

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

CANTON CITY COUNCIL

JUNE 7, 2021

**ROLL CALL:** Nine Members Present

**MOTION TO EXCUSE MEMBERS:** Member Schulman and Member Morris Absent. Member Smith absent for roll call; arrived during Informal Resolutions.

**INVOCATION:** Greg Hawk, Ward 1 Council Member

**PLEDGE OF ALLEGIANCE:** President Sherer

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 2<sup>nd</sup> Rdg O#5 – O#12; O#11 & O#12 Adopted on 2<sup>nd</sup> Rdg)

**PUBLIC HEARINGS:**

- 7:00 PM AN ORDINANCE AMENDING CHAPTER 1131, DEFINITIONS OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES (MOBILE & MODULAR HOME) (NO SPEAKERS) **O#111/2021**
- 7:01 PM AN ORDINANCE AMENDING CHAPTER 1137, BULK AND AREA REQUIREMENTS – RESIDENTIAL ZONING DISTRICTS OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES (CLARIFY TABLE OF PERMITTED BULK & AREA REQUIREMENTS) (NO SPEAKERS) **O#112/2021**
- 7:02 PM AN ORDINANCE AMENDING CHAPTER 1146, BULK AND AREA REQUIREMENTS – BUSINESS AND INDUSTRIAL DISTRICTS OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES (CLARIFY TABLE OF PERMITTED BULK AND AREA REQUIREMENTS FOR BUSINESS & INDUSTRIAL DISTRICTS) (NO SPEAKERS) **O#113/2021**
- 7:03 PM AN ORDINANCE AMENDING CHAPTER 1131, DEFINITIONS AND CHAPTER 1148, SPECIAL PROVISIONS FOR BUSINESS AND INDUSTRIAL USES OF PART ELEVEN PLANNING AND ZONING CODE OF THE CODIFIED ORDINANCES (MOBILE FOOD VENDING, MOBILE FOOD VENDING UNIT (TRUCK) & MOBILE FOOD VENDORS) (NO SPEAKERS) **O#114/2021**

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

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

**INFORMAL RESOLUTIONS:**

16. COUNCIL-AS-A-WHOLE: RECOGNIZING JOSEPH L. CRONE FOR HIS DEDICATION AND TIRELESS EFFORTS TO THE TRAINING PROGRAM AND IRONWORKERS LOCAL 550. – ADOPTED

***(MAJORITY LEADER SMUCKLER ACKNOWLEDGED THAT MEMBER SMITH IS NOW IN ATTENDANCE @ 7:11 PM)***

17. COUNCIL-AS-A-WHOLE: RECOGNIZING JUNE AS PROSTATE CANCER AWARENESS MONTH. - ADOPTED

**COMMUNICATIONS:**

179. AGENT FOR PETITIONER WILLIAMS: COPY OF ANNEXATION PETITION DOCS FILED WITH STARK COUNTY COMMISSIONER FOR THE REGENT AVENUE NE – CANTON SERVICE CENTER ANNEXATION. – RECEIVED & FILED
180. AUDITOR MALLONN: STATEMENT OF CASH POSITION AS OF 5/28/21. – RECEIVED & FILED
181. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERTIFICATE DATED 5/28/21. – RECEIVED & FILED
182. COURT ADMIN KOCHERA: AUTH MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT OF REHABILITATION & CORRECTION (ODR&C) FOR RECEIPT AND APPROP OF FY 2022-2023 COMMUNITY CORRECTIONS ACT (CCA) GRANT IN AMT OF \$341,208.00 COMMENCING 7/1/21 THRU 6/30/23 (FUNDING FOR 3 FULL-TIME PROBATION OFFICERS & OPERATIONAL FUNDING FOR PROBATION DEPT.). – FINANCE COMMITTEE
183. COURT ADMIN KOCHERA: AUTH MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT. OF MENTAL HEALTH & ADDICTION SERVS (ODMHAS) FOR RECEIPT OF FY2021 SPECIALIZED DOCKET SUBSIDY-ADDENDUM GRANT IN AMT OF \$40,000.00 FOR PERIOD COMMENCING IMMEDIATELY THRU 9/30/21; (\$40,000.00 SUPP APPROP FR UNAPPROP BAL #701001-2797 SPECIALIZED DOCKET GRANT FUND #2797 TO APPROP BAL # 701001 – 2797 PERSONNEL SPECIALIZED DOCKET GRANT FUND). – FINANCE COMMITTEE
184. HEALTH COMMISSIONER ADAMS: AMEND APPROP O#49/2021 (\$14,000.00 SUPP APPROP FR 2351.301001 FOOD PROTECTION PROGRAM – 600 PAYROLL TO 2351.301001 FOOD PROTECTION PROGRAM – 700 OTHER). – FINANCE COMMITTEE

**COMMUNICATIONS CONTINUED:**

185. LIQUOR CONTROL DIV (OHIO): REQ TRF C1 C2 PERMIT (#9080146) FR MORAN FOODS LLC DBA SAVE A LOT 612-5834 TO TUSC MARKET INC, SAVE A LOT FOOD STORES DBA SAVE A LOT 612-5834 @ 906 W. TUSCARAWAS ST. – RECEIVED & FILED
186. LIQUOR CONTROL DIV (OHIO): REQ TRF C1 C2 PERMIT (#1230146) FR MORAN FOODS LLC DBA SAVE A LOT 627-5848 TO CANTON EAST MARKET INC DBA SAVE A LOT 627-5848 @ 2905 MAHONING RD NE. – RECEIVED & FILED
187. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR PROJ; AUTH MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT FOR CONSTRUCTION OVERSIGHT SERVS FOR PROJ; AMEND O#49/2021 (\$462,000.00 SUPP APPROP FR UNAPPROP BAL OF 5413 SEWER REPLACEMENT FUND TO 5413 206323 VIOLA ESTATES SANITARY SEWER PROJECT, GP 1336 (OTHER); AUTH AND DIRECT AUDITOR TO PAY MORAL OBS FOR CONTRACT CHANGE ORDERS OTHERWISE APPROVED BY BOARD OF CONTROL PURSUANT TO CANTON COD ORD 105.14 WITHIN ESTABLISHED DOLLAR AMT FOR PROJ; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
188. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR PROJ; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO WORK LICENSE/EASEMENT AGMT WITH WHEELING & LAKE ERIE RAILWAY COMPANY TO FACILITATE PROJ; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; AUTH AND DIRECT AUDITOR TO PAY MORAL OBS FOR CONTRACT CHANGE ORDERS OTHERWISE APPROVED BY BOARD OF CONTROL PURSUANT TO CANTON COD ORD 105.14 WITHIN ESTABLISHED DOLLAR AMT FOR PROJ; AMEND O#49/2021 (\$200,000.00 INTRA-FUND TRF FR 5410 202010 ENGINEER – DAILY OPERATIONS (OTHER) TO 5410 206318 BURNHAM HILLS SAN SWR PROJ 1220 (OTHER); EMERGENCY. – FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
189. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR PARKRIDGE CIRCLE NW WATER MAIN EXTENSION PROJ; AMEND APPROP O#49/2021 (\$260,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207076 PARKRIDGE CIRCLE NW WATER MAIN EXTENSION PROJECT – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES
190. TREASURER PEREZ: ADOPT AND IMPLEMENT AMENDMENTS TO CHAPTER 155 OF COD ORD OF CANTON TO ENSURE CITY ALLOWS ITSELF EVERY INVESTMENT AND DEPOSIT OPPORTUNITY PROVIDED IN ORC CHAP 135 UNIFORM DEPOSITORY ACT; EMERGENCY. – JUDICIARY COMMITTEE

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

- 1<sup>ST</sup> RDG 1. APPROVE AND ACCEPT REPLAT OF LOTS 22884 – 22886 AND PART OF LOT 22887; EMERGENCY (PARCELS 208807, 208806 & 209039 @ 400 BLOCK OF CRESTMONT AVE SE, WARD 4, FOR HABITAT FOR HUMANITY)  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 2. APPROVE AND ACCEPT REPLAT OF OUTLOT 984; EMERGENCY (PARCEL 246349 @ 3510 W. TUSC, WARD 3, FOR ALTMAN BUCKEYE COMPANY II PARTNERSHIP)  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 3. AUTH CANTON TO ANNEX TERRITORY KNOWN AS HOF VILLAGE #7 ANNEXATION AREA CONTAINING APPROX 0.138 ACRES, ASSIGN SAID TERRITORY TO WARD 7; ZONING SAID TERRITORY AS HALL OF FAME VILLAGE DISTRICT (HOFV); EMERGENCY  
Referred to Annexation Committee **PUB HRG 7/12/21 @ 7:00 PM**
- 1<sup>ST</sup> RDG 4. AUTH MAYOR OR SERV DIR TO: ADVERTISE AND RECEIVE BIDS FOR CONSTRUCTION CONTRACT, AWARD AND EXECUTE CONSTRUCTION CONTRACT AND PROF SERVS CONTRACT FOR CONSTRUCTION ENGINEERING SERVS AND RECEIVE GRANT FUNDS IN AMT OF \$1,500,000.00 FOR CANTON SOUTH WATERLINE EXTENSION – PHASE 2 PROJ; AUTH AUDITOR TO CREATE 5246 CANTON SOUTH WATERLINE EXTENSION – PHASE 2 PROJ FUND; EMERGENCY  
Referred to Finance and Environmental & Public Utilities Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**  
**(SUSPENDED RULE 22A TO ADD O#5 – O#12; O#11 & O#12 ADOPTED)**

- 2<sup>ND</sup> RDG 5. AMEND O#262/2015 AND O#145/2017 TO INCLUDE CERTAIN PROP OF HALL OF FAME VILLAGE PROJ SITE AS “EXISTING PROPERTY” IN AREA COVERED BY TAX INCREMENT FINANCING PROVISIONS OF ORC SEC 5709.40, EXEMPT IMPROVEMENTS TO SAID “PROPERTY” FROM TAXATION DURING TERM OF THAT CERTAIN COMPENSATION AGMT AUTHORIZED BY O#262/2015 AND O#145/2017 (COLLECTIVELY THE “COMPENSATION AGREEMENT”); EMERGENCY (C&ED)
- 2<sup>ND</sup> RDG 6. 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) (FIN)
- 2<sup>ND</sup> RDG 7. 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) (FIN)
- 2<sup>ND</sup> RDG 8. AMEND CHAPTER 749, ITINERANT RETAILERS OF PART SEVEN BUSINESS REGULATIONS CODE (JUD)
- 2<sup>ND</sup> RDG 9. 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) (PERS)
- 2<sup>ND</sup> RDG 10. 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) (PERS)
- 107/2021 11. 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) (C&ED AND FIN)
- 108/2021 12. 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) (C&ED AND FIN)

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

- 109/2021 13. 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)
- 110/2021 14. 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)
- 111/2021 15. 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**
- 112/2021 16. 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**
- 113/2021 17. 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**
- 114/2021 18. 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**
- 115/2021 19. 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)
- 116/2021 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 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)

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

- 117/2021** 21. 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)
- 118/2021** 22. 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 4<sup>TH</sup> 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 4<sup>TH</sup> STREET SE SEWER REPLACEMENT PROJECT, GP 1338 – OTHER)
- 119/2021** 23. 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)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, JUNE 21, 2021 in Council Caucus Room @ 6:45 PM**

- 1) Finance Committee
- 2) Annexation Committee
- 3) Public Safety & Thoroughfares Committee
- 4) Environmental & Public Utilities Committee

**MISCELLANEOUS BUSINESS:** Member Smith thanked those who came to the opening of the Wayne Douglas Jamerson Spray Park. She said Mayor Bernabei got into the pool and even convinced her to get into the freezing water! Member Smith also thanked President Sherer for donating the ice cream for the opening. Member Kimbrough thanked everyone for attending the Memorial Day Parade and the 1<sup>st</sup> Friday event. She said the turnout for both were great! President Sherer thanked those who attended the Apprenticeship event for Ironworkers Local 550. They had a chance to showcase what the Trades have to offer to kids who do not go to college or into the military.

**QUOTE OF THE WEEK:** *“Talent is God-given. Be Humble. Fame is man-given. Be grateful. Conceit is self-given. Be careful.”* – John Wooden

**ADJOURNMENT:** 7:35 PM

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JUNE 21, 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>