

MINUTES OF THE MEETING OCTOBER 19, 2020

PRESIDENT SHERER: Good evening...good evening ladies and gentlemen and welcome to Canton City Council. Please turn your cellphone to vibrate. We are encouraging social distancing tonight. 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, GREG HAWK, BRENDA KIMBROUGH, JASON SCAGLIONE, CHRIS SMITH, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, PETER FERGUSON & FRANK MORRIS)

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

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

EXCUSING MEMBERS

PRESIDENT SHERER: Leader Smuckler.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to excuse Member Schulman 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: The motion carries and Member Schulman is excused from this evening's meeting. Tonight's invocation will be given by Ward 9 Council Member, Frank Morris. If you would all please stand and remain standing for the Pledge of Allegiance.

The regular meeting of Canton City Council was held on October 19, 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 9 Council Member, Frank Morris. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Member Morris.

MEMBER MORRIS: My pleasure.

AGENDA CORRECTIONS AND CHANGES

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

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MEMBER SMUCKLER: Mr. President, I move Rule 22A be suspended to add 2nd Reading of Ordinances 13 through 20 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to add 2nd Readings of Ordinances 13 through 22...is that correct, Clerk Dougherty?

CLERK DOUGHERTY: It is...13 through 20.

MEMBER SMUCKLER: That's what I said, 13 through 20.

PRESIDENT SHERER: Okay. Just to clarify. It's been moved and seconded to Ru...to suspend Rule 22A to add 2nd Reading of Ordinances 13 through 20 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 13 through 20 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SHERER: We are now under Public Hearings and we have 6 for this evening. Mr. Clerk, would you please announce the first Public Hearing.

CLERK DOUGHERTY: AN ORDINANCE AMENDING SECTIONS 1195.09, FEE FOR SITE PLAN REVIEW AND SECTION 1195.10, SITE PLAN REQUIREMENTS OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF CANTON; PLANNING COMMISSION RECOMMENDS APPROVAL

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

CLERK DOUGHERTY: AN ORDINANCE AMENDING SECTIONS 1194.08, FEES FOR ZONING PERMITS AND 1194.09, ZONING PERMIT FEE EXEMPTION FOR GOVERNMENT STRUCTURES OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF CANTON; PLANNING COMMISSION RECOMMENDS APPROVAL

PRESIDENT SHERER: Is there anyone in the audience wishing to speak for or against this Ordinance, please step forward. I must repeat, is there anyone in the audience wishing to spake...speak for or against this

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Ordinance, please step forward. Seeing no one step forward, the Chair declares this Public Hearing over in regard to this matter. The matter now rests in the hands of Council. The Ordinance will follow later this evening. Mr. Clerk, the third Public Hearing, please.

CLERK DOUGHERTY: AN ORDINANCE AMENDING CHAPTER 1195, ADMINISTRATIVE AGENCIES & DUTIES OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF CANTON; PLANNING COMMISSION RECOMMENDS APPROVAL

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

CLERK DOUGHERTY: AN ORDINANCE AMENDING CHAPTERS 1139, PERMITTED ACCESSORY BUILDINGS AND STRUCTURES; 1140, PERMITTED ACCESSORY USES; AND 1194, ENFORCEMENT OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF CANTON; PLANNING COMMISSION RECOMMENDS APPROVAL

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

CLERK DOUGHERTY: AN ORDINANCE AMENDING SECTIONS 1194.05, ADMINISTRATION AND ENFORCEMENT – FAILURE TO OBTAIN A PERMIT OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES OF CANTON; PLANNING COMMISSION RECOMMENDS APPROVAL

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

CLERK DOUGHERTY: AN ORDINANCE DECLARING A DESIGNATED AREA OF THE CITY OF CANTON AS A TOURISM DEVELOPMENT DISTRICT, TO BE KNOWN AS THE CENTENNIAL PLAZA TOURISM DEVELOPMENT DISTRICT, FOR THE PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT, PURSUANT TO OHIO REVISED CODE SECTION 715.014; AND DECLARING THE SAME TO BE AN EMERGENCY

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

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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. Deputy Mayor, is there any Old Business for this evening?

DEPUTY MAYOR WILLIAMS: No, Mr. President.

PRESIDENT SHERER: Thank you, Deputy Mayor.

PUBLIC SPEAKS

PRESIDENT SHERER: We are now under Public Speaks and we have 6 speakers for tonight. Umm...I would like to remind our speakers and uh...we will try to remain a level of professionalism in the room, while we're here at Council tonight and you do have 3 minutes. So, our first speaker tonight will be Ms. Kimberly Bell. Ms. Bell, if you could give me one second. We've got to get the mic set up for you, so...

KIM BELL: Oh...

CLERK DOUGHERTY: ...I'll give it back later...

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

KIM BELL: Yes, Kimberly Bell, uh... 135 17th St. uh...Canton, Ohio. Is that it? I keep forgetting. Okay, um, I'm gonna speak about a couple things tonight. Well, first, I wanna, you know, say this...you know, the city is a government and...and...as a government, a city government in the Stark County government, there should be no reason to help fund programs such as Mrs. Grimes, whose program is called "Clean", and the program of the layout that I gave you guys, this time last year, about helping people that's coming out of the prison system. The first thing a person is...when they're coming out of the prison system, is not a job, it's a place to live, is what they need. And that layout I gave you was gonna help me try to get that organized, but I'm running out, so let me move on. Both programs will help the justice system, in the city. It won't stop (*Inaudible*)...it won't stop crime but I can guarantee you, it will prolong it, or it will slow it down. Mayor, uh...I'm asking you also, to help me change laws or write a opinion...a court opinion to change lawmakers minds to help people, such as myself, that's been in the system, to run for government. Yeah, I'm...I'm gonna try, 2023, to run for Mayor and I...I have a very slim chance of getting' on the ballot or winning, but if you help me write an opinion, you and the attorney, Anthony Brown, who I worked for and the attorneys at Baker, Dublikar, that I did my internship with, if we write an opin...a court opinion, it will help us...it will change...it will help change lawmaker's minds about people such as myself, run for office. And if you want to help your city with the issues it's facing regarding crime and social justice with the protesters, you must listen to those of us whose been in the system so we can help you change the mistakes we as ex-cons made, so...and put us in office, we can help you change this. Who that...who knows...who knows better than us how to commit a crime and get away with it or co...or the ones you, who (*Inaudible*) sitting up here, got...did...you got away with him. You just didn't get caught like I did, I got caught all the time and like I said, the program Ms. Grimes has called "Clean", and the program

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that I gave you all last year, a layout of, it's not perfect. You're gonna help me...you gotta help me make it perfect. It was just something I threw on a piece of paper and it's not a perfect program, but you can fix it.

PRESIDENT SHERER: Thank you Ms. Bell. Our next speaker is Mr. Mar...Mario Elder. Mr. Elder, could you please step forward and if you want to take your mask off, that's fine, when you speak. But can you please state your name and residential address, please.

MARIO ELDER: Yes, my name is Mario Elder. Uh...my residential address is 1153 Rosalind Ave. Uh...I am here to speak again about the uh, uh...case of my nephew, uh...King Pleasant. I came in about three weeks ago and uh, we did uh...actually come out and uh...speak on that situation, but today I'm here to actually speak on what we can do moving forward. Umm...I...obviously, I see that you guys have probably seen me out protesting in front of the Courthouse, day in and day out. Umm...you know, I...I would really like for some Council Members to actually come and join us as we continue to protest for uh...the justice for my nephew, but also, at the same exact token, we were actually also talking about trying to find different ways to actually help out the kids in our community because it's not just my nephew that's suffering, I've seen things with the one case of the 1-year-old twins being shot. Umm...you know, we actually are just looking for just other ways to actually reach out to uh...members of the community and actually bring them together to bring a type of awareness to the damaging of guns and how to actually try to get them away from going that...so we're actually looking into actually making them...some type of foundation or something to actually, you know, keep kids away from that path. You know, whether it be...we get kids back into boxing. I know when we grew up as kids, we boxed. If somebody talked mess to us, we boxed. Okay, it wasn't you know, straight to the gun and that's where these kids are going to right now. We need to actually find a way to actually get these kids away from these guns and their mind frame from going straight to that. And, so right now, that's what we are actually working on, is a way to actually try to reach out to these families and get these kids together and teach them something different than that. So, whether it be, if we could actually find a way to get a facility opened up to be able to actually get something going on for these kids. But we don't have anything here, right now. You go to the Y, yeah they can go play basketball and go swimming, that's it. They don't have anything that they can actually be able to do, that's actually going to teach them any true values. Cause all they look at is basketball players and say, "Hey look, they make a lot of money." But what does...what is actually...we are actually...what are we actually teaching them, along with it? We're not...no one is actually taking the time to say, "Hey look, this person...yeah they learned how to do this dribble move." But it...they don't teach them that it takes patience. They don't teach them that it takes strength and courage to actually even attempt such moves on other players. Our goal...what our goal is now is to actually try to teach these kids how to find different avenues and create a different avenue for them at the same time. So, thank you guys for listening to what I'm saying tonight.

PRESIDENT SHERER: Thank you, Mr. Elder. Our next speaker is Myishia Elder. Is Myishia here?

MONIQUE (sp?) ELDER: Actually my name is Monique Elder.

PRESIDENT SHERER: Oh, I'm sorry.

MONIQUE ELDER: Yeah, it was supposed to be Myishia, but...listening to you all, I had something that I

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wanted to say.

PRESIDENT SHERER: Ms. Elder, could you please state your name...

MONIQUE ELDER: ...Absolutely...

PRESIDENT SHERER: ...and residential address, please.

MONIQUE ELDER: Monique Elder, 1960 5th St. SE. I listen and I hear y'all got big plans for Canton with the Hall of Fame and you know, y'all ready to do y'all's thing. And in the midst of that, over here on this side of town you got some things going on that just ain't right. He mentioned that my grandson was killed. In the process of this investigation, with my grandson, there was some pretty, I would say, negligent, investigation going on in the entire process. Then when it comes to the D.A., the D.A. has treated me as though I was the criminal. Like I was the one who pulled the trigger, which is not so. The whole point of the protest is to actually put this city on notice, to let you know...you don't want no noise, you don't want no negative attention brought here to Canton, that is not what you want. I've been asking for information from this city, concerning this case. I keep getting the runaround. It's not going to continue to lay like that. Some covers about to be pulled back that you may not want pulled off. So, this may not even be the place to bring this message to, but I am sure there is somebody in here who gone get it to where it needs to go. So, that it what I want you all to know. This one right here, this is not just some little boy that got caught up in some gun violence. That ain't what it was. This ain't that. So y'all get the message to who y'all need to get it to before the noise come. It ain't what you want.

PRESIDENT SHERER: Ms. Elder, I want to thank you for speaking and I would encourage you...a lot of times when people sign up for Public Speaks, they just immediately leave, I would encourage you to stay after the meeting and I'm sure that we can definitely try to point you in the right direction...

MONIQUE ELDER. Absolutely.

PRESIDENT SHERER: ...to try to get your questions answered. But I want to thank you for coming tonight.

MONIQUE ELDER: Alright.

PRESIDENT SHERER: Our next speaker is Ms. 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. Every day we see the signs. Every day we hear the shouts, chants and sobs. Every day we see the family of murdered child, King Pleasant, in the streets of Canton, Ohio, protesting how the system has failed them. The white child who murdered this black six-year-old has not been held to account in the way that a black child would have. The Pleasant family has been treated more as suspects than victims, down to the youngest toddlers. The Pleasants can get no peace because the murderer sleeps in his own bed, next door, while King sleeps in the earth, never to wake. This is so much bigger than King, like protests in May and June were so much bigger than George

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Floyd. This is a pattern. This criminal justice institution is designed to keep black people constantly on edge and fearful at best. White people, like me, can choose how much we want to consciously engage with racism. This choice is not offered Black families, like the Pleasants. Systems change slowly, yes, but they can change with effort from many people, including those in positions of authority. City Council Members are not helpless, somehow lacking voice in this situation. If the Police Department and Prosecutor's Office heard every single day, from each Council Member, echoing the Pleasant's concerns, things would change. The best time to start is long ago, but the second best time, is now. The absurdities of how things were done do not have to be how Black people experience Canton forever, their lives. Black six-year-old lives depend on what we, as a city, do now. If the status quo keeps on going, there will be a next time. How young will the next black child be? Six months? One week? How hard will that child's family have to fight for scraps compared to what my family gets automatically? Six months...er...several months ago, Canton City Council declared racism to be a Public Health Crisis. What does this Council plan to do to put any teeth in that declaration? You can start by addressing the needs that Black people, in this chamber, have brought to your attention. And you can stop patting yourselves on the back for saying words when your actions indicate they mean nothing. Black Lives Matter. *(Applause)*.

PRESIDENT SHERE: Our next speaker is Eugene Norris. Mr. Norris, if you could please step forward and give us your name and residential address, please.

EUGENE NORRIS: Yes, my name is Eugene Norris and I...uh...actually live at 56 Goodhue Ave. and that's in Akron, Ohio. Umm, Council President, Mr. Mayor and Council Members, first of all, I want to thank you for this opportunity. I came here because...Umm...number one, two things...my boss asked me to come out, but I was very happy to get here. I actually, just recently got hired to work in the city of Canton with the Stark County Minority Business Association. I'm there to help, of course, to work with minority businesses in this community, to help them to be much more effective, to work with the growth of this city and to be an integral part of what's happening in this community. And we realize that economic development, it's piece, is an important part of that. We're also working with a very important and significant program called the "Elite Program" where the city of Canton is actually working with our minority community with the London Stock Exchange, 4th largest stock exchange in the world. I was actually over there with the Deputy Mayor when they gave that citation to this community, which we're very proud of, and we're here tonight because I realize the importance of coming out, being an integral part of our community, every aspect of it that's going on, but also to bring our resources to the table and be back where I actually cut my teeth to learn about non-profit and for-profit development. So, I'm very happy to be back here in the community. Want to let you know you'll be seeing us here because we're here to help Canton continue to be a tremendous city. Thank you.

PRESIDENT SHERE: Thank you, Mr. Norris. And our last speaker for this evening is Devaughnte Elder. Mr. Elder, if you could please step forward and give us your name and your residential address, please.

DEVAUGHNTE ELDER: My name is Devaughnte Elder...uh...and I live at 1960 5th St. Canton, Ohio. Umm...I just came here to say that same thing that my mother said and that she said, that this isn't a small problem. We will not go away. Wherever this justice was held up, it needs to be...this blockage needs to be eradicated and we need justice. And we won't stop 'til we get it; however we gotta get it. That's all I came to say.

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PRESIDENT SHERE: Thank you, Mr. Elder.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: We are now under Informal Resolutions and we have one for this evening. Mr. Clerk, would you please read Resolution #48, by title.

#48. MAJORITY LEADER SMUCKLER: AUTHORIZE AND DIRECT SERVICE DIRECTOR TO OPEN ONE OR MORE PURCHASE ORDERS IN TOTAL APPROXIMATE AMOUNT NOT TO EXCEED \$24,999.99 FOR THE PURCHASE OF 2020 FORD ESCAPE. - ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: I move we adopt Informal Resolution #48.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #48. Are there any remarks? ...Hearing none, by voice vote, all those in favor signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #48 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Resolution #48 is adopted.

COMMUNICATIONS

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

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE WITH THE AGENDA ITEMS FILE DATED OCTOBER 19, 2020.

- 348. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 10/7/20. – RECEIVED & FILED
- 349. ANNEXATION CHAIRMAN HAWK: REQ STATEMENT OF SERVICES FOR CANTON SERVICE CENTER – 30TH ST NE ANNEX. – ANNEXATION COMMITTEE
- 350. CHIEF OF POLICE ANGELO: RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX ACCT FOR SEPT 2020. – RECEIVED & FILED
- 351. COURT ADMIN KOCHERA: WITHDRAW COM #329 FR 9/28/20 AGENDA. – RECEIVED & FILED
- 352. COURT ADMIN KOCHERA: AUTH ACCEPTANCE OF FY2021 ADDICTION TREATMENT PROG ADMIN GRANT FUNDS IN AMT OF \$5,821.47 FR STATE OF OH DEPT OF MENTAL

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HEALTH AND ADDICTION SERVS; REQ \$5,821.47 SUPP APPROP FR UNAPPROP BAL OF #701001-2792 RECOVERY COURT ATP FUND TO PERSONNEL - #701001-2792 RECOVERY COURT ATP FUND. – FINANCE COMMITTEE

353. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SAF DIR TO ENTER INTO PARKING LEASE AGMT WITH SMHA AT CITY OWNED SURFACE LOT ADJACENT TO 427 E TUSC ST AT REDUCED RATE FR \$45.00 PER MONTH GENERAL PARKING (0 SPACES) AND \$50.00 PER MONTH PREFERRED PARKING (0 SPACES) TO \$15.00 PER MONTH GENERAL PARKING (10 SPACES). – FINANCE COMMITTEE
354. DEPUTY MAYOR WILLIAMS: WITHDRAW COM #331 FR 9/28/20 AGENDA. – RECEIVED & FILED
355. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO JOB RETENTION TAX INCENTIVE AGMT AND NET PROFITS TAX INCENTIVE WITH TZANGAS PLAKAS MANNOS, LTD LAW FIRM PURSUANT TO ECONOMIC GROWTH INITIATIVE REGS ADOPTED THRU O#2/2006 AND CONTINUED THRU O#59/2013 CREDITING FIRM 1% OF 2.5% INCOME TAX COLLECTED OVER 10 YRS PROVIDED FIRM RETAINS 30 EMPLOYEES IN DOWNTOWN CANTON. – COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES
356. DEPUTY MAYOR WILLIAMS: WITHDRAW COM #332 FR 9/28/20 AGENDA. – RECEIVED & FILED
357. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SAF DIR TO ENTER INTO PARKING LEASE AGMT WITH TZANGAS PLAKAS MANNOS (TPM) LTD LAW FIRM AT MILLENNIUM PARKING GARAGE PURSUANT TO ECONOMIC GROWTH INITIATIVE (O#168/2018) REDUCING MONTHLY PARKING FEES FR \$45.00 TO \$15.00 GENERAL PARKING (30 SPACES) AND FR \$50.00 TO \$15.00 PREFERRED PARKING (10 SPACES). – FINANCE COMMITTEE
358. DEPUTY MAYOR WILLIAMS: AMEND CANTON'S 2020 ANNUAL ACTION PLAN; REQ \$2,662,742.00 SUPP APPROP FR UNAPPROP BAL OF 2211 COMMUNITY DEVELOPMENT FUND TO 2211 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER; \$1,084,759.99 SUPP APPROP FR UNAPPROP BAL OF 2214 HOME FUND TO 2214 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER AND \$227,312.00 SUPP APPROP FR UNAPPROP BAL OF 2219 EMERGENCY SHELTER GRANT TO 2219 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER. – FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
359. DEPUTY MAYOR WILLIAMS: REQ \$820,051.00 APPROP TRF FR 2219 506019 EMERGENCY SHELTER COVID-19 STIMULUS – OTHER TO 2219 506020 EMERGENCY SHELTER COVID-19 STIMULUS 2 – OTHER (CARES ACT ESG FUNDING ROUND 2). – FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
360. DEPUTY MAYOR WILLIAMS: AUTH MAYOR AND/OR SERV DIR TO SUBMIT ANY AMENDMENTS TO CITY'S 2019-2023 CONSOLIDATED PLAN, 2019 ANNUAL ACTION PLAN AND/OR 2020 ANNUAL ACTION PLAN TO HUD THAT MAY BE REQUIRED TO CARRY OUT

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CARES ACT PROGS; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO AGMT FOR AND RECEIVE ADDITIONAL CDBG FUNDS IN AMT OF \$395,843.00 FR HUD; AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR TIMELY EXPENDITURE OF CDBG FUNDS, NO SINGLE AWARD TO EXCEED \$250,000.00 FOR COMMUNITY DEVELOPMENT ELIGIBLE ACTIVITIES BENEFITING LOW AND MODERATE INCOME FAMILIES; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO ALL PROF CONTRACTS NECESSARY TO ALLOW FOR EFFECTIVE OPERATION OF PROG DURING GRANT PERIOD USING ANY PROCESS IN CODIFIED ORD OR ORC; REQ \$395,843.00 SUPP APPROP FR UNAPPROP BAL OF 2211 COMMUNITY DEVELOPMENT FUND TO 2211 506020 COVID-19 STIMULUS-2; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. – FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES

361. DEPUTY MAYOR WILLIAMS: REQ \$68,100.00 SUPP APPROP FR UNAPPROP BAL OF 2215 FAIR HOUSING ASSISTANCE FUND TO 2215 505010 FAIR HOUSING DEPARTMENT – PERSONNEL (2020 FAIR HOUSING ASSISTANCE PROG). - FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
362. LAW DIRECTOR BATES AYLWARD: AMEND CODIFIED ORD SEC 151.10 TO INCREASE AMT OF LIFE INSURANCE FOR NON-BARGAINING UNIT PERSONNEL FR \$20,000.00 TO \$50,000.00. – FINANCE & PERSONNEL COMMITTEES
363. LAW DIRECTOR BATES AYLWARD: APPROVE EDITING AND INCLUSION OF CERTAIN ORDINANCES ADOPTED FR 4/15/20 TO 8/24/20 TO BE INCORPORATED INTO CODIFIED ORD OF CITY OF CANTON. – JUDICIARY COMMITTEE
364. LIQUOR CONTROL DIV (OHIO): REQ C2, C2X PERMIT TRF FR ALBERT COURT ENTERPRISES, INC., LOCATED @ 1415 ALBERT AVE SE, 1ST FL TO EVERLYS CARRY OUT LLC, LOCATED @ 1415 ALBERT AVE SE, 1ST FL (WARD 4). – RECEIVED & FILED
365. LIQUOR CONTROL DIV (OHIO): REQ NEW D1 PERMIT FOR CHIPOTLE MEXICAN GRILL OF COLORADO LLC, DBA CHIPOTLE MEXICAN GRILL 3663, LOCATED @ 3232 CLEVELAND AVE NW (WARD 7). – RECEIVED & FILED
366. MAYOR BERNABEI: AUTH APPT OF MS. COLLYN FLOYD TO FAIR HOUSING COMMISSION COMMENCING 11/2/20 TO 12/31/21. – PERSONNEL COMMITTEE
367. MAYOR BERNABEI: AUTH APPTS OF MS. BRENDA JOHNSON AND MR. JEFFREY BROWN TO TREE COMMISSION, BOTH TERMS COMMENCING 11/2/20 TO 12/31/21. – PERSONNEL COMMITTEE
368. MAYOR BERNABEI: AUTH REAPPT OF MS. MYRA WATKINS TO STARK AREA REGIONAL TRANSIT AUTHORITY (SARTA) BOARD COMMENCING RETRO FR 9/1/20 TO 8/31/23. – PERSONNEL COMMITTEE

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369. MAYOR BERNABEI: AUTH REAPPTS OF MS. KATHLEEN TATARSKY AND MR. JOHN LUCAS, JR. TO ZONING BOARD OF APPEALS, BOTH TERMS COMMENCING 1/1/21 TO 12/31/23. – PERSONNEL COMMITTEE
370. PLANNING DIRECTOR ANGUS: AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR SALE OF CITY OWNED REAL PROPERTY LOCATED AT STARK CO AUDITOR PARCEL #208998 (1305 SHRIVER AVE NE); AUTH MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO FACILITATE SAID SALE; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. – FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
371. SAFETY DIRECTOR PERRY: AMEND PROF SERV AGMT WITH RITO ALVAREZ, COMMERCIAL PLANS EXAMINER FOR BLDG DEPT, TO INCREASE MAX SERV HRS PER WEEK FR 16 TO 21 FOR BOTH FIRST AND SECOND THREE YRS OF AGMT AND INCREASE TOTAL COST OF COMPENSATION FR MAX OF \$54,080.00 TO \$67,795.00 PER YR FOR FIRST THREE YRS OF AGMT AND FR \$57,408.00 TO \$71,967.00 PER YR FOR SECOND THREE YRS OF AGMT. – FINANCE AND PERSONNEL COMMITTEES
372. SAFETY DIRECTOR PERRY: AUTH MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF CLOUD STORAGE FOR POLICE DEPT; ALTERNATIVELY AUTH MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCH OF SAID ITEMS IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTH AUDITOR TO CREATE FUND 2794 2020-DJ-BX-0664 EDWARD BYRNE MEMORIAL GRANT IN WHICH TO PLACE GRANT MONEY UPON RECEIPT FR OFFICE OF JUSTICE PROG, BUREAU OF JUSTICE ASSISTANCE; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; REQ \$34,676.50 SUPP APPROP FR UNAPPROP BAL OF FUND 2794 2020-DJ-BX-0664 EDWARD BYRNE MEMORIAL GRANT FUND TO 2794 102001 POLICE ADMIN – OTHER. – FINANCE COMMITTEE
373. SAFETY DIRECTOR PERRY: AUTH SAF DIR TO ENTER INTO ONE OR MORE PURCH ORDERS IN AMT NOT TO EXCEED \$24,999.99 FOR PURCH OF ONE 2020 FORD ESCAPE FOR BLDG CODE DEPT. – RECEIVED & FILED
374. SERVICE DIRECTOR HIGHMAN: INFORM COUNCIL, PURSUANT TO CODIFIED ORD SUBSEC 105.01(b)(5), THAT CITY WILL NOT BE ENTERING INTO PROJ LABOR AGMT (PLA) FOR ST. GEORGE ORTHODOX CHURCH ADA CURB RAMPS AND SIDEWALKS PROJ. – RECEIVED & FILED
375. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ACCEPT DONATION OF PARCEL 226516 (BEING PART OF CITY LOTS 8447 AND 8448) LOCATED IN NW CORNER OF MARION MOTELY AVE NE AND IRWIN PL NE WITHIN 100 YR FLOOD PLAIN OF MIDDLEBRANCH CREEK FR JUANITA C. POWE. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

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376. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO SIGN PETITION FOR ANNEX OF PARCELS LISTED ON EXH A ATTACHED TO THIS COM (SERVICE CENTER PROP ON 30TH ST NE). – ANNEXATION COMMITTEE
377. STARK COUNTY COMMISSIONERS: REQ ANNEX OF 1.745 ACRES IN CANTON TWP (3000 8TH ST NE ANNEX). – PLANNING COMMISSION
378. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR SEPT 2020. – RECEIVED & FILED
379. TREASURER PEREZ: RPTS OF 9/30/2020 BANK REC AND OUTSTANDING INVESTMENTS AS OF 9/30/20. – RECEIVED & FILED
380. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 9/30/20. – 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 #12 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS (O#8 ADOPTED AS AMENDED, O#9 THROUGH O#12 ADOPTED):

- O#1. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (SEE COM #334 FOR COMPLETE LIST OF APPROP TRFS AND SUPP APPROPS)
Referred to Finance and Public Property Capital Improvement Committees
- O#2. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF PART OF LOTS 35385 AND 35386; AND DECLARING THE SAME TO BE AN EMERGENCY (MARCUS REED, 4315 MARKET AVE N)
Referred to Public Safety & Thoroughfares Committee
- O#3. (1ST RDG) AN ORDINANCE APPROVING AND ACCEPTING THE REPLAT OF ALL OF OUTLOTS 1097 – 1099 AND ALL OF OUTLOT 1444; AND DECLARING THE SAME TO BE AN EMERGENCY (TIMKENSTEEL, 2505 SHEPLER CHURCH AVE SW)
Referred to Public Safety & Thoroughfares Committee
- O#4. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT AND TO EXECUTE A PROFESSIONAL SERVICES CONTRACT FOR CONSTRUCTION OVERSIGHT SERVICES FOR THE 12TH

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STREET NW WATER MAIN REPLACEMENT PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

Referred to Finance and Environmental & Public Utilities Committees

- O#5. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT; ENTER INTO ALL CONTRACTS NEEDED FOR CONSTRUCTION OVERSIGHT SERVICES; RECEIVE GRANT FUNDS IN THE AMOUNT OF \$1.5M FOR THE STEESE AREA (39TH ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284; AUTHORIZING THE AUDITOR TO ESTABLISH THE 4593 STEESE AREA (39TH ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284 FUND; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 4593 STEESE AREA (39TH ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284 FUND TO 4593 202060 STEESE AREA (39TH ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284 – OTHER; \$1,070,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING FUND TO 5201 202060 STEESE AREA (39TH ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTON PROJECT, GP 1284 – OTHER; \$80,000.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SANITARY SEWER OPERATING FUND TO 5410 202060 STEESE AREA (39TH ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284 – OTHER; \$1,350,000.00 APPROP TRF FR 4501 202001 ENGINEERING ADMINISTRATION TO 4501 202060 STEESE AREA (39TH ST. NW) STORM, SANITARY AND ROADWAY RECONSTRUCTION PROJECT, GP 1284 – OTHER)
- Referred to Finance, Public Property Capital Improvement and Environmental and Public Utilities Committees

- O#6. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A PROFESSIONAL SERVICES CONTRACT WITH ENVIRONMENTAL DESIGN GROUP FOR THE ALLEN AVE. SANITARY SEWER REPLACEMENT PROJECT – PHASE 2, GP 1332; AND DECLARING THE SAME TO BE AN EMERGENCY
- Referred to Finance and Environmental & Public Utilities Committees

- O#7. (1ST RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY CIVICPLUS, INC. A MORAL OBLIGATION IN AN AMOUNT NOT TO EXCEED \$8,316.00 FOR CIVIC CLERK LICENSES AND IMPLEMENTATION; AND DECLARING THE SAME TO BE AN EMERGENCY
- Referred to Finance Committee

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- O#8. (1ST RDG) **ADOPTED AS AMENDED AS ORDINANCE #189/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A LOAN AGREEMENT IN AN AMOUNT NOT TO EXCEED \$2,000,000.00 OF ISSUE 13 COMPREHENSIVE FUNDS WITH 200 MARKET NORTH LLC IN ORDER TO PROVIDE GAP FINANCING FOR THE MILLENNIUM BUILDING PROJECT; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Finance Committee
- O#9. (1ST RDG) **ADOPTED AS ORDINANCE NO. 190/2020** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 1155 NIP ACQUISITION DEMO FUND TO 1155 101501 CODE ENFORCEMENT ADMIN – OTHER)
Referred to Finance Committee
- O#10. (1ST RDG) **ADOPTED AS ORDINANCE NO. 191/2020** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$44,700.00 SUPP APPROP FR UNAPPROP BAL OF 2318 HIV PREVENTION FUND TO 2318 HIV PREVENTION – 700 OTHER DIRECT COSTS)
Referred to Finance Committee
- O#11. (1ST RDG) **ADOPTED AS ORDINANCE NO. 192/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A PARKING INCENTIVE AGREEMENT WITH TZANGAS PLAKAS MANNOS LTD. LAW FIRM; AND DECLARING THE SAME TO BE AN EMERGENCY (MILLENNIUM PARKING GARAGE)
Referred to Finance Committee
- O#12. (1ST RDG) **ADOPTED AS ORDINANCE NO. 193/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO A JOB RETENTION TAX INCENTIVE AGREEMENT AND A NET PROFITS TAX INCENTIVE AGREEMENT WITH TZANGAS PLAKAS MANNOS, LTD. LAW FIRM PURSUANT TO THE CITY'S INCENTIVE PROGRAMS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee

CLERK DOUGHERTY: Mr. President.

PRESIDENT SHERER: At this time, the Chair would declare an in-house recess for Finance and Community & Economic Development Committees to meet in regards to Ordinances 8 through 12 on your agenda this evening. You are now in recess.

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(COUNCIL RECESSED AT 7:30 PM FOR THE FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES TO DISCUSS O#8 THROUGH O#12; RECONVENED AT 7:34 PM)

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

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to place Ordinances 8 through 12 back on this evening's agenda.

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: Ordinances 8 through 12 are a legal part of your agenda. Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: There's a motion to suspend the Stat...the Statutory Rules on Ordinances 8 through 12. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

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

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

MEMBER BABCOCK: Second.

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

MEMBER SMUCKLER: Mr. President.

PRESIDENT SHERER: Leader.

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

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MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved & seconded to amend Ordinance #8 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 BY MAJORITY ON VOICE VOTE
(MEMBER MARIOL ABSTAINED)

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

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

MEMBER BABCOCK: Second.

AMENDMENT

Pursuant to Rule 36, I move to amend Agenda Item No. 8 by the substitution of the attached amended Ordinance for the original pending Ordinance.

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

NO REMARKS

ROLL CALL 9 YEAS, 2 ABSTAIN
(MEMBERS MARIOL & MORRIS ABSTAINED)

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

#8 ADOPTED AS AMENDED AS ORDINANCE NO. 189/2020

PRESIDENT SHERER: The motion carries and Ordinance #8, as amended, has been 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 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#9 ADOPTED AS ORDINANCE NO. 190/2020

PRESIDENT SHERER: The motion carries and Ordinance #9 has been 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 any remarks under this Ordinance? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#10 ADOPTED AS ORDINANCE NO. 191/2020

PRESIDENT SHERER: The motion carries and Ordinance #10 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 9 YEAS, 2 ABSTAIN
(MEMBERS MARIOL & MORRIS ABSTAINED)

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

#11 ADOPTED AS ORDINANCE NO. 192/2020

PRESIDENT SHERER: The motion carries and Ordinance #11 has been adopted. Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 9 YEAS, 2 ABSTAIN
(MEMBERS MARIOL & MORRIS ABSTAINED)

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

#12 ADOPTED AS ORDINANCE NO. 193/2020

PRESIDENT SHERER: The motion carries and Ordinance #12 has been adopted.

MINUTES OF THE MEETING OCTOBER 19, 2020**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 #13.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #13 THROUGH #20 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#13. (2ND RDG) AN ORDINANCE DECLARING A DESIGNATED AREA OF THE CITY OF CANTON AS A TOURISM DEVELOPMENT DISTRICT, TO BE KNOWN AS THE CENTENNIAL PLAZA TOURISM DEVELOPMENT DISTRICT, FOR THE PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT, PURSUANT TO OHIO REVISED CODE SECTION 715.014; AND DECLARING THE SAME TO BE AN EMERGENCY
PUB HRGS 10/19/20 @ 7:05 PM AND 11/2/20 @ 7:00 PM
- O#14. (2ND RDG) 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 DOWNTON CANTON TOURISM DEVELOPMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY (CENTENNIAL PLAZA TDD)
- O#15. (2ND RDG) AN ORDINANCE ESTABLISHING A SPECIAL FUND TO BE DESIGNATED AS THE "CENTENNIAL PLAZA TOURISM DEVELOPMENT DISTRICT FUND"; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#16. (2ND RDG) AN ORDINANCE AMENDING SECTION 185 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 FOSTER AND DEVELOP TOURISM WITHIN THE CENTENNIAL PLAZA TOURISM DEVELOPMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#17. (2ND RDG) AN ORDINANCE AMENDING CHAPTER 187 ADMISSIONS TAX OF THE ADMINISTRATIVE CODE OF THE CODIFIED ORDINANCES OF THE CITY OF CANTON IN ORDER TO AUTHORIZE A FIVE PERCENT ADMISSIONS TAX TO FOSTER AND DEVELOP TOURISM IN CONNECTION WITH THE CENTENNIAL PLAZA TOURISM DEVELOPMENT DISTRICT; AND DECLARING THE SAME TO BE AN EMERGENCY

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- O#18. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) PORTABLE PIPELINE INSPECTION UNIT; OR TO ALTERNATIVELY PURCHASE SAID UNIT VIA ANY PURCHASING PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (COLLECTION SYSTEMS DEPT)
- O#19. (2ND 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 \$1,050,000.00 AND A ZERO PERCENT INTEREST LOAN IN THE AMOUNT OF \$450,000.00 FOR THE CLEVELAND AVENUE WATER MAIN REPLACEMENT PROJECT; AUTHORIZING THE AUDITOR TO ESTABLISH THE 5243 CLEVELAND AVENUE NW WATER MAIN REPLACEMENT PROJECT FUND; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5243 CLEVELAND AVENUE NW WATER MAIN REPLACEMENT PROJECT FUND TO 5243 207055 CLEVELAND AVENUE NW WATER MAIN REPLACEMENT PROJECT – OTHER)
- O#20. (2ND RDG) A RESOLUTION PURSUANT TO CHAPTER 719 AND CHAPTER 163 OF THE OHIO REVISED CODE DECLARING THE INTENT OF THE CITY OF CANTON TO APPROPRIATE THE ESTATES AND/OR INTERESTS IN THE PROPERTY DESCRIBED IN EXHIBIT A IN FURTHERANCE OF THE NE CANTON INDUSTRIAL PROJECT GP 1148; AND DECLARING THE SAME TO BE AN EMERGENCY (RIGHT-OF-WAY ACQUISITION)

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 begin with Ordinance #21.

NOTE: PRESIDENT SHERER CALLED UPON CLERK DOUGHERTY TO READ ORDINANCES #21 THROUGH #28 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#21. (3RD RDG) **ADOPTED AS AMENDED AS ORDINANCE NO. 194/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO A LOAN AGREEMENT WITH A.M. RODRIGUEZ ASSOCIATES, INC. IN AN AMT NOT TO EXCEED \$1,000,000.00 AT 0.5% INTEREST UTILIZING ISSUE 13 COMPREHENSIVE FUNDS, FOR THE LEHMAN SCHOOL PROJECT; AND DECLARING THE SAME TO BE AN EMERGENCY

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PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

MEMBER SMUCKLER: Mr. President, I move we amend Ordinance #21 by the amendment before every Council Member.

MEMBER BABCOCK: Second.

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

NO REMARKS

AMENDMENT PASSED UNANIMOUSLY BY VOICE VOTE

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

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

MEMBER BABCOCK: Second.

AMENDMENT

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

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#21 ADOPTED AS AMENDED AS ORDINANCE NO. 194/2020

PRESIDENT SHERER: The motion carries and Ordinance #21, as amended, has been adopted. Ordinance #22, please.

O#22. (3RD RDG) **ADOPTED AS ORDINANCE NO. 195/2020** AN ORDINANCE AMENDING SECTIONS 1195.09, FEE FOR SITE PLAN REVIEW AND SECTION 1195.10, SITE

MINUTES OF THE MEETING OCTOBER 19, 2020**PLAN REQUIREMENTS OF PART ELEVEN PLANNING AND ZONING CODE
PUB HRG 10/19/20 @ 7:00 PM**

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #22. Are there any remarks?
...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 195/2020

PRESIDENT SHERER: Motion carries and Ordinance #22 is adopted. Ordinance #23 please.

O#23. (3RD RDG) **ADOPTED AS ORDINANCE NO. 196/2020** AN ORDINANCE AMENDING
SECTIONS 1194.08, FEES FOR ZONING PERMITS AND 1194.09, ZONING
PERMIT FEE EXEMPTION FOR GOVERNMENT STRUCTURES OF PART
ELEVEN PLANNING AND ZONING CODE **PUB HRG 10/19/20 @ 7:01 PM**

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #23.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #23. Are there any remarks?
...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#23 ADOPTED AS ORDINANCE NO. 196/2020

PRESIDENT SHERER: Motion carries and Ordinance #23 is adopted. Ordinance #24, please.

O#24. (3RD RDG) **ADOPTED AS ORDINANCE NO. 197/2020** AN ORDINANCE AMENDING
CHAPTER 1195, ADMINISTRATIVE AGENCIES & DUTIES OF PART ELEVEN
PLANNING AND ZONING CODE **PUB HRG 10/19/20 @ 7:02 PM**

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PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #24.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #24. Are there any remarks?
...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#24 ADOPTED AS ORDINANCE NO. 197/2020

PRESIDENT SHERER: Motion carries and Ordinance #24 is adopted. Ordinance #25, please.

O#25. (3RD RDG) **ADOPTED AS ORDINANCE NO. 198/2020** AN ORDINANCE AMENDING CHAPTERS 1139, PERMITTED ACCESSORY BUILDINGS AND STRUCTURES; 1140, PERMITTED ACCESSORY USES; AND 1194, ENFORCEMENT OF PART ELEVEN PLANNING AND ZONING CODE **PUB HRG 10/19/20 @ 7:03 PM**

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #25. Are there any remarks?
...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#25 ADOPTED AS ORDINANCE NO. 198/2020

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

O#26. (3RD RDG) **ADOPTED AS ORDINANCE NO. 199/2020** AN ORDINANCE AMENDING SECTION 1194.05, ADMINISTRATION AND ENFORCEMENT – FAILURE TO OBTAIN A PERMIT OF PART ELEVEN PLANNING AND ZONING CODE **PUB HRG 10/19/20 @ 7:04 PM**

PRESIDENT SHERER: Leader.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#26 ADOPTED AS ORDINANCE NO. 199/2020

PRESIDENT SHERER: Motion carries and Ordinance #26 is adopted. Ordinance #27, please.

O#27. (3RD RDG) **ADOPTED AS ORDINANCE NO. 200/2020** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SAFETY TO ENTER INTO AGREEMENT FOR AND ACCEPT \$88,863.64 FROM THE DEPARTMENT OF HOMELAND SECURITY, ASSISTANCE TO FIREFIGHTERS GRANT; ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR THE PURCHASE OF EXHAUST REMOVAL SYSTEMS AND RELATED WARRANTIES AND ACCESSORIES AT VARIOUS STATIONS FOR THE FIRE DEPARTMENT OR TO ALTERNATIVELY ENTER INTO CONTRACT FOR SAID PURCHASE IN ACCORDANCE WITH ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AUTHORIZING THE AUDITOR TO ESTABLISH THE 2819 2019 ASSISTANCE TO FIREFIGHTERS GRANT FUND; AMENDING APPROPRIATION ORDINANCE NO. 59/2020; AND DECLARING THE SAME TO BE AN EMERGENCY (\$97,750.00 FR UNAPPROP BAL OF 2819 2019 ASSIT TO FIREFIGHTERS GRANT FUND 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 APPROP ADV AND TRF FR 1001 103001 TRF OUT TO OTHER FUND TO 2819 103001 TRF IN FR OTHER FUND; \$88,863.64 APPROP ADV AND TRF FR 1001 103001 ADV OUT TO OTHER FUND TO 2819 103001 ADV IN FR OTHER FUND)

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.

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NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#27 ADOPTED AS ORDINANCE NO. 200/2020

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

O#28. (3RD RDG) **ADOPTED AS ORDINANCE NO. 201/2020** AN ORDINANCE AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS OWED FOR CONSTRUCTION SERVICES RELATED TO THE WOODLAWN AVENUE WATER MAIN EXTENSION PROJECT IN AN AMOUNT NOT TO EXCEED \$11,221.02 TO WENGER EXCAVATING, INC.; AND DECLARING THE SAME TO BE AN EMERGENCY

PRESIDENT SHERER: Leader.

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

MEMBER BABCOCK: Second.

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

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

#28 ADOPTED AS ORDINANCE NO. 201/2020

PRESIDENT SHERER: Motion carries and Ordinance #28 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

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

MEMBER MARIOL: Mr. President.

PRESIDENT SHERER: Mr. Mariol.

MEMBER MARIOL: Finance will meet on November 2, Council Chambers, at 6:30 if that's...if that is a good time?

CLERK DOUGHERTY: Yes.

MEMBER MARIOL: 6:30 it is.

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PRESIDENT SHERER: Thank you, Member Mariol.

MEMBER BABCOCK: Mr. President.

PRESIDENT SHERER: Member Babcock.

MEMBER BABCOCK: Personnel will meet, same time, same place. Thank you.

MEMBER FISHER: Mr. President.

PRESIDENT SHERER: Member Fisher.

MEMBER FISHER: Environmental & Public Utilities will meet November 2nd at 6:30.

PRESIDENT SHERER: Thank you, Member Fisher.

MEMBER FERGUSON: Mr. President.

PRESIDENT SHERER: Member Ferguson.

MEMBER FERGUSON: Community & Economic Development, will meet at the same time, 6:30...

CLERK DOUGHERTY: No.

MEMBER FERGUSON: One second.

CLERK DOUGHERTY: Do we have one? We don't have that.

MEMBER FERGUSON: Okay.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: Member Scaglione.

MEMBER SCAGLIONE: Public Property Capital Improvement will meet, the same time, same place.

PRESIDENT SHERER: Thank you, Member Scaglione.

MEMBER SCAGLIONE: You're welcome.

PRESIDENT SHERER: Member Kimbrough...

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

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PRESIDENT SHERER: Thank you, Member Kimbrough.

MISCELLANEOUS BUSINESS

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

MEMBER SMITH: Yes, Mr. President.

PRESIDENT SHERER: Member Smith.

MEMBER SMITH: Yes, I would like to announce to our Council Members and to the uh...public, on Friday, October 30th, there will be a Trick or Trunk for our kids, for Trick or Treat. It will be at the Southeast Community Center, outside in the parking lot, from 5:00 'til 8:00. And it's along with various organizations, businesses in the city. We're asking Council Members for your support and anyone that would like to support. There will be cars that's going to be parked in the parking lot and the kids can come around to the cars, with their trucks open, to get their treats. If there's anyone that's interested in supporting or donations, could you please call the office and they will relay the message to myself and to the Southeast Community Center. And that number, just in case, is 330-489-3228? Oh, which one is it? ...489-3223. (*Laughter*). I had to think about that, y'all. So, please come out. Bring your youth, bring your kids to support our endeavors and support what's going on for Trick or Trunk.

PRESIDENT SHERER: Thank you. Thank you, Member Smith.

MAYOR BERNABEI: Mr. President.

PRESIDENT SHERER: Mayor.

MAYOR BERNABEI: And uh...regarding Halloween also, I just want to uh...announce tonight that we will be observing Halloween in city of Canton. That will be on Saturday, October 31, from 1:00...from 3:00 PM to 5:00 PM. Uh...again, we urge everyone participating both from the homeowner side to the uh...to the trick or treating side, you know, with your children, uh...so forth...that we very, very closely follow all of the uh...COVID health protocols. Wear a mask, socially distance, uh...sanitize. Umm...the Health Department is...is issuing a detailed media release which follows the Ohio Department of Health Guidelines. That will be on their website. We will also be posting it on our website. And in addition to the Trunk or Treat, uh...that uh...Council Member Smith has mentioned, the Canton Parks and Recreation will also be hosting a drive-thru Trunk and Treat at Stadium Park on Thursday night, October 29 from 5:00 PM to 7:00 PM, but we will post all of this on the website.

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

CLERK DOUGHERTY: Thinking of COVID-19, "*After all the stupid things I've done in my life, If I die because I touched my face I'm gonna be pissed!*" – Anonymous (*Laughter*).

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MEMBER SMITH: Preach!

PRESIDENT SHERER: I'll second that motion! Thank you Clerk...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. Mr. Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 11 YEAS, 0 NAYS

CLERK DOUGHERTY: Eleven yeas, Mr. President.

PRESIDENT SHERER: This meeting is adjourned and I want to thank everybody for attending tonight. (*Gavel falls*).

ADJOURNMENT TIME: 7:57 PM

ATTEST: 10/21/20

APPROVED:

DAVID R. DOUGHERTY
CLERK OF COUNCIL

WILLIAM SHERER, II
PRESIDENT