

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

CANTON CITY COUNCIL

JANUARY 24, 2022

**ROLL CALL:** All Members Present

**MOTION TO EXCUSE MEMBERS:** Not Necessary

**INVOCATION:** Jason Scaglione, Ward 3 Council Member

**PLEDGE OF ALLEGIANCE:** President Sherer

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>st</sup> Rdg O#3 – O#5; 2<sup>nd</sup> Rdg O#6 - O#15; O#3 & O#4 Adopted on 1<sup>st</sup> Rdg; O#5 Adopted as Amended on 1<sup>st</sup> Rdg; O#13 – O#15 Adopted on 2<sup>nd</sup> Rdg)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Kim Bell distributed hand-outs regarding the shooting of James Williams. She said that when she stopped to help the protestors, the police gave her a parking ticket. She felt threatened by their approach. She requested Member Scaglione's and Mayor Bernabei's resignations because no one checked on James Williams' family and children. Those children will never trust the police. She emphasized that they killed another Black man. Skylark Bruce also spoke about the shooting of James Williams. She stated that celebratory gunfire is a minor misdemeanor, not a capital crime. No one deserves to die for doing so. She said that the officer was too scared to do his job right and failed in many of his responsibilities. She feels he should be held accountable.

**INFORMAL RESOLUTIONS:**

- |     |                      |  |
|-----|----------------------|--|
| 8.  | PERSONNEL COMMITTEE: | CONFIRM REAPPT OF PATRICK MCCARTHY TO INVESTMENT BOARD COMMENCING 1/1/22 TO 12/31/23. - ADOPTED                    |
| 14. | COUNCIL-AS-A-WHOLE:  | COMMENDING THE FETTMAN FAMILY AND DAVIES PHARMACY FOR THEIR GENEROSITY AND SERVICES TO CANTON RESIDENTS. - ADOPTED |
| 15. | PERSONNEL COMMITTEE: | CONFIRM APPT OF MR. JEFF DAFLER TO TAX INCENTIVE REVIEW BOARD COMMENCING 1/24/22 TO 12/31/23. – ADOPTED            |
| 16. | PERSONNEL COMMITTEE: | CONFIRM REAPPT OF MS. JANELLE LEE TO TAX INCENTIVE REVIEW BOARD COMMENCING RETRO FR 1/1/22 TO 12/31/23. - ADOPTED  |

**COMMUNICATIONS:**

- |     |  |  |
|-----|--|--|
| 24. | CHIEF OF POLICE ANGELO:  | RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR DECEMBER 2021. – RECEIVED & FILED  |
| 25. | DEPUTY MAYOR WILLIAMS:   | AUTH AUDITOR TO PAY MORAL OB IN AMT OF \$175,000.00 FOR ECONOMIC DEVELOPMENT SERVICES TO CANTON REGIONAL CHAMBER OF COMMERCE; EMERGENCY. – COMMUNITY & ECONOMIC DEVELOPMENT AND FINANCE COMMITTEES   |
| 26. | DEPUTY MAYOR WILLIAMS:   | AUTH MAYOR AND/OR SERV DIR TO TFR PERMANENT PARCEL #224188 LOCATED AT 510 11 <sup>TH</sup> ST NW WHICH IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES TO CANTON COMMUNITY IMPROVEMENT CORP FOR SUBSEQUENT TRF TO BW P&L HOLDINGS LLC PER ORC 761.02 AND 1724.10. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE  |
| 27. | DEPUTY MAYOR WILLIAMS<br>COUNCIL MBR MARIOL (WARD 7)<br>COUNCIL MBR MORRIS (WARD 9)<br>COUNCIL MBR-AT-LG GIAVASIS<br>COUNCIL MBR-AT-LG SMUCKLER: | AUTH PROPERTY LOCATED AT 630 30 <sup>TH</sup> ST NW, WHICH CONSISTS OF PARCELS 380308 AND 380309 AND IS NO LONGER NEEDED FOR MUNICIPAL PURPOSES, BE CONVEYED TO CANTON COMMUNITY IMPROVEMENT CORP FOR ECONOMIC DEVELOPMENT PURPOSES AND FOR SUBSEQUENT CONVEYANCE TO A. ALTMAN DEVELOPMENT CO FOR \$1.00; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (CIRELLI BLDG, FOR AKRON CHILDREN'S HOSP BEHAVIOR HEALTH CARE CTR). – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE |
| 28. | MAYOR BERNABEI:  | ADVISE OF APPT OF MR. HECTOR MCDANIEL TO MAYOR'S COMMUNITY RELATIONS COMMISSION COMMENCING IMMEDIATELY TO 12/31/23. – RECEIVED & FILED   |
| 29. | MAYOR BERNABEI:  | REQ AUTH OF APPTS OF MS. CATHY WYATT, MR. DAVID BECK AND MR. STEVE COON TO ARCHITECTURAL REVIEW BOARD; MS. WYATT'S TERM COMMENCING 2/7/22 TO 12/31/22; MR. BECK'S TERM COMMENCING 2/7/22 TO 12/31/23; MR. COON'S TERM COMMENCING 2/7/22 TO 12/31/25. – PERSONNEL COMMITTEE   |
| 30. | MAYOR BERNABEI:  | AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH CANTON CITY SCHOOL DISTRICT BOARD OF EDUCATION FOR 2022 PROMOTION OF EDUCATION & EMPLOYMENT PROJ (PEEP) PROG FOR AMT NOT TO EXCEED \$115,000.00; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – FINANCE COMMITTEE   |

**COMMUNICATIONS CONTINUED:**

31. PLANNING COMMISSION: RECOMMEND APPROVAL OF ZONE CHANGE AT 1819 MARKET AVE N (PARCELS 230241, 230242 & 230243) FR R-4 (MULTI-FAMILY RESIDENTIAL DISTRICT) TO PB-1 (PLANNED BUSINESS OFFICE DISTRICT) FOR SMALL ANIMAL VET CLINIC, WARD 9 (ATTY CHARLES HALL FOR DR. MICHELLE N. HALL). – JUDICIARY COMMITTEE
32. PLANNING COMMISSION: APPROVE WARD ASSIGNMENT AND ZONE CLASSIFICATION FOR THE AMBAFLEX 2021 ANNEXATION (I-1 LIGHT INDUSTRY DISTRICT, WARD 5). – ANNEXATION COMMITTEE
33. PLANNING DIRECTOR ANGUS: ESTABLISH PUBLIC REALM REINVESTMENT PROG USING UP TO \$250,000.00 OF ISSUE 13 COMPREHENSIVE PLAN FUNDS; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACTS WITH APPROVED PUBLIC REALM BUSINESSES; AUTH AUDITOR TO DRAW WARRANTS FROM ISSUE 13 COMPREHENSIVE PLAN FUND IN AMT NOT TO EXCEED \$250,000.00; EMERGENCY. – FINANCE AND DOWNTOWN DEVELOPMENT COMMITTEES
34. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH STARK COUNTY BOARD OF COMMISSIONER'S FOR STARK COUNTY'S PAYMENT OF THEIR SHARE OF COSTS RELATED TO CLEANING AND TELEVISIONING OF LARGE DIAMETER SEWERS THAT TOOK PLACE PRIOR TO 1/1/22; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (30% OF TOTAL COST OF \$1,620,745.07 - \$486,223.52). – FINANCE COMMITTEE
35. SERVICE DIRECTOR HIGHMAN: AUTH AUDITOR TO PAY MORAL OB TO KIMBLE CO DBA KIMBLE TRANSFER & RECYCLING IN AMT OF \$17,275.36; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (DISPOSAL OF SOLID WASTE & RECYCLING). – FINANCE COMMITTEE
36. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR SALE OF CITY OWNED REAL PROPERTY LOCATED AT STARK COUNTY AUDITOR PARCEL #207839; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO FACILITATE SAID SALE; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (2040 3<sup>RD</sup> ST NE). – FINANCE COMMITTEE
37. STARK CO COMMISSIONERS: REQ ANNEXATION OF 2.755 ACRES IN PLAIN TWP (4595 KIRBY AVE NE ANNEX). – PLANNING COMMISSION

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

- 1<sup>ST</sup> RDG 1. AUTH CANTON TO ANNEX TERRITORY KNOWN AS THE BROADWAY AVE 2021 ANNEXATION AREA CONTAINING APPROX 67.904 ACRES, MORE OR LESS; ASSIGN SAID TERRITORY TO WARD 6 OF CITY; ZONE SAID TERRITORY AS I-1 LIGHT INDUSTRY; REQUIRE OWNER OF ANNEXED TERRITORY TO PROVIDE BUFFER SEPARATING USE OF ANNEXED TERRITORY AND ADJACENT LAND REMAINING WITHIN TWP; EMERGENCY **PUB HRG 2/14/22 @ 7:00 PM**  
Referred to Annexation Committee

- 1<sup>ST</sup> RDG 2. RE-ESTABLISH STOREFRONT REINVESTMENT PROG ("SRP") AND AUTH MAYOR AND/OR SERV DIR TO ENTER INTO SRP GRANT AGMTS; EMERGENCY  
Referred to Finance and Community & Economic Development Committees

***(COUNCIL RECESSED AT 7:26 PM FOR PERSONNEL, FINANCE AND COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEES TO DISCUSS O#3 THROUGH O#5; RECONVENED AT 7:39 PM)***

- 12/2022 3. AUTH FIFTEEN (15) DAYS OF VACATION AND GRANT MS. JESSICA LOGOTHETIDES CREDIT FOR SEVEN (7) YEARS SERVICE UNTIL SHE ACHIEVES HER NEXT STEP WHICH BEGINS AT 11 YEARS; EMERGENCY (LAW DEPT, BLDG/CODE ASST PROSECUTOR)  
Referred to Personnel Committee

- 13/2022 4. AUTH AUDITOR TO PAY CANTON REGIONAL CHAMBER OF COMMERCE MORAL OB IN AMT OF \$175,000.00 FOR SERVICES PERFORMED IN 2021; EMERGENCY  
Referred to Community & Economic Development and Finance Committees

**AMENDED AS**

- 14/2022 5. AUTH MAYOR OR SERV DIR TO CONVEY CITY-OWNED REAL PROPERTY, NO LONGER NEEDED FOR MUNICIPAL PURPOSES, TO CANTON COMMUNITY IMPROVEMENT CORP; EMERGENCY (PARCELS 380308 & 380309, CIRELLI BLDG, 630 30<sup>TH</sup> ST NW)  
Referred to Community & Economic Development Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:  
(SUSPENDED RULE 22A TO ADD O#6 - O#15; O#13 – O#15 ADOPTED)**

- 2<sup>ND</sup> RDG 6. AUTH SERV DIR TO ENTER INTO CONTRACT WITH STARK COUNTY PUBLIC DEFENDER COMMISSION FOR PROVISION OF LEGAL SERVICES TO INDIGENTS; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 7. AUTH LAW DIR TO ENTER INTO CONTRACT WITH CITIES AND VILLAGES TO PROVIDE LEGAL REPRESENTATION IN PROSECUTION OF CRIMINAL CASES AND RELATED MATTERS BY CITY PROSECUTOR'S OFFICE; EMERGENCY (2-YR CONTRACTS W/ E. CANTON, E. SPARTA, HARTVILLE, LOUISVILLE, MAGNOLIA, N. CANTON, WAYNESBURG; 1/1/22/ TO 12/31/24) (FIN)
- 2<sup>ND</sup> RDG 8. AUTH CLERK OF COUNCIL TO CERT TO COUNTY AUDITOR LIST OF UNPAID AND DELINQUENT CHARGES FOR SERVS PERFORMED BY AND/OR BEHALF OF CITY OF CANTON ENGINEERING DEPT, URBAN FORESTRY DIVISION; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 9. AUTH MAYOR OR SERV DIR TO EXECUTE A PROF SERVS CONTRACT WITH CT CONSULTANTS, INC. FOR DESIGN OF 25<sup>TH</sup> STREET NE TRANSMISSION WATER MAIN REPLACEMENT PROJECT; AMEND APPROP O#251/2021; EMERGENCY (\$144,500.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207080 25<sup>TH</sup> STREET NE TRANSMISSION WATER MAIN REPLACEMENT PROJECT – OTHER) (EPU & FIN)
- 2<sup>ND</sup> RDG 10. AUTH MAYOR OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH MOTTER & MEADOW ARCHITECTS FOR DESIGN OF WATER SERV SHOP BLDG RENOVATIONS; AMEND APPROP O#251/2021; EMERGENCY (\$325,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207079 WATER SERVICE SHOP BUILDING RENOVATIONS FUND – OTHER) (PPCI & FIN)
- 2<sup>ND</sup> RDG 11. AUTH MAYOR OR SERV DIR TO EXECUTE A PROF SERVS CONTRACT WITH IBI GROUP. FOR DESIGN OF PERRY HEIGHTS WATER MAIN REPLACEMENT PROJECT – PHASE 1; AMEND APPROP O#251/2021; EMERGENCY (\$283,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207081 PERRY HEIGHTS WATER MAIN REPLACEMENT PROJECT – OTHER) (EPU & FIN)
- 2<sup>ND</sup> RDG 12. AUTH RESURFACING OF STA SR 43D (WALNUT AVE.) FROM JUST SOUTH OF 12<sup>TH</sup> ST NE. TO NORTHERN APPROACH SLAB OF THE CHERRY OVERPASS BRIDGE (JUST NORTH OF 6<sup>TH</sup> ST. SE.), STA SR 43 (CHERRY AVE. SE) FROM NORTHERN APPROACH SLAB OF THE CHERRY OVERPASS BRIDGE TO NEWLY RESURFACED SECTION (JUST SOUTH OF 4<sup>TH</sup> ST. SE) AND STA SR 172 FROM LINCOLN AVE. TO CHERRY AVE. (SR 43) AND FROM RIVERSIDE DR. TO COLE AVE./E. CORP LIMIT, INCLUDING MINOR BRIDGE REHABILITATION TO TWO STRUCTURES WITHIN CANTON; EMERGENCY (PID 102743) (PS&T)
- 15/2022 13. AUTH AND CONSENTING TO THE RESURFACING OF SR687 FROM CLARENDON TO CLEARVIEW AVE; EMERGENCY (PID 114922) (PS&T)
- 16/2022 14. AMEND APPROP O#251/2021; EMERGENCY (\$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207072 US 62 ODOT WATER MAIN RELOCATION PROJECT – OTHER) (FIN)
- 17/2022 15. AUTH AUDITOR TO RENAME FUND 5246 THE CANTON SOUTH WATERLINE EXTENSION PHASE 2 AND 3 FUND; AMEND APPROP O#251/2021; EMERGENCY (\$6,500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5246 CANTON SOUTH WATERLINE EXTENSION PHASE 2 AND 3 FUND TO 5246 207082 CANTON SOUTH WATERLINE EXTENSION PHASE 2 AND 3 FUND – OTHER) (EPU & FIN)

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

- 18/2022 16. AUTH PARKS & REC DIR TO ENTER INTO AGMT WITH J. BABE STERN COMMUNITY CTR (JBSC) TO PROVIDE FUNDING FOR RECREATIONAL SERVS AT JBSC
- 19/2022 17. VACATE PORTIONS OF 21<sup>ST</sup> ST SW, LINWOOD AVE SW, 19<sup>TH</sup> ST SW AND BELLFLOWER AVE SW, ROSLYN AVE SW AND MARYLAND AVE SW; APPROVE AND ACCEPT REPLAT OF 13.941 ACRES OF LAND; EMERGENCY (LOTS 31743-31752, 31769-31770, 31722-31781, 31785, 31919, 31922-31928, 31930-31931, 31979, 31982-31988, 31992-32992, 31996-31997, 32000-32001, 32087-32106, 42625-42627, PARTS OF LOTS 31753-31754, 31765-31768, 31771, 31929, 31932, 31934-31935, 31978, 31980-31981, 32108-32110, DON MCCORD FOR MARATHON PETROLEUM COMPANY LLC, WARD 5)  
**PUB HRG WAIVED**
- 20/2022 18. AUTH MAYOR OR SAF DIR TO ACCEPT 2021 COPS HIRING PROGRAM GRANT #15JCOPS-21-GG-03479-UHPX; AUTH AUDITOR TO CREATE 2802 – 2021 COPS HIRING PROGRAM GRANT #15JCOPS-21-GG-03479-UHPX FUND; AMEND APPROP O#251/2021; EMERGENCY (\$200,000.00 SUPP APPROP FR UNAPPROP BAL OF 2802 2021 COPS HIRING GRANT FUND TO 2802 102001 POLICE ADMIN – OTHER)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:**

**MONDAY, FEBRUARY 7, 2022 in Council Caucus Room @ 6:30 PM**

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

**MISCELLANEOUS BUSINESS:** Member Smuckler stated that two positive things are happening in the City. They are redoing 100-year old water lines and they are getting a third medical facility, Akron Children's Hospital, in addition to the two existing medical facilities, Aultman Hospital and Cleveland Clinic, all of which are fine facilities. He thanked everyone present this evening for helping this to happen.

**ADJOURNMENT:** 8:00 PM

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, FEBRUARY 7, 2022 @ 7:00 PM**