

CANTON CITY COUNCIL

President William V. Sherer, II

Council At Large:

Bill Smuckler - **Majority Leader**
James Babcock - **Asst. Majority Leader**
Louis Giavasis

Mailing Address:

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Ward Council Members:

Greg Hawk, Ward 1
Brenda Kimbrough, Ward 2
Jason Scaglione, Ward 3
Chris Smith, Ward 4
Robert Fisher, Ward 5
Kevin Hall, Ward 6
John Mariol, Ward 7
Peter Ferguson, Ward 8
Frank Morris, Ward 9

Final Agenda
October 16, 2023
7:00 PM

Roll Call: Eleven Members Present

Motion to Excuse Members: Member Hawk Absent

Invocation: Brenda Kimbrough, Ward 2 Council Member

Pledge of Allegiance: President Sherer

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#32 & O#34 - O#38; O#33 Retained in Committee; O#36 - O#38 Adopted on 2nd Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS: None

PUBLIC SPEAKS: Kimberly Bell spoke again about her living situation in a Stark Metropolitan Housing complex. She would like Council to appoint her as Director of SMHA because she believes they were instrumental in appointing Thomas West as the new Director of the Stark County Urban League. Laura Groves gave us additional information on the Trap-Neuter-Release Program and would like to have a partnership with Council to accomplish more. David Kerestes spoke on corruption in the system.

INFORMAL RESOLUTIONS:

1. Council-as-a-Whole: Declaring October 2023 to be Dysautonomia Awareness Month. - Adopted

COMMUNICATIONS:

2. Statement of Cash Position dated 9/29/23. - Auditor Mallonn
3. Req for Addtl Amended Cert dated 9/27/23. - Auditor Mallonn

4. Req Approp Trf from Personnel to Professional Servs (Approp Trf within Clerk of Courts Admin Fund). - Chief Deputy Clerk of Court Gonzalez
5. Req Approp Trf from Personnel to Professional Servs (Clerk of Courts Admin Fund 611.20 to Clerk of Courts Admin Fund 705.06). - Chief Deputy Clerk of Court Gonzalez
6. Req for Supp Approp in Munciple Probation Servs Fund #2766 (Supp Approp within Municipal Probation Fund). - Court Administrator Kochera
7. Req Job Creation Tax Incentive Agrmt with Howmet Aerospace (1935 Warner Rd S, Ward 4). - Economic Development Director Hardesty
8. Req ARPA funding for Beacon Charitable Pharmacy; emergency. - Economic Development Director Hardesty
9. Amend Approp O#51/2023; emergency (Various Supp Approp and Trfs). - Finance Director Crouse
10. Amend Approp O#51/2023; emergency (Supp Approp Trf fr PACE Financing - Other to Tourism Develop District TDD - Other). - Finance Director Crouse
11. Amend Approp O#51/2023; emergency (Supp Approp fr 2331.301001 Air Pollution - 600 Payroll to 2319.301001 Air Pollution - 700 Other Direct Costs). - Health Commissioner Adams
12. Req for zone change at Faircrest St SW (Parcel 8300001). - Applicant, Kristopher Schimd
13. Req C1, C2, D6 liquor permit trf from Aldi Inc Ohio DBA Aldi 65 at 3715 Harmont Ave NE to Aldi Inc Ohio DBA Aldi 65 at 2725 Maret St NE., (Ward 6) - Liquor Control Div
14. Notice of hrg for trf of ownership permit application on Tuesday, October 24, 2023 at 9:00 AM (Main Stop Mart LLC, dba Main Stop Mart at 1100 12th St NW, Permit #5462828, Class C-1-2; Ward 1). - Liquor Control Div
15. Req for cash drawer at Edward "Peel" Coleman Community Center. - Parks and Rec Director Foltz
16. Req zone changed at Faircrest St SW (Parcel 8300001) B-3 (General Business) to PB-4 Planned (Special Business Direct) for RV Park and Station, Ward 5. - Planning Commission
17. Req replat of Outlots 1164 & 1411, Parcels 8300070 & 10011225, Ward 4 (Shawnee Development and Glitz and Associates, 2304 and 2234 Faircrest St SW). - Planning Commission
18. Req replat of Lot 2264 and Lot 5299, Parcels 201997,201998, 201999, 225129, 235595, & 202209, Ward 2 (Terry and Peggy Miller, 1003 Cherry Ave NE) - Planning Commission
19. Req replat of Lots 6340 and 6342, Parcel 221757, Ward 4 (Habitat for Humanity, 200 blk Warner Rd SE). - Planning Commission

20. Auth agrmt for 2023 Patrick Leahy Bulletproof Vest Partnership (BVP); emergency (Supp approp fr 2782 FY23 Patrick Leahy BVP Grant Fund to 2782 102001 - Police Admin) . - Safety Director Perry
21. Req substantial amendment to the 2022 Annual Action Plan (Newton Family Apartments); emergency - Service Director Highman
22. Req Sanitation Dept Dumpster Hauler; Amend O#51/2023; emergency (Supp approp fr 5601 Refuse Op. Fund to 5601 205001 Refuse Admin). - Service Director Highman
23. Req Supp Approp and Intra Fund Trf 5215 OWDA 55th St NE Water Line Extension; emergency (Supp approp within 5215 55th St NE Water Line Extension Fund; Intra Fund Trf fr 55th St NE Water Line Extension Fund to 5201 207001 Water Operating Fund). - Service Director Highman
24. Req Supp Approp and Intra Fund Trf 5219 OWDA Lake-Hartville Water Line Extension; emergency (Supp approp within 5219 Lake-Harteville Water Line Extension Fund; Intra Fund Trf fr Lake-Hartville Water Line Extension Fund to 5201 207001 Water Operating Fund) -Service Director Highman
25. Req Allen Ave SE Area Sanitary Sewer Replacement, GP 1332 Change Orders No. 4 with HM Miller Construction Co.; emergency. - Service Director Highman
26. Req WPCLF Supplemental Loan Agrmt for Allen Ave SE Area Sanitation Sewer Replacement, GP 1332; emergency. - Service Director Highman

FIRST READINGS:

27. Auth contract amendment to retainer agrmt for legal servs related to the Williams V. City of Canton Case; Amend O#51/2023; emergency (Supp approp from General Operating Fund to Law Admin - Other) - Finance Committee
28. Auth agrmt for and accept grant funds from the Office of Justice Program, Bureau of Justice Assistance; Enter into contract for purchase of 18 Getac Generation 7 Mobile Data Terminals; Auth to create 2823 FY 23 Edward Byrne Memorial Grant Fund; Amend O#51/2023; emergency (Supp Approp from Grant Fund to Police Admin - Other). - Finance Committee
29. Auth grant agrmt with Timken Foundation of Canton for Community Engagement Efforts of Police Dept; Amend O#51/2023 (Supp Approp to Timken Foundation Policing Grant). - Finance Committee
30. Establish FMV for fee simple takes of parcels nos. 203027 and 226438 for Tusc St. W Safety Corridor Project, GP 1165, STA-SR172-12.91, PID 115723 Early Right-of-Way Acquisition; emergency. - Public Safety & Thoroughfares Committee
31. Auth Clerk of Council to certify County Auditor unpaid and delinquent charges for water, sanitation, and sewer; emergency. - Environmental & Public Utilities Committee

***Ordinances and Formal Resolutions for First Reading Vote**

**SECOND READINGS: (SUSPENDED RULE 22A TO ADD 2ND RDG O#32 - O#38; O#33
RETAINED IN CMTE; O#36 - O#38 ADOPTED)**

32. Levy Special Assessments for purpose of acquiring, constructing, managing, operating and maintaining, in coop with Stark Co Port Authority, certain public street and water, stormwater and sanitary sewer system improvements; emergency (HOFV) - FIN
33. **RETAINED IN CMTE**
Establish Housing Development and Beautification Program using Issue 13 Comprehensive Funds and auth program contracts; emergency - C&ED
34. Amend O#100/2011 to establish Classification Plan for Safety Director's Crime Lab Police Div Mgmt and Non-Bargaining Personnel; emergency - PERS
35. Auth establishment of FMV of real property for purch/acquisition of Parcel #10010986 and agrmts for same; emergency (30th St NE Service Ctr) - PPCI
36. **147/2023** Declare necessity of acquiring, constructing, managing, operating and maintaining, in coop with Stark Co Port Authority, certain public street and water, stormwater and sanitary sewer system improvements; emergency (HOFV) - FIN*
37. **148/2023** Determine to proceed with acquiring, constructing, managing, operating and maintaining, in coop with Stark Co Port Authority, certain public street and water, stormwater and sanitary sewer system improvements; emergency (HOFV) - FIN*
38. **149/2023** Approve and auth Cooperative Assessment and TIF Agrmt with Stark Co Port Authority, HOF Resort & Entertainment Co, HOF Village Newco LLC and certain affiliated entities; emergency - FIN*

***Ordinances and Formal Resolutions for Second Reading Vote**

THIRD READINGS:

39. **150/2023** Auth to convey real property in the City of Canton Land Reutilization Prog to 1827 Group LTD; emergency (1900 blk of Cleveland Avenue SW).
40. **151/2023** Auth to convey real property in City of Canton Land Reutilization Prog to Greener Properties LLC; emergency (600 blk of Cook Avenue SW).
41. **152/2023** Auth editing and inclusion of certain ordinances as parts of various component codes of Codified Ordinances; emergency.
42. **153/2023** Auth to distribute free of charge copies of the 2023 Supplement to Canton Codied Ordinances; affix price for sale of same; emergency.
43. **154/2023** Approve replat of lots 22800, 22801, and 39901; emergency (Habitat of Humanity , 2300 blk 7th St. NE).
44. **155/2023** Approve replat of lots 780 and 781; emergency (Refuge of Hope , 609 E Tusc St.).
45. **156/2023** Auth contract for EMS Billing Services; emergency.

46. 157/2023 Auth contract with American Structurepoint, Inc. for City Hall HVAC and Exec Garage Repair Prj; emergency.
47. 158/2023 Auth contracts to acquire parcel No. 217050 to utilize TAAP; emergency.

COMMITTEE MEETINGS:

Monday, October 23, 2023 in Civic Center's McKinley Room @ 6:30 PM

Finance Committee

Environmental & Public Utilities Committee

Public Safety & Thoroughfares Committee

MISCELLANEOUS BUSINESS: President Sherer wished Member Smith a Happy Birthday. Mayor Bernabei encouraged everyone to come to the Mckinley/Massillon activities this weekend and show their support. He also thanked everyone who put together the forum for last night's meeting. Member Hall explained that he wanted to retain O#33 because he is hopeful Mr. Anderson will move forward. Member Smith invited everyone to the Trunk or Treat Harvest Festival on Saturday, October 28th from 2:00 PM to 4:00 PM at the Edward Peel Coleman Center . Member Smuckler also thanked the Civic Center personnel and Clerk Jill Wood for making sure everything was put together correctly for the Council Meeting. He also stated that when we return to the Chamber, November 27th, we should have a better sound system. He reminded everyone that meetings would be held at the Civic Center and if any Members aren't able to make it, to notify the Clerk. He also asked for prayer for peace due to all things going on in the world.

ADJOURNMENT: 7:38 PM

THE NEXT REGULAR COUNCIL MEETING: MONDAY, OCTOBER 23, 2023 AT 7:00 PM AT THE CANTON CIVIC CENTER