

MINUTES OF THE MEETING MAY 10, 2021***Recording begins as follows:***

PRESIDENT SHERER: ...and welcome to Canton City Council. Council Members, please... I want to... I'd like to remind you that please have your earbuds in. If everyone could put their cell phones to vibrate. And we are also encouraging social distancing here in Council Chambers. With a quorum being present, the Chair calls this meeting of 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, MARIOL & MORRIS APPEARED VIA VIDEOCONFERENCE)

CLERK DOUGHERTY: Twelve yeas, Mr. President.

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

The regular meeting of Canton City Council was held on May 10, 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 Council Member at Large, Bill Smuckler. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Majority Leader.

AGENDA CORRECTIONS AND CHANGES

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

MEMBER SMUCKLER: Mr. President, I move Rule 22A be suspended to add 2nd Readings of Ordinances 20 through 26 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 20 through 26 to this evening's Agenda. Ordinance 19 will be remain... retained in committee. 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 20 through 26 are a legal part of your agenda. Ordinance 19 will be retained in committee.

MINUTES OF THE MEETING MAY 10, 2021**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 AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY; PLANNING COMMISSION RECOMMENDS APPROVAL

PRESIDENT SHERER: And I believe we have a couple people that signed up for Public Speaks, but if anyone is in the audience wishing to speak for or against this Ordinance, please step forward. Could you please state your name and residential address, please.

DAVE SICKER: Uh, yes, Mr. President, my name is Dave Sicker. I live at 3975 Elmwood Street NE. That's in Plain Township in the Glenhaven Village Subdivision adjacent to Skyland Pines.

PRESIDENT SHERER: Okay. And I'd like to remind you that you have three minutes. Thank you.

DAVE SICKER: Okay. Thank you for this opportunity. Uh, I'm here to speak in opposition to the proposed zone change of the Skyland Pines property. I've lived at this location for the past thirty years and it's been a nice quiet neighborhood that entire time. I'm concerned that the proposed change to light industrial zoning could change that, and in preparing for my speech tonight, I did a little research on the Canton Zoning Ordinance, specifically Chapter 1123, the Policy Statement which in part states, such policy shall focus its intent upon land use controls which promote the stability and preservation of residential neighborhoods, encourage the economic stability and growth of the community and provide for compatible... compatibility of these uses in such ways as to not adversely affect either residential, commercial, industrial stability and growth. So, I believe... uh, you know, that good zoning and good government for that matter, should consider all adjacent areas when it comes to zoning. Um, obviously, I live in Plain Township and this portion of Skyland Pines that's in the City is surrounded by residential areas in Plain Township. And I do believe it will have adverse effects by changing the zoning in the form of increased traffic, increased noise, decreased property values... um, more semi traffic in and... uh, in and around the area of Columbus Road and Route 62 which already, I think everyone would agree, has some congestion and safety issues now. Um, as far as in... uh, light industrial zoning, my review of the Canton City zoning map shows you have a lot of areas already zoned light industrial, and I'm imagining that some of those are already vacant and ready for redevelopment. But as far as golf courses, there are two in the City of Canton in addition to Skyland Pines. You have the Quarry Golf Course, and you know, the Quarry coincidentally is also surrounded by residential developments. The only difference being those residential developments are in the City of Canton. So I would ask City Council if... if there was a proposal to change the zoning of the Quarry Golf Course to light industrial, would you consider that with the residential housing around it, and I think an honest answer would be no, you would not consider that. So the only difference here is the... uh, the residential areas around Skyland Pines are outside the City and they're in Plain Township, but I feel that, you know, as I said earlier, good zoning and good government would dictate you should take the entire community into consideration. And I know I'm the only one here probably tonight speaking against this, but I think a lot of it has to do with the fact that I don't believe this was, you know, made public to a lot of people till the last week, and I... you know, I've expressed by concerns to the Plain Township Trustees which they said they will address at their meeting tomorrow. But, you know, I... I really feel that this is a chance for Council to be good neighbors

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with Plain Township and consider the residents in Plain Township when you're voting on this. And the last point, you know, this is my first City Council meeting, but I notice there's a lot of emergency things on the agenda and this is one of them. I don't really understand what makes this an emergency, and someone unfamiliar with the process, it looks like an opportunity just for Council to not really follow its own rules and to speed things through without, you know, adequate oversight by the public. So thank you for this opportunity to speak.

PRESIDENT SHERER: Thank you. Is there anyone in the... else in the audience wishing to speak for or against this Ordinance, please step forward. I must repeat, is there anyone else 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 Public Speaks and we have one speaker for this evening, and it's Miss Kimberly Bell. Miss Bell, could... if you could please step forward and give us your name and residential address, please.

KIMBERLY BELL: Kimberly Bell, 1733 Morris Avenue...

PRESIDENT SHERER: Miss Bell, can you hang on for a second. I don't think your mic is working, please.

(Brief pause)

KIMBERLY BELL: Hello?

PRESIDENT SHERER: There... there you go. Thank you.

KIMBERLY BELL: Kimberly Bell, 1733 Morris Avenue NE, Canton, Ohio. What else? I forget. Anyway, I'm... I'm... I want to talk again, the Mayor and I. Uh, the Mayor and I took a ride maybe a year and a half ago when a friend/family of mine's son was killed, Sebrina Ballard's son. And my issue every time I came up here was about the guns, the jobs and housing. Well, the... the day I got keys, everybody know I was homeless for a couple months, but the day I got my keys for the Mahoning Manor, there was a shooting. An officer got shot and the victim got sho... I mean, in the... the culprit got shot four times, which he died later on and the officer got shot in the leg. Then, just recently, the young lady that was killed at Bob Evans, bless her heart, rest her soul. The gun... the gun violence and the jobs. If they're at work, they wouldn't be out killing nobody. We need to... we need to... to focus on getting these men and women jobs. If they got a job, they wouldn't be out breaking the law. If they got... uh, uh, stable housing, they would be at home. We've got to find a better way to... to deal with these issues or it's gonna continue to keep happening. And I have grandkids, even though I'm not on good terms with my son, but I have grandkids and bullets don't have eyes, and I used to... when I was in the street, that was one of the... the sayings we would say, bullets don't have eyes, which they don't no matter

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who you're shooting at. It might not hit that person. So Mayor, we got to... we got to focus on that. And... and I see over the... I've been in Florida, but when I came back and I seen you had dedicated something to Miss Patrick, good woman and kudos to her, but get your focus off the same people. Pastor Moss... Chris Smith does an awesome job. Let's get... let's go outside of your normal recognizing people. So when you recognize the same people all the time, we kinda feel the other ones that's doing something for the community, how do you think they feel because you're always recognizing the same people? You... you're so in that comfort zone. Step out of it for awhile and go outside. I know a few people that... Pastor Ray (*inaudible*) Cox at the Drop-In Center, they do an awesome job for that area, for Highland Park. Highland Park has never been this quiet before, and it's because that church right there. That Pastor Cox and Pastor... Pastor Lovie and Pastor Cox got. I... I... I help Pastor Cox every day because she's sick. I take her... I help her run her errands and everything and... but we got to do better with these guns, jobs, the... the violence... the guns, the jobs and the housing, Mayor. You talked about... you asked me when we (*inaudible*)... when we were with each other that day, how can we keep the kids in school. And I didn't have an answer for you...

PRESIDENT SHERER: Miss... Miss Bell, could you please...

KIMBERLY BELL: ...I'm still working on that homework question.

PRESIDENT SHERER: Miss Bell, could you please bring your remarks to a close, please.

KIMBERLY BELL: Yes, I'm still working on that homework question. How... how can we get them in school. First, we gotta teach them some etiquette cause they're so disrespectful to their parents and to anybody, they're so disrespectful.

PRESIDENT SHERER: Thank you, Miss Bell.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: We are now under Informal Resolutions and we have five for this evening. Mr. Clerk, would you please read Informal Resolution #10 by title.

#10. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SAFETY DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL AMOUNT NOT TO EXCEED \$26,000.00 TO TARGET SOLUTIONS FOR ANNUAL SUBSCRIPTION FOR FIRE/EMS CONTINUING EDUCATION. - ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #10. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #10 PASSED UNANIMOUSLY BY VOICE VOTE

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PRESIDENT SHERER: The ayes have it, the motion carries and... and Informal Resolution #10 is adopted. Informal Resolution #11, please.

#11. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SERVICE DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL AMOUNT NOT TO EXCEED \$29,118.59 TO PEPCO FOR PURCHASE OF VARIABLE FREQUENCY DRIVE FOR NORTHWEST BOOSTER STATION. – ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Informal Resolution #11. (*Brief pause*)

MEMBER HAWK: Second. (*Brief pause*)

PRESIDENT SHERER: You're good?

MEMBER SMUCKLER: We're good.

PRESIDENT SHERER: Okay. It's been moved and seconded to adopt Informal Resolution #11. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

CLERK DOUGHERTY: Abstain.

MEMBER HALL: Mr. President, I have an abstention for this one, abstain from this one.

CLERK DOUGHERTY: Speak into the mic, please.

MEMBER HALL: Mr. President, I will be abstaining from this Resolution.

PRESIDENT SHERER: That will be duly noted, Member Hall.

NO REMARKS

RESOLUTION #11 PASSED BY VOICE VOTE
(MEMBER HALL ABSTAINED)

PRESIDENT SHERER: The ayes have it, the motion carries and Informal Resolution #1... #11 is adopted. Informal Resolution #12, please.

#12. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SERVICE DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL AMOUNT NOT TO EXCEED \$28,476.84 TO HACH COMPANY FOR ONGOING MAINTENANCE OF SUSPENDED SOLIDS MONITORING EQUIPMENT. – ADOPTED

PRESIDENT SHERER: Leader.

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

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MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #12. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #12 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Res... and Informal Resolution #12 is adopted. Informal Resolution #13, please.

#13. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SERVICE DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL AMOUNT NOT TO EXCEED \$32,131.75 TO EQUIX INTEGRITY, INC FOR CLEANING AND TELEVISIONING CITY'S SANITARY SEWERS LOCATED WITHIN SEWERSHED 01 NE – SEC #1. – ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #13. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #13 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Informal Resolution #13 is adopted. Informal Resolution #14, please.

#14. PERSONNEL COMMITTEE: CONFIRM APPOINTMENT OF MATTHEW BAILEY AS COMMUNITY REINVESTMENT AREA HOUSING OFFICER COMMENCING 5/10/21. – ADOPTED

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #14. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #14 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Informal Resolution #14 is adopted.

MINUTES OF THE MEETING MAY 10, 2021**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.

142. ANNEXATION CHAIRMAN HAWK: REQ STATEMENT OF SERVS FOR REGENT AVE. NE – CITY SERVICE CENTER ANNEX IN PLAIN TWP; ANNEX BY PETITION OF MUNICIPALITY FOR MUNICIPAL, COUNTY OR STATE OWNED LAND. – ANNEXATION COMMITTEE
143. AUDITOR MALLONN: STATEMENT OF CASH POSITION FOR APRIL 2021. – RECEIVED & FILED
144. CANTON WATER DEPT: ANNUAL REPORT 2020. – RECEIVED & FILED
145. COUNCIL MBR SMITH, WARD 4: REQ HONORARY NAME CHANGE ON WATSON PLACE SE FR ALLEN AVE SE CONTINUING EAST TO RAILROAD TRACKS, IN HONOR OF MR. SOLOMON COOKS, SR. – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
146. DEPARTMENT OF COMMERCE: NOTIFICATION OF PERMITS TO SELL ALCOHOLIC BEVERAGES EXPIRE 7/1/21. – RECEIVED & FILED
147. DEPUTY MAYOR WILLIAMS: AMEND APPROP O#49/2021; EMERGENCY (\$110,000.00 SUPP APPROP FR UNAPPROP BAL OF 2214 HOME FUND TO 2214 506003 VIENNA WOODS REPAYMENT FUND – OTHER) (HOME PROGRAM INCOME). – COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
148. FINANCE DIRECTOR CROUSE: AUTH AUDITOR TO CREATE 2809 AMERICAN RESCUE PLAN FUND; AMEND APPROP O#49/2021 WITH SUPP APPROPS EQUAL TO AMT OF FUNDS RECEIVED IN CARES ACT FUNDING UPON RECEIPT OF FUNDS AND ALLOWS FUNDS TO BE BUDGETED AT FUND LEVEL; AUTH AUDITOR TO PAY MORAL OBS; EMERGENCY (CARES ACT – AMERICAN RESCUE PLAN). – FINANCE COMMITTEE
149. FINANCE DIRECTOR CROUSE: ALLOW FUNDS BUDGETED IN 7508 JACKSON-CANTON JEDD CLEARING FUND TO BE BUDGETED AT FUND LEVEL; AMEND APPROP O#49/2021 (\$1,200,000.00 SUPP APPROP FR UNAPPROP BAL OF 7508 JACKSON-CANTON JEDD CLEARING FUND TO 7508 JACKSON-CANTON JEDD - OTHER); EMERGENCY. – COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
150. FINANCE DIRECTOR CROUSE: AUTH SAF DIR TO ACCEPT GRANT FUNDS FR HARTFORD FINANCIAL SERVICES; AMEND APPROP O#49/2021 (\$35,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 103001 FIRE ADMIN – OTHER); EMERGENCY (EQUIPMENT AND TURNOUT GEAR FOR FIRE DEPT). – FINANCE COMMITTEE
151. FINANCE DIRECTOR CROUSE: AMEND APPROP O#49/2021 (\$99,615.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 200501 GENERAL

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GOVERNMENT SUPPORT – OTHER; \$99,615.00 SUPP APPROP FR UNAPPROP BAL OF 7601 HEALTH FUND TO 7601 301001 HEALTH ADMIN – OTHER; \$99,615.00 INTER-FUND TRF FR 1001 GENERAL OPERATING FUND TO 7601 HEALTH FUND); EMERGENCY (HEALTH DEPT). – FINANCE COMMITTEE

152. LAW DIRECTOR AYLWARD: REQ AUTH OF TEXT CHANGES TO CITY OF CANTON COD ORD – CH. 749 (ITINERANT RETAILERS). – JUDICIARY COMMITTEE
153. LIQUOR CONTROL DIV (OHIO): REQ NEW D5J PERMIT (#29074740005) FOR FREEISLES LLC DBA STARZ @ 111 CLEVELAND AVE SW. – RECEIVED & FILED
154. LIQUOR CONTROL DIV (OHIO): REQ NEW D5J PERMIT (#7008821) FOR PRIDE 821 LLC DBA PRIDE 821 @ 401 CHERRY AVE NE. – RECEIVED & FILED
155. LIQUOR CONTROL DIV (OHIO): REQ NEW D2 PERMIT (#88698250005) FOR 3773 CLEVELAND INC DBA EURO GYRO @ 3717 CLEVELAND AVE NW. – RECEIVED & FILED
156. MAYOR BERNABEI: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO GRANT AGMT WITH COMMUNITY BUILDING PARTNERSHIP OF STARK CO, INC. IN AMT NOT TO EXCEED \$200,000.00 UTILIZING ISSUE 13 COMPREHENSIVE PLAN NEIGHBORHOOD FUNDS FOR PROGRAMMING; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (INCENTIVIZING HOMEOWNERSHIP INVESTMENTS, PROMOTION AND USE OF CBP’S HEALTHY NEIGHBORHOODS PROG, ASSISTING LOW TO MODERATE INCOME HOMEOWNERS WITH EXTERIOR BLDG CODE VIOLATIONS REPAIRS). – FINANCE COMMITTEE
157. SAFETY DIRECTOR PERRY: REQ INF RES AUTH SAF DIR TO ENTER ONE OR MORE PURCH ORDERS IN AMT NOT TO EXCEED \$26,000.00 FOR ANNUAL SUBSCRIPTION WITH TARGET SOLUTIONS FOR CONTINUING EDUCATION (FIRE DEPT). – RECEIVED & FILED
158. SAFETY DIRECTOR PERRY: AMEND O#100/2011, AS AMENDED, TO ADD TWO (2) VICTIM ADVOCATE POSITIONS AS SHOWN ON EXHIBIT A; EMERGENCY (CANTON POLICE DEPT). – PERSONNEL COMMITTEE
159. SAFETY DIRECTOR PERRY: AMEND O#100/2011, AS AMENDED, TO RENAME BENEFITS ADMINISTRATOR TO HEALTH BENEFITS MANAGER AS SHOWN ON EXHIBIT A; AMEND O#100/2011, AS AMENDED, TO ADD POSITION OF PROJECT COORDINATOR AS SHOWN ON EXHIBIT A; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (HUMAN RESOURCES DEPT). – PERSONNEL COMMITTEE
160. SERVICE DIRECTOR HIGHMAN: REQ INF RES AUTH SERV DIR TO OPEN PURCH ORDER IN AMT OF \$29,118.59 TO PEPSCO FOR PURCH OF VARIABLE FREQUENCY DRIVE (VFD) (100 HP MOTOR @ NORTHWEST BOOSTER PUMP STATION). – RECEIVED & FILED
161. SERVICE DIRECTOR HIGHMAN: REQ INF RES AUTH SERV DIR TO OPEN PURCH ORDER IN AMT OF \$28,476.84 TO HACH COMPANY FOR YEARLY MAINTENANCE OF WRF SUSPENDED SOLIDS MONITORING EQUIPMENT. – RECEIVED & FILED

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162. SERVICE DIRECTOR HIGHMAN: REQ INF RES AUTH SERV DIR TO OPEN PURCH ORDER IN AMT OF \$32,131.75 TO EQUIX INTEGRITY INC. TO CLEAN AND TELEWISE PORTION OF SANITARY SEWERS LOCATED IN SEWERSHED 01 NE – SEC #1. – RECEIVED & FILED
163. STARK CTY COMMISSIONERS: REQ ANNEX OF 0.138 ACRES IN PLAIN TWP TO CITY OF CANTON (HOF #7 ANNEXATION). – PLANNING COMMISSION

ORDINANCES AND 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 #18 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#1. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$449.90 SUPP APPROP FR 2221 STK/TUSC WORK FORCE DEV BD FUND TO 2221 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER) (SUMMER YOUTH EMPLOYMENT AND CASE MGMT SERVS)
Referred to Finance and Community & Economic Development Committees
- O#2. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR THE PRO FOOTBALL HALL OF FAME FOR EXPENSES RESULTING PRIOR TO THE PASSAGE OF THIS ORDINANCE; AND DECLARING THE SAME TO BE AN EMERGENCY (MAINTENANCE, OPERATIONS, PROGRAMMING & MARKETING OF CENTENNIAL PLAZA)
Referred to Finance Committee
- O#3. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 405 AND 406; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 207976, 224462, 238885 & 248021 FOR JOHN S. LAUGHLIN, JR. @ 606 MCKINLEY AVE SW, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- O#4. (1ST RDG) AN ORDINANCE AMENDING CHAPTER 1131, DEFINITIONS OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES (MOBILE HOME & MODULAR HOME) **PUB HRG 6/7/2 @ 7:00 PM**
Referred to Judiciary Committee
- O#5. (1ST RDG) AN ORDINANCE AMENDING CHAPTER 1137, BULK AND AREA REQUIREMENTS – RESIDENTIAL ZONING DISTRICTS OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES (CLARIFY TABLE OF PERMITTED BULK & AREA REQUIREMENTS – RESIDENTIAL ZONING DISTRICT) **PUB HRG 6/7/2 @ 7:01 PM**

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Referred to Judiciary Committee

- O#6. (1ST RDG) AN ORDINANCE AMENDING CHAPTER 1146, BULK AND AREA REQUIREMENTS – BUSINESS AND INDUSTRIAL DISTRICTS OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES (CLARIFY TABLE OF PERMITTED BULK AND AREA REQUIREMENTS FOR BUSINESS & INDUSTRIAL DISTRICTS) **PUB HRG 6/7/2 @ 7:02 PM**

Referred to Judiciary Committee

- O#7. (1ST RDG) AN ORDINANCE AMENDING CHAPTER 1131, DEFINITIONS AND CHAPTER 1148, SPECIAL PROVISIONS FOR BUSINESS AND INDUSTRIAL USES OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES (MOBILE FOOD VENDING, MOBILE FOOD VENDING UNIT (TRUCK) & MOBILE FOOD VENDORS) **PUB HRG 6/7/2 @ 7:03 PM**

Referred to Judiciary Committee

- O#8. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN EASEMENT AGREEMENT WITH HOF VILLAGE NEWCO, LLC AND THE NATIONAL FOOTBALL MUSEUM, INC., FOR THE INSTALLATION OF UNDERGROUND UTILITIES AND A VEHICLE INGRESS/EGRESS DRIVE FROM HARRISON AVE NW TO HOFV PROPERTY; AND DECLARING THE SAME TO BE AN EMERGENCY (HOFV UTILITY IMPROVEMENTS PHASE 2)

Referred to Environmental & Public Utilities Committee

- O#9. (1ST RDG) AN ORDINANCE APPROVING A CANTON CITY WATER MAIN EXTENSION TO SARATOGA HILLS ALLOTMENT; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ANY AGREEMENTS NECESSARY FOR THE EXTENSION OF SAID WATER MAIN; AND DECLARING THE SAME TO BE AN EMERGENCY (PLAIN TWP)

Referred to Environmental & Public Utilities and Finance Committees

- O#10. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; AND RECEIVE GRANT FUNDS IN THE AMOUNT OF \$750,000.00 AND A ZERO PERCENT INTEREST LOAN IN THE AMOUNT OF \$750,000.00 FOR THE EDGEFIELD AREA PHASE I WATER MAIN REPLACEMENT PROJECT; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR RELATED PROJECT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5244 EDGEFIELD AREA PHASE I WATER MAIN REPLACEMENT PROJECT FUND; AMENDING

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APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5244 EDGEFIELD AREA PHASE I WATER MAIN REPLACEMENT PROJECT FUND TO 5244 207051 EDGEFIELD AREA PHASE I WATER MAIN REPLACEMENT PROJECT – OTHER; \$700,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207051 EDGEFIELD AREA PHASE I WATER MAIN REPLACEMENT PROJECT – OTHER)

Referred to Finance and Environmental & Public Utilities Committees

O#11. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT; EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES; AND RECEIVE GRANT FUNDS IN THE AMOUNT OF \$600,000.00 AND A ZERO PERCENT INTEREST LOAN IN THE AMOUNT OF \$900,000.00 FOR THE EDGEFIELD AREA PHASE II WATER MAIN REPLACEMENT PROJECT; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR RELATED PROJECT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY THE BOARD OF CONTROL PURSUANT TO CANTON CODIFIED ORDINANCE 105.14; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5245 EDGEFIELD AREA PHASE II WATER MAIN REPLACEMENT PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5245 EDGEFIELD AREA PHASE II WATER MAIN REPLACEMENT PROJECT FUND TO 5245 207061 EDGEFIELD AREA PHASE II WATER MAIN REPLACEMENT PROJECT – OTHER; \$1,100,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207061 EDGEFIELD AREA PHASE II WATER MAIN REPLACEMENT PROJECT – OTHER)

Referred to Finance and Environmental & Public Utilities Committees

O#12. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH CTI ENGINEERS, INC. IN AN AMOUNT NOT TO EXCEED \$172,368.79 FOR DESIGN OF THE 4TH STREET SE SEWER REPLACEMENT PROJECT, GP 1338; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$175,000.00 INTRA-FUND APPROP TRF FR 5410 206006 COLLECTION SYSTEMS DEPARTMENT – OTHER TO 5410 206326 4TH STREET SE SEWER REPLACEMENT PROJECT, GP 1338 – OTHER)

Referred to Finance and Environmental & Public Utilities Committees

O#13. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT FOR THE DESIGN OF THE COLLECTION SYSTEMS DEPARTMENT ADMINISTRATION BUILDING MODIFICATIONS, GP 1255 (DESIGN); AMENDING APPROPRIATION

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ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$97,800.00 INTRA-FUND APPROP TRF FR 5410 206006 COLLECTION SYSTEMS DEPARTMENT – OTHER TO 5410 206324 CSD ADMINISTRATION BUILDING MODIFICATIONS, GP 1255- OTHER)
Referred to Finance Committee

- O#14. (1ST RDG) **ADOPTED AS ORDINANCE NO. 85/2021** AN ORDINANCE AUTHORIZING THE MAYOR TO SUBMIT ANY AMENDMENTS TO THE CITY’S 2019-2023 CONSOLIDATED PLAN, 2019 ANNUAL ACTION PLAN AND/OR 2020 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT (HUD) THAT MAY BE REQUIRED TO CARRY OUT CARES ACT PROGRAMS; AUTHORIZE THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: RECEIVE AND ENTER INTO AGREEMENT FOR SUPPLEMENTAL AWARDS OF COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) FUNDS IN THE AMOUNT OF \$395,843 AND EMERGENCY SOLUTIONS GRANTS (ESG) FUNDS IN THE AMOUNT OF \$820,051 FROM HUD PURSUANT TO THE CARES ACT; ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE TIMELY EXPENDITURE OF CDBG & ESG PROGRAM FUNDS; AND ENTER INTO ALL PROFESSIONAL CONTRACTS NECESSARY TO ALLOW FOR EFFECTIVE OPERATION OF THE PROGRAM DURING THE GRANT PERIOD USING ANY AND ALL PROCUREMENT PROCESSES AUTHORIZED IN THE CODIFIED ORDINANCES, OHIO REVISED CODE OR CODE OF FEDERAL REGULATIONS; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$395,843.00 SUPP APPROP FR UNAPPROP BAL OF 2211 COMMUNITY DEVELOPMENT FUND TO 2211 506019 COVID-19 STIMULUS – OTHER; \$820,051.00 SUPP APPROP FR UNAPPROP BAL OF 2219 EMERGENCY SHELTER FUND TO 2219 506019 EMERGENCY SHELTER GRANT FUND COVID-19 STIMULUS – OTHER)
Referred to Community & Economic Development and Finance Committees

- O#15. (1ST RDG) **ADOPTED AS ORDINANCE NO. 86/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL CONTRACTS FOR THE 2021 AMERICAN RESCUE PLAN ACT (ARPA) SUMMER LEARNING/WORK EXPERIENCE PROGRAM AND ENTER INTO ALL PROFESSIONAL SERVICES CONTRACTS NECESSARY FOR THE PURCHASE OF SAID SERVICES IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY EITHER THE OHIO REVISED CODE OR CANTON CODIFIED ORDINANCES; AUTHORIZES THE AUDITOR TO PAY ALL MORAL OBLIGATIONS WHICH MAY BE INCURRED IN THE PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$750,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 501601 YOUTH DEVELOPMENT ADMIN

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– OTHER - \$665,000.00 TO 1001 501601 YOUTH DEVELOPMENT ADMIN – PAYROLL - \$85,000.00)

Referred to Finance and Community & Economic Development Committees

O#16. (1ST RDG) **ADOPTED AS ORDINANCE NO. 87/2021** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO RESPOND TO THE 510 12TH ST NE DEMOLITION; AUTHORIZING THE AUDITOR TO PAY ANY AND ALL MORAL OBLIGATIONS FROM RESPONDING TO THIS EMERGENCY SITUATION; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee

O#17. (1ST RDG) **ADOPTED AS ORDINANCE NO. 88/2021** AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT A AS THE CLASSIFICATION PLAN FOR THE SERVICE DIRECTOR'S COLLECTION SYSTEMS DEPARTMENT MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Committee

O#18. (1ST RDG) **ADOPTED AS ORDINANCE NO. 89/2021** AN ORDINANCE AMENDING ORDINANCE NO. 100/2011, AS AMENDED, TO ESTABLISH THE ATTACHED EXHIBIT A AS THE CLASSIFICATION PLAN FOR THE SERVICE DIRECTOR'S WATER CONSTRUCTION, REPAIR, MAINTENANCE, SUPPLY AND TREATMENT DIVISION (WATER DEPARTMENT) MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AMENDING EXHIBIT A TO ORDINANCE NO. 40/2000, AS AMENDED, THE CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL EMPLOYED BY THE CITY OF CANTON; AUTHORIZING THE ESTABLISHMENT OF AN ANNUAL STIPEND TO ONE INDIVIDUAL IN THE WATER DEPARTMENT; AND DECLARING THE SAME TO BE AN EMERGENCY (\$8,000 ANNUAL STIPEND FOR SPECIAL PROJ)
Referred to Personnel and Finance Committees

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for the Community & Economic Development, Finance and Personnel Committees to meet in regards to Ordinances 14 through 18 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:34 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT, FINANCE AND PERSONNEL COMMITTEES TO DISCUSS ORDINANCE #14 THROUGH ORDINANCE #18; RECONVENED AT 7:52 PM)

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MEMBER SCAGLIONE: Mr. President.

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinances 14 through 18 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinance 14 through Ordinance 18 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.

PRESIDENT SHERER: The motion carries and Ordinances 14 through Ordinance 18 are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules of Ordinance 14 through Ordinance 18.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 14 through 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.

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

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules of Ordinance...

PRESIDENT SHERER: Leader, we've already done that.

MEMBER SMUCKLER: Ah.

PRESIDENT SHERER: So we're good.

CLERK DOUGHERTY: Number 14.

PRESIDENT SHERER: Moving on to Ordinance #14.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 10 YEAS, 2 ABSTENTIONS
(MEMBER SMUCKLER AND MEMBER SCAGLIONE ABSTAINED)

CLERK DOUGHERTY: Ten yeas, two abstentions, Mr. President.

#14 ADOPTED AS ORDINANCE NO. 85/2021

PRESIDENT SHERER: The motion carries and Ordinance #14 is adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #15.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #15. 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.

#15 ADOPTED AS ORDINANCE NO. 86/2021

PRESIDENT SHERER: The motion carries and Ordinance #15 has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #16.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #16. Are there any remarks under this... under this Ordinance? ...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. 87/2021

PRESIDENT SHERER: The motion carries and Ordinance #16 has been adopted. 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 that you adopt Ordinance #17. 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.

#17 ADOPTED AS ORDINANCE NO. 88/2021

PRESIDENT SHERER: The motion carries and Ordinance #17 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #18. 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.

#18 ADOPTED AS ORDINANCE NO. 89/2021

PRESIDENT SHERER: The motion carries and Ordinance #18 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 #20.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #20 THROUGH #26 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

*O#19. (2ND RDG) **RETAINED IN COMMITTEE** AN ORDINANCE AMENDING ORDINANCE NOS. 262/2015 AND 145/2017 TO INCLUDE CERTAIN PROPERTY OF THE HALL OF FAME VILLAGE PROJECT SITE AS "EXISTING PROPERTY" IN THE AREA COVERED BY THE TAX INCREMENT FINANCING PROVISIONS OF OHIO REVISED CODE SECTION 5709.40, EXEMPTING THE IMPROVEMENTS TO SAID "PROPERTY" FROM TAXATION DURING THE TERM OF THAT CERTAIN COMPENSATION AGREEMENT AUTHORIZED BY ORDINANCE NOS. 262/2015 AND 145/2017 (COLLECTIVELY, THE "COMPENSATION AGREEMENT"), AND DECLARING AN EMERGENCY*

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- O#20. (2ND RDG) AN ORDINANCE AMENDING SECTION 355.01, DEFINITIONS OF CHAPTER 355, PARKING ON PRIVATE PROPERTY OF THE TRAFFIC CODE
- O#21. (2ND RDG) AN ORDINANCE AMENDING SECTION 355.04, SIGN REQUIREMENTS; LIABILITY OF CHAPTER 355, PARKING ON PRIVATE PROPERTY OF THE TRAFFIC CODE
- O#22. (2ND RDG) AN ORDINANCE VACATING THE FOLLOWING AREA: BARR AVE NW FROM THE NORTH LINE OF PART OF OUT LOT 1395 TO THE SOUTH LINE OF FULTON AVE. (S.R. 687), GEORGE HALAS DR. NW FROM THE NORTH LINE OF OUT LOT 1401 AND EAST LINE OF 43285 TO THE SOUTH LINE OF FULTON AVE. (S.R. 687), CLEARVIEW AVE FROM THE NORTH LINE OF PT. OF OUT LOT 1380 TO 3 FEET NORTH OF THE SOUTH LINE OF LOT 43265 AND 43190, BLAKE AVE. NW FROM THE NORTH LINE OF PART OF OUT LOT 1416 TO THE SOUTH LINE OF FULTON AVE. (S.R. 687), WOODWARD PL. NW FROM THE EAST LINE OF CLEARVIEW AVE TO THE WEST LINE OF BLAKE AVE. NW, 21ST ST NW FROM THE EAST LINE OF CLARENDON AVE TO THE EAST LINE OF BLAKE AVE NW, AND 19TH ST. NW FROM THE EAST LINE OF CLARENDON AVE TO THE EAST LINE OF BLAKE AVE NW; APPROVING AND ACCEPTING THE REPLAT OF THE STREETS VACATED ABOVE, AND 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, AND PART OF OUT LOT 1395, 1396, 1407, AND 1416; AND DECLARING THE SAME TO BE AN EMERGENCY (HOFV NEWCO LLC)
- O#23. (2ND RDG) APPROVE AND ACCEPT REPLAT OF LOTS 23361 AND 23362; AND DECLARING THE SAME TO BE AN EMERGENCY (HABITAT FOR HUMANITY, 2415 ROOSEVELT AVE NE)
- O#24. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF OUT LOTS 305 AND 306; AND DECLARING THE SAME TO BE AN EMERGENCY (CITY OF CANTON, 1400 SHERRICK RD SE)
- O#25. (2ND RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 90/2021** AN ORDINANCE AMENDING ORDINANCE NO. 55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE, AND DECLARING THE SAME TO BE AN EMERGENCY (CITY WIDE, 2823 9TH 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 17TH ST SW – MCGREGOR ELEM. SCHOOL (PARCELS 280185, 280216, 234968, 200777, 200776, 200775, 200774, 200781 & 217404 – R-1A 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;

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1318 GONDER AVE SE STARK METRO HOUSING AUTHORITY (PARCELS 281660 & 28490223 – R-4 TO B-2), IN WARD 4) **PUB HRG 5/10/21 @ 7:00 PM**

O#26. (2ND RDG) **ADOPTED AS ORDINANCE NO. 91/2021** AN ORDINANCE AUTHORIZING THE MAYOR TO FILE WITH HUD A 2021 ANNUAL ACTION PLAN FOR THE 2021 COMMUNITY DEVELOPMENT BLOCK GRANT, 2021 HOME INVESTMENT PARTNERSHIP, AND 2021 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 APPROPRIATION ORDINANCE NO. 49/2021; AND DECLARING THE SAME TO BE AN EMERGENCY (\$2,998,470.80 SUPP APPROP FR UNAPPROP BAL OF 2211 COMMUNITY DEVELOPMENT ADMIN TO 2211 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER; \$710,066.00 SUPP APPROP FR UNAPPROP BAL OF 2214 HOME FUND TO 2214 506001 HOME FUND – OTHER; \$227,097.00 SUPP APPROP FR UNAPPROP BAL OF 2219 EMERGENCY SHELTER GRANT FUND TO 2219 506001 EMERGENCY SHELTER GRANT – OTHER)

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend Statutory Rules of Ordinances 25 and 26.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 25 and 26. 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.

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

MEMBER BABCOCK: Second.

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PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #25. Are there any remarks? Leader.

MEMBER SMUCKLER: Mr. President, I move to amend Ordinance #25 by the amendment before every Member of City Council.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to amend Ordinance #25 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 #25, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 25 by the substitution of the attached amended ordinance for the original pending ordinance.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #25 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.

#25 ADOPTED AS AMENDED AS ORDINANCE NO. 90/2021

PRESIDENT SHERER: The motion carries and Ordinance #25, as amended, has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #26.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #26. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 10 YEAS, 2 ABSTENTIONS
(MEMBER SMUCKLER AND MEMBER SCAGLIONE ABSTAINED)

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CLERK DOUGHERTY: Ten yeas, two abstentions, Mr. President.

#26 ADOPTED AS ORDINANCE NO. 91/2021

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

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 #27.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCE #27 THROUGH ORDINANCE #30 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 92/2021** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY REDWOOD TOXICOLOGY LABORATORY, INC. A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$1,467.00 FOR THE CANTON MUNICIPAL COURT; AND DECLARING THE SAME TO BE AN EMERGENCY (DRUG TESTING SUPPLIES)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #27.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #27. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#27 ADOPTED AS ORDINANCE NO. 92/2021

PRESIDENT SHERER: Motion carries and Ordinance #27 is adopted. Resolution #28, please.

O#28. (3RD RDG) **ADOPTED AS RESOLUTION NO. 93/2021** 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.)

PRESIDENT SHERER: Leader.

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MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #28.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Resolution #28. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#28 ADOPTED AS RESOLUTION NO. 93/2021

PRESIDENT SHERER: Motion carries and Resolution #28 is adopted. Ordinance #29, please.

O#29. (3RD RDG) **ADOPTED AS ORDINANCE NO. 94/2021** 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

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #29.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #29. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#29 ADOPTED AS ORDINANCE NO. 94/2021

PRESIDENT SHERER: Motion carries and Ordinance #29 is adopted. Ordinance #30, please.

O#30. (3RD RDG) **ADOPTED AS ORDINANCE NO. 95/2021** 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)

PRESIDENT SHERER: Leader.

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MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #30... I'm sorry, Ord... uh, Ordinance #30.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#30 ADOPTED AS ORDINANCE NO. 95/2021

PRESIDENT SHERER: Motion carries and Ordinance #30 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: With that being said, our next meeting day will be May 24th and Committee Meetings will start at 6:15, so we are now under announcement of Committee Meetings.

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Finance will meet May 24th at 6:15 here in Council Chambers.

PRESIDENT SHERER: Thank you, Member Mariol.

MEMBER BABCOCK: Mr. President.

PRESIDENT SHERER: Member Babcock.

MEMBER BABCOCK: Personnel, same time, same place.

PRESIDENT SHERER: Thank you, Member Babcock.

MEMBER SCHULMAN: Mr. President.

MEMBER FISHER: Mr. President.

PRESIDENT SHERER: Member Schulman.

MEMBER SCHULMAN: Um, Judiciary will meet same time, same place.

PRESIDENT SHERER: Thank you, Member Schulman.

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MEMBER FERGUSON: Mr. President.

PRESIDENT SHERER: Member Ferguson.

MEMBER FERGUSON: Community & Economic Development, same time, 6:15 on the 24th.

PRESIDENT SHERER: Thank you, Member Ferguson.

MEMBER FISHER: My turn? (*Chuckles*) Mr. President.

PRESIDENT SHERER: Member Fisher.

MEMBER FISHER: Environmental & Public Utilities will meet May 24th at 6:15.

PRESIDENT SHERER: Thank you, Member Fisher. We are now under Miscellaneous Bus...

CLERK DOUGHERTY: Need Public Safety & Thoroughfares.

PRESIDENT SHERER: Oh, I'm sorry.

CLERK DOUGHERTY: I think.

MEMBER KIMBROUGH: Public Safety & Thoroughfares Committee will meet at the same time, 6:15.

PRESIDENT SHERER: Thank you, Member Kimbrough. Sorry about that.

MISCELLANEOUS BUSINESS

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

MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Thank you. Stark County Crime Stoppers is having a fundraiser. The tickets are ten dollars apiece. It consists of a ninety second shopping spree at Buehler's Market in Nobles Pond. This is a county wide process supported by the Sheriffs, supported by the City of Massillon Police Department, the City of Canton Administration and the City Police Department. It's very... it's a very worthwhile project. This is how we arrange money to put up for rewards for crimes that go unsolved. One hundred percent of the money is used for that process with the exception that we do pay for the tip 4-1-1 line which benefits, not only the city, but the entire county in solving crimes. So, now folks, the City of Massillon's City Council is going to come out and tell us that every one of their Council Members have bought a ticket. I'd like us to be in the same boat. Thank you very much, and I have the tickets.

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PRESIDENT SHERER: Thank you, Member Hawk. Leader.

MEMBER SMUCKLER: Uh, excuse... excuse me. Can I get some clarification on that? That's a how long shopping spree?

MEMBER HAWK: Ninety seconds. It's free, you just walk through it. I didn't set it up and put it ju... you know, just (*inaudible*).

MEMBER SMUCKLER: You did ninety seconds of waking through the store and taking whatever you want? Is that correct?

MEMBER HAWK: Correct.

MEMBER HALL: Where's the store location?

MEMBER HAWK: Nobles Pond. It's Buehler's IGA. They put up the... they put up the prize.

MEMBER SMUCKLER: Then what is the date that takes place?

MEMBER HAWK: I'd have to look at the ticket right now, but I... it's in my back room. What I'm going to do with my tickets, and I'm going to buy more... obviously more than one, I'm going to donate them to the church and hopefully somebody wins and they get the shopping spree. That's my thought.

MEMBER SMUCKLER: Thank you, Member Hawk.

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

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

MEMBER SCAGLIONE: Just wanted to take a minute to point out the fact that, I believe this year we got started on our citywide pave... paving program earlier than we ever have. Uh, Member Smuckler, I don't think we'll have to worry about doing this in the snow this year which is quite refreshing. Um, very large paving program, a lot of work's went into it. Uh, gotta say what a tremendous amount of work is being done and I don't know if we could do more with the personnel that we have to... to get some of the projects done that we're doing this year. So just want to say what a great job and an improvement to our city that we are putting out there, and wanted to make sure everyone knows that this started, and so far your program looks like it's going very well.

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

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MEMBER KIMBROUGH: Uh, I just wanted to say that the First Friday activities went well and it was well visited despite that it was cold. And I thought that it was a great chance for people to get out again and enjoy our city.

PRESIDENT SHERER: Thank you, Member Kimbrough. Is there any other Miscellaneous Business for this evening?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: I alluded this... to this during the prayer, and I abstained this evening because of the community development dollars as I sit as President of the Ex-Newsboys and I had to abstain on that. But I also want to commend a number of the Council people in this room. Whether it's First Tee, whether it's helping individual families or whether it'll be Crime Stoppers, this Council takes an active role in this community and I want to commend you all for taking that active role, and based on the election results, I think that's recognizable. Thank you.

PRESIDENT SHERER: Thank you, Leader. And I would like to bring up one thing under Miscellaneous Business. I would like to thank the voters in the City of Canton for approving the park levy very convincingly. It's easy for me to say that all you have to do is drive down to Monument Pond or, you know, some other park in the city to see where your tax dollars are going, but I... you know, I want to thank all the volunteers that helped campaign, you know, all the volunteers down at the Coleman Center, the Babe Stearn Center. And we have a park system that we can be very, very proud of, absolutely. So I... so my thanks goes to the... the voters within the City of Canton for approving that, so... Clerk Dougherty, our quote for the week, please.

CLERK DOUGHERTY: *"If you think nobody cares if you're alive, just try missing a couple car payments."* – Earl Wilson

PRESIDENT SHERER: I concur.

MEMBER SMUCKLER: I move... especially on that, 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. Thank you for coming this evening. *(Gavel falls)*.

ADJOURNMENT TIME: 8:17 PM

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ATTEST:

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

WILLIAM SHERER, II
PRESIDENT