

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

JUNE 15, 2020

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Morris Absent

INVOCATION: Greg Hawk, Ward 1 Council Member

PLEDGE OF ALLEGIANCE: President Sherer

AGENDA CORRECTIONS & CHANGES: Suspended Rule 22A to add 1st Rdg O#8 – O#15; 2nd Rdg O#16 - O#18; O#8 – O#13 & O#15 Adopted on 1st Rdg; O#14 Adopted as Amended on 1st Rdg; O#16 – O#18 Adopted on 2nd Rdg)

PUBLIC HEARINGS:

7:00 PM AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE HOF VILLAGE #6 ANNEXATION AREA CONTAINING APPROXIMATELY 1.950 ACRES, ASSIGNING SAID TERRITORY TO WARD 7 OF THE CITY; ZONING SAID TERRITORY AS HOFV (HALL OF FAME VILLAGE DISTRICT); AND DECLARING THE SAME TO BE AN EMERGENCY (No Speakers) **O#120/2020**

OLD BUSINESS (PUBLIC SPEAKS): Reviewed Pending Issues from Public Speaks

PUBLIC SPEAKS (CITY BUSINESS): Skylark Bruce spoke about the serious matters that black citizens are facing in Canton. She said that the officials of Canton have ignored calls for action and apologies from the Ohio Community Coalition. She feels the officials have also ignored the families of Ja’Ron Nero and Darryl Ross when their deaths by police were called out as wrong. She said that injustice doesn’t go away when the people in power ignore it. When black folks stood as a group to protest such injustice on May 29th, they were attacked by police with tear gas and pepper spray. Again, there has been no public apology from City officials on this abuse of First Amendment Rights. She believes the City can do better and tax dollars can be better used to pursue healing and avoid further harm to black people, but it must be done now. Jacob Liebler also spoke about the events of May 29th. He and a friend arrived late to the protest. They were walking alone down Cleveland Avenue when they witnessed police arresting members of a small group of protesters. He and his friend started to film these events when they were rushed by a group of officers with body armor, bats, shields, gas masks and guns. He was ordered to the ground and Maced in the face. He could hardly breath from the Mace and zip ties around his left hand were cutting off his circulation. He was charged with two misdemeanors. Friday, May 29th was the first time he was personally ashamed to be from Canton which was caused by those who swear to protect and serve us.

INFORMAL RESOLUTIONS:

26. COUNCIL-AS-A-WHOLE: DECLARING RACISM PUBLIC HEALTH CRISIS IN CANTON. - ADOPTED

COMMUNICATIONS:

203. AUDITOR MALLONN: REQ FOR ADDT’L AMENDED CERT DATED 5/29/20. – RECEIVED & FILED

204. AUDITOR MALLONN: MTHLY RPT BY FUND FOR 5/1/20 THRU 5/29/20. – RECEIVED & FILED

205. AUDITOR MALLONN: YRLY RPT BY FUND FOR 1/1/20 THRU 5/29/20. – RECEIVED & FILED

206. CHIEF OF POLICE ANGELO: RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX ACCT FOR MAY, 2020. – RECEIVED & FILED

207. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO TIF AGMT WITH HOF VILLAGE HOTEL II, LLC TO PROVIDE REAL PROPERTY TAX EXEMPTION AND AUTHORIZE AUDITOR TO MAKE PAYMENTS TO CANTON CITY SCHOOL DISTRICT AS REQ BY ORC SECS 5709.82(c) AND 5709.42(b); AUTHORIZE ACCEPTANCE OF PARCEL 243103 FROM HOF VILLAGE HOTEL II, LLC FOR SUBSEQUENT TRF TO CCIC. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

208. DEPUTY MAYOR WILLIAMS: AUTHORIZE MAYOR AND/OR SERV DIR TO CREATE NON-PROFIT CORP CALLED CANTON REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT, INC. (ESID); AUTHORIZE MAYOR AND/OR SERV DIR TO DEVELOP AND IMPLEMENT CANTON REGIONAL ESID AND SPECIAL ENERGY IMPROVEMENT PROJ; PROVIDE PETITIONING PROPERTY OWNERS A SPECIAL ASSESSMENT WHICH CAN BE USED TO FINANCE SUCH ENERGY IMPROVEMENT PROJ; ESTABLISH 7132 CANTON REGIONAL SPECIAL ENERGY IMPROVEMENT DISTRICT FUND AND ALLOW SAID FUNDS TO BE COLLECTED AND DISBURSED FOR DEBT SERVICES; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL NECESSARY AGMTS FOR IMPLEMENTATION OF CANTON REGIONAL ESID; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

209. FINANCE DIRECTOR CROUSE: AUTHORIZE AND DIRECT AUDITOR TO PAY ANY AND ALL MORAL OBS FOR HUNTINGTON BANK EXPENSES RESULTING FROM CITY’S INSUFFICIENT EARNINGS TO OFFSET BANK FEES PRIOR TO PASSAGE OR RESULTING ORDINANCE; RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN TO ENSURE THAT SAID MORAL OBS ARE PAID IN TIMELY MANNER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; REQ \$40,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 852001 TREASURER ADMIN – OTHER AND \$105,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER WORKS OPERATING FUND TO 5201 207003 BILLING AND RECORDS. – FINANCE COMMITTEE

COMMUNICATIONS CONTINUED:

210. LAW DIRECTOR BATES AYLWARD: AUTHORIZE AUDITOR TO PAY \$6,156.00 MORAL OB TO BLACK McCUSKEY SOUERS AND ARBAUGH LPA FOR PROF SERVICES RENDERED. – FINANCE COMMITTEE
211. MAYOR BERNABELI: AUTHORIZE MAYOR OR SAF DIR TO PROCLAIM STATE OF EMERGENCY UNDER CIRCUMSTANCES AFFECTING LIFE AND PROPERTY WITHIN CITY, SUCH AS CIVIL UNREST OR NATURAL DISASTER; AUTHORIZE MAYOR TO ENACT OR IMPLEMENT RESTRICTIONS DEEMED NECESSARY TO PROTECT SAFETY AND WELL BEING OF CITY AND ITS RESIDENTS IN EVENT OF SUCH EMERGENCY. – JUDICIARY COMMITTEE
212. PLANNING COMMISSION: REQ REPLAT OF LOTS 21925, 21926 & 21927 (PARCELS 200514, 201692 & 209709) IN WARD 7 FOR GANESH CANTON LLC (2557 CLEVELAND AVE NW). – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
213. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR TIMKENSTEEL CORP – 2505 SHEPLER CHURCH AVE SW ANNEX (I-2 – HEAVY INDUSTRY DISTRICT, WARD 5). – ANNEXATION COMMITTEE
214. SERVICE DIRECTOR HIGHMAN: REQ \$200,000.00 APPROP TRF FR 1001 506001 COMMUNITY DEVELOPMENT ADMIN TO 1001 506019 COVID-19 STIMULUS – OTHER; AUTHORIZE AND DIRECT AUDITOR TO PAY ANY AND ALL MORAL OBS RELATED TO SAID TRF RETRO AUTHORIZING ANY AND ALL ACTIONS TAKEN BEFORE PASSAGE OF RESULTING ORDINANCE; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. – FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES
215. SERVICE DIRECTOR HIGHMAN: AUTHORIZE AND DIRECT AUDITOR TO PAY CENTRAL ALLIED ENTERPRISES, INC \$21,405.74 MORAL OB FOR SHORB AVE SANITARY SEWER EXT AND MANHOLE CONSTRUCTION WORK; RETRO AUTHORIZE ANY AND ALL ACTIONS TAKEN PRIOR TO PASSAGE OF RESULTING ORDINANCE; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. – FINANCE COMMITTEE
216. STARK COUNTY COMMISSIONERS: RESOLUTION CORRECTING SCRIVENER'S ERROR ON 4/22/20 RESOLUTION APPROVING TIMKENSTEEL CORP ANNEX BY CHANGING ACREAGE FROM 7.46 ACRES TO 7.431 ACRES. – RECEIVED & FILED
217. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR MAY, 2020. – RECEIVED & FILED
218. TREASURER PEREZ: RPTS OF 5/31/20 BANK REC AND OUTSTANDING INVESTMENTS AS OF 5/31/20. – RECEIVED & FILED
219. MAYOR BERNABELI: REQ RESOLUTION PROVIDED BY OFFICE OF BUDGET AND MANAGEMENT (OBM) AFFIRMING THAT REVENUE FR CARES ACT WILL ONLY BE USED FOR PURPOSES PRESCRIBED THEREIN AND CERTIFY SAME TO DIR OF OBM AND COUNTY AUDITOR; REQ ORDINANCE AUTHORIZING AUDITOR TO RENAME 2810 CJIS TASK 48 FUND TO 2810 COVID-19 RELIEF FUND FOR TRACKING REVENUE AND EXPENDITURES; REQ \$3,750,000.00 SUPP APPROP FR UNAPPROP BAL OF 2810 COVID-19 RELIEF FUND TO 2810 506019 COVID-19 STIMULUS – OTHER. – FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. DECLARE DESIGNATED AREA OF CITY OF CANTON AS TOURISM DEVELOPMENT DISTRICT, TO BE KNOWN AS THE HOF FITNESS TOURISM DEVELOPMENT DISTRICT, FOR PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT, PURSUANT TO ORC SEC 715.014; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 2. DECLARE DESIGNATED AREA OF CITY OF CANTON AS TOURISM DEVELOPMENT DISTRICT, TO BE KNOWN AS THE DOWNTOWN CANTON TOURISM DEVELOPMENT DISTRICT, FOR PURPOSE OF FOSTERING AND DEVELOPING TOURISM IN THAT DISTRICT, PURSUANT TO ORC SEC 715.014; EMERGENCY
Referred to Community & Economic Development Committee
- 1ST RDG 3. VACATE PORTION OF BEDFORD AVE SW, GROVE PL SW AND ENGLE PLACE SW AND PORTIONS OF MOSELY CT SW; APPROVING AND ACCEPTING REPLAT OF ALL OF LOTS 14355 THRU 14404, 42971 THRU 42975, 10176, 10178, 10179, 10192, 10193, 36944, OUTLOT 1392 AND PART OF LOTS 36943, 10175, 10177 & 10180 AND VACATED PORTIONS OF STREETS VACATED HEREIN; EMERGENCY (AULTMAN HEALTH FOUNDATION, WARD 3)
Referred to Public Safety & Thoroughfares Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 4. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO ONE (1) YR CONTRACT WITH OPTION OF TWO (2) ONE (1) YR EXTENSIONS WITH STARK METRO HOUSING AUTHORITY FOR VEHICLE MAINTENANCE AND FUEL SERVICES; EMERGENCY
Referred to Finance Committee
- 1ST RDG 5. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR PURCHASE AND DISTRIBUTION OF APPROX 25,000 WHEELED CARTS FOR SANITATION DEPT TO BE DISTRIBUTED FOR SINGLE FAMILY RESIDENTIAL USE; OR TO ALTERNATIVELY ENTER INTO ALL CONTRACTS NECESSARY USING ANY PROCUREMENT METHOD AUTHORIZED BY LAW; AND TO ENTER INTO LEASE TO PURCHASE AGMT TO FACILITATE SAID PURCHASE; EMERGENCY
Referred to Finance Committee
- 1ST RDG 6. AMEND CHAPTER 975, SOLID WASTE MGMT SYSTEM AND SEC 947.09, PAYMENT OF CHAPTER 947, SEWER RATES, OF PART 9 OF STREETS, UTILITIES & PUBLIC SERVICES CODE
Referred to Judiciary Committee
- 1ST RDG 7. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT AMENDMENT NO. 1 AND FINAL IN AMT NOT TO EXCEED \$56,182.00 WITH ARCADIS FOR WRF SLUDGE PROCESSING MODIFICATIONS PROJ; CONTRACT 27 PROF ENGINEERING SERVICES CONTRACT AMENDMENT NO. 1 AND FINAL; AUTHORIZES AUDITOR TO PAY ALL MORAL OBLIGATIONS RELATED TO SAID CONTRACT AMENDMENT; RETRO AUTHORIZES ALL ACTIONS TAKEN PRIOR TO PASSAGE OF ORDINANCE RELATED TO SAME; EMERGENCY
Referred to Environmental & Public Utilities and Finance Committees
- (COUNCIL RECESSED AT 7:27 PM FOR THE FINANCE, COMMUNITY & ECONOMIC DEVELOPMENT AND JUDICIARY COMMITTEES TO DISCUSS O#8 THROUGH O#15; RECONVENED AT 7:44 PM)***
- 109/2020 8. AUTHORIZE AUDITOR TO ENTER INTO CONTRACT WITH KRONOS FOR CONVERSION/UPGRADED TIME AND ATTENDANCE SYSTEM; EMERGENCY (AUDITOR'S OFFICE)
Referred to Finance Committee
- 110/2020 9. AUTHORIZE MAYOR OR SERV DIR TO: ENTER INTO ALL CONTRACT AMENDMENTS WITH MKSK AS NECESSARY FOR DESIGN AND CONSTRUCTION OVERSIGHT OF ALL PHASES AND DESIGN ADDITIONS OF THE CENTENNIAL PLAZA PROJ; ENTER INTO ALL CHANGE ORDERS WITH DUNLOP & JOHNSTON, INC TO CONTRACT #2019-110 ADDITIONS OR REDUCTIONS; RETRO AUTHORIZE ALL ACTIONS TAKEN PRIOR TO COMPLETION OF ALL CONTRACTS AND CONTRACT AMENDMENTS RESULTING FROM THIS ORDINANCE AND PAYING ALL MORAL OBS RELATED TO SAME; AUTHORIZE MAYOR OR SERV DIR TO ACCEPT ALL OUTSIDE FUNDING AND/OR GIFTS RELATED TO CENTENNIAL PLAZA PROJ; AMEND APPROP O#59/2020; EMERGENCY (\$495,000.00 APPROP TRF FR 2175 501001 MAYOR ADMIN – OTHER TO 2175 200501 GENERAL GOV'T SUPPORT – OTHER)
Referred to Finance Committee
- 111/2020 10. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO AGMT FOR AND ACCEPT \$243,751.00 IN GRANTS FUNDS FR OFFICE OF JUSTICE PROG; AUTHORIZE AUDITOR TO RENAME 2772 2013 BYRNE GRANT FUND TO 2772 BJA FY20 CORONAVIRUS EMERGENCY SUPPLEMENTAL FUNDING PROG FUND; AUTHORIZE MAYOR OR SAF DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACTS FOR VARIOUS ITEMS; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY COOP PURCHASING PROG OR PROCUREMENT PROCEDURE AUTHORIZED BY LAW; AMEND APPROP O#59/2020; EMERGENCY (\$243,175.00 SUPP APPROP FR UNAPPROP BAL OF 2772 BJA FY20 CORONAVIRUS SUPPLEMENTAL FUNDING PROGRAM FUND TO 2772 102019 COVID-19 STIMULUS – PERSONNEL FOR \$114,280.00 AND TO 2772 102019 COVID-19 STIMULUS – OTHER FOR \$129,471.00; \$243,751.00 SUPP APPROP FR UNAPPROP BAL OF 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)
Referred to Finance Committee
- 112/2020 11. APPROVE PETITION AND ARTICLES OF INCORPORATION FOR CREATION AND GOVERNANCE OF ENERGY SPECIAL IMPROVEMENT DISTRICT UNDER ORC CHAPTER 1710; APPROVING CERTAIN PUBLIC IMPROVEMENTS IN CITY OF CANTON, OH IN COOPERATION WITH CANTON REGIONAL ENERGY SPECIAL IMPROVEMENT DISTRICT; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ALL NECESSARY AGMTS IN CONNECTION WITH CREATION AND IMPLEMENTATION OF ENERGY SPECIAL IMPROVEMENT DISTRICT; ESTABLISH ENERGY SPECIAL IMPROVEMENT DISTRICT FUND; EMERGENCY
Referred to Community & Economic Development Committee
- 113/2020 12. AMEND CHAPTER 509 OF CODIFIED ORD OF CITY OF CANTON DISORDERLY CONDUCT AND PEACE DISTURBANCE OF PART FIVE OF GENERAL OFFENSES CODE TO ADD SEC 509.10; STATE OF EMERGENCY; EMERGENCY
Referred to Judiciary Committee
- 114/2020 13. AMEND APPROP O#59/2020; EMERGENCY (\$200,000.00 APPROP TRF FR 1001 506001 COMMUNITY DEVELOPMENT ADMIN TO 1001 506019 COVID-19 STIMULUS – OTHER)
Referred to Finance and Community & Economic Development Committees

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

- 115/2020** 14. AFFIRM THAT ALL FUNDS RECEIVED FR COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND PURSUANT TO H.B. 481 BE EXPENDED ONLY TO COVER COSTS CONSISTENT WITH REQUIREMENTS OF SEC 5001 OF CARES ACT AS DESCRIBED IN 42 USC 601(d); AUDITOR, IN COMPLIANCE WITH H.B. 481, PAY ANY UNENCUMBERED BAL IN LOCAL CORONAVIRUS RELIEF FUND TO COUNTY TREASURER ON OR BEFORE 10/15/20, PAY BAL IN LOCAL CORONAVIRUS RELIEF FUND TO STATE TREASURY ON OR BEFORE 12/28/20 AS PRESCRIBED BY DIR OF OH OFFICE OF BUDGET AND MANAGEMENT AND PROVIDE ANY INFO RELATED TO PAYMENTS REC'D UNDER H.B. 481 TO DIR OF OH OFFICE OF BUDGET AND MANAGEMENT AS REQUESTED
Referred to Finance Committee
- 116/2020** 15. AUTHORIZE AUDITOR TO RENAME 2810 CJIS TASK 48 FUND TO 2810 COVID-19 RELIEF FUND; AMEND APPROP O#59/2020; EMERGENCY (\$3,750,000.00 SUPP APPROP FR UNAPPROP BAL OF 2810 COVID-19 RELIEF FUND TO 2810 506019 COVID-19 STIMULUS – OTHER)
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:
(SUSPENDED RULE 22A TO ADD O#16 – O#18; O#16 – O#18 ADOPTED)**

- 117/2020** 16. AUTHORIZE SETTLEMENT OF ADAM BALZER V. CITY OF CANTON, ET AL.; EMERGENCY (FIN)
- 118/2020** 17. 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) (PERS & FIN)
- 119/2020** 18. APPROVE CONTRACT AMENDMENTS TO COLLECTIVE BARGAINING AGMT BETWEEN CITY OF CANTON AND FRATERNAL ORDER OF POLICE; EMERGENCY (EFFECTIVE 1/1/20 – 12/31/21) (PERS & FIN)

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE:

- 120/2020** 19. 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

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, JUNE 29, 2020 in Council Caucus Room @ 6:30 PM**

- 1.) Finance Committee
- 2.) Community & Economic Development Committee
- 3.) Judiciary Committee
- 4.) Environmental & Public Utilities Committee
- 5.) Public Safety & Thoroughfares Committee

MISCELLANEOUS BUSINESS: Member Smith asked that Council and the City remember the family of Paralee Watkins Compton who recently passed away. She was instrumental with the Southeast Community Center and the entire community. She asked that Council prepare a Resolution recognizing Paralee in the next couple weeks.

QUOTE OF THE WEEK: *“Racism in America is like dust in the air. It seems invisible until you let the sun in. Then you see it's everywhere. As long as we keep shining that light, we have a chance of cleaning it wherever it lands.”* –Kareem Abdul-Jabbar

ADJOURNMENT: 8:00 P.M.

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JUNE 29, 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>