

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

JANUARY 4, 2021

CANTON CITY COUNCIL

**ROLL CALL:** Ten Members Present

**MOTION TO EXCUSE MEMBERS:** Member Smuckler and Member Mariol Absent

**INVOCATION:** Brenda Kimbrough, Ward 2 Council Member

**PLEDGE OF ALLEGIANCE:** President Sherer

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>st</sup> Rdg O#7 – O#10; 2<sup>nd</sup> Rdg O#11 – O#14; O#7 – O#10 Adopted on 1<sup>st</sup> Rdg; O#14 Adopted on 2<sup>nd</sup> Rdg)

**PUBLIC HEARINGS:**

7:00 PM AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE 3000 8<sup>TH</sup> ST. NE ANNEXATION AREA CONTAINING APPROXIMATELY 1.745 ACRES; ASSIGNING SAID TERRITORY AS I-1 LIGHT INDUSTRIAL; AND DECLARING THE SAME TO BE AN EMERGENCY (NO SPEAKERS)

**O#7/2021**

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

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

**INFORMAL RESOLUTIONS:**

1. COUNCIL-AS-A-WHOLE: REQ STARK CTY AUDITOR TO CERTIFY TO CITY OF CANTON TOTAL CURRENT TAX VALUATION OF CITY INCLUDING CALCULATION OF AVERAGE ANNUAL TAX RATE IN DOLLARS AND CENTS FOR EACH ONE HUNDRED DOLLARS OF VALUATION, AS WELL AS IN MILLS FOR EACH DOLLAR OF TAX VALUATION, AND DOLLAR AMT OF REVENUE GENERATED BY FIVE (5) MILLS. – ADOPTED

**COMMUNICATIONS:**

1. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 12/29/20. – RECEIVED & FILED
2. LIQUOR CONTROL DIV (OH): REQ TRF FR SHA B INC DBA B&B DRIVE THRU #3 TO RIDDHI SIDDHI 2020 LLC EXPRESS MINI MART DBA B&B DRIVE THRU #3 @ 1225 RAFF RD SW. – RECEIVED & FILED
3. LIQUOR CONTROL DIV (OH): REQ TRF FR GIANT OHIO LLC DBA GIANT 447 TO HEINCHIMONE LLC DBA HEINCHIMONE @ 2211 TUSCARAWAS RD. – RECEIVED & FILED
4. MAYOR BERNABEI: LTR ADVISING OF RE-APPT OF MR. JOSEPH GERZINA TO CANTON PARK COMMISSION, TERM COMMENCING 1/1/21 THRU 12/31/23. – RECEIVED & FILED
5. MAYOR BERNABEI: REQ RENEWAL LEVY FOR 5.0 MILLS AND FIVE YRS, COMMENCING FOR TAX YRS 2021 THRU 2025 (COLLECTIONS RUN FR 1/1/22 THRU 12/31/26) BE PLACED ON MAY 4, 2021 PRIMARY ELECTION BALLOT. – PARKS & RECREATION AND FINANCE COMMITTEES
6. SAFETY DIRECTOR PERRY: RATIFY ACTIONS TAKEN PRIOR TO PASSAGE OF ORDINANCE PUSUANT TO SECTION 105.04 OF COD ORD OF CITY OF CANTON; AUTH MAYOR AND/OR SAF DIR TO ENTER INTO ALL CONTRACTS NECESSARY TO RESPOND TO EMERGENCY SITUATIONS; AUTH AND DIRECT AUDITOR TO PAY ALL MORAL OBS RESULTING FROM RESPONDING TO EMERGENCY SITUATIONS; EMERGENCY (105.04 EMERGENCY REPORTS – 723 LAWRENCE RD NE, 727 LAWRENCE RD NE, 1925 HAMMOND AVE SW). – FINANCE COMMITTEE
7. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR, SERV DIR AND/OR DESIGNEE TO ESTABLISH FAIR MARKET VALUE OF ALL PARCELS, FOR FEE SIMPLE TAKES, NECESSARY FOR CONSTRUCTION OF PROJ; AUTH MAYOR, SERV DIR AND/OR DESIGNEE TO NEGOTIATE WITH PROP OWNERS FOR PURCH/ACQUISITION OF PARCELS UTILIZING FAIR MARKET VALUE AS BASIS OF NEGOTIATIONS AND ENTER INTO AGMT FOR PURCH OF AND ACCEPT TITLE TO PARCELS; AUTH MAYOR, SERV DIR AND/OR DESIGNEE TO NEGOTIATE SALE OR DONATION OF CITY-OWNED PROP FOR PERMANENT ROAD RIGHT-OF-WAY, UTILITY EASEMENTS AND/OR TEMP CONSTRUCTION EASEMENTS NECESSARY FOR CONSTRUCTION OF PROJ AND ENTER INTO AGMTS FOR SALES OR DONATIONS; AUTH MAYOR, SERV DIR AND/OR DESIGNEE TO MAKE MINISTERIAL CHANGES TO CORRECT PROP OWNER NAMES, PARCEL NUMBERS AND OTHER NUMERICAL DESCRIPTIVE OR TYPO ERRORS; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS BASED ON NEGOTIATED SETTLEMENT PRICE AGREED TO BY PROP OWNER(S), MAYOR, SERV DIR AND/OR DESIGNEE; EMERGENCY (39<sup>TH</sup> ST. NW, STEESE AREA ROADWAY & DRAINAGE PROJ, PHASE 1, GP 1284 RIGHT OF WAY ACQUISITION AUTHORIZATIONS). – FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES

**COMMUNICATIONS CONTINUED:**

8. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO JOINT FACILITY DEVELOPMENT AND USE AGMT WITH CANTON CITY SCHOOL DISTRICT FOR UPGRADES TO AND USE OF THURMAN MUNSON MEMORIAL STADIUM; EMERGENCY. – PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES

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

- 1<sup>ST</sup> RDG 1. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, IN ONE OR MORE SERIES, IN AGGREGATE PRINCIPLE AMT NOT TO EXCEED \$1,200,000.00 FOR PURPOSE OF PAYING COSTS OF CONSTRUCTING, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING CITY COMMUNITY CENTER, INCLUDING FACILITIES TO PROVIDE COMMUNITY HEALTH AND RELATED SERVICES  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 2. AUTH MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR SALE OF CITY OWNED REAL PROP, NO LONGER NEEDED FOR MUNICIPAL PURP, LOCATED AT STARK CO. AUDITOR PARCEL NOS. 231489, 234120, 206291, 283730 AND 214813 AND TO ENTER INTO CONTRACTS NECESSARY TO FACILITATE SAID SALES; EMERGENCY (231489 - 1928 3<sup>RD</sup> ST SE, FIRST MENNONITE CH; 234120 - SENECA PL NE, SMHA; 206291 – 7<sup>TH</sup> ST NE, SMHA; 283730 & 214813 – LIPPERT RD NE, SMHA)  
Referred to Community & Economic Development and Finance Committees
- 1<sup>ST</sup> RDG 3. AUTH REPLACEMENT OF WATERLINE ALONG SR-172FR PERRY DRIVE TO SARATOGA AVE NW, AND PERRY DRIVE FR 12<sup>TH</sup> ST SW TO SR-172; EMERGENCY  
Referred to Finance and Public Safety & Thoroughfares Committees
- 1<sup>ST</sup> RDG 4. AUTH MAYOR OR SERV DIR TO NEGOTIATE AND ENTER INTO AGMT FOR PURCH OF PARCEL NO. 213133; EMERGENCY (VACANT LOT AT SW CORNER OF 15<sup>TH</sup> ST AND CHERRY AVE NE)  
Referred to Finance and Public Safety & Thoroughfares Committees
- 1<sup>ST</sup> RDG 5. AUTH MAYOR OR SERV DIR TO NEGOTIATE AND ENTER INTO AGMT FOR PURCH OF PARCEL #5210306; EMERGENCY  
Referred to Finance and Public Property Capital Improvement Committees
- 1<sup>ST</sup> RDG 6. RESOLUTION TO SUBMIT BEFORE ELECTORATE OF CITY OF CANTON A 5.0 MILL LEVY OUTSIDE THE 10 MILL LIMITATION FOR PARKS & REC PURPOSES FOR PERIOD NOT TO EXCEED 5 YRS  
Referred to Parks & Recreation and Finance Committees

***(COUNCIL RECESSED AT 7:09 PM FOR THE FINANCE COMMITTEE TO DISCUSS O#7 AND O#10; RECONVENED AT 7:11 PM)***

- 1/2021 7. AUTH MAYOR OR SAF DIR TO ENTER INTO AGMT FOR AND ACCEPT \$8720.00 IN GRANT FUNDS FR BUREAU OF JUSTICE ASSISTANCE, 2020 PATRICK LEAHY BULLETPROOF VEST PARTNERSHIP; EMERGENCY  
Referred to Finance Committee

***(COUNCIL RECESSED AT 7:11 PM FOR THE FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES TO DISCUSS O#8; RECONVENED AT 7:12 PM)***

- 2/2021 8. AUTH MAYOR OR SERV DIR TO EXECUTE CONTRACT AMEND/MOD #2 WITH BURGESS & NIPLE, INC. FOR AM & CMOM PLAN DEVELOPMENT & IMPLEMENTATION PROJ; AMEND APPROP O#239/2020; EMERGENCY (\$976,070.00 SUPP APPROP FR UNAPPROP BAL OF 5410 SEWER OPERATING FUND TO 5410 206320 SEWER OPERATING FUND – AOC COMPLIANCE ORGANIZATION – OTHER)  
Referred to Finance and Environmental & Public Utilities Committees

***(COUNCIL RECESSED AT 7:12 PM FOR THE PERSONNEL AND FINANCE COMMITTEES TO DISCUSS O#9; RECONVENED AT 7:18 PM)***

- 3/2021 9. AMEND O#100/2011, AS AMENDED, TO ADJUST LICENSURE REQUIREMENTS OF SERV DIR'S WATER RECLAMATION FACILITY SUPERINTENDENT POSITION AS SHOWN ON THE ATTACHED EXHIBIT; EMERGENCY (DEBORAH HOUESHELL)  
Referred to Personnel and Finance Committees
- 4/2021 10. AUTH MAYOR OR SAF DIR TO ENTER INTO CONTRACTS NECESSARY TO RESPOND TO 723 LAWRENCE RD NE, 727 LAWRENCE RD NE AND 1925 HAMMOND AVE SW DEMOLITIONS; AUTH AUDITOR TO PAY MORAL OBS FR RESPONDING TO EMERGENCY SITUATION; EMERGENCY  
Referred to Finance Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**  
**(SUSPENDED RULE 22A TO ADD O#11 – O#14; O#14 ADOPTED)**

- 2<sup>ND</sup> RDG 11. VACATE PORTION OF 12' ALLEY; APPROVE AND ACCEPT REPLAT OF LOTS 13241, 13242 AND 20480 AND VACATED PORTION OF 12' ALLEY VACATED HEREIN; EMERGENCY (1508 CLARENDON SW, MICHAEL & ANGELA HOWARD) (PS&T)
- 2<sup>ND</sup> RDG 12. VACATE PORTION OF OLIVE PLACE NE AND UNNAMED 10' ALLEY; APPROVE AND ACCEPT REPLAT OF LOTS 14157 THRU 14162 AND LOT 43372 AND VACATED PORTIONS OF STREETS VACATED HEREIN; EMERGENCY (FPT CANTON LAND LLC, 1500 MAPLE AVE NE) (PS&T)

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

- 2<sup>ND</sup> RDG 13. APPROVE CANTON CITY WATER MAIN EXTENSION TO GRACE BAPTIST CHURCH; AUTH MAYOR OR SERV DIR TO ENTER INTO ANY AGMTS NECESSARY FOR EXTENSION OF SAID WATER MAIN; EMERGENCY (E&PU AND FIN)
- 5/2021 14. AUTH MAYOR OR SERV DIR TO ENTER INTO EASEMENT AGMT WITH EAST OHIO GAS CO DBA DOMINION ENERGY OHIO (DEO) FOR INSTALLATION OF TWO GAS UTILITY PIPE LINES; EMERGENCY (SPIKER PARK, SE CORNER OF WESTMORELAND AVE & BROOKWAY RD NW) (E&PU AND FIN)

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

- 6/2021 15. AMEND O#100/2011 AS AMENDED TO: REMOVE DIR OF PLANNING FR MAYOR'S OFFICE MGMT AND NON-BARGAINING CLASSIFICATION PLAN AND PLACE IT INTO NEWLY CREATED DEPT OF PLANNING AND ZONING; ADD POSITION OF PLANNING ADMIN TO NEWLY CREATED DEPT OF PLANNING AND ZONING; AMEND O#40/2000, AS AMENDED, TO UPDATE BARGAINING UNIT CLASSIFICATION PLAN FOR DIVISION OF COMMUNITY & ECONOMIC DEVELOPMENT & PLANNING MGMT; SAFETY DIR'S DEPT OF CODE ENFORCEMENT AND ESTABLISH CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL FOR DEPT OF PLANNING AND ZONING; EMERGENCY
- 7/2021 16. AUTH CANTON TO ANNEX TERRITORY KNOWN AS THE 3000 8<sup>TH</sup> ST. NE ANNEXATION AREA CONTAINING APPROX 1.745 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY AS I-1 LIGHT INDUSTRIAL; EMERGENCY (WARD 4) **PUB HRG 1/4/21 @ 7:00 PM**
- 8/2021 17. APPROVE AND ACCEPT REPLAT OF LOTS 35841, 35842 & 35843; EMERGENCY (RICHARD ABBRUZZI ON BEHALF OF VICTORIA & JACQUELINE BERBELIS AND RICHARD & TRISHA ABBRUZZI, 4801 – 4817 ELLINDA CIR NW, WARD 8)
- 9/2021 18. APPROVE AND ACCEPT REPLAT OF LOTS 2416 AND 2417; EMERGENCY (TERRENCE HUDSON ON BEHALF OF JESSE HUDSON, 625 O'JAY'S PKWY NE, WARD 2)
- 10/2021 19. AMEND O#68/2019, CLASSIFICATION PLAN FOR MANAGEMENT AND NON-BARGAINING UNIT PERSONNEL; EMERGENCY (HUMAN RESOURCES COORDINATOR)
- 11/2021 20. AUTH APPROP APPOINTING AUTHORITY, DURING CALENDAR YR 2021, TO SELL CITY OWNED PERS PROP WHICH IS NOT NEEDED FOR PUBLIC USE, IS OBSOLETE OR UNFIT FOR THE USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION PURSUANT TO O.R.C. 721.15 (D); EMERGENCY
- 12/2021 21. AUTH MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACTS FOR PURCH OF ONE (1) SMALL PACKER, ONE (1) BOOM LOADER TRUCK AND ONE (1) ROLL-OFF TRUCK FOR SANITATION DEPT; ALTERNATIVELY PURCH VEHICLES PURSUANT TO ANY PROCUREMENT PROCESS AUTH BY LAW; EMERGENCY
- 13/2021 22. AUTH MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR BLDG NEW DECHLORINATION BLDG FOR LAGOONS AT CANTON WATER DEPT'S SUGAR CREEK WATER TREATMENT PLANT; EMERGENCY
- 14/2021 23. AUTH MAYOR OR SERV DIR TO EXECUTE A PROF SERVS CONTRACT WITH BURGESS & NIPLE IN AMT NOT TO EXCEED \$50,000.00 FOR DESIGN OF BRENTWOOD INTERIOR TANK PAINTING PROJ; EMERGENCY (WATER DEPT)
- 15/2021 24. AUTH MAYOR OR SERV DIR TO EXECUTE CHANGE ORDER #2 AND FINAL WITH HM MILLER CONSTRUCTION COMPANY IN AMT NOT TO EXCEED \$26,671.55 FOR 4<sup>TH</sup> ST. SW SEWER RELOCATION PROJ, GP 1303; RETRO AUTH ACTIONS TAKEN PRIOR TO FINALIZATION OF CHANGE ORDER TO FACILITATE PROJ; AUTH AUDITOR TO PAY ANY MORAL OBS RELATED; EMERGENCY
- 16/2021 25. AUTH MAYOR OR SERV DIR TO EXECUTE CHANGE ORDER #3 AND FINAL WITH S.E.T., INC. IN AMT NOT TO EXCEED \$17,047.17 FOR FAWCETT CT. NW DRAINAGE PROJ, GP 1300; RETRO AUTH ACTIONS TAKEN PRIOR TO FINALIZATION OF CHANGE ORDER TO FACILITATE PROJ; AUTH AUDITOR TO PAY ANY MORAL OBS RELATED; EMERGENCY
- 17/2021 26. AUTH MAYOR OR SERV DIR TO EXECUTE CHANGE ORDER #2 AND FINAL WITH FIRST CHOICE ELECTRIC SOLUTIONS, LLC IN AMT NOT TO EXCEED \$6,317.76 FOR EAST TUSCARAWAS ELECTRIC VEHICLE CHARGING STATIONS PROJ, GP 1316; RETRO AUTH ACTIONS TAKEN PRIOR TO FINALIZATION OF CHANGE ORDER TO FACILITATE PROJ; AUTH AUDITOR TO PAY ANY MORAL OBS RELATED; EMERGENCY
- 18/2021 27. AUTH AND CONSENT TO INSTALLATION OF WET REFLECTIVE PAVEMENT MARKINGS ALONG US-62; EMERGENCY (ODOT)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, JANUARY 25, 2021 in Council Caucus Room @ 6:30 PM**

- 1) Finance Committee
- 2) Community & Economic Development Committee
- 3) Public Property Capital Improvement Committee
- 4) Parks & Recreation Committee
- 5) Public Safety & Thoroughfares Committee

**MISCELLANEOUS BUSINESS:** President Sherer called Heath Comm. James Adams to the podium to give an update on the COVID-19 Pandemic. Comm. Adams thanked his staff, the Mayor, his Cabinet and Administration, along with all Departments on doing such a good job in a difficult situation. There are a number of new cases, approximately 157 per day. The vaccination process has started in the city of Canton. Currently, there is a limited supply of the vaccine, so the State of Ohio, specifically the Governor, is making the decisions on which tiered group gets the vaccine first. Right now Tier 1A is being vaccinated and includes health care workers, emergency medical providers, group homes and assisted living facilities. These agencies are under the Federal Program where large pharmacy chains and hospitals are assisting in the vaccination process. Stark County's four local health departments, which includes the city of Canton, are currently vaccinating EMS/Fire workers, small medical practice workers and those in group homes. They have vaccinated only 200 people so far and have begun to make cold calls to people at risk. There are plenty of vaccines; however, due to fear, people are not rushing to take it. They're waiting to see how others respond to the vaccine first. Comm. Adams is not clear as to who will be included in Tier 1B besides people who are 65 years and older. He doesn't know if Tier 1B will include those under 65 years with pre-existing conditions or if the court systems that deal with people on a daily basis, will be included. The Governor may have information about that on Friday. He reported that there was a spike due to the Thanksgiving Holiday and there will certainly be a spike with the Christmas and New Year holidays because of social gatherings. The Health Department is planning some community clinics as soon as they receive the green light from the State of Ohio. He's sure those clinics will be in different quadrants of the city where people can access them. He stated that the testing strategy has been a wreck. Although there were two drive thru testings at the Fairgrounds, he would prefer to see testing done every day, on demand. Comm. Adams clarified that according to his instructions from the State of Ohio, two shots are still needed and immunity may last for 3 months, but there is no evidence that it lasts any longer than that. He also suggested that the Community will need to continue wearing masks and social distancing, at least until July of 2021. President Sherer thanked Comm. Adams for coming to Council to give the update and he also asked everyone to keep Majority Leader Smuckler and his wife Randi in their prayers, due to the passing of Randi's mother.

**QUOTE OF THE WEEK:** *"May all your troubles last as long as your New Year's resolutions. – Joey Adams*

**ADJOURNMENT:** 8:00 PM

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JANUARY 25, 2021 @ 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>