

MINUTES OF THE MEETING APRIL 27, 2020

PRESIDENT SHERER: Good evening ladies and gentlemen. With a quorum being present... right, and welcome to Canton City Council. Please... I got... glasses are fogging up. (*Chuckles*)

MEMBER SMUCKLER: Yeah, you can't do... you can't do it.

PRESIDENT SHERER: Yeah, I know. Please turn your cell phones to vibrate, please. With a quorum being present, the Chair calls this meeting of the Canton City Council to order. Roll call please, Mr. Clerk.

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. (MEMBERS SCHULMAN, KIMBROUGH, MARIOL & MORRIS APPEARED VIA TELECONFERENCE)

CLERK DOUGHERTY: Twelve present, Mr. President.

PRESIDENT SHERER: Tonight's invocation will be given by At-Large Council Member, Bill Smuckler. Would you all please stand and remain standing for the Pledge of Allegiance.

PRESIDENT SHERER: Tha... thank you Member Smuckler.

The regular meeting of Canton City Council was held on April 27, 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 At-Large Council Member, Bill Smuckler. The Pledge of Allegiance was led by President Sherer.

AGENDA CORRECTIONS AND CHANGES

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

MEMBER SMUCKLER: Mr. President, I move to suspend Rule 22A to add 2nd Readings 6 and 7 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 6 and 7 to this evening's agenda. 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 6 and 7 are a legal part of your agenda.

MINUTES OF THE MEETING APRIL 27, 2020**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 J.R. COLEMAN SENIOR OUTREACH SERVICES, INC. ANNEXATION AREA CONTAINING APPROXIMATELY 3.120 ACRES, MORE OR LESS, ASSIGNING SAID TERRITORY TO WARD 1 OF THE CITY; ZONING SAID TERRITORY AS GENERAL BUSINESS DISTRICT (B-3).

PRESIDENT SHERER: Is there anyone in the audience wishing to speak for or against this designation, please step forward. I must repeat, is there anyone in the audience wishing to speak for or against this designation, please step forward. Seeing no one step forward, the Chair declares the Public Hearing over in regards... 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 tonight.

PUBLIC SPEAKS

PRESIDENT SHERER: We are now under Public Speaks and we have no speakers for this evening.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: We are now under Informal Resolutions and we have two for this evening. Mr. Clerk, would you please read Resolution #21 by title.

#21. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SAFETY DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL AMOUNT NOT TO EXCEED \$49,999.99 FOR PURCHASE OF EQUIPMENT FOR A LADDER TRUCK FOR FIRE DEPARTMENT – ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #21. Are there any remarks? ...Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #21 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #21 is adopted.

PRESIDENT SHERER: Mr. Clerk, Informal Resolution #22, please.

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#22. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SAFETY DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL AMOUNT NOT TO EXCEED \$49,999.99 FOR PURCHASE OF EQUIPMENT FOR A PUMPER FOR FIRE DEPARTMENT - ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #22.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #22. Are there any remarks? ...Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #22 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #22 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 APRIL 27, 2020.

150. COURT ADMINISTRATOR KOCHERA: CANTON MUNI COURT ANNUAL RPT AND FINANCIAL STATEMENT FOR 2019. – RECEIVED & FILED

151. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO JOB CREATION TAX CREDIT AGMT WITH RMI TITANIUM DBA HOWMET AEROSPACE, INC. @ 1935 WARNER RD SE FOR 10- YR, 1% INCOME TAX CREDIT AS INCENTIVE FOR CREATING 75 NEW JOBS. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

152. FINANCE DIRECTOR CROUSE: AMEND APPROP O#59/2020 (\$1,349.03 SUPP APPROP FR UNAPPROP BAL OF 2791 EDW BYRNE MEM JUST ASST GRANT FUND TO 2791 102001 POLICE ADMIN. – OTHER); EMERGENCY. – FINANCE COMMITTEE

153. PLANNING COMMISSION: REQ REPLAT OF PART OF CITY LOTS 366-370, 517-521, 18644-18647, ALL OF CITY LOTS 1684, 6391-6393, 33695, 41841 & 41498-41513, PART OF OUTLOTS 799-801, AND 4 VACATED ALLEYS IN CITY OF CANTON (PARCEL #10006083), IN WARD 4 (FOR EAGLE REALTY, LTD. @ 732 PIEDMONT AVE. SE). – PUBLIC SAFETY & THOROUGHFARES COMMITTEE

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154. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR THE HOF VILLAGE #6 ANNEXATION (ZONING CLASSIFICATION – HOFV-HALL OF FAME VILLAGE DISTRICT, WARD 7). – ANNEXATION COMMITTEE
155. SAFETY DIRECTOR PERRY: AUTH SAF DIR TO ENTER ONE OR MORE PURCH ORDERS IN AMT NOT TO EXCEED \$49,999.99 FOR PURCH OF EQUIPMENT FOR ONE (1) LADDER TRUCK (FIRE DEPT) – RECEIVED & FILED
156. SAFETY DIRECTOR PERRY: AUTH SAF DIR TO ENTER ONE OR MORE PURCH ORDERS IN AMT NOT TO EXCEED \$49,999.99 FOR PURCH OF EQUIPMENT FOR ONE (1) PROGRAM 1 PUMPER (FIRE DEPT). – RECEIVED & FILED
157. SERVICE DIRECTOR HIGHMAN: NOTICE OF FAWCETT COURT NW DRAINAGE PROJECT – GP 1300 PROJECT LABOR AGMT WAIVER. – RECEIVED & FILED
158. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO EXECUTE CHANGE ORDER #2 FOR CONSTRUCTION ADMIN AND OVERSIGHT SERVS FOR MAHONING ROAD CORRIDOR PROJ, PHASE 2, GP 1103, PID 90365 WITH MICHAEL BAKER JR. INC. IN AMT OF \$341,896.80; RETRO AUTH ACTIONS TAKEN PRIOR TO FINALIZATION OF CHANGE ORDER TO FACILITATE PROJ AND AUTH AUDITOR TO PAY ALL MORAL OBS RELATED; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
159. SERVICE DIRECTOR HIGHMAN: AUTH AUDITOR TO ESTABLISH 4591 36TH ST. NW STORM, ROADWAY, WATER AND SEWER PROJ – GP 1270 FUND TO TRACK PROJ EXPENDITURES; AUTH AUDITOR TO ESTABLISH 4592 2020 PAVING PROG PHASE 2 (HARMONT AVE. NE) FUND TO TRACK PROJ EXPENDITURES; AMEND APPROP O#59/2020 (\$1,050,352.00 SUPP APPROP FR UNAPPROP BAL OF 4591 36TH ST. NW STORM, ROADWAY, WATER AND SEWER PROJ – GP 1270 FUND TO 4591 202058 36TH ST. NW STORM, ROADWAY, WATER AND SEWER PROJ – GP 1270 – OTHER; \$250,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS – OPERATING FUND TO 5201 202058 36TH ST. NW STORM, ROADWAY, WATER AND SEWER PROJ – GP 1270 – OTHER; \$200,000.00 SUPP APPROP FR UNAPPROP BAL OF 4592 2020 PAVING PROG PHASE 2 (HARMONT AVE. NE) FUND TO 4592 202059 2020 PAVING PROG PHASE 2 (HARMONT AVE. NE) – OTHER; \$274,755.00 SUPP APPROP FR UNAPPROP BAL OF 4506 2006 CITY INFRASTRUCTURE BOND FUND TO 4506 202001 ENGINEERING – ADMINISTRATION – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – PUBLIC PROPERTY CAPITAL IMPROVEMENT, FINANCE COMMITTEES AND ENVIRONMENTAL & PUBLIC UTILITIES

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 THROUGH #5 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE O#1 THROUGH O#5 ADOPTED):

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- O#1. (1ST RDG) **ADOPTED AS ORDINANCE NO. 90/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB CREATION AGREEMENT WITH RMI TITANIUM DBA HOWMET AEROSPACE, INC. PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY (10-YR, 1% INCOME TAX REIMBURSEMENT AGMT)
Referred to Community & Economic Development Committee
- O#2. (1ST RDG) **ADOPTED AS ORDINANCE NO. 91/2020** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,349.03 SUPP APPROP FR UNAPPROP BAL OF 2791 EDW BYRNE MEM JUST ASST GRANT FUND TO 2791 102001 POLICE ADMIN – OTHER)
Referred to Finance Committee
- O#3. (1ST RDG) **ADOPTED AS ORDINANCE NO. 92/2020** AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOTS 366-370, 517-521, 18644-18647, ALL OF LOTS 1684, 6391-6393, 33695, 41841 AND 41498-41513, PART OF OUTLOTS 799-801 AND FOUR VACATED ALLEYS; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL #10006083, IN WARD 4 FOR EAGLE REALTY, LTD. @ 732 PIEDMONT AVE. SE)
Referred to Public Safety & Thoroughfares Committee
- O#4. (1ST RDG) **ADOPTED AS ORDINANCE NO. 93/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO EXECUTE CHANGE ORDER #2 FOR CONSTRUCTION ADMINISTRATION AND OVERSIGHT SERVICES FOR THE MAHONING ROAD CORRIDOR PROJECT, PHASE 2, GP 1103, PID 90365 WITH MICHAEL BAKER JR., INC. IN AN AMOUNT NOT TO EXCEED \$341,896.80; RETROACTIVELY AUTHORIZES ALL ACTIONS TAKEN PRIOR TO THE FINALIZATION OF SAID CHANGE ORDER TO FACILITATE THE PROJECT; AUTHORIZING THE AUDITOR TO PAY ANY MORAL OBLIGATIONS RELATED TO THE SAME; AND DECLARING THE SAME TO BE EMERGENCY
Referred to Finance and Environmental & Public Utilities Committees
- O#5. (1ST RDG) **ADOPTED AS ORDINANCE NO. 94/2020** AN ORDINANCE AUTHORIZING THE AUDITOR TO CREATE THE 4591 36TH ST NW STORM, ROADWAY, WATER AND SEWER PROJECT GP 1270 FUND AND THE 4592 2020 PAVING PROGRAM PHASE 2 (HARMONT AVE NE); AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,050,352.00 SUPP APPROP FR UNAPPROP BAL OF 4591 36TH ST NW STORM, ROADWAY, WATER AND SEWER PROJ, GP 1270 FUND TO 4591 202058 36TH ST NW STORM, ROADWAY, WATER AND SEWER PROJ – GP 1270 – OTHER; \$250,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING FUND TO 5201 202058 36TH ST NW STORM, ROADWAY, WATER AND SEWER PROJ – GP

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1270 – OTHER; \$200,000.00 SUPP APPROP FR UNAPPROP BAL OF \$4592 2020 PAVING PROG PHASE 2 (HARMONT AVE NE) FUND TO 4592 202059 2020 PAVING PROG PHASE 2 (HARMONT AVE NE) – OTHER; \$274,755.00 SUPP APPROP FR UNAPPROP BAL OF 4506 2006 CITY INFRASTRUCTURE BOND FUND TO 4506 202001 ENGINEERING – ADMINISTRATION – OTHER)

Referred to Public Property Capital Improvement, Finance and Environmental & Public Utilities Committees

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for Community & Economic Development, Finance, Public Safety & Thoroughfares, Environmental & Public Utilities and Public Property Capital Improvement Committees to meet in regards to Ordinances 1 through 5 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:13 PM FOR THE FINANCE COMMITTEE TO DISCUSS O#2; RECONVENED AT 7:13 PM)

(COUNCIL RECESSED AT 7:13 PM FOR THE FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES TO DISCUSS O#4; RECONVENED AT 7:16 PM)

(COUNCIL RECESSED AT 7:16 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS O#1; RECONVENED AT 7:18 PM)

(COUNCIL RECESSED AT 7:18 PM FOR THE PUBLIC SAFETY & THOROUGHFARES COMMITTEE TO DISCUSS O#3; RECONVENED AT 7:20 PM)

(COUNCIL RECESSED AT 7:20 PM FOR THE PUBLIC PROPERTY CAPITAL IMPROVEMENT, FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES TO DISCUSS O#5; RECONVENED AT 7:23 PM)

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

MEMBER SMUCKLER: Mr. President, I move that we suspend Rule 22A to add Ordinances 1 through 5 back to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 1 through 5 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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PRESIDENT SHERER: Ordinances 1 through 5 are a legal part of your agenda. Leader Smuckler.

MEMBER SMUCKLER: Mr. President, I... I move we suspend statutory rules of Ordinances 1 through 5.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the statutory rules on Ordinances 1 through 5. 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. 90/2020

PRESIDENT SHERER: The motion carries and Ordinance #1 has been 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, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#2 ADOPTED AS ORDINANCE NO. 91/2020

PRESIDENT SHERER: The motion carries and Ordinance #2 has been adopted. Leader.

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

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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. 92/2020

PRESIDENT SHERER: The motion carries and Ordinance #3 has been 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. 93/2020

PRESIDENT SHERER: The motion carries and Ordinance #4 has been 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. 94/2020

PRESIDENT SHERER: The motion carries and Ordinance #5 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 #6.

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NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCE #6 AND O#7 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (ORDINANCE O#6 ADOPTED AS AMENDED AND O#7 ADOPTED):

- #6. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 95/2020** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GRANT AGREEMENT WITH COMMUNITY BUILDING PARTNERSHIP OF STARK COUNTY, INC. (CBP) IN AN AMOUNT NOT TO EXCEED \$300,000.00 UTILIZING NEIGHBORHOOD FUNDS; AND DECLARING THE SAME TO BE AN EMERGENCY
- #7. (2ND RDG) **ADOPTED AS ORDINANCE NO. 96/2020** AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE J.R. COLEMAN SENIOR OUTREACH SERVICES INC. ANNEXATION AREA CONTAINING APPROXIMATELY 3.120 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 1 OF THE CITY; ZONING SAID TERRITORY AS GENERAL BUSINESS DISTRICT (B-3); AND DECLARING THE SAME TO BE AN EMERGENCY **PUB HRG 4/27/20 @ 7:00 PM**

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: I move we suspend Statutory Rules on Ordinances 6 and 7.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 6 and 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: The motion carries. You've heard the three readings, Leader Smuckler.

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

MEMBER BABCOCK: Second.

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

MEMBER SMUCKLER: Mr. President.

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PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: I move that we amend Ordinance #6 by the amendment before each Councilperson.

MEMBER BABCOCK: Second.

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

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 #6, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move we 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 second that you adopt Ordinance #6, as amended. Are there any remarks under this Ordinance, as amended? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 1 ABSTENTION
(MEMBER MARIOL ABSTAINED)

CLERK DOUGHERTY: Twelve yeas, Mr. President. *(Note: Clerk Dougherty did not hear Member Mariol abstain, however he does make the correction later)*

#6 ADOPTED AS AMENDED AS ORDINANCE NO. 95/2020

PRESIDENT SHERER: The motion carries and Ordinance #6, as amended, is adopted. Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 1 ABSTENTION
(MEMBER MARIOL ABSTAINED)

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

#7 ADOPTED AS ORDINANCE NO. 96/2020

ORDINANCES AND 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 we have none for this evening.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under announcement of Committee Meetings, and there are no Committee Meetings. (*Background noise is heard, microphones go silent and come right back on*)

PRESIDENT SHERER: Council Member Mariol, can you hear me?

MEMBER MARIOL: Yes.

PRESIDENT SHERER: Just to clarify, did you abstain from Ordinance #6?

MEMBER MARIOL: I did, yes. I (*inaudible*)... getting ready...

CLERK DOUGHERTY: Ordinance...?

MEMBER MARIOL: ...to make... make sure it had recorded properly. Yes, I did.

CLERK DOUGHERTY: Ordinance 6 and 7?

MEMBER MARIOL: (*Inaudible*)

CLERK DOUGHERTY: Ordinance 6 will have eleven yeas and one abstention.

PRESIDENT SHERER: Thank you, Member Mariol.

MEMBER MARIOL: Thank you.

MISCELLANEOUS BUSINESS

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

MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Thank you. Recently there's been an abundance of people just determining it was fine to park on the... on the sidewalk for no apparent reason. I notice it more and more. Just seems to keep growing instead of being... becoming less and less of a problem. Uh, they just... that's it. Some people have been

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putting gravel down on the devil strip and parking two wheels on the sidewalk and the other part in the devil strip and just blocking the sidewalk entirely. I've got several houses on 12th Street NW, a busy street that people now have to... they can't walk on the sidewalk, they have to go out into the street to get around. Uh, this is getting disturbing and I'm gonna start turning them in. Um, the police did do a marvelous job on Sunday of taking care of one, and I'll be calling them more often as... as we continue to see this. But this is a problem that's gonna get worse in our city. We better start doing something about it now and getting these people to learn where to park their cars in the driveway. Thank you.

PRESIDENT SHERER: Thank you, Member Hawk. Leader.

MEMBER SMUCKLER: Mr. President, question to the Mayor. Based on the Governor's remarks today, will City Hall open up full capacity on May 1st or will we still have part of it closed to the public?

MAYOR BERNABEI: We have initiated... really we started having that conversation last Friday with the Courts because the Courts provide the security for City Hall. The Courts have expressed a desire to move it up on either as of that day, it was the May 1 that we were discussing, but I think now we may discuss May 4th to be more in line with the Governor's comments today. We are looking at that to reopen City Hall to regular hours. I think we'll probably continue to maintain the appointment only aspect of the entry to City Hall. That's the Corona restrictions again, social distancing and the other rules associated with... uh, with fighting the spread of the virus.

MEMBER SMUCKLER: Will someone maintain, whether it's security or not, that if they're due in for court that it's enforced that they wear face masks into the building? Because I know after watching the Governor's remarks today that face masks are required to go everywhere.

MAYOR BERNABEI: (*Inaudible*)... I did watch the presentation today and it's not clear (*inaudible*)... a little bit of ambiguity, we were discussing it, as to whether or not that was to be required or not to be required for judicial and other types of proceedings. So we need clarification on that, and we talked to our Director (*inaudible*)... with Law and with the Courts themselves.

MEMBER SMUCKLER: I encourage that. I know that everybody sort of feels this is over, but most of you do realize that there are very few things that were opened up until May 12th, and then there'll be more reviews after May 12th and I can promise you the restaurants still aren't open and neither are the beauty parlors. So this is still a serious situation and should be treated as such. And I thank everyone for... I know it's tough to talk with these face masks on, but at least thank you all for coming in here, bringing them in and trying to work around them.

MAYOR BERNABEI: Uh, Mr. President.

PRESIDENT SHERER: Mayor.

MAYOR BERNABEI: And I would encourage everyone along the same lines as the Majority Leader was discussing, we have a long ways to work our way out of the situation that we are in. Uh, there still remains a lot of risk (*inaudible*)... to the elderly particularly and others with disabilities that may be affected probably more

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so than others. We have some (*inaudible*)... returning to college and summer events, Hall of Fame events, any and all large gatherings of people, they are still restricted to ten persons or less, and I just (*inaudible*)... for another thirty days and probably much longer. I wanted to state that that restriction will be the last one to be lifted. (*Inaudible*)... trace that individual to quarantine those. The idea is to identify (*inaudible*)... person with COVID (*inaudible*)... This is gonna take continued diligence from everyone and to be strongly encouraged, although it is (*inaudible for remainder of the Mayor's comments*)

PRESIDENT SHERER: Is there anything else under Miscellaneous Business for this evening?

MAYOR BERNABEI: Mr. President.

PRESIDENT SHERER: Mayor.

MAYOR BERNABEI: And I did send a letter to all Members of City Council (*inaudible*)... on 2.1. I would indicate to you that we are continuing to obtain up to date and new data from the (*inaudible*)... withholding income taxes (*inaudible*)... almost 80% of all of the income taxes that we've received, the income tax is approximately 65 to 70% of all of our revenue funds. (*Inaudible*)... that all of our revenue funds will be down somewhat. We certainly anticipate that income tax will be down somewhat. We are attempting to identify that. (*Inaudible*)... on how the economy rebounds and how all this continues. We anticipate that we'll probably see effects into 2021 (*inaudible*)... anticipate the economy will fully rebound to where it was. (*Inaudible*)... looking at all of these things. In addition, we are also keeping our eyes open on Washington. There's a lot of discussion presently as to whether or not the Federal Government and Congress will provide a Nest Egg package, which would be number four. Uh, (*inaudible*)... relief for the cities for loss of revenue caused by the COVID-19 pandemic. There's a lot of support for that. There's also some adamant support against that. So after (*inaudible*)... I hope at least the City can count on that. So in the next one to two weeks we will be taking a very close look, meeting with Members of Council and other elected officials to discuss financial reductions in... in our budget and operating expenses, possibly personnel.

PRESIDENT SHERER: Thank you, Mayor Bernabei.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

MEMBER SCAGLIONE: If I could, I'd just like to take a minute to thank all those first responders, front line workers, all those that are out there now working to make sure that we keep this country going. I... I know when we think about this, we think often of those in the hospitals and the medical field, but there are many others out there as well. And I know even the Governor at times misses recognizing the importance of the day care centers, everyone else that provides the services that keep this country going, and I'd just like to personally thank all those out there treating the patients, the... the ones that are leaving and going to New York and other cities to help treat patients that are putting themselves in... in harm's way. I'd just like to thank everybody that's out there doing everything that they're doing. Thank you.

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PRESIDENT SHERER: Thank you, Member Scaglione. Is there anything else under Miscellaneous Business? Hearing none...Clerk Dougherty, our quote for the week, please.

CLERK DOUGHERTY: During COVID-19: *“Be open to adjustments. There’s nothing about this current moment in history that allows for stubbornness.”*

PRESIDENT SHERER: 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 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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

ADJOURNMENT TIME: 7:42 PM

ATTEST: 4/29/20

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

WILLIAM SHERER, II
PRESIDENT