8. PERSONNEL COMMITTEE: APPROVE RE-APPOINTMENT OF CHET WARREN TO STARK AREA REGIONAL TRANSIT AUTHORITY (SARTA) BOARD COMMENCING RETRO 4/1/21 THRU 3/31/24. – ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #8. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #8 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #8 is adopted.

**COMMUNICATIONS**

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

***NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE***



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88. AGENT FOR PETITIONER WILLIAMS: COPY OF ANNEX PETITION DOCS FILED WITH STARK CO. COMMISSIONERS FOR HOF #7 ANNEX (APPROX 0.138 ACRES IN PLAIN TWP). – RECEIVED & FILED
89. ANNEXATION CHAIRMAN HAWK: REQ STATEMENT OF SERVS FOR HOF #7 ANNEX IN PLAIN TWP; ANNEX BY PETITION OF MUNICIPALITY FOR MUNICIPAL, COUNTY OR STATE OWNED LAND. – ANNEXATION COMMITTEE
90. APPLICANTS MICHAEL CRAWFORD, JOHN M. RINALDI: REQ VACATION OF PORTION OF BARR AVE, BLAKE AVE, CLEARVIEW AVE, GEORGE HALAS DR. NW, WOODWARD PLACE NW, 19<sup>TH</sup> ST. NW AND 21<sup>ST</sup> ST. NW; IN WARD 7 (MICHAEL CRAWFORD FOR HOF VILLAGE NEWCO LLC, JOHN M. RINALDI FOR CANTON CITY SCHOOL DISTRICT BOE, PUB HRG WAIVED). – PLANNING COMMISSION
91. AUDITOR MALLONN: STATEMENT OF CASH POSITION DATED 3/31/21. – RECEIVED & FILED
92. COUNCIL MEMBER HALL (WARD 6): REQ STREET NAME CHANGE FR AVALON AVENUE NE TO VERN HALL AVENUE NE (SOUTH LINE OF S.R. 153 (MAHONING RD NE) TO NORTHWEST LINE OF LOTS 40228 AND 40231). – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
93. DEPUTY MAYOR WILLIAMS: AUTH MAYOR TO FILE WITH HUD A 2021 ANNUAL ACTION PLAN FOR 2021 CDBG, 2021 HOME, AND 2021 ESG PROGRAMS; ACCEPT AND EXECUTE GRANT AGMTS WITH HUD FOR 2021 PROG YR; AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF CDBG PROG FUNDS – NO SINGLE AWARD TO EXCEED \$500,000.00 FOR COMMUNITY DEVELOPMENT ELIGIBLE ACTIVITIES BENEFITING LOW AND MOD INCOME FAMILIES; AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF ESG PROG FUNDS – NO SINGLE AWARD WILL EXCEED \$200,000.00 FOR HOMELESS PREVENTION ACTIVITIES BENEFITING VERY LOW INCOME FAMILIES; AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF HOME PROG FUNDS – NO SINGLE AWARD WILL EXCEED \$500,000.00 FOR ACTIVITIES PROVIDING HOUSING ACTIVITIES BENEFITING LOW AND MOD INCOME FAMILIES; AMEND APPROP O#49/2021 (\$2,998,470.80 SUPP APPROP FR UNAPPROP BAL OF 2211 TO 2211.506001 COMMUNITY DEVELOPMENT ADMIN – OTHER; \$710,066.00 SUPP APPROP FR UNAPPROP BAL OF 2214 TO 2214.506001 HOME FUND – OTHER; \$277,094.00 SUPP APPROP FR UNAPPROP BAL OF 2219 TO 2219.506001 EMERGENCY SHELTER GRANT – OTHER); AUTH AND DIRECT AUDITOR TO REVISE BUDGET AS PERMITTED BY COMMUNITY DEVELOPMENT BLOCK GRANT REGULATIONS, HOME INVESTMENT PARTNERSHIP PROG REGULATIONS AND EMERGENCY SOLUTIONS GRANT REGULATIONS TO UTILIZE ESTABLISHED FUND ACCOUNTS KNOWN AS CDBG, HOME AND ESG; DRAW WARRANTS AGAINST CDBG FUND, HOME FUND AND ESG FUND UPON RECEIPT OF VOUCHERS; EMERGENCY. – COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES

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94. DEPUTY MAYOR WILLIAMS: AMEND O#262/2015 AND O#145/2017 TO ADD CERTAIN PROP IN AREA COVERED BY EXISTING TIF (ATTACHED EXHIBIT A); EXEMPTS 100% OF INCREASED VALUE OF IMPROVEMENTS TO ADDT'L PROP FR TAXATION DURING TERM OF COMPENSATION AGMT WITH SCHOOL DISTRICTS; EMERGENCY. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
95. LAW DIRECTOR AYLWARD: AUTH AMENDMENTS TO SECTIONS 355.01 AND 355.04 OF COD ORD TO EXTEND EXCEPTIONS TO VACANT RESIDENTIAL LOTS TO CLARIFY POLICE DEPT'S AUTHORITY TO REMOVE AND IMPOUND VEHICLES TRESPASSING ON THESE LOTS. – JUDICIARY COMMITTEE
96. LIQUOR CONTROL DIV (OHIO): REQ NEW C2 PERMIT (#1232996) FOR CANTON COUNT LLC @ 1135 MARKET AVE N. – RECEIVED & FILED
97. LIQUOR CONTROL DIV (OHIO): REQ NEW C2 PERMIT (#26312754015) FOR FAMILY DOLLAR STORES OF OHIO, INC DBA FAMILY DOLLAR STORE 32246 @ 1272 HARRISON AVE SW. – RECEIVED & FILED
98. LIQUOR CONTROL DIV (OHIO): REQ NEW C2 PERMIT (#0024044) FOR LA ABEJA REYNA SUPERMARKET LLC @ 1119 12<sup>TH</sup> ST NW. – RECEIVED & FILED
99. LIQUOR CONTROL DIV (OHIO): REQ NEW D5 PERMIT (#26114400005) FOR FACTORY OF TERROR LLC, UNIT A & PATIO @4125 MAHONING RD NE. – RECEIVED & FILED
100. PLANNING COMMISSION: RECOMMENDS CONDITIONAL APPV'L OF PROPOSED VAC OF BARR AVE NW FR NORTH LINE OF PT. OUT LOT 1395 TO SOUTH LINE OF FULTON AVE (S.R. 687), GEORGE HALAS DR NW FR NORTH LINE OF OUT LOT 1401 AND EAST LINE OF 43285 TO SOUTH LINE OF FULTON AVE (S.R. 687), CLEARVIEW AVE FR THE NORTH LINE OF PT OUT LOT 1380 TO 3 FT NORTH OF SOUTH LINE OF LOT 43265 AND 43190, BLAKE AVE NW FR NORTH LINE OF PT OUT LOT 1416 TO SOUTH LINE OF FULTON AVE (S.R. 687), WOODWARD PL NW FR EAST LINE OF CLEARVIEW AVE TO WEST LINE OF BLAKE AVE NW, 21<sup>ST</sup> NW FR EAST LINE OF CLARENDON AVE TO EAST LINE OF BLAKE AVE NW, 19<sup>TH</sup> ST NW FR EAST LINE OF CLARENDON AVE TO EAST LINE OF BLAKE AVE NW, REPLATTING STREETS VACATED ABOVE AND CANTON CITY LOTS 43139–43145, 43170–43177, 43179–43210, 43221–43232, 43245, 43250–43287, 43317–43332, 43340–43341, 43346–43351, 43354–43364, 43432–43439, OUT LOT 1349 AND 1401, PT OUT LOT 1395, 1396, 1407 AND 1416, WARD 7 (MICHAEL CRAWFORD FOR HOF VILLAGE NEWCO LLC, JOHN M. RINALDI FOR CANTON CITY SCHOOL DISTRICT BOE). – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
101. PLANNING COMMISSION: RECOMMENDS APPV'L OF PROPOSED REPLAT OF LOTS 23361 AND 23362 (PARCELS 225480 & 225481), IN WARD 9 (FOR HABITAT FOR HUMANITY). – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
102. PLANNING COMMISSION: RECOMMENDS APPV'L OF PROPOSED CITY WIDE ZONE CHANGE FOR SEVERAL LOCATIONS: 2823 9<sup>TH</sup> ST SW – CEDAR ELEM. SCHOOL (PARCELS 280183, 285159, 285189, 285168, 285195, 285166, 285160, 285161, 285243, 285188, 285200 & 285196 – R-1A TO CS), IN WARD 3; 2339 17<sup>TH</sup> ST SW – MCGREGOR ELEM. SCHOOL

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(PARCELS 280185, 280216, 234968, 200777, 200776, 200775, 200774, 200781 & 217404 – R1-A TO CS), IN WARD 5; 3550 COLUMBUS RD NE – SKYLAND PINES GOLF COURSE (PARCEL 304356 – CS, PI-1 & B-3 TO I-1), IN WARD 6; 1600 GATEWAY BLVD SE – STARK AREA REG TRANSIT AUTHORITY (SARTA) (PARCEL 10013546 – I-2, OS & R-4 TO I-2), IN WARD 4; 1318 GONDER AVE SE STARK METRO HOUSING AUTHORITY (PARCELS 281660 & 28490223 – R-4 TO B-2), IN WARD 4. – JUDICIARY COMMITTEE

103. PLANNING COMMISSION: RECOMMENDS APPV'L OF PROPOSED REPLAT OF PART OF OUT LOTS 305 AND 306 (PARCELS 281785, 280814, 10003341), IN WARD 4 (FOR CITY OF CANTON @ 1400 SHERRICK RD SE). – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
104. SERVICE DIRECTOR HIGHMAN: REQ LEG FOR 2021 ODOT WINTER ROAD SALT CONTRACT TO INCLUDE EXACT LANGUAGE CONTAINED IN ATTACHED DRAFT; EMERGENCY. – FINANCE COMMITTEE
105. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER #2 AND FINAL IN AMT OF \$19,957.23 WITH STANLEY MILLER CONSTR CO. FOR PROJ; RETRO AUTH ALL ACTIONS TAKEN TO COMPLETE PROJ PRIOR TO COMPLETION OF FINAL CHANGE ORDER DIRECTING AUDITOR TO PAY ALL MORAL OBS RELATED; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (3<sup>RD</sup> ST. SE BRIDGE PROJECT, GP 1167). – FINANCE COMMITTEE
106. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDER #2 IN AMT OF \$179,951.35 WITH NORTHSTAR ASPHALT, INC. FOR PROJ; RETRO AUTH ALL ACTIONS TAKEN TO COMPLETE PROJ PRIOR TO COMPLETION OF FINAL CHANGE ORDER DIRECTING AUDITOR TO PAY AND ALL MORAL OBS RELATED; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (13<sup>TH</sup> ST NW ROADWAY RECONSTRUCTION PROJECT, G.P. 1248, PID 104873). – FINANCE COMMITTEE
107. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 2/28/21 FILED. – RECEIVED & FILED
108. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF 2/28/21. – RECEIVED & FILED
109. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR FEBRUARY 2021. – RECEIVED & FILED

**ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING**

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

***NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #1, #3 THROUGH #5 AND #7 AND RESOLUTIONS #2 AND #6 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

**MINUTES OF THE MEETING APRIL 5, 2021**

- O#1. (1<sup>ST</sup> RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY REDWOOD TOXICOLOGY LABORATORY, INC. A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$1,467 FOR THE CANTON MUNICIPAL COURT; AND DECLARING THE SAME TO BE AN EMERGENCY (DRUG TESTING SUPPLIES)  
Referred to Finance Committee
- O#2. (1<sup>ST</sup> RDG) A RESOLUTION ACCEPTING THE TAX INCENTIVE REVIEW COUNCIL'S RECENT RECOMMENDATIONS REGARDING ENTERPRISE ZONE AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY (CONTINUE TO 2022: RELIABLE READY MIX, JULZ BY ALAN RODRIGUEZ, SLESNICK REALTY CO, MEDLINE INDUSTRIES, INC., BALL METALPACK, LLC, AMBAFLEX MFG, INC., 12R POWER CABLE INC; TERMINATE: LESH PROP. INC.)  
Referred to Community & Economic Development Committee
- O#3. 1<sup>ST</sup> RDG) AN ORDINANCE AMENDING SECTION 1198.12, MEDICAL MARIJUANA FACILITIES INCLUDING CULTIVATION FACILITIES, PROCESSING FACILITIES, DISPENSARIES AND TESTING LABORATORIES OF CHAPTER 1198, CONDITIONAL USES OF THE PLANNING AND ZONING CODE  
Referred to Judiciary Committee
- O#4. (1<sup>ST</sup> RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF OUTLOT 1111; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL 247089 FOR NASSIMI REALTY CORP, CANTON ZAR LLC AND CANTON MALL REALTY LLC @ 4300 W. TUSCARAWAS ST W, WARD 3)  
Referred to Public Safety & Thoroughfares Committee

*(COUNCIL RECESSED AT 7:32 PM FOR THE FINANCE, ANNEXATION AND PUBLIC SAFETY & THOROUGHFARES COMMITTEES TO DISCUSS O#5, RE#6 AND O#7; RECONVENED AT 7:41 PM)*

- O#5. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 66/2021** AN ORDINANCE AUTHORIZING THE CANTON BOARD OF HEALTH TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO RESPOND TO THE COVID-19 VACCINATION SCHEDULING EMERGENCY; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS FROM RESPONDING TO THIS EMERGENCY SITUATION; AND DECLARING THE SAME TO BE AN EMERGENCY  
Referred to Finance Committee
- O#6. (1<sup>ST</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 67/2021** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNERS IN THE HOF VILLAGE #7 ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO

**MINUTES OF THE MEETING APRIL 5, 2021**

THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Annexation Committee

O#7. (1<sup>ST</sup> RDG) **ADOPTED AS ORDINANCE NO. 68/2021** AN ORDINANCE RENAMING AVALON AVENUE NE FROM THE SOUTH LINE OF S.R. 153 (MAHONING ROAD NE) TO THE NORTHWEST LINE OF LOTS 40228 AND 40231 TO “VERN HALL AVENUE NE”

Referred to Public Safety & Thoroughfares Committee

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the Finance, Annexation and Public Safety & Thoroughfares Committees to meet in regards to Ordinances 5 through 7 on your agenda this evening. You are now in recess.

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

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules on Ordinances 5 through 7 on this evening’s agenda. Rule 22A and add Ordinances 5 through 7 back to this evening’s agenda.

MEMBER BABCOCK: Second.

MEMBER SMUCKLER: I’m sorry, Mr. President, I move we suspend Rule 22A to place Ordinances 5 through 7 back on this evening’s agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: And just for clarity, #6 is Reso... Resolution #6. Correct, Clerk Dougherty?

CLERK DOUGHERTY: Yes.

PRESIDENT SHERER: Okay. It’s been moved and seconded to suspend Rule 22A to place Ordinances 5, 7 and Resolution #6 back on this evening’s agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 5 and 7 and Ordinance... or, and Resolution #6 are a part of your agenda. Leader.

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MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules on Ordinances 5 and 7 and Resolution #6.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 5 and 7 and Resolution #6. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

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

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#5 ADOPTED AS ORDINANCE NO. 66/2021**

PRESIDENT SHERER: The motion carries and Ordinance #5 is adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Resolution #6. Are there any remarks? Leader.

MEMBER SMUCKLER: Mr. President, I move to amend Resolution #6 by the amendment before every Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Resolution #6 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.

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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 Resolution #6, as amended.

MEMBER BABCOCK: Second... second.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 6 by the substitution of the attached amended ordinance for the original pending ordinance.*

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#6 ADOPTED AS AMENDED AS RESOLUTION NO. 67/2021**

PRESIDENT SHERER: The motion carries and Resolution #6 as amended has been 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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#7 ADOPTED AS ORDINANCE NO. 68/2021**

PRESIDENT SHERER: The motion carries and Ordinance #7 has been adopted.

**ORDINANCES AND FORMAL RESOLUTIONS FOR SECOND READING**

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

***NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #8 AND #9 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

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- O#8. (2<sup>ND</sup> RDG) 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
- O#9. (2<sup>ND</sup> RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH IBI GROUP FOR DESIGN OF THE PERRY DRIVE NW WATER MAIN REPLACEMENT PROJECT; AMENDING THE 2021 FINAL APPROPRIATION ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (\$38,445.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS FUND TO 5201 207075 PERRY DRIVE NW WATER MAIN REPLACEMENT PROJECT – OTHER)

**ORDINANCES AND FORMAL RESOLUTIONS FOR THIRD AND FINAL READING**

PRESIDENT SHERER: We are now under Ordinance and Formal Resolutions for their Third/Final Reading and Vote. Mr. Clerk, please begin with Ordinance #10.

***NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCE #10 THROUGH ORDINANCE #18 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:***

- O#10. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 69/2021** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR KEMPTHORN, INC. EXPENSES FOR A RENTAL VAN; AND DECLARING THE SAME TO BE AN EMERGENCY (FRESH START PROGRAM)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#10 ADOPTED AS ORDINANCE NO. 69/2021**

PRESIDENT SHERER: Motion carries and Ordinance #10 is adopted. Ordinance #11, please.



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O#11. (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 70/2021** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 239/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$3,650.00 APPROP TRF FR 2760 102001 POLICE ADMIN – OTHER TO 2760 102001 POLICE ADMIN – PAYROLL (OVERTIME FOR FEDERAL FORFEITURE CASES))

PRESIDENT SHERER: 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.

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #11 per the copy before every Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #11 per the copy before each of you. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

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

MEMBER BABCOCK: Second.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 11 by amending the Caption and Section 1 to change the Ordinance No. "239/2020" to "49/2021."*

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#11 ADOPTED AS AMENDED AS ORDINANCE NO. 70/2021**

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PRESIDENT SHERER: The motion carries and Ordinance #11, as amended, has been adopted. Ordinance #12, please.

O#12. (3<sup>RD</sup> RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 71/2021** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 239/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$50,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207074 SC LAGOON DECHLORINATION BUILDING – OTHER (SUGARCREEK WATER TREATMENT PLANT)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #12. Are there any remarks?  
Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance... I move we amend Ordinance #12 by the amendment before every Council Member.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #12 per the copy before each of you. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

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

MEMBER BABCOCK: Second.

**AMENDMENT**

*Pursuant to Rule 36, I move to amend Agenda Item No. 12 by amending the Caption and Section 1 to change the Ordinance No. "239/2020" to "49/2021."*

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

NO REMARKS

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

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

**#12 ADOPTED AS AMENDED AS ORDINANCE NO. 71/2021**

PRESIDENT SHERER: The Motion carries and the Ord... and Ordinance #12, as amended, has been adopted. Ordinance #13, please.

O#13. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 72/2021** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOTS 12462-12466 AND ALL OF LOTS 41857, 41858 & 41860; AND DECLARING THE SAME TO BE AN EMERGENCY (JEFF MATTINGLY FOR PROP OWNERS @ 2321 CLEVE AVE NW, WARD 7)

PRESIDENT SHERER: Leader.

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?

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: I just wanted to echo for the record what I said during the Committee Meeting, I am not in favor of the business that is going to be moving into this location. Um, I don't support the development, had every intention of voting no and lobbying to have this defeated, but after our Law Department looked at the legalities of what we're voting on, this vote is an administrative vote and over saturation, having a business go into this area that is not, in my opinion, ideal or needed, is not a legal reason to vote no or to defeat this. And it would open us up to potential litigation that we would more than likely lose. Uh, I would like to thank the Law Director for having her office look into over saturation laws and what other cities have done on this topic. Um, I just wanted to echo that for the record. I will be voting yes on this, but I do not support this development. Thank you.

PRESIDENT SHERER: Thank you, Member Mariol. Are there any additional remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 9 YEAS, 2 NAYS  
(MEMBER HAWK AND MEMBER MORRIS VOTED NO)

CLERK DOUGHERTY: Nine yeas, two nays, Mr. President.

**#13 ADOPTED AS ORDINANCE NO. 72/2021**

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

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O#14. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 73/2021** AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE CANTON SERVICE CENTER – 30<sup>TH</sup> ST NE ANNEXATION AREA CONTAINING APPROXIMATELY 6.389 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS I-1 LIGHT INDUSTRY DISTRICT (I-1); AND DECLARING THE SAME TO BE AN EMERGENCY

**PUB HRG 4/5/21 @ 7:00 PM**

PRESIDENT SHERER: Leader.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#14 ADOPTED AS ORDINANCE NO. 73/2021**

PRESIDENT SHERER: Motion carries and Ordinance #14 is adopted. Ordinance #15, please.

O#15. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 74/2021** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY B&H PHOTO VIDEO, LLC A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$1,819.79 FOR THE FIRE DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY (VIDEO EQUIP)

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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#15 ADOPTED AS ORDINANCE NO. 74/2021**

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

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O#16. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 75/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO: ENTER INTO ALL SOLE SOURCE/PROFESSIONAL SERVICES CONTRACTS NECESSARY WITH WI-FIBER, LLC FOR ADDITIONAL CLOUD STORAGE, NOT TO EXCEED \$120,000.00 ANNUALLY; ENTER INTO ALL CONTRACTS NECESSARY IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY EITHER THE OHIO REVISED CODE OR CANTON CODIFIED ORDINANCES; AND TO ENTER INTO ALL PROFESSIONAL SERVICES CONTRACTS FOR THE INSTALLATION OF THE ABOVE-REFERENCED HARDWARE AND SOFTWARE NEEDED FOR THIS PROJECT; AUTHORIZES THE AUDITOR TO PAY ALL MORAL OBLIGATIONS THAT ARISE WITH THIS PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY (WI-FIBER NEIGHBORHOOD CAMERA PROJ, POLICE DEPT)

PRESIDENT SHERER: Leader.

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

PRESIDENT SHERER: 16.

CLERK DOUGHERTY: 16.

MEMBER SMUCKLER: I'm sorry, I move we adopted Ordinance #16.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #16. Are there any remarks?  
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#16 ADOPTED AS ORDINANCE NO. 75/2021**

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

O#17. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 76/2021** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY MASIMOS AMERICAS, INC. A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$3,360.00 FOR THE FIRE DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY (PULSE OXIMETERS)

PRESIDENT SHERER: Leader.

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

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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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#17 ADOPTED AS ORDINANCE NO. 76/2021**

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

O#18. (3<sup>RD</sup> RDG) **ADOPTED AS ORDINANCE NO. 77/2021** AN ORDINANCE AUTHORIZING THE LIGHTING IMPROVEMENTS AT THE STARK US-30/RAFF/WHIPPLE INTERCHANGES; AND DECLARING THE SAME TO BE AN EMERGENCY (PID 106204, RT 30)

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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

**#18 ADOPTED AS ORDINANCE NO. 77/2021**

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

**ANNOUNCEMENT OF COMMITTEE MEETINGS**

PRESIDENT SHERER: We are now under announcement of Committee Meetings.

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Finance will meet April 19<sup>th</sup> at 6:30 here in Council Chambers.

PRESIDENT SHERER: Thank you, Member Mariol.

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MEMBER FERGUSON: Mr. President.

PRESIDENT SHERER: Member Ferguson.

MEMBER SCHULMAN: Mr. President. Oops, I'm sorry.

MEMBER FERGUSON: Community & Economic Development Committee will meet on the 19<sup>th</sup> at 6:30 also.

PRESIDENT SHERER: Thank you, Member Ferguson. Member Schulman.

MEMBER SCHULMAN: Yes. Uh, Judiciary will meet same time, same place.

PRESIDENT SHERER: Thank you, Member Schulman. Member Kimbrough.

MEMBER KIMBROUGH: Uh, Public Safety & Thoroughfares will meet same place, same time.

PRESIDENT SHERER: Thank you, Member Kimbrough.

**MISCELLANEOUS BUSINESS**

PRESIDENT SHERER: We're now under Miscellaneous Business. Is there anything under Miscellaneous Business for this evening?

MAYOR BERNABEI: Uh-huh, Mr. President.

PRESIDENT SHERER: Mayor Bernabei.

MAYOR BERNABEI: Mr. President, Members of Council, I wanted to give an opportunity specifically to Fonda tonight to address some of the issues that were, you know, raised by Ms. Cliffie Davis during her questions about Public Speaks with regard to summer camps and summer youth employment. A lot of planning has been done. In fact, if you'll look at Communication #93 on your agenda tonight, that is a communication that sends to City Council the 2021 Annual Plan which is required by the Hou... by Housing and Urban Development with regard to CDBG, ESG and Home Funds. So some segment of that applies to summer camps and some summer youth employment, but also, of course, the City will be receiving funds under ARP, the American Rescue Plan. Those funds are not yet received and are not anticipated probably for another thirty days. There are no... are no Treasury regulations on those as yet. But again, planning is ongoing with regard to those, with regard to summer youth employment also between the City of Canton and our school district that we're working together with. So Fonda, if you could please provide us some information regarding all of the above. Thank you.

DEPUTY MAYOR WILLIAMS: Uh, yes. Thank you, Mayor. And just to piggyback, with our Federal funds, which are on the agenda tonight, we went to an RP process to work with many of our partners to be able to provide camps for this summer. So specifically, when we're talking about summer youth camps, we'll be working with EN-RICH-MENT... uh, with Betty Smith, who puts on a fine arts academy. And again, 99 percent of our programs are for low to moderate income children, and that's because of the Federal funds we're

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utilizing. Uh, we also have a program through Stark County Community Action Agency called Stepping Off to College. It's a college preparatory program for again low to moderate income young people. Uh, we have a partnership with Malone University. Uh, this gives inner city kids an opportunity to experience careers in wildlife. Uh, we work with a local church called Tiqvah for Hands of Hope. Uh, they have a summer program every year that teaches kids about financial literacy and things of that nature. Uh, we have also a partner, Stark County Community Action Agency, who runs Camp 707. This camp is specifically for young people who live in the 44707 zip code, and this program covers education enrichment. Uh, we work with the Eric Snow Family YMCA with their Achievers Program, and just so you know, there are only one of three communities in Ohio that was chosen to offer this program. This program offers mentoring, tutoring, self-esteem workshops, again to inner city young people. Um, TomTod Ideas, again a great, great summer program we'll be working with. Their excellent partner, PAX, Project for Academic Excellence, it's a... it has been around for about thirty years now. We're proud to partner with the program folks for that particular program. Uh, also First Tee, that's another partner of ours for summer camps. Um, also another pro... another program that Stark County Community Action Agency runs is a youth enrichment program that touches well over sixty kids. And then we even have a volley ball camp with Malone University. And then DeLores Pressley has a program strictly for young women called She Elevates. Uh, so with all the ones I've mentioned, and there's some more, we will touch over five hundred young people, and that's just through summer camps, and that's utilizing the Federal funds that the Mayor talked about which is referenced in Communication 93. In regards to summer youth employment, we are working with Stark County Community Action Agency as well as Canton City Schools to put together, in my opinion, a robust summer youth employment, and this particular program will be in response to COVID. Uh, what are plans are is for our young people to be in a classroom and have the opportunity to deal with credit recovery and then academic assistance because many of them have not kept up to par where they should be in their academic. So we like to have them part of the day in the classroom, the other part of the day they will be transported to a local employer so they can learn some, what I call gainful employment and real life work experience. Uh, we... we will have some young people working in our parks because that's necessary, as well in our neighborhoods. For the most part, we are working a plan right now to have them aligned with a local employer so they can have a real life practical experience. Uh, Canton City Council will be receiving a communication at our next meeting to put... put the proper funding in place for the summer employment piece to move forward, but I can tell you, planning has been well underway and we're looking forward to a wonderful summer to help our young people, summer of 2021. Thank you.

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. Williams, on the summer camp pro...

DEPUTY MAYOR WILLIAMS: Yes.

MEMBER SMUCKLER: How... summer camp program, how are we getting the word out for that?

DEPUTY MAYOR WILLIAMS: Well, I mean, all of the different agencies that I mentioned that we work with, trust me, they have no problem, no problem whatsoever, getting young people. Uh, I'll be happy to talk more about it when the legislation comes before Council. Um, I can even share with you a spreadsheet of the



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funding that we have recommended to the Mayor to move forward with our partners and the number of young people we're trying to touch.

MEMBER SMUCKLER: How many... how many summer hires are we looking at?

DEPUTY MAYOR WILLIAMS: Right now we're planning for just over a hundred, and that's just strictly from city funding. We have a request to the Canton City Schools to match our funding which would double our numbers. Uh, hopefully I'll have that number for you all this week.

MEMBER SMUCKLER: And that would be through the Canton City Schools we would be advertising that?

DEPUTY MAYOR WILLIAMS: Yes, through Canton City Schools, that's correct. And a partnership with Stark County Community Action Agency.

MEMBER SMUCKLER: Thank you, Mr. Williams.

DEPUTY MAYOR WILLIAMS: Thank you.

MEMBER HALL: Mr. President.

PRESIDENT SHERER: Member Hall.

MEMBER HALL: Two things. First one... uh, through the summer help that the Administration puts on in different departments, can we make sure this year and do our best that these are residents of Canton City, so we're hiring kids that can help their families. Second thing, with the next COVID dollars coming through, may we get a report of which agencies and businesses receive funding through the first COVID spendings.

DEPUTY MAYOR WILLIAMS: Uh, Mr. President.

PRESIDENT SHERER: Deputy Mayor.

DEPUTY MAYOR WILLIAMS: Uh, Member Hall, yes and yes. *(Laughter)*

PRESIDENT SHERER: Short and to the point. Thank you, Deputy Mayor. Member Kimbrough.

MEMBER KIMBROUGH: Um, I wanted to ask, I know with the Park Levy coming up...

PRESIDENT SHERER: Member Kimbrough, hold that thought. Let... let Clerk Dougherty bring the mic over for you so everybody can hear you real quick.

MEMBER KIMBROUGH: Okay. Okay, I had a question about... uh, I know the Park Levy is coming up, and I had a question about how the money was spent from the last levy. Can... is there someone that can give me a report on how the money was spent and where the money was spent on the last levy?

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PRESIDENT SHERER: May... Mayor Bernabei.

MAYOR BERNABEI: Member Kimbrough, we will be glad to give you a very specific report of... a park levy is an issue campaign and therefore it's required under all of the re... campaign funding requirements of the Secretary of State to report all funning... funding. But essentially the money is spent, as in many campaigns, for mailers predominantly, for yard signs predominantly, for door hangers, for radio ads... um, and things of that nature that are normally used in an issue political campaign. But we can provide you an actual report, both for the current levy year to date and also for the 2016 levy.

MEMBER KIMBROUGH: Thank you.

PRESIDENT SHERER: Thank you, Member Kimbrough. Is there anything else under Miscellaneous Business? ...Um, I do have one thing. Um, over the last month and a half I've gotten numerous complaints from numerous constituents that live within the city about people that are parking in their front yards, people that are parking on the sidewalks, people that are... and along with numerous other issues that we have with our city right now. I just want to let everybody know, and especially the Council Members, that myself and Member Hawk have met with... with J.R. Rinaldi in Code Enforcement, Matt Bailey in Zoning, Kelly Parker with the Law Department and this is... it's on ongoing issue with every ward in the city obviously. Um, that the ta... the... Chief Angelo is gonna establish a traf... basically a traffic task force to handle these issues, and what we're encouraging all the Council Members, including the constituents that live in the city, to use SeeClickFix. The chief and the police department want to have the paper trail and their... their turn around time, they been... they been doing fairly well right now, they are. But we're... the Chief wants to encourage all the Council Members that if you have that type of issue going on in your ward to use SeeClickFix and they will immediately try to get a turn around time within twenty-four to forty-eight hours. But that's... uh, all that they have. And one last thing, Leader... uh, Leader Smuckler asked for a moment of silence for Member Fisher's family, I would ask that everybody keep Member Fisher in their prayers cause Rob has been going... he's had a tough couple years. He's endured a lot of family tragedy and a lot of losses, but if we could keep Member Fisher in... in our prayers tonight, that would... that would be really, really appreciated. Is there anything else under Miscellaneous Business? ...Hearing none, Clerk Dougherty, our quote for the week, please.

CLERK DOUGHERTY: *"Opportunity is missed by most people because it is dressed in overalls and looks like work."* – Thomas Edison

PRESIDENT SHERER: There you go. Leader.

MEMBER SMUCKLER: Mr. President, 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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

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

ADJOURNMENT TIME: 8:15 PM

ATTEST: 4/8/21

APPROVED:

DAVID R. DOUGHERTY  
CLERK OF COUNCIL

WILLIAM SHERER, II  
PRESIDENT