

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

MAY 24, 2021

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: James Babcock, Council-at-Large

PLEDGE OF ALLEGIANCE: President Sherer

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#8, RE#9 & O#10 – O#11; 2nd Rdg O#12 – O#24; Adopted O#8, RE#9, O#10 & O#11 on 1st Rdg; Adopted O#23 & O#24 on 2nd Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Delores Simonella spoke about the residence at 1125 20th St NE. She said that it is a rental and the occupants intend to start a dog breeding business. She saw someone deliver a six cage kennel to the property. This is a residential area and not zoned for business. She has lived at her residence for fifty plus years and does not want a business operating in that area. She provided Council with a list of signatures from the residents in the area who are also against it.

INFORMAL RESOLUTIONS:

15. COUNCIL MBR SMITH (WARD 4): REQ HONORARY NAME CHANGE OF WATSON PL SE FR ALLEN AVE SE CONTINUING EAST TO RAILROAD TRACKS TO “SOLOMON COOKS WAY SE” IN HONOR OF SOLOMON COOKS, SR. - ADOPTED

COMMUNICATIONS:

164. CHIEF OF POLICE ANGELO: RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR APRIL, 2021. – RECEIVED & FILED
165. LIQUOR CONTROL DIV (OHIO): REQ NEW D1 PERMIT FOR BOB EVANS RESTAURANTS LLC, DBA BOB EVANS RESTAURANT 516, 3400 LESH ST NE (WARD 6). – RECEIVED & FILED
166. LIQUOR CONTROL DIV (OHIO): REQ NEW D5I PERMIT FOR SOL RESTAURANT NIGHT CLUB LLC, 1916 CLEVELAND AVE NW (WARD 9). – RECEIVED & FILED
167. LIQUOR CONTROL DIV (OHIO): REQ TRF OF D5 PERMIT TO WLHR INC, DBA SAMANTHAS DOWNTOWN, 218 COURT AVE NW & 217 MARKET AVE NW, 1ST FL BSMT & PATIO FR CSMERCADO LLC, 218 COURT AVE NW & 217 MARKET AVE NW, 1ST FL BSMT & PATIO (WARD 2). – RECEIVED & FILED
168. LIQUOR CONTROL DIV (OHIO): REQ NEW D1 LIQUOR PERMIT FOR BOB EVANS RESTAURANTS LLC, DBA BOB EVANS RESTAURANTS 161, 4008 TUSCARAWAS ST W (WARD 3). – RECEIVED & FILED
169. LIQUOR CONTROL DIV (OHIO): REQ NEW D5J PERMIT FOR PRIDE 821 LLC, DBA PRIDE 821, 1ST FL & PATIO & BSMT, 401 CHERRY AVE NE (WARD 2). – RECEIVED & FILED
170. MAYOR BERNABEI: ADVISE OF APPTS OF MS. EVA LEIGH HOUGHTON, MS. PATRICIA HOWARD AND MR. BRICE BENDER AND RE-APPT OF MR. ROBERT GEORGE TO MAYOR’S NEIGHBORHOOD COMMISSION COMMENCING 6/1/21 TO 5/31/23 (MS. HOUGHTON AND MS. HOWARD) AND 6/1/21 TO 5/31/24 (MR. BENDER AND MR. GEORGE). – RECEIVED & FILED
171. PLANNING COMMISSION: APPROVE REPLAT OF LOTS 22884-22886 AND PART OF LOT 22887 (PARCELS 208807, 208806 & 209039) FOR HABITAT FOR HUMANITY, 400 BLOCK OF CRESTMONT AVE SE (WARD 4). – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
172. PLANNING COMMISSION: APPROVE REPLAT OF OUTLOT 984 (PARCEL #246349) FOR ALTMAN BUCKEYE CO II PARTNERSHIP, 3510 W TUSC (WARD 3). – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
173. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR HOF VILLAGE #7 ANNEXATION (HOFV – HALL OF FAME VILLAGE DISTRICT, WARD 7). – ANNEXATION COMMITTEE

COMMUNICATIONS CONTINUED:

174. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ADVERTISE AND RECEIVE BIDS FOR CONSTRUCTION CONTRACT FOR CANTON SOUTH WATERLINE EXTENSION PHASE 2 PROJ; AUTH MAYOR AND/OR SERV DIR TO AWARD AND EXECUTE CONSTRUCTION CONTRACT AND PROF SRVS CONTRACT FOR CONSTRUCTION ENGINEERING SRVS FOR PROJ; AUTH CITY TO RECEIVE GRANT FUNDS IN AMT OF \$1,500,000.00 FOR PROJ FR H2OHIO DRINKING WATER FUND PROG; AUTH AUDITOR TO ESTABLISH AND CREATE FUND 5246 CANTON SOUTH WATERLINE EXTENSION – PHASE 2 PROJECT FUND TO RECEIVE ALL LOAN, GRANT AND REVENUE PROCEEDS AND TRACK PROJ EXPENDITURES; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. – FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
175. SERVICE DIRECTOR HIGHMAN: AUTH MR. BRUCE BERNHARD ANNUAL STARTING SALARY OF \$62,500.00 FOR ENGINEER II POSITION IN COLLECTION SYSTEMS DEPT. – FINANCE AND PERSONNEL COMMITTEES
176. TREASURER PEREZ: COMPARATIVE RPT OF CASH RECEIPTS FR 1/1/21 TO 4/30/21. – RECEIVED & FILED
177. TREASURER PEREZ: RPTS OF 4/30/21 BANK REC AND OUTSTANDING INVESTMENTS AS OF 4/30/21. – RECEIVED & FILED
178. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR APRIL, 2021. – RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND APPROP O#49/2021; EMERGENCY (\$110,000.00 SUPP APPROP FR UNAPPROP BAL OF 2214 HOME FUND TO 2214 506003 VIENNA WOODS REPAYMENT FUND – OTHER)
Referred to Community & Economic Development and Finance Committees
- 1ST RDG 2. AUTH ALL FUNDS BUDGETED IN 7508 JACKSON-CANTON JEDD CLEARING FUND TO BE BUDGETED AT THE FUND LEVEL; AMEND APPROP O#49/2021; EMERGENCY (\$1,200,000.00 SUPP FR UNAPPROP BAL OF 7508 JACKSON-CANTON CLEARING FUND TO 7508 JACKSON-CANTON JEDD – OTHER)
Referred to Community & Economic Development and Finance Committees
- 1ST RDG 3. AUTH SAF DIR TO ACCEPT GRANT FUNDS FR HARTFORD FINANCIAL SERVICES; AMEND APPROP O#49/2021; EMERGENCY (\$35,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 103001 FIRE ADMIN – OTHER)
Referred to Finance Committee
- 1ST RDG 4. AMEND APPROP O#49/2021; EMERGENCY (\$99,615.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 200501 GENERAL GOVERNMENT SUPPORT – OTHER; \$99,615.00 SUPP APPROP FR UNAPPROP BAL OF 7601 HEALTH FUND TO 7601 301001 HEALTH ADMIN – OTHER; \$99,615.00 INTER-FUND TRF FR 1001 GENERAL OPERATING FUND TO 7601 HEALTH FUND
Referred to Finance Committee
- 1ST RDG 5. AMEND CHAPTER 749, ITINERANT RETAILERS OF PART SEVEN BUSINESS REGULATIONS CODE
Referred to Judiciary Committee
- 1ST RDG 6. AMEND EXHIBIT A TO O#100/2011, AS AMENDED, CLASSIFICATION PLAN FOR NON-BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (2 VICTIM ADVOCATE POSITIONS FOR POLICE DEPT)
Referred to Personnel Committee
- 1ST RDG 7. AMEND EXHIBIT A TO O#100/2011, AS AMENDED, CLASSIFICATION PLAN FOR NON-BARGAINING UNIT PERSONNEL EMPLOYED BY CITY OF CANTON; EMERGENCY (RENAME BENEFITS ADMIN TO HEALTH BENEFITS MANAGER)
Referred to Personnel Committee

(COUNCIL RECESSED AT 7:23 PM FOR THE FINANCE, PERSONNEL & ANNEXATION COMMITTEES TO DISCUSS O#8, RE#9, O#10 & O#11; RECONVENED AT 7:32 PM)

(FINANCE AND PERSONNEL COMMITTEES CALLED TO ORDER AT 7:23 PM TO DISCUSS O#8; ADJOURNED AT 7:24 PM)

- 96/2021 8. AUTH HIRING OF MR. BRUCE BERNHARD TO FILL ENGINEER II POSITION IN COLLECTION SYSTEMS DEPT AT ANNUAL SALARY OF \$62,500.00; EMERGENCY
Referred to Finance and Personnel Committees

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:***(ANNEXATION COMMITTEE CALLED TO ORDER AT 7:31 PM TO DISCUSS RE#9; ADJOURNED AT 7:32 PM)***

- 97/2021** 9. APPROVE STATEMENT OF SERVICES TO BE PROVIDED TO PROPERTY OWNERS IN REGENT AVE NE – CITY SERVICE CENTER ANNEX AREA, APPROX DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO CITY OF CANTON; EMERGENCY
Referred to Annexation Committee

(FINANCE COMMITTEE CALLED TO ORDER AT 7:24 PM TO DISCUSS O#10 & O#11; ADJOURNED AT 7:31 PM)

- 98/2021** 10. AUTH AUDITOR TO CREATE 2809 AMERICAN RESCUE PLAN FUND; AMEND APPROP O#49/2021; AUTH AUDITOR TO PAY ALL MORAL OBS RELATED TO THIS PROJ; EMERGENCY (SUPP APPROP EQUAL TO AMT OF FUNDS RECEIVED IN CARES ACT FUNDING UPON RECEIPT OF FUNDS AND ALLOW SUCH FUNDS TO BE BUDGETED AT FUND LEVEL)
Referred to Finance Committee

- 99/2021** 11. AUTH MAYOR OR SERV DIR TO ENTER INTO GRANT AGMT WITH COMMUNITY BUILDING PARTNERSHIP OF STARK COUNTY, INC. (CBP) IN AMT NOT TO EXCEED \$200,000.00 UTILIZING ISSUE 13 COMPREHENSIVE PLAN NEIGHBORHOOD FUNDS; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD O#12 – O#24; O#23 & O#24 ADOPTED)**

- 2ND RDG** 12. AMEND APPROP O#49/2021; EMERGENCY (\$449.90 SUPP APPROP FR 2221 STK/TUSC WORK FORCE DEV BD FUND TO 2221 506001 COMMUNITY DEVELOPMENT ADMIN – OTHER) (SUMMER YOUTH EMPLOYMENT AND CASE MGMT SERVS) (FIN & C&ED)
- 2ND RDG** 13. APPROVE AND ACCEPT REPLAT OF LOTS 405 AND 406; EMERGENCY (PARCELS 207976, 224462, 238885 & 248021 FOR JOHN S. LAUGHLIN, JR @ 606 MCKINLEY AVE SW, WARD 4) (PS&T)
- 2ND RDG** 14. AMEND CH 1131, DEFINITIONS OF PART ELEVEN PLANNING AND ZONING CODE OF COD ORD (MOBILE HOME & MODULAR HOME) **PUB HRG 6/7/21 @ 7:00 PM** (JUD)
- 2ND RDG** 15. AMEND CH 1137, BULK AND AREA REQUIREMENTS – RESIDENTIAL ZONING DISTRICTS OF PART ELEVEN PLANNING AND ZONING CODE OF COD ORD (CLARIFY TABLE OF PERMITTED BULK & AREA REQUIREMENTS – RESIDENTIAL ZONING DISTRICT) **PUB HRG 6/7/21 @ 7:01 PM** (JUD)
- 2ND RDG** 16. AMEND CH 1146, BULK AND AREA REQUIREMENTS – BUSINESS AND INDUSTRIAL DISTRICTS OF PART ELEVEN PLANNING AND ZONING CODE OF THE COD ORD (CLARIFY TABLE OF PERMITTED BULK AND AREA REQUIREMENTS FOR BUSINESS & INDUSTRIAL DISTRICTS) **PUB HRG 6/7/21 @ 7:02 PM** (JUD)
- 2ND RDG** 17. AMEND CH 1131, DEFINITIONS AND CH 1148, SPECIAL PROVISIONS FOR BUSINESS AND INDUSTRIAL USES OF PART ELEVEN PLANNING AND ZONING CODE OF COD ORD (MOBILE FOOD VENDING, MOBILE FOOD VENDING UNIT (TRUCK) & MOBILE FOOD VENDORS) **PUB HRG 6/7/21 @ 7:03 PM** (JUD)
- 2ND RDG** 18. APPROVE CANTON CITY WATER MAIN EXT TO SARATOGA HILLS ALLOTMENT; AUTH MAYOR OR SERV DIR TO ENTER INTO AGMTS FOR EXTENSION OF SAID WATER MAIN; EMERGENCY (PLAIN TWP) (E&PU & FIN)
- 2ND RDG** 19. AUTH MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT; EXECUTE PROF SERVS CONTRACT FOR CONSTRUCTION OVERSIGHT SERVS; RECEIVE GRANT FUNDS IN AMT OF \$750,000.00 AND ZERO PERCENT INT LOAN IN AMT OF \$750,000.00 FOR EDGEFIELD AREA PHASE I WATER MAIN REPLACEMENT PROJ; AUTH AUDITOR TO PAY MORAL OBS FOR RELATED PROJ CHANGE ORDERS OTHERWISE APPROVED BY BOARD OF CONTROL PURSUANT TO CANTON COD ORD 105.14; AUTH AUDITOR TO ESTABLISH 5244 EDGEFIELD AREA PHASE I WATER MAIN REPLACEMENT PROJECT FUND; AMEND APPROP O#49/2021; EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5244 EDGEFIELD AREA PHASE I WATER MAIN REPLACEMENT PROJECT FUND TO 5244 207051 EDGEFIELD AREA PHASE 1 WATER MAIN REPLACEMENT PROJECT – OTHER; \$700,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207051 EDGEFIELD AREA PHASE I WATER MAIN REPLACEMENT PROJECT – OTHER) (FIN & E&PU)
- 2ND RDG** 20. AUTH MAYOR OR SERV DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT; EXECUTE PROF SERVS CONTRACT FOR CONSTRUCTION OVERSIGHT SERVS; RECEIVE GRANT FUNDS IN AMT \$600,000.00 AND ZERO PERCENT INT LOAN IN AMT OF \$900,000.00 FOR EDGEFIELD AREA PHASE II WATER MAIN REPLACEMENT PROJECT; AUTH AUDITOR TO PAY MORAL OBS FOR PROJECT CHANGE ORDERS OTHERWISE APPROVED BY BOARD OF CONTROL PURSUANT TO CANTON COD ORD 105.14; AUTH AUDITOR TO ESTABLISH 5245 EDGEFIELD AREA PHASE II WATER MAIN REPLACEMENT PROJECT FUND; AMEND APPROP O#49/2021; EMERGENCY (\$1,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5245 EDGEFIELD AREA PHASE II WATER MAIN REPLACEMENT PROJECT FUND TO 5245 207061 EDGEFIELD AREA PHASE II WATER MAIN REPLACEMENT PROJECT – OTHER; \$1,100,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207061 EDGEFIELD AREA PHASE II WATER MAIN REPLACEMENT PROJECT – OTHER) (FIN & E&PU)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 21. AUTH MAYOR OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT WITH CTI ENGINEERS, INC. IN AMT NOT TO EXCEED \$172,368.79 FOR DESIGN OF 4TH STREET SE SEWER REPLACEMENT PROJECT, GP 1338; AMEND APPROP O#49/2021; EMERGENCY (\$175,000.00 INTRA-FUND APPROP TRF FR 5410 206006 COLLECTION SYSTEMS DEPARTMENT – OTHER TO 5410 206326 4TH STREET SE SEWER REPLACEMENT PROJECT, GP 1338 – OTHER) (FIN & E&PU)
- 2ND RDG 22. AUTH MAYOR OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT FOR DESIGN OF COLLECTION SYSTEMS DEPT ADMIN BUILDING MODIFICATIONS, GP 1255 (DESIGN); AMEND APPROP O#49/2021; EMERGENCY (\$97,800.00 INTRA-FUND APPROP TRF FR 5410 206006 COLLECTION SYSTEMS DEPARTMENT – OTHER TO 5410 206324 CSD ADMINISTRATION BUILDING MODIFICATIONS, GP 1255 – OTHER) (FIN)
- 100/2021 23. AUTH AUDITOR TO PAY MORAL OBS TO PRO FOOTBALL HALL OF FAME FOR EXPENSES PRIOR TO PASSAGE OF ORDINANCE; EMERGENCY (MAINTENANCE, OPERATIONS, PROGRAMMING & MARKETING OF CENTENNIAL PLAZA) (FIN)
- 101/2021 24. AUTH MAYOR OR SERV DIR TO ENTER INTO EASEMENT AGMT WITH HOF VILLAGE NEWCO, LLC AND NATIONAL FOOTBALL MUSEUM, INC. FOR INSTALLATION OF UNDERGROUND UTILITIES AND A VEHICLE INGRESS/EGRESS DRIVE FR HARRISON AVE. NW TO HOFV PROPERTY; EMERGENCY (HOFV UTILITY IMPROVEMENTS PHASE 2) (E&PU)

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

- 102/2021 25. AMEND SEC 355.01, DEFINITIONS OF CHAPTER 355, PARKING ON PRIVATE PROPERTY OF TRAFFIC CODE
- 103/2021 26. AMEND SEC 355.04, SIGN REQUIREMENTS; LIABILITY OF CHAPTER 355, PARKING ON PRIVATE PROPERTY OF TRAFFIC CODE
- 104/2021 27. VACATE BARR AVE NW FROM NORTH LINE OF PART OF OUT LOT 1395 TO SOUTH LINE OF FULTON AVE (S.R. 687), GEORGE HALAS DR NW FROM NORTH LINE OF OUT LOT 1401 AND EAST LINE OF 43285 TO SOUTH LINE OF FULTON AVE (S.R. 687), CLEARVIEW AVE FROM NORTH LINE OF PT OF OUT LOT 1380 TO 3 FT NORTH OF SOUTH LINE OF LOT 43265 AND 43190, BLAKE AVE NW FROM NORTH LINE OF PART OF OUT LOT 1416 TO SOUTH LINE OF FULTON AVE (S.R. 687), WOODWARD PL NW FROM EAST LINE OF CLEARVIEW AVE TO WEST LINE OF BLAKE AVE NW, 21ST ST NW FROM EAST LINE OF CLARENDON AVE TO EAST LINE OF BLAKE AVE NW AND 19TH ST NW FROM EAST LINE OF CLARENDON AVE TO EAST LINE OF BLAKE AVE NW; APPROVE AND ACCEPT REPLAT OF STREETS VACATED ABOVE AND LOTS 43139-43145, 43170-43177, 43179-43210, 43221-43232, 43245, 43250-43287, 43317-43332, 43340-43341, 43346-43351, 43354-43364, 43432-43439, OUT LOT 1349 AND 1401 AND PART OF OUT LOT 1395, 1396, 1407 AND 1416; EMERGENCY (HOFV NEWCO LLC)
- 105/2021 28. APPROVE AND ACCEPT REPLAT OF LOTS 23361 AND 23362; EMERGENCY (HABITAT FOR HUMANITY @ 2415 ROOSEVELT AVE NE)
- 106/2021 29. AMEND AND ACCEPT REPLAT OF OUT LOTS 305 AND 306; EMERGENCY (CITY OF CANTON @ 1400 SHERRICK RD SE)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, JUNE 7, 2021 in Council Caucus Room @ 6:30 PM**

- 1) Finance Committee
- 2) Judiciary Committee
- 3) Community & Economic Development Committee
- 4) Personnel Committee

MISCELLANEOUS BUSINESS: Member Smuckler said that he could not hear anything Member Hall (who appeared remotely) said earlier because of the background noise. He announced that based on the Governor's decision to open up Ohio as of June 2nd, he is going to invite everyone back for Monday night Council meetings. If anyone has any questions or reasons why they would prefer not to appear, please see him personally. His intent is to have everybody back on June 7th. Member Hall asked the Administration for a copy of the organizations that have been funded for the summer program and the various age groups that may participate. Deputy Mayor Williams said he would send a copy to all Council Members. Mayor Bernabei reminded everyone that next Monday is Memorial Day and that there will be a Memorial Day Parade. It will line up at 10:00 AM on McKinley Avenue next to the old Timken High School, travel down West Tusc and turn into the Monument area where there will be a ceremony. He invited everyone to attend and reminded them that Memorial Day is a day to remember those who gave their lives in service of our country. Member Smith invited everyone to the Wayne Douglas Jamerson Spray Park, which will open on Memorial Day. She thanked the Council Members that have donated thus far, and anyone else who wishes to donate may see her.

QUOTE OF THE WEEK: *"Remember, when you are dead, you do not know you are dead. It is only painful for others. The same applies when you are stupid."* –Ricky Gervais

ADJOURNMENT: 7:58 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JUNE 7, 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>