

**FINAL**  
**A G E N D A**  
7:00 PM

CANTON CITY COUNCIL

JUNE 1, 2020

**ROLL CALL:** Twelve Members Present

**MOTION TO EXCUSE MEMBERS:** Not Necessary

**INVOCATION:** Christine Schulman, Council-at-Large

**PLEDGE OF ALLEGIANCE:** President Sherer

**AGENDA CORRECTIONS & CHANGES:** Suspend Rule 22A to add 2<sup>nd</sup> Rdg O#4)

**PUBLIC HEARINGS:** None

**OLD BUSINESS (PUBLIC SPEAKS):** None

**PUBLIC SPEAKS (CITY BUSINESS):** Skylark Bruce, Erik Resnick, Anthony Parker and Joe Fisher spoke about the current racial issues in the city following the protests held over the weekend. Ms. Bruce said the same police brutality against black people exists here. During Friday's "peaceful protest", she witnessed police attack protestors who wouldn't stop exercising their constitutional rights to protest; she witnessed cops pepper spray a 16-year-old black girl, who had her hands up in the air, chanting, "hands up, don't shoot, and she was among those who had to run from rubber bullets and canisters of tear gas that the police threw at them. She said this is not the America they are fighting for and demanded change. Erik Resnick said he was aghast at the videos that he saw of Friday's events. He thinks the police acted irresponsibly. The video showed the crowd moving up 12<sup>th</sup> Street while S.W.A.T., the Sheriff and police officers indiscriminately threw tear gas at them. He thinks it's heavy-handed policing and not about protection or service, but instead, about intimidation, dehumanization and a signal of who has power and privilege and who has been deemed unworthy. He believes the citizens of Canton should receive an apology for the events that took place on Friday and he would like an independent investigation regarding those events. He would like to know who, when, and why orders were given to S.W.A.T. to spray tear gas, pepper spray and shoot rubber bullets at the protesters. Anthony Parker said that Friday's events were a direct brutalization of the people of Canton by people sworn to protect. Pregnant women and children were tear-gassed. He said there was nothing professional about what was done, but called it bullying. He said he witnessed children, 15 and 16 year olds being slammed to the pavement by police officers and someone should hold the police accountable. He would like to see transcripts of the events and thinks there needs to be some policy change from this institution. He believes Council and the Mayor must hold the Police Department accountable and believes there should be civilian review boards. Mr. Parker stated "We will not stop occupying these streets until we are met with change, justice and accountability." Joseph Fisher believes what happened on Friday was unacceptable. He believes Council should take action to put changes in the police unions to ensure that police officer who see felonious actions by their co-workers, can report it without fear of losing their jobs. He also thinks Council should ensure that charges are brought against police officers that continue to commit felonious acts of murder and looting of bodies of black and brown people. There should be proper training of the police force. A water bottle was thrown at a cop and the cop responded with tear gas and macing of teenagers and children. He wants to see something done immediately.

**INFORMAL RESOLUTIONS:**

23. MAJORITY LEADER SMUCKLER: AUTH AND DIRECT SAF DIR TO OPEN ONE OR MORE PURCH ORDERS IN AN AMT NOT TO EXCEED \$39,315.00 WITH AMERICAN ROADWAY LOGISTICS FOR ANNUAL MAINTENANCE (STRIPING) ON US 30. - ADOPTED
24. MAJORITY LEADER SMUCKLER: AUTH AND DIRECT SERV DIR TO OPEN ONE OR MORE PURCH ORDERS IN TOTAL AMT NOT TO EXCEED \$36,477.00 FOR PAINTING AND SEALING OF NORTHWEST WATER TREATMENT PLANT PIPE GALLERY ROOM. – ADOPTED
25. MAJORITY LEADER SMUCKLER: AUTH AND DIRECT SERV DIR TO OPEN ONE OR MORE PURCH ORDERS IN TOTAL AMT NOT TO EXCEED \$45,226.50 FOR ROAD REPAIR (MILL, CHIP, SEAL & FOG SEAL) (WASHINGTON BLVD. NW FR CULVER DR. TO CLEVELAND AVE.). – ADOPTED

**COMMUNICATIONS:**

181. APPLICANT, SCOTT CRESCENZE: REQ AUTH FOR VACATION OF PORTION OF BEDFORD AVE SW, GROVE PL SW, MOSLEY CT SW AND ENGLE PL SW, WARD 3 (AULTMAN HEALTH FOUNDATION - PUBLIC HRG WAIVED). – PLANNING COMMISSION
182. AUDITOR MALLONN: REQ NEW YRLY CONTRACT FOR KRONOS SYSTEM FOR REPORTING TIME AND ATTENDANCE AND FOR CONVERSION INTO SYSTEM TITLED DIMENSIONS. – FINANCE COMMITTEE
183. CHIEF OF POLICE ANGELO: RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR MONTH OF APRIL, 2020. – RECEIVED & FILED
184. DEPUTY MAYOR WILLIAMS: AUTH CREATION OF SECOND TOURISM DEVELOPMENT DISTRICT AT HALL OF FAME FITNESS LOCATED @ 2700 ROBERTS AVE NW, CANTON, OH 44709 (PARCELS 242321, 10009146, 245060, 242415). – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
185. DEPUTY MAYOR WILLIAMS: AUTH CREATION OF THIRD TOURISM DEVELOPMENT DISTRICT LOCATED IN DOWNTOWN CANTON (FORMER MCKINLEY GRAND HOTEL @ 320 MARKET AVE SOUTH, CANTON, OH 44702 – PARCEL 243103). – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
186. LAW DIRECTOR AYLWARD: REQ MEDIATED SETTLEMENT IN BALZER V CITY OF CANTON, ET AL., UNITED STATES DISTRICT COURT CASE #5:19CV1744 IN AMT OF \$125,000.00 (DOG BITE BY CITY OF CANTON POLICE K-9). – FINANCE COMMITTEE

**COMMUNICATIONS CONTINUED:**

187. PLANNING COMMISSION: RECOMMENDS APPROVAL OF PROPOSED VACATION OF PORTION OF BEDFORD AVE SW, GROVE PL SW, MOSLEY CT SW AND ENGLE PL SW, REPLAT OF ALL LOTS 14355 – 14404, 42971 – 43975, 10176, 10178, 10179, 10192, 10193, 36944, OUTLOT 1392 AND PART OF LOTS 36943, 10175, 10177 & 10180, WARD 3 (SCOTT CRESCENZE FOR AULTMAN HEALTH FOUNDATION - PUBLIC HRG WAIVED). – PUBLIC SAFETY & THOROUGHFARES
188. PLANNING DIRECTOR ANGUS: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT AMENDMENTS WITH MKSK FOR DESIGN AND CONSTRUCTION OVERSIGHT OF ALL PHASES AND DESIGN ADDITIONS OF CENTENNIAL PLAZA PROJ; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CHANGE ORDERS WITH DUNLOP & JOHNSTON, INC. TO CONTRACT #2019-110-ADDITIONS OR REDUCTIONS; RETRO AUTH ACTIONS TAKEN PRIOR TO COMPLETION OF CONTRACTS AND CONTRACT AMENDMENTS RESULTING FROM ORD AND PAYING MORAL OBS RELATED TO SAME; AUTH MAYOR AND/OR SERV DIR TO ACCEPT OUTSIDE FUNDING AND/OR GIFTS RELATED TO CENTENNIAL PLAZA PROJ; AMEND APPROP O#59/2020 (\$495,000.00 APPROP TRF FR 2175 501001 MAYOR ADMIN – OTHER TO 2175 200501 GENERAL GOV'T SUPPORT – OTHER); EMERGENCY. – FINANCE COMMITTEE
189. SAFETY DIRECTOR PERRY: REQ INFORMAL RESOLUTION AUTH ENGINEERING DEPT TO OPEN PURCH ORDER IN AMT OF \$39,315.00 TO AMERICAN ROADWAY LOGISTICS TO PERFORM STRIPPING ON US 30. – RECEIVED & FILED
190. SAFETY DIRECTOR PERRY: REQ RATIFICATION OF TENTATIVE AGMT BETWEEN CITY OF CANTON AND CANTON PROFESSIONAL FIREFIGHTERS ASSOCIATION (CPFFA) RESULTING FR CONTRACT NEGOTIATIONS; AGMT TO RUN FR 1/1/20 – 12/31/21. – PERSONNEL & FINANCE COMMITTEES
191. SAFETY DIRECTOR PERRY: REQ RATIFICATION OF TENTATIVE AGMT BETWEEN CITY OF CANTON AND FRATERNAL ORDER OF POLICE (FOP) RESULTING FR CONTRACT NEGOTIATIONS; AGMT TO RUN FR 1/1/20 – 12/31/21. – PERSONNEL & FINANCE COMMITTEES
192. SAFETY DIRECTOR PERRY: AUTH MAYOR AND/OR SAF DIR TO ENTER INTO AGMT FOR AND ACCEPT \$243,751.00 IN GRANT FUNDS FR OFFICE OF JUSTICE PROG; AUTH AUDITOR TO RENAME FUND #2772 – 2013 BYRNE GRANT TO 2772 – BJA FY20 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROG TO PLACE GRANT MONEY UPON RECEIPT; AUTH MAYOR AND/OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACTS FOR 1.) 60 – DAY RESERVE OF PANDEMIC SUPPLIES - \$37,135.00; 2.) SALARY AND BENEFITS FOR ONE YR FOR TWO (2) NEW HIRES - \$114,280.00; 3.) OPOTA TRAINING FOR FOUR (4) NEW HIRES - \$20,054.76; 4.) CLOUD STORAGE FOR BODY WORN CAMERA PROG (APPROX 13 MTHS) - \$72,281.24; ALTERNATIVELY AUTH MAYOR AND/OR SAF DIR TO ENTER INTO CONTRACT FOR PURCH IN ACCORD WITH ANY COOPERATIVE PURCH PROG OR PROCUREMENT AUTHORIZED BY LAW; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; AMEND APPROP O#59/2020 (\$243,175.00 SUPP APPROP FR UNAPPROP BAL OF 2772 BJA FY20 CORONAVIRUS SUPP FUNDING PROG TO 2772 102019 – COVID-19 STIMULUS PERSONNEL - \$114,280.00, TO 2772 102019 – COVID-19 STIMULUS – OTHER - \$129,471.00; \$243,751.00 SUPP APPROP FR UNAPPROP BAL OF FUND #1001 GENERAL OPERATING FUND TO 1001 102001 POLICE ADMIN – OTHER; \$243,751.00 INTER-FUND TRF FR 1001 102001 POLICE ADMIN - ADV OUT TO 2772 102019 COVID-19 STIMULUS – ADV IN); EMERGENCY. – FINANCE COMMITTEE
193. SERVICE DIRECTOR HIGHMAN: REQ INFORMAL RESOLUTION AUTH SERV DIR TO OPEN PURCH ORDER IN AMT OF \$36,477.00 TO GUIST DECORATORS FOR REMOVAL OF PAINT AND APPLICATION OF SEALANT TO CEILINGS AND WALLS (NORTHWEST WATER TREATMENT PLANT PIPE GALLERY). – RECEIVED & FILED
194. SERVICE DIRECTOR HIGHMAN: REQ INFORMAL RESOLUTION AUTH ENGINEERING DEPT AND SERV DIR TO OPEN PURCH ORDER IN AMT OF \$45,226.50 TO MELWAY PAVING COMPANY AND PROCEED WITH WASHINGTON BLVD NW PAVEMENT TREATMENT. – RECEIVED & FILED
195. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO ONE (1) YR CONTRACT WITH OPTION OF TWO (2) ONE (1) YR EXTENSIONS WTH SMHA FOR VEHICLE MAINTENANCE AND FUEL SERVS FOR SMHA VEHICLES; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE COMMITTEE

**COMMUNICATIONS CONTINUED:**

196. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACTS FOR PURCH AND DISTRIBUTION OF APPROX 25,000 WHEELED CARTS FOR SANITATION DEPT TO DISTRIBUTE FOR SINGLE FAMILY RESIDENTIAL USE; ALTERNATIVELY AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS FOR PURCH UTILIZING ANY PROCUREMENT AUTH BY LAW; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO LEASE TO PURCH AGMT TO FACILITATE PURCH OF APPROX 25,000 WHEELED CARTS FOR SANITATION DEPT; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE COMMITTEE
197. SERVICE DIRECTOR HIGHMAN: AMEND CANTON COD ORD CHAPTER 975 (SOLID WASTE MANAGEMENT SYSTEM) WITH UPDATES CONTAINED IN EXHIBIT A AND MAKING ANY ADDT'L CHANGES NEEDED TO FACILITATE SAID UPDATES; AMEND CHAPTER 947.09 (PAYMENT) WITH UPDATES CONTAINED IN EXHIBIT B AND MAKING ANY ADDT'L CHANGES NEEDED TO FACILITATE SAID UPDATES. – JUDICIARY COMMITTEE
198. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT NO. 1 AND FINAL IN AMT OF \$56,182.00 WITH ARCADIS FOR CONTRACT AND SERVS; AUTH AND DIRECT AUDITOR TO PAY MORAL OBS RELATED TO CONTRACT AMENDMENT; RETRO AUTH ACTIONS TAKEN PRIOR TO PASSAGE OF ORD; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY
199. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 3/31/20. – RECEIVED & FILED
200. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS AS OF 4/30/20. – RECEIVED & FILED
201. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR APRIL, 2020. – RECEIVED & FILED
202. TREASURER PEREZ: RPT OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF APRIL 30, 2020. – RECEIVED & FILED

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

- 1<sup>ST</sup> RDG 1. AUTH SETTLEMENT OF ADAM BALZER V. CITY OF CANTON, ET AL.; EMERGENCY  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 2. APPROVE CONTRACT AMENDMENTS TO COLLECTIVE BARGAINING AGMT BETWEEN CITY OF CANTON AND CANTON PROFESSIONAL FIREFIGHTER'S ASSOCIATION; EMERGENCY (EFFECTIVE 1/1/20 – 12/31/21)  
Referred to Personnel & Finance Committees
- 1<sup>ST</sup> RDG 3. APPROVE CONTRACT AMENDMENTS TO COLLECTIVE BARGAINING AGMT BETWEEN CITY OF CANTON AND FRATERNAL ORDER OF POLICE; EMERGENCY (EFFECTIVE 1/1/20 – 12/31/21)  
Referred to Personnel & Finance Committees

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**

- 2<sup>ND</sup> RDG 4. AUTHORIZE CANTON TO ANNEX TERRITORY KNOWN AS HOF VILLAGE #6 ANNEX AREA CONTAINING APPROX 1.950 ACRES, MORE OR LESS, ASSIGNING SAID TERRITORY TO WARD 7 OF CITY; ZONING SAID TERRITORY AS HALL OF FAME VILLAGE DISTRICT (HOFV); EMERGENCY  
**PUB HRG 6/15/20 @ 7:00 PM** (ANNEX)

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE:** None**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, JUNE 15, 2020 in Council Caucus Room @ 6:30 PM**

- 1.) Personnel Committee
- 2.) Finance Committee

**MISCELLANEOUS BUSINESS:** Clerk Dougherty announced, "At the request and on behalf of the President and Council Members, I completed the required public records and Sunshine Law Training on March 20<sup>th</sup>. This fulfills the State requirement for the Clerk, President and Council Members". Member Morris said he watched the "peaceful protest" at the White House and then saw the protesters being met with tear gas and rubber bullets. He said he and Member Fisher also watched the video of the Canton protest and commended the citizens who conducted themselves with class. He and Member Fisher reached out to Chief Angelo with their concerns of how the city's police officers provoked the situation with the peaceful residents on Friday night. He was glad that they handled themselves better on Saturday and Sunday. President Sherer commended Mayor Bernabei for going out during the protests and talking to the constituents of our community, which helped to calm the situation, while President Trump was hiding in the basement of the White House. He quoted Martin Luther King's son, "Out of all the democracies in this world, the United States ranks 138<sup>th</sup>, with their constituents voting." President Sherer said if we want a change, we have got to get people registered to vote. Member Hall said he hopes that the Administration and Council are

looking to handle the events that happened at the end of Friday night and hopes all the issues get addressed. He believes the people need to know why and who gave the orders to S.W.A.T. Member Fisher said that the police did a good job in keeping the violence down but believes, after seeing the video, that they can and should do better. Member Kimbrough thanked the volunteers at Timken High School for helping with the COVID-19 testing. The event was put together by State Representative Thomas West.

**QUOTE OF THE WEEK:** *“You never know how strong you are...until being strong is the only choice you have.”* – Cayla Mills

**ADJOURNMENT:** 7:28 PM

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JUNE 15, 2020 @ 7:00 PM**

Canton City Council Meetings are available for online streaming on Mondays at 7:00 PM, at <https://www.cantonohio.gov/516/City-Council>