

MINUTES OF THE MEETING AUGUST 24, 2020

PRESIDENT SHERER: (*Gavel Falls*) Good evening, ladies and gentlemen, and welcome to Canton City Council. Please turn your cell phones to vibrate, please, and we are encouraging social distancing tonight, so if somebody is not family, we encourage you to try to space out at six feet. 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, ROBERT FISHER, JOHN MARIOL, PETER FERGUSON & FRANK MORRIS)

ELEVEN COUNCIL MEMBERS PRESENT. (MEMBER HALL ABSENT; MEMBERS SCHULMAN, KIMBROUGH, FISHER, MARIOL & MORRIS APPEARED VIA VIDEOCONFERENCE) (*Note: Member Hall does appear by videoconference immediately prior to Public Speaks*)

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

PRESIDENT SHERER: Tonight's invocation will be given by Ward Council Member, Kevin Hall.

CLERK DOUGHERTY: Excuse members, please.

PRESIDENT SHERER: Okay.

CLERK DOUGHERTY: We don't... we don't have Hall. Somebody else will have to give the invocation.

EXCUSING MEMBERS

PRESIDENT SHERER: Excuse me. Leader Smuckler.

MEMBER SMUCKLER: Is Kevin the only one?

CLERK DOUGHERTY: Yes.

MEMBER SMUCKER: Mr. President, I move we excuse Member Hall this evening.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to excuse Member Hall from this evening's meeting. 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: Mr. Clerk, are we skipping the invocation?

MEMBER SMUCKLER: No.

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CLERK DOUGHERTY: No.

MEMBER SMUCKLER: Member... uh, Member Hawk.

PRESIDENT SHERER: Tonight's invocation will be given by Ward Council Member, Greg Hawk. If you would all please stand and remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on August 24, 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 Ward 1 Council Member, Greg Hawk. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Member Hawk.

AGENDA CORRECTIONS AND CHANGES

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

MEMBER SMUCKLER: Mr. President, I move Rule 22A be suspended to add 2nd Reading of Ordinances 11 through 24 back to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add 2nd Readings to Ordinances 11 through 24 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 11 through 24 are a legal part of your agenda.

PUBLIC HEARINGS

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

OLD BUSINESS

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

INFORMAL RESOLUTIONS

PRESIDENT SHERER: We're gonna kinda change it up tonight. We are now under Informal Resolutions and we have four for this evening. Mr. Clerk, would you please read Resolution #39, by title.

#39. COUNCIL-AS-A-WHOLE: ADOPTING THE 8 CAN'T WAIT STANDARDS AND THE CODIFICATION OF THE SERIOUS MISCONDUCT DISQUALIFICATION POLICY FOR THE CITY OF CANTON. – ADOPTED

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PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #39.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #39... 39. Are there any remarks?

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: As I stated often and many times down here, there were discussions going on by the N double... between the NAACP, the Mayor, the Police Chief, Safety Director and a number of other people in the room. Uh, the Police Chief, by state statute, is in charge of what the police officers learn. He's in charge of how we hire, who we hire, and he's also in charge of the standards that are set out. Symbolically, we are going to be supporting the discussion that took place with the 8 Can't Wait and also the new policy of not hiring anybody with a prior record.

PRESIDENT SHERER: Thank you, Leader.

MEMBER SMUCKLER: Mr. President, I'd like a roll call vote on that too.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Resolu... Resolution #39 is adopted. Resolution #40, please.

#40. COUNCIL-AS-A-WHOLE: AMEND RULE #2 "REGULAR MEETINGS" EFFECTIVE 9/14/20 UNTIL END OF 2020/2021 TERM. – ADOPTED

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: I move we adopt Resolution #40.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Informal Resolution #40. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

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MEMBER FISHER: No.

NO REMARKS

RESOLUTION #40 PASSED BY VOICE VOTE 10 TO 1
(MEMBER FISHER VOTED NO)

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #40 is adopted. Resolution #41, please.

#41. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SERVICE DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL AMOUNT NOT TO EXCEED \$49,850.00 FOR PURCHASE OF PORTABLE GENERATOR FOR COLLECTION SYSTEMS DEPARTMENT. – ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #41. (*Note: Leader Smuckler said "Ordinance" #41, however it is Informal Resolution #41*)

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Informal Resolution #41. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #41 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #41 is adopted. Resolution #42, please.

#42. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SERVICE DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL AMOUNT NOT TO EXCEED \$35,000.00 FOR PURCHASE OF HAULING SERVICES FOR WATER DEPT. – ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution #42.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Informal Resolution #42. Are there any remarks? ...Hearing none, by voice vote all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #42 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #42 is adopted.

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PRESIDENT SHERER: We are now under Public Speaks and we have five speakers for this evening.

MEMBER SMITH: Excuse me, Mr. President.

PRESIDENT SHERER: Member Smith.

MEMBER SMITH: I see that Member Hall is back on there, so should he be saying that he's present or what?

UNIDENTIFIED VOICE: That's been up there.

CLERK DOUGHERTY: That's been up here.

MEMBER SMITH: Oh, so he's not there? Really?

PRESIDENT SHERER: Member Hall, are you in attendance tonight?

MEMBER HALL: Yes, I am.

PRESIDENT SHERER: Okay. For the record... (*Laughter*) For the record, Member Hall is in attendance, Mr. Clerk.

PRESIDENT SHERER: We are now under Public Speaks and we have five speakers for this evening. Our first speaker is Mr. Wayne Miller. Mr. Miller, can you please step up to the podium...

WAYNE MILLER: Sure.

PRESIDENT SHERER: ...and give us your name and residential address, please. And I would like to remind everybody that they have three minutes under Public Speaks. Thank you.

WAYNE MILLER: Thank you, Council. My name is Wayne Miller. I reside at 1906 Birk Circle, B-I-R-K Circle NE, Canton 44705. My purpose today is to present the Council with a petition for the purpose of eliminating excessive speed on Johnnycake Ridge Road. The petition is worded in a manner... the petition summary and background, dangerous and excessive vehicle speed on Johnnycake Road. The current posted speed is 25 miles per hour. This posted speed limit is being ignored on a daily basis by drivers reaching speeds over 70 miles an hour. Pedestrians are at extreme risk. The action we're petitioning for is we, the undersigned, are concerned citizens who urge our leaders to act now to address and eliminate the risk of personal injury by negligent drivers that are ignoring these posted speed limits of 25 miles per hour. I have two copies of the petition, they number 80 residents on Johnnycake Road. I went out over the weekend with a few of my colleagues and we obtained this and quite frankly, the residents are frustrated. We only have one sidewalk on that road, and grandmothers were telling me they're... they're frightened for their grandchildren. And the speeders, it's not gender specific, it's not age specific. We have a few kids that are doing it, but I can clock vans with female drivers with a whole van full of kids doing the same thing. So we're asking if the Council can es... do something to alleviate the danger that our residents are facing. Thank you.

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PRESIDENT SHERER: Thank you, Mr. Miller.

WAYNE MILLER: Who would I give this to?

CLERK DOUGHERTY: Set it right there at the end of the table, sir.

WAYNE MILLER: Sure.

CLERK DOUGHERTY: We'll take care of it.

PRESIDENT SHERER: Thank you.

WAYNE MILLER: Again, thank you.

PRESIDENT SHERER: Our next speaker is Ida Ross Freeman. Ms. Freeman, could you please state your name and residential address, please.

IDA ROSS FREEMAN: Yes. Um, 1129 7th Street NW, Canton, Ohio 44703.

CLERK DOUGHERTY: Pull the mic closer to you, please. That whole thing will come towards you, yeah.

PRESIDENT SHERER: There you go, thank you.

IDA ROSS FREEMAN: Okay. Okay, I have... uh, a complaint first of all. I didn't get an agenda. I guess you didn't print enough. Anyway...

CLERK DOUGHERTY: They're on the back table, ma'am.

IDA ROSS FREEMAN: I look... I looked over there.

CLERK DOUGHERTY: No, back here.

UNIDENTIFIED VOICE: I think they're on the back table this time (*inaudible*)...

IDA ROSS FREEMAN: Oh, they moved it. Okay. Okay, we need po... police calls, documentation, doc... documented as to the calls that they go out on so we can get data, collect data, of who's doing all these crazy stops in our community. Like... uh, your seat belt, you... you know, and if they have compute... repeated things. We need to know who's doing all of this, in the police department. And when there's two officers riding together and they come upon an incident, I think both officers should write a statement, not one. That way we... some in the... somewhere in the middle we might get the truth. We need for police to be registered like social workers on a national level so they can't go from... uh, do police department shopping, go from one police department to another after they get fired for bad behavior. And I propose that the police have their own personal liability insurance. I think if they had their own personal liability insurance, it would save the city some money because if they have to pay for the insurance, they're less likely to do ba... to cause bad behavior.

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Um, cause every time they do bad behavior and they have to report it to the lia... to the liability insurance, the insurance will go up. Uh, we're gonna save money, and maybe from that money that we have to pay out to people because of the police doing wrong, we can hire extra police officers. That's one proposal. And this thing with the 8 Can Wait... Can't Wait, I think 8 can wait because this article in the paper was so subjective. If I'm a police officer on patrol and it says ban chock hold unless deadly force is authorized, nothing has changed. And I went through this whole thing and I'm like what in... what is this?

PRESIDENT SHERER: Ms. Freeman, could you bring your remarks to a close, please?

IDA ROSS FREEMAN: Okay. What is this? We need to... and... and I think you call it 40? You need to relook at that 40 because nothing has changed. We need... we need reform, not defunding. We need reform in our community with our police, never defund. Thank you.

PRESIDENT SHERER: Thank you, Ms. Freeman. Our next speaker is Veronica Earley. And hopefully I got that right.

VERONICA EARLY: Yeah.

PRESIDENT SHERER: Ms. Earley, could you please step forward and give us your name and residential address, please.

VERONICA EARLY: Veronica Early, 1251 Oxford Avenue NW, Canton, Ohio. Okay, I'm here to talk about the... the police reform too. I seen that article in the paper and I cannot believe you guys suggested that tonight, but then I can believe it because that's what's been going on here in Canton. Enough is enough. You need to go on... on your internet and revamp your...

UNIDENTIFIED VOICE: Ward map.

VERONICA EARLEY: Your ward map. It's so outdated. It's back from 19 something, and it's very hard for us to read, and we need to read it because we are going to get every last one of people in office, all of you, everybody, all of you, and the police department, who's ever in... uh, that we can vote in office, they need out. They need out. We want all new blood in, because you people are not serving us. You are not here for us. You are starting... you are there for the police and their needs, not the people who you are supposed to... who you are sworn to oath to take care of and to back and to serve and protect. You're not. And enough is enough. So will you please have that updated so we can know who is what ward and what's going on and just be able to read it, cause there is no way that should be back from 19 something. There is no way. But then it is, that's just... that's kinda like they call it, you know, intentional, but not intentional, so we don't know. But, voting's gonna be different this year. When you guys are coming up for office, it's gonna be different. You will have somebody running against you, and you're gonna have people running against you hard because you people are not helping us. You voted that 8... that is the... that is the craziest thing. There's nothing changed. It's the same thing they're... they've been doing. Oh, I felt threatened, that's why I had to choke him out till he died. Oh, I felt threatened, that's why I had to shoot him 28 times. Oh, I felt threatened. Who's to say that... you know, who's there to say that? That... that... that, you know, that maybe you weren't. We have no police people... no community policing the police. We have nothing. Just you representing us. I'm tired of you all

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representing me. I am sick of it. You're not doing anything for me, or my community. So no, enough is enough, and you guys... I hope... start looking for new jobs because you will not be in office next time.
(Inaudible voice in the background)

PRESIDENT SHERER: Thank you, Ms. Earley. Our next speaker is Skylark Bruce. Ms. Bruce, could you please step forward and give us your name and residential address, please.

SKYLARK BRUCE: My name is Skylark Bruce and I live at 1242 Worley Avenue NW. I'm excited because I get to congratulate you. Updating city policies to meet the 8 Can't Wait standards is a big deal, if a small first step. It seems likely to me that some city officials were dragged into this new reality with loud objections, but were here regardless. Thank you. I was not certain that we would see progress on 8 Can't Wait with the current office holders. I'm so glad we're moving forward here and now instead of waiting for after the results of an election. This move gives me confidence that my city won't have to play catch up, but that we can lead the way and be an example for other cities to follow. Black people here and everywhere can be safer with appropriate constraints on police. The next step in the process as laid out by Campaign Zero is Nix the Six. When I look at what Nix the Six holds, I'm amazed at what is possible. This step is more in depth, with substantive change that has the ability to save lives and alter mind sets. We are accomplishing the first step in record time. What is laid out before us is something we do have the ability to do. I must also mention that I was disappointed with how city officials handled the news of a positive COVID 19 test among activists who were present at a special meeting on August 5th. Activists learned this information ourselves on August 10th, mere hours before the bi-weekly Council meeting. Activists who attended on August 5th were barred from atten... from entering the building on August 10th, but the same was not true for council members or police officers who were also present. As I was at home in self-quarantine, I heard from several that among the officers who were at the main doors on August 10th was Officer William Watkins. Watkins was also present on August 5th and he was much closer to the possibly contagious person since he was near the public double doors, not behind the council low wall divider. The virus doesn't care about anyone's title or role. If Watkins' services were needed to determine who was able to enter the building due to the same level of possible exposure that he also had, this could have been done by a video call. Council Member Smuckler, Scaglione and Hawk also could have switched to zoom attendance. I appreciate attempts to take the pandemic seriously, however since the virus doesn't care who someone is, preferential treatment for access to public meetings makes no public health sense. We can do better. Thank you.

PRESIDENT SHERER: Thank you, Ms. Bruce. And our last speaker for tonight is Jasper Robinson. Mr. Robinson, can you please step forward and give us your name and residential address, please.

JASPER ROBINSON: Jasper Robinson, 318 South Main Street, Orrville, Ohio. How y'all doin' tonight?

CLERK DOUGHERTY: Lift the mic, please.

JASPER ROBINSON: How y'all doin' tonight?

CLERK DOUGHERTY: Yeah.

JASPER ROBINSON: Sweet. So, when the protest groups brought the 8 Can't Wait to the Council, the 8

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Can't Wait was already modified from the original 8 Can't Wait. After that it was given to y'all through representation of an NAACP member, I presume? And however you all took that, I know Mr. Smuckler was here talking about they can't do anything until they re-read it or reword it. Y'all ended up revising or remodifying a modified version of the 8 Can't Wait. And with that allows police officers to still be able to choke somebody if they deem fit. The purpose of banning the choke hold is so that they don't choke nobody to death. They have a Taser gun, baton, usually a partner... y'all respond pretty quick when it's somewhere in the black neighborhood, and a pistol. So when we brought you the 8 Can't Wait, at least that part, we wanted y'all to ban that because the police is killing people just like that, but you couldn't do that. Y'all took it upon yourself to reform it and then not even bring it back to all of us and allow us to agree to the term that y'all did. We brought something to you, gave you all time to be able to agree with it, you didn't agree, you modified it. You didn't even have the decency to bring it back to the people to see if we wanted to agree to that before y'all sat here and voted on it. To me that sounds like y'all have not heard a word we're saying. You're not here to represent us at all. We will then hear on a Wednesday special meeting, and it was packed in here, and these people told you how they felt and y'all gave a disregard to it all. I hope you feel good about yourselves.

PRESIDENT SHERER: Thank you, Mr. Robinson.

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 AUGUST 24, 2020.

- 282. CHIEF OF POLICE ANGELO: RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX ACCT FOR JUNE, 2020. – RECEIVED & FILED
- 283. COURT ADMIN KOCHERA: REQ \$18,927.10 SUPP APPROP FR UNAPPROP BAL #701001-2659 PROBATION AWARD FUND TO APPROP BAL PERSONNEL - #701001-2659 PROBATION AWARD FUND (FOR CONT'D OPER OF COURT). – FINANCE COMMITTEE
- 284. DEPUTY MAYOR WILLIAMS: REQ AUTH TO ENTER INTO LOAN AGMT WITH A.M. RODRIGUEZ ASSOCIATES, INC IN AMT OF \$1,000,000.00, FOR LEHMAN SCHOOL PROJ; EMERGENCY (ISSUE 13 COMP FUNDS, 0.5% INT FOR 30 YRS). – FINANCE COMMITTEE
- 285. DEPUTY MAYOR WILLIAMS: REQ LEG AUTH LEVYING OF SPECIAL ASSESSMENTS FOR THE HOV HOTEL II LLC PROJ; STATE LIST OF SPECIAL ASSESSMENTS IN AMT SUFFICIENT TO PAY COST OF PROJ IS ADOPTED AND CONFIRMED; ASSESS SPECIAL ASSESSMENTS AGAINST PROPERTY COMMENCING IN TAX YR 2021 FOR COLLECTION IN 2022 TO CONTINUE THRU TAX YR 2038 FOR COLLECTION IN 2039; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE COMMITTEE
- 286. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO FUNDING AGMT WITH CANTON CITY SCHOOL DISTRICT IN AMT NOT TO EXCEED \$500,000.00 (CARES ACT FUNDS FOR PURCH OF WI-FI HOT SPOTS). – FINANCE COMMITTEE

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287. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT WITH STEVE MARTIN CONSTRUCTION LLC IN AMT NOT TO EXCEED \$40,000.00 TO DEMOLISH VACANT APARTMENT BUILDING LOCATED AT 600 – 15TH ST. NW. (ISSUE 13 NEIGHBORHOOD FUNDS). – FINANCE COMMITTEE
288. LIQUOR CONTROL DIV (OHIO): REQ D5J PERMIT (#8150180) FOR SILVER TONGUE CATERING LLC DBA FROMAGE DU MONDE @ 340 4TH ST NW. – RECEIVED & FILED
289. PLANNING COMMISSION: REQ REPLAT OF PART OF LOT 766 AND COMBINING PART OF LOT 982, ALL OF LOT 983 AND PART OF VACATED OAK STREET, ALSO KNOWN AS TAX PARCELS 242247 AND 243628, LOCATED AT 606 2ND ST SE, IN WARD 4, FOR AMERICAN ELECTRIC POWER. – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
290. PLANNING COMMISSION: REQ TEXT CHANGES TO CANTON COD ORD BY AMENDING CHAPTERS 1195.09 – FEE FOR SITE PLAN REVIEW COMMITTEES AND 1195.10 – SITE PLAN REQUIREMENTS. – JUDICIARY COMMITTEE
291. PLANNING COMMISSION: REQ TEXT CHANGES TO CANTON COD ORD BY AMENDING CHAPTERS 1194.08 AND 1194.09 – FEES FOR ZONING PERMITS. – JUDICIARY COMMITTEE
292. PLANNING COMMISSION: REQ TEST CHANGES TO CANTON COD ORD BY THE ADDITION OF CHAPTER 1195.025 – SPECIAL INSPECTIONS AND SERVICES. – JUDICIARY COMMITTEE
293. PLANNING COMMISSION: REQ TEXT CHANGES TO CANTON COD ORD BY AMENDING CHAPTERS 1139, 1140.01, 1140.02 & 1194.08 – PRIVATE SWIMMING POOLS. – JUDICIARY COMMITTEE
294. PLANNING COMMISSION: REQ TEXT CHANGES TO CANTON COD ORD BY AMENDING CHAPTERS 1194.05 – ADMINISTRATION AND ENFORCEMENT – FAILURE TO OBTAIN A PERMIT. – JUDICIARY COMMITTEE
295. SAFETY DIRECTOR PERRY: AUTH MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF EXHAUST REMOVAL SYSTEM AT VARIOUS STATIONS AND RELATED WARRANTIES AND ACCESSORIES FOR FIRE DEPT; ALTERNATELY AUTH MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCH OF SAID ITEMS WITH ANY PROCUREMENT PROCESS AUTH BY LAW; AUTH AUDITOR TO CREATE FUND 2819-2019 ASSISTANCE TO FIREFIGHTERS GRANT; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; AMEND APPROP O#59/2020 (\$97,750.00 SUPP APPROP FR UNAPPROP BAL OF 2819 2019 ASSIT TO FIREFIGHTERS GRANT TO 2819 103001 FIRE ADMIN – OTHER; \$97,750.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 103001 – FIRE ADMIN – ADV OUT - \$88,863.64, TO 1001 103001 – FIRE ADMIN – TRF OUT - \$8,886.36; ADV AND TRF FR 1001 103001 – TRF OUT TO OTHER FUND - \$8,886.36, ADV AND TRF FR 1001 103001 – ADV OUT TO OTHER FUND - \$88,863.64 TO 2819 103001 – TRF IN FR OTHER FUND - \$8,886.36, TO ADV IN FR OTHER FUND - \$88,863.64); EMERGENCY. – FINANCE COMMITTEE
296. SERVICE DIRECTOR HIGHMAN: REQ TO WITHDRAW COMMUNICATION #278 FR 8/10/20 AGENDA. – RECEIVED & FILED

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297. SERVICE DIRECTOR HIGHMAN: AUTH AND DIRECT AUDITOR TO PAY MORAL OBS FOR CONSTRUCTION SERVS RELATED TO WOODLAWN AVE WATER MAIN EXTENSION PROJ IN AMT NOT TO EXCEED \$11,221.02; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE COMMITTEE
298. SERVICE DIRECTOR HIGHMAN: AUTH ANNUAL STARTING SALARY OF \$60,000.00 FOR MR. WESLEY CARDER, ENGINEER II, AT THE WATER REC FACILITY; EMERGENCY, - FINANCE AND PERSONNEL COMMITTEES
299. SERVICE DIRECTOR HIGHMAN: REQ INFORMAL RESOLUTION AUTH SERV DIR TO OPEN PURCH ORDER IN AMT OF \$49,850.00 TO LEPPPO INC. FOR PURCH OF PORTABLE GENERATOR FOR COLLECTIONS SYSTEMS DEPT. – RECEIVED & FILED
300. SERVICE DIRECTOR HIGHMAN: REQ INFORMAL RESOLUTION AUTH SERV DIR TO OPEN PURCH ORDER IN AMT OF \$35,000.00 TO JMW TRUCKING TO HAUL AWAY SEDIMENT FR LAGOON AT SUGAR CREEK WATER TREATMENT PLANT. – RECEIVED & FILED
301. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR JULY 2020. – RECEIVED & FILED
302. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF JULY 31, 2020. – RECEIVED & FILED
303. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF JULY 31, 2020. – 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 THROUGH #10 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#5 THRU O#10 ADOPTED):

- O#1. (1ST RDG) AN ORDINACE AUTHORIZING THE AUDITOR TO PAY THE STARK MENTAL HEALTH & ADDICTION RECOVERY BOARD A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$18,750; AND DECLARING THE SAME TO BE AN EMERGENCY (COVER 2ND HALF OF STATE FISCAL YR 2020 EXPENSES)
Referred to Finance Committee
- O#2. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$12,851.65 APPROP TRF FR 2772 102019 COVID-19 STIMULUS FUND – PAYROLL TO 2772 102019 COVID-19 – OTHER)
Referred to Finance Committee

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- O#3. (1ST RDG) AN ORDINANCE ESTABLISHING THE STOREFRONT REINVESTMENT PROGRAM (“SRP”) AND AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO SRP GRANT AGREEMENTS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OF DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A CONTRACT AMENDMENT/MODIFICATION IN AN ESTIMATED AMOUNT OF \$110,000.00 WITH AECOM TECHNICAL SERVICES, INC. FOR ENGINEERING SERVICES RELATED TO THE 11TH STREET SE INTERSECTION AND ROADWAY IMPROVEMENT PROJECT, PID 90465, GP 1144; 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#5. (1ST RDG) **ADOPTED AS ORDINANCE NO. 145/2020** AN ORDINANCE, FOR THE PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THE AREA OF THE CITY OF CANTON DESIGNATED AS A TOURISM DEVELOPMENT DISTRICT, PURSUANT TO SECTIONS 715.014(D) AND 5739.101 OF THE OHIO REVISED CODE, LEVYING A TAX ON THE PRIVILEGE OF ENGAGING IN THE BUSINESS OF MAKING CERTAIN TYPES OF SALES IN THE DOWNTOWN CANTON TOURISM DEVELOPMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development and Finance Committees
- O#6. (1ST RDG) **ADOPTED AS ORDINANCE NO. 146/2020** AN ORDINANCE ESTABLISHING A SPECIAL FUND TO BE DESIGNATED AS THE “DOWNTOWN CANTON TOURISM DEVELOPMENT DISTRICT FUND”; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development and Finance Committees
- O#7. (1ST RDG) **ADOPTED AS ORDINANCE NO. 147/2020** AN ORDINANCE AMENDING SECTION 185.18 OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON IN ORDER TO AUTHORIZE THE REALLOCATION OF EXISTING TRANSIENT LODGING TAX FUNDS TO SUPPORT REDEVELOPMENT OF THE DOUBLETREE BY HILTON IN CONNECTION WITH THE DOWNTOWN CANTON TOURISM DEVELOPMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development and Finance Committees
- O#8. (1ST RDG) **ADOPTED AS ORDINANCE NO. 148/2020** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$12,000.00 SUPP APPROP FR UNAPPROP BAL OF 2322

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DENTAL SEALANT FUND TO 2322 301001 DENTAL SEALANT – 700 OTHER DIRECT COSTS)

Referred to Finance Committee

O#9. (1ST RDG) **ADOPTED AS ORDINANCE NO. 149/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO RESPOND TO THE CITY HALL COMMUNICATIONS POLE EMERGENCY REPLACEMENT PROJECT; 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#10. (1ST RDG) **ADOPTED AS ORDINANCE NO. 150/2020** AN ORDINANCE AUTHORIZING THE MAYOR AND/OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A GRANT AGREEMENT WITH THE CANTON CITY SCHOOL DISTRICT USING CARES ACT FUNDS FOR THE PURCHASE OF WIFI HOTSPOTS; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance Committee

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for Community & Economic Development and Finance Committees to meet in regard to Ordinances 5 through 10 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:28 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES TO DISCUSS O#5 THROUGH O#10; RECONVENED AT 7:37 PM)

PRESIDENT SHERER: Council is reconvening after the recess. Leader Smuckler. *(Brief pause)*

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinances 5 through 10 back on this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 5 through 10 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: The motion carries and Ordinances 5 through 10 are a legal part of your agenda. Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend the Statutory Rules on Ordinances 5 through 10.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 5 through 10. 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: Leader, you've... you've heard the three readings.

MEMBER SMUCKLER: Mr. President, I move... uh, move to... I'm sorry. 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, 1 ABSTENTION
(MEMBER HAWK ABSTAINED)

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

#5 ADOPTED AS ORDINANCE NO. 145/2020

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

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 under this Ordinance? ...Hearing none, roll call vote please.

NO REMARKS

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

CLERK DOUGHERTY: Eleven yeas, one abstention.

#6 ADOPTED AS ORDINANCE NO. 146/2020

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

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 1 NAY
(MEMBER MORRIS VOTED NO)

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

#7 ADOPTED AS ORDINANCE NO. 147/2020

PRESIDENT SHERER: The motion... motion carries and Ordinance #7 is adopted. Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#8 ADOPTED AS ORDINANCE NO. 148/2020

PRESIDENT SHERER: The motion carries and Ordinance #8 is adopted. Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 149/2020

PRESIDENT SHERER: The motion carries and Ordinance #9 is adopted. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #10. Are there... is there any remarks under this Ordinance?

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: Um, I... I have one additional question I believe for Deputy Mayor Williams. Um, just curious, any idea what the additional cost would be to get to a hundred percent coverage?

DEPUTY MAYOR WILLIAMS: Mr. Chairman, Members of Council, those numbers are being reviewed right now. Um, I will report back once we have a final number.

MEMBER MARIOL: Okay, thank you. I appreciate it.

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

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 150/2020

PRESIDENT SHERER: The motion carries and Ordinance #10 is 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 #11.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #11 THROUGH #24 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#11. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO THE CANTON COMMUNITY IMPROVEMENT CORPORATION; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCEL 232479 @ 1800 BLOCK OF KIMBALL ROAD SE FOR SELENIUM PROP, LLC)

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- O#12. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,229.00 SUPP APPROP FR UNAPPROP BAL OF 2810 COVID-19 RELIEF FUND TO 2810 702001 CLERK OF COURTS – ADMIN – OTHER; \$1,229.00 INTER-FUND TRF FR 2810 COVID-19 RELIEF FUND TO 1001 GENERAL OPERATING FUND)
- O#13. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOTS 36455, 36456 AND 36457; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 305282 & 305283 @ 2002 29TH ST NW FOR ANTHONY & MARY GEMMA, WARD 7)
- O#14. (2ND RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF LOT 22189 AND PART OF LOT 22190; AND DECLARING THE SAME TO BE AN EMERGENCY (PARCELS 206629 & 206630, @ 1413 RIDGEWAY PL NW FOR SAM & TULA NOUSSIAS, WARD 7)
- O#15. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 1107, ARCHITECTURAL REVIEW BOARD OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF CANTON **PUB HRG 9/14/20 @ 7:00 PM**
- O#16. (2ND RDG) AN ORDINANCE AMENDING SECTIONS 1187.06 SIGNS EXEMPT FROM PERMIT REQUIREMENTS 1187.07, GENERAL REGULATIONS AND 1187.13, SIGN REGULATIONS BY TYPE: ELECTRONIC MESSAGE UNITS (DIGITAL DISPLAY), OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF CANTON **PUB HRG 9/14/20 @ 7:01 PM**
- O#17. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 1131, DEFINITIONS AND SECTION 1148.11, SALE OF MERCHANDISE, FOOD ITEMS, AND OTHER ITEMS OUTSIDE OF A STRUCTURE, OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF CANTON **PUB HRG 9/14/20 @ 7:02 PM**
- O#18. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 1153, OUTDOOR DINING AREAS AND SIDEWALK CAFES, OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF CANTON **PUB HRG 9/14/20 @ 7:03 PM**
- O#19. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$8,037.97 TO DELL MARKETING L.P.; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#20. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE PURCHASE OF CLOUD STORAGE FOR THE POLICE DEPARTMENT OR TO ALTERNATIVELY ENTER INTO CONTRACT FOR SAID PURCHASE IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE

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SAME TO BE AN EMERGENCY (\$37,826.50 FR EDWARD BYRNE MEMORIAL GRANT, O#209/2019)

- O#21. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT \$16,800.00 IN GRANT FUNDS FROM THE OHIO OFFICE OF CRIMINAL JUSTICE SERVICES FOR THE 2019 PROJECT SAFE NEIGHBORHOOD GRANT; AUTHORIZING THE AUDITOR TO CREATE THE 2794 PROJECT SAFE NEIGHBORHOOD GRANT FUND; ALTERNATIVELY AUTHORIZE THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO CONTRACT FOR THE PURCHASE OF CAMERAS AND HARDWARE FOR THE WIFIBER NETWORK IN ACCORDANCE WITH ANY OHIO REVISED CODE OR THE CANTON CODIFIED ORDINANCES; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$16,800.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 102001 POLICE ADMINISTRATIVE – OTHER; \$16,800.00 FR UNAPPROP BAL OF 2794 PROJECT SAFE NEIGHBORHOOD GRANT FUNDS TO 2794 102001 POLICE ADMINISTRATIVE – OTHER; \$16,800.00 INTER-FUND ADVANCE FROM 1001 GENERAL OPERATING FUND TO 2794 PROJECT SAFE NEIGHBORHOOD GRANT FUND)
- O#22. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ACCEPT THE 2020 COPS HIRING PROGRAM GRANT #2020-UM-WX-0159; AUTHORIZING THE AUDITOR TO CREATE THE 2798 – 2020 COPS HIRING PROGRAM GRANT #2020-UM-WX-0159 FUND; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$175,000.00 SUPP APPROP FR UNAPPROP BAL OF 2798 2020 COPS HIRING GRANT FUND TO 2798 102001 POLICE ADMIN – OTHER)
- O#23. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO ALL AGREEMENTS NECESSARY TO TRANSFER PROPERTY OUTLINED IN EXHIBIT A TO STARK AREA REGIONAL TRANSIT AUTHORITY PURSUANT TO ORC SECTIONS 306.36 AND 163, ET SEQ., FOR A PRICE OF \$100,000.00 FOR THE PROPERTY AND AN ADDITIONAL \$200,000.00 TO RELOCATE AND REBUILD THE CRENSHAW PARK SHELTER AND TO ENTER INTO ANY EASEMENTS NEEDED FOR SAID PROJECT; AUTHORIZING THE MAYOR, DIRECTOR OF PUBLIC SERVICE AND/OR CANTON PARK BOARD TO: RECEIVE SAID FUNDS; ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY TO MOVE AND RECONSTRUCT THE SHELTER AND TO ENTER INTO ALL CONTRACTS NECESSARY FOR SAID MOVE UTILIZING ANY PROCESS AUTHORIZED BY LAW; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$300,000.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARKS OPERATION FUND TO 2530 401060 SPECIAL PARKS FUNDS – OTHER)

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O#24. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #2 AND FINAL WITH CENTRAL ALLIED ENTERPRISES, INC. IN AN AMOUNT NOT TO EXCEED \$44,727.38 FOR THE 2019 CITY PAVING PROGRAM PHASE III – MADISON AVE. SE RESURFACING PROJECT, GP 1308; AND DECLARING THE SAME TO BE AN EMERGENCY

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: Thank you, Mr. Clerk.

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. Mr. Clerk, please read Ordinance #25.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #25 THROUGH #27 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 151/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO APPLY FOR, ENTER INTO AGREEMENT FOR AND RECEIVE FAIR HOUSING PARTNERSHIP FUNDS FROM THE DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT; AUTHORIZING THE AUDITOR TO CREATE THE 2224 2020 FH PARTNERSHIP GRANT FUND; AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO ALL PROFESSIONAL CONTRACTS NECESSARY TO ALLOW FOR EFFECTIVE OPERATION OF THE PROGRAM DURING THE GRANT PERIOD USING ANY PROCESS IN THE CODIFIED ORDINANCES OR THE OHIO REVISED CODE; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$10,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 505010 FAIR HOUSING DEPT – OTHER; \$10,000.00 SUPP APPROP FR UNAPPROP BAL OF 2224 2020 FH PARTNERSHIP GRAND FUND TO 2224 505010 FAIR HOUSING DEPARTMENT – OTHER; \$10,000.00 INTER-FUND TRF/ADV FR 1001 505010 FAIR HOUSING DEPARTMENT – ADV OUT TO 2224 505010 FAIR HOUSING DEPARTMENT – ADV IN)

PRESIDENT SHERER: 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? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK DOUGHERTY: Twelve yeas, Mr. President.

#25 ADOPTED AS ORDINANCE NO. 151/2020

PRESIDENT SHERER: Motion carries and Ordinance #25 is adopted. Ordinance #26, please.

O#26. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 152/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS FOR ENGINEERING SERVICES DURING THE STRUCTURAL EVALUATION PHASE OF THE CROMER RESERVOIR IMPROVEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$258,205.00; ENTER INTO AN AGREEMENT WITH THE OHIO WATER DEVELOPMENT AUTHORITY FOR A PLANNING LOAN IN AN AMOUNT NOT TO EXCEED \$258,205.00 TO FUND ENGINEERING SERVICES; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5242 CROMER RESERVOIR IMPROVEMENT PROJECT FUND; EXECUTE A PROFESSIONAL SERVICES CONTRACT WITH ARCADIS IN AN AMOUNT NOT TO EXCEED \$258,205.00; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$258,205.00 SUPP APPROP FR UNAPPROP BAL OF 5242 CROMER RESERVOIR IMPROVEMENT PROJECT FUND TO 5242 207070 CROMER RESERVOIR IMPROVEMENT PROJECT – OTHER)

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #26. Are there any remarks? Leader.

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #26 by the amendment before everybody.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved & seconded to amend Ordinance #26 per the copy before each of you. Are there any remarks?

MEMBER HAWK: Yes, I have a question very quickly.

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PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: As I'm looking at the amended document, it says Cromer Reservoir Improvement Project in an amount not to exceed \$258,205.00, and enter into agreement with the Ohio Water Development Authority for planning money in an amount not to exceed \$259,109.00. Those numbers don't match. Why?

SERVICE DIRECTOR HIGHMAN: Uh, they should match. It is... the numbers should both be \$259,109.00.

MEMBER HAWK: The amendment we have in front of us, the first number is \$258,205.00.

SERVICE DIRECTOR HIGHMAN: Yeah, it's two... \$259,109.00 is the correct number.

MEMBER HAWK: Do we need to have a new document to amend this, or do we... what do we need to do here on this thing? We have one in front of us, an amendment. What do we need to do with it?

SERVICE DIRECTOR HIGHMAN: I would refer to the Law Department.

ASSISTANT LAW DIRECTOR REESE: I'm sorry, Greg. Can you repeat the question cause I'm having a heck of a time hearing it.

PRESIDENT SHERER: Greg, you might have to press the button.

MEMBER HAWK: Cert... certainly, sir. On the amendment that we have in front of us, the first number is two thous... two hundred fif... two hundred thousand fifty-eight dollars and...

MEMBER FERGUSON: Two fifty-eight...

MEMBER HAWK: \$258,205.00. The next number down is a loan for two thou... \$259,109.00. The two numbers don't match and they should.

SERVICE DIRECTOR HIGHMAN: Oh, okay. Can I say something real quick?

MEMBER HAWK: Certainly.

SERVICE DIRECTOR HIGHMAN: I... I misunderstood the first number that you said. The... the two... those two numbers are not to match.

MEMBER HAWK: Okay, thank you.

SERVICE DIRECTOR HIGHMAN: I... I apologize for the confusion. I thought you... I misunderstood. I thought you said that there was a two hundred and... or a \$215,000.00. No, those two numbers don't match because the... the appropriation and the loan is for \$259,109.00. That includes the fees for the actual... uh, for the actual OWDA loan. The actual agreement with Arcadis is \$258,205.00. I misunderstood the number that you said, so I apologize for that, so it sounds like everything is correct. My bad.

MEMBER HAWK: No, it was not bad. It was probably the microphones and everything else, and it could possibly have been the way I was speaking in the microphone, but I appreciate it. Thank you very much. It clarifies everything.

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PRESIDENT SHERER: Thank you, Member Hawk. Are there any additional 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 Smuckler.

MEMBER SMUCKLER: Mr. President, I move we adopt Resolution... I'm sorry, Ordinance #26, as amended.

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move we amend Agenda Item No. 26 by the substitution of the attached amended Ordinance for the original pending Ordinance.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #26, 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.

#26 ADOPTED AS AMENDED AS ORDINANCE NO. 152/2020

PRESIDENT SHERER: The motion carries and Ordinance #26, as amended, has been adopted. Ordinance #27, please.

O#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 153/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CHANGE ORDER #2 WITH WENGER EXCAVATING, INC. IN AN AMOUNT NOT TO EXCEED \$140,000.00 FOR THE AULTMAN CANCER CENTER PUBLIC UTILITIES RELOCATION PROJECT, GP 1324 CHANGE ORDER #2; AND DECLARING THE SAME TO BE AN EMERGENCY

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

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CLERK DOUGHERTY: Twelve yeas, Mr. President.

#27 ADOPTED AS ORDINANCE NO. 153/2020

PRESIDENT SHERER: Motion carries and Ordinance #27 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Chairman Mariol.

MEMBER MARIOL: Finance Committee will meet September 14th at 6:30 here in Council Chambers.

PRESIDENT SHERER: Thank you, Member Mariol. (*Inaudible voice*) No, that... that should be it for the Committee Meetings.

MISCELLANEOUS BUSINESS

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

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Member Mariol.

MEMBER MARIOL: I just wanted to comment on the record on Ordinance #10. Um, I want everybody to be aware of this in public that 50% of Canton City School children do not have access to WiFi. Um, that is not only a problem during COVID with remote learning, that is a problem for their prospects of a job where every industry is going more towards technology, and I want to commend Deputy Mayor Williams and everyone in the Administration working on this, and hopefully we can get 100% access to WiFi in the near future, the long term. For the children in Canton to have success, we need to come up with a long term solution that every child in the City have access to the Internet because the prospects of success in the 21st century without growing up with the Internet or are very small. Thank you.

PRESIDENT SHERER: Thank you, Member Mariol. And I would totally agree, every child in our ser... City deserves a chance, and I would totally agree.

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: Clerk Dougherty.

CLERK DOUGHERTY: Yeah, just a notification that our Feed the Needy Picnic held every year on the third Saturday of September has been cancelled due to COVID 19.

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PRESIDENT SHERER: Thank you, Clerk Dougherty. Is there any other Miscellaneous Business for this evening? ... Hearing none, Clerk Dougherty, our vote for... our quote for the week, please.

(Phone can be heard ringing)

CLERK DOUGHERTY: *“No matter what happens in life, be good to people. Being good to people is a wonderful legacy to leave behind.”* –Taylor Swift

PRESIDENT SHERER: Thank you, Clerk Dougherty. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adjourn, before the phone rings again. 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 attending this evening. *(Gavel Falls)*. Have a great night, everybody.

ADJOURNMENT TIME: 8:00 PM

ATTEST: 8/26/20

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

WILLIAM SHERER, II
PRESIDENT