

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

CANTON CITY COUNCIL

MAY 23, 2022

**ROLL CALL:** Eleven Members Present

**MOTION TO EXCUSE MEMBERS:** Member Hawk Absent

**INVOCATION:** Robert Fisher, Ward 5 Council Member

**PLEDGE OF ALLEGIANCE:** President Sherer

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>st</sup> Rdg O#7 – O#10A; 2<sup>nd</sup> Rdg O#11 – O#16; O#7 – O#10A Adopted on 1<sup>st</sup> Rdg; O#15 & O#16 Adopted on 2<sup>nd</sup> Rdg)

**PUBLIC HEARINGS:** None

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

**PUBLIC SPEAKS (CITY BUSINESS):** Kim Bell expressed that she is upset no arrest has been made for the James Williams killing. She also spoke about how the scooters are adding to the juvenile problems in the city. Skylark Bruce spoke about the curfew purposed and she believes that the police need to work on themselves before working on something else. She expressed her concern with a confrontation the protestors had with someone and stated white supremacy should be taken more seriously. Vicki Prunty also spoke in support of James Williams and how she is upset that no arrest has been made in the case. She stated how upsetting it is to have protestors arrested for language but a white supremacists interrupting a protest results in nothing.

**INFORMAL RESOLUTIONS:** None

**COMMUNICATIONS:**

193. AGENT FOR PETITIONER BAILEY: COPY OF ANNEXATION PETITION DOCS FILED WITH STARK COUNTY COMMISSIONER FOR THE 2525 CLEARVIEW AVE NW 2022. – RECEIVED & FILED
194. POLICE CHIEF GABBARD: RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR APRIL 2022. – RECEIVED & FILED
195. FINANCE DIRECTOR CROUSE: AMEND APPROP O#68/2022 (\$3,200,000.00 SUPP APPROP FR UNAPPROP BAL OF 4504 2015 CONSTR/RECONSTR NOTE FUND TO 4504 201001 SERV DIR – OTHER); EMERGENCY (BUILDING IMPROVEMENT NOTES). – PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
196. FINANCE DIRECTOR CROUSE: AMEND APPROP O#68/2022 (\$250,000.00 SUPP APPROP FR UNAPPROP BAL OF 2190 HOFV FUND TO 2190 861102 PACE FINANCING – OTHER); EMERGENCY (SPECIAL ASSESSMENT FOR HOF VILLAGE HOTEL). – FINANCE COMMITTEE
197. FINANCE DIRECTOR CROUSE: AUTH AUDITOR TO CREATE 2405 ONEOHIO OPIOID FUND; AMEND APPROP O#68/2022 (\$25,000.00 SUPP APPROP FR UNAPPROP BAL OF 2405 ONEOHIO OPIOID FUND TO 2405 200501 GENERAL GOVERNMENT SUPPORT ADMIN – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (OPIOID SETTLEMENT CASE). – FINANCE COMMITTEE
198. FINANCE DIRECTOR CROUSE: ADOPT LEGISLATION RETRO AUTH APPROP IN FUND 2809 FOR AMERICAN RESCUE PLAN ACT BE BUDGETED AT FUND LEVEL TO 1/1/22; EMERGENCY. – FINANCE COMMITTEE
199. LAW DIRECTOR BATES AYLWARD: AUTH AUDITOR TO PAY MORAL OB IN AMT OF \$5,790.00 TO BAKER, DUBLIKAR, BECK, WILEY & MATHEWS FOR PROF SERVS. – FINANCE COMMITTEE
200. MAYOR BERNABEI: LTR ADVISING OF APPOINTMENT OF MAYOR THOMAS BERNABEI AND LAW DIRECTOR KRISTEN BATES AYLWARD TO REGION 6 LOCAL BOARD. (ONEOHIO MEMORANDUM OF UNDERSTANDING AND ONEOHIO SUBDIVISION SETTLEMENT AGMT). – RECEIVED & FILED
201. MAYOR BERNABEI: AUTH WAIVER OF RESIDENCY REQUIREMENT FOR MR. CHRISTOPHER HARDESTY, DIRECTOR OF ECONOMIC DEVELOPMENT; AUTH CREDIT FOR MR. CHRISTOPHER HARDESTY'S PAST SERVICE AS A CITY EMPLOYEE; EMERGENCY (CREDIT FOR 4 YEARS OF SERVICE). – PERSONNEL COMMITTEE
202. MAYOR BERNABEI: APPROVE CREATION OF HALL OF FAME VILLAGE COMMUNITY ENTERTAINMENT DISTRICT. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
203. MAYOR BERNABEI: AUTH MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH GREATER STARK COUNTY URBAN LEAGUE UTILIZING ARPA FUNDS FOR AMT NOT TO EXCEED \$574,341.39 FOR FUNDING WORKFORCE DEV PROG; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE

**COMMUNICATIONS CONTINUED:**

204. SAFETY DIRECTOR PERRY: LTR ADVISING THAT FIRE DEPT AND BLDG CODE WILL USE COMPLIANCE ENGINE FOR INSPECTIONS FOR BUSINESSES IN CITY OF CANTON. – RECEIVED & FILED
205. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO DIR'S FINAL FINDINGS AND ORDERS AGMT WITH OHIO ENVIRONMENTAL PROTECTION AGENCY FOR ISSUES PERTAINING TO MEMBRANE PROJ AT WATER RECLAMATION FACILITY; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO ANY OTHER AGMTS AND/OR TAKE ACTIONS NECESSARY TO COMPLY WITH DIR'S FINAL FINDINGS AND ORDERS; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH ENVIRONMENTAL DESIGN GROUP FOR DESIGN OF MIDDLE BRANCH NIMISHILLEN CREEK STORMWATER CONSTRUCTED WETLAND PROJ, GP 1349; AUTH MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONSTRUCTION CONTRACT FOR MIDDLE BRANCH NIMISHILLEN CREEK STORMWATER CONSTRUCTED WETLAND PROJ, GP 1349; AMEND O#68/2022 (\$180,000.00 APPROP TRF FROM 5410 206006 COLLECTION SYSTEMS – OTHER TO 5410 206059 STORMWATER CONSTRUCTED WETLAND PROJ, GP 1349 – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES
206. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH CT CONSULTANTS, INC. FOR CONSTRUCTION ADMINISTRATION AND INSPECTION SERVS FOR 36<sup>TH</sup> STREET NW STORM SEWER AND ROADWAY RECONSTRUCTION PRO, PHASE 2, GP 1270; AUTH AND DIRECTS AUDITOR TO PAY ALL MORAL OBS RELATED TO CONTRACT; AMEND O#68/2022 (\$83,600.00 APPROP TRF FR 4501 202001 ENGINEERING – ADMINISTRATION – OTHER TO 4501 202058 36<sup>TH</sup> ST NW STRM, RDWY, WTR, SWR – OTHER); AMEND O#68/2022 (\$15,500.00 APPROP TRF FR 5410 202010 ENGINEERING – DAILY OPERATIONS – OTHER TO 5410 202058 36<sup>TH</sup> ST NW STRM, RDWY, WTR, SWR – OTHER) – PUBLIC PROPERTY & CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
207. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR APRIL 2022. – RECEIVED & FILED
208. TREASURER PEREZ: RPTS OF BANK REC AND OUTSTANDING INVESTMENTS AS OF 4/29/22. – RECEIVED & FILED
209. MAYOR BERNABEL: AMEND SEC 503.02 (CURFEW FOR ALL MINORS 17 & UNDER TO 11:00 PM). – JUDICIARY COMMITTEE

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

- 1<sup>ST</sup> RDG 1. AMENDING APPROP O#68/2022; EMERGENCY (\$16,800.00 SUPP APPROP FR UNAPPROP BAL OF 2794 PROJ SAFE NEIGHBORHOOD GRANT FUND TO 2794 102001 POLICE ADMIN – ADV OUT) (RETURN OF ADVANCED MONEY TO GENERAL FUND).  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 2. AMENDING APPROP O#68/2022; EMERGENCY (\$58,756.00 SUPP APPROP FR UNAPPROP BAL OF 2793 US DEPT JUST/BUREAU ASST FUND TO 2793 102001 POLICE ADMIN – ADV OUT) (RETURN OF ADVANCED MONEY TO GENERAL FUND).  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 3. AUTH MAYOR OR SERV DIR TO ENTER INTO AN ENTERPRISE ZONE AGMT WITH B&T ASSOCIATES, LLC AND TERYDON INCORPORATED TO PROVIDE A REAL PROP TAX EXEMPTION; AUTH AUDITOR TO MAKE PAYMENTS TO CANTON CITY SCHOOL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82 (C) OF REVISED CODE; EMERGENCY (PURCH OF AEP BILLING CTR @ 420 4<sup>TH</sup> ST SW  
Referred to Community & Economic Development Committee
- 1<sup>ST</sup> RDG 4. AUTH PARKS AND REC DIR IN CONJUNCTION WITH MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACTS NECESSARY FOR WILLIG FIELD UPGRADES PROJ; ALTERNATIVELY ENTER INTO ALL CONTRACTS NECESSARY PURSUANT TO ANY PROCUREMENT PROCESS AUTH BY LAW; AUTH AUDITOR TO PAY ALL MORAL OBS FOR CONTRACT CHANGE ORDERS OTHERWISE APPROVED BY BOARD CONTROL; EMERGENCY  
Referred to Parks & Recreation and Finance Committees
- 1<sup>ST</sup> RDG 5. AUTH MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO ALL CONTRACTS NECESSARY FOR PURCH OF ONE (1) FULL SIZE CARGO VAN, ONE (1) 4X4 HEAVY DUTY CHASSIS CAB, ONE (1) HEAVY DUTY CARGO BOX, AND ONE (1) 4X4 SUV; ALTERNATIVELY PURCH SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTH BY LAW; EMERGENCY (WATER DEPT)  
Referred to Public Property and Capital Improvement Committee

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

- 1<sup>ST</sup> RDG 6. AMENDING APPROP O#68/2022; EMERGENCY (\$150,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 – WATER DISTRIBUTION FUND – OTHER) (WATER PORTION OF HURSH PL NW ROADWAY AND WATER PROJ).  
Referred to Finance Committee

***(COUNCIL RECESSED AT 7:28 PM FOR THE JUDICIARY, COMMUNITY AND ECONOMIC DEVELOPMENT, FINANCE, ENVIRONMENTAL & PUBLIC UTILITIES, AND PERSONNEL COMMITTEES TO DISCUSS O#7 – O#10A; RECONVENED AT 8:02 PM)***

- 115/2022 7. CREATE A SENIOR SIDEWALK REPLACEMENT PROG; AUTH SERV DIR TO ESTABLISH REGULATIONS AND PROCEDURES TO ENTER INTO AGMTS; AUTH MAYOR OR SERV DIR TO ENTER INTO CONTRACTS TO IMPLEMENT PROG; AUTH \$300,000.00 OF ARPA MONEY TO BE DEDICATED TO PROG; EMERGENCY  
Referred to Community & Economic Development Committee
- 116/2022 8. AUTH APPROP APPOINTING AUTHORITY DURING CAL YR 2022 TO SELL OWNED PERSONAL PROP WHICH IS NOT NEEDED FOR PUBLIC USE, OR IS OBSOLETE OR UNFIT FOR USE FOR WHICH IT WAS ACQUIRED, BY INTERNET AUCTION PURSUANT TO ORC 721.15 (D); EMERGENCY  
Referred to Finance Committee
- 117/2022 9. AUTH MAYOR AND/OR SERV DIR TO: ENTER INTO DIR'S FINAL FINDINGS AND ORDERS AGMT WITH OHIO ENVIRONMENTAL PROTECTION AGENCY FOR ISSUES PERTAINING TO MEMBRANE PROJ AT WATER RECLAMATION FACILITY; ENTER INTO AGMTS AND/OR TAKE ACTIONS TO COMPLY WITH DIR'S FINAL FINDINGS AND ORDERS; ENTER INTO CONTRACT WITH ENVIRONMENTAL DESIGN GROUP FOR DESIGN OF MIDDLE BRANCH NIMISHILLEN CREEK STORMWATER CONSTRUCTED WETLAND PROJ; AMEND O#68/2022; EMERGENCY (\$180,000.00 APPROP TRF FROM 5410 206006 COLLECTION SYSTEMS – OTHER TO 5410 206059 STORMWATER CONSTRUCTED WETLAND PROJ, GP 1349 – OTHER)  
Referred to Environmental & Public Utilities and Finance Committees
- 118/2022 10. WAIVE REQUIREMENT OF CITY RESIDENCY CONTAINED IN O#100/2011 AND AUTH CREDIT FOR MR. CHRISTOPHER J. HARDESTY'S FOUR (4) YEARS OF SERVICE; EMERGENCY  
Referred to Personnel Committee
- 119/2022 10A. AMEND SEC 503.02, CURFEW FOR MINORS CHAPTER 503 OF GENERAL OFFENSES CODE.  
Referred to Judiciary Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:  
(SUSPENDED RULE 22A TO ADD O#11 - O#16; O#15 & O#16 ADOPTED )**

- 2<sup>ND</sup> RDG 11. AMEND APPROP O#68/2022; EMERGENCY (\$88,863.64 SUPP APPROP FR UNAPPROP BAL OF 2819 2019 ASSISTANCE TO FIREFIGHTERS GRANT FUND TO 2819 103001 FIRE ADMIN – OTHER; \$88,863.64 INTER-FUND ADV REPAYMENT FROM 2819 103001 FIRE ADMIN – ADVANCE OUT TO 1001 103001 FIRE ADMIN – ADVANCE IN) (REIMBURSE GEN FUND FOR PURCH OF EXHAUST SYSTEMS)  
(FIN)
- 2<sup>ND</sup> RDG 12. AMEND APPROP O#68/2022; EMERGENCY (\$218,000.00 SUPP APPROP FR UNAPPROP BAL OF 2185 URBAN TIF FUND TO 2185 871001 HISTORIC ONESTO TIF – OTHER - \$8,000.00, TO 2185 871002 INNOVATION DISTRICT TIF – OTHER - \$25,000.00 AND TO 2185 871003 BROADVIEW DEVELOPMENT TIF – OTHER - \$185,000.00) (FIRST HALF TIF PAYMENTS FOR 2022)  
(FIN)
- 2<sup>ND</sup> RDG 13. APPROVE AND ACCEPT REPLAT OF PART OF LOTS 10447 AND 10448; EMERGENCY (HABITAT FOR HUMANITY, 1700 BLK 17<sup>TH</sup> ST NE)  
(PS&T)
- 2<sup>ND</sup> RDG 14. AUTH AND CONSENT TO SYSTEMATIC SIGN UPGRADES INCLUDING RT SHIELDS AND MILE MARKERS ON SR 43 FR 17<sup>TH</sup> ST N TO NORTH CORP LIMIT (55<sup>TH</sup> ST) AND FR US 30 (EXPRESSWAY) TO S CORP LIMIT (WAYNESBURG DR), ON SR 687 (FULTON AVE) FR W CORP LIMIT (CLEARVIEW AVE) TO MALONE PARKWAY (US 62) AND ON SR 80 FR S CORP LIMIT TO I-77; EMERGENCY (D04 SIGN FY2023 (SYSTEMATIC) PID 110489)  
(PS&T)
- 120/2022 15. AUTH CANTON MUNICIPAL COURT TO ENTER INTO CHANGE ORDER #1 WITH PROTECH SECURITY IN AMT NOT TO EXCEED \$15,690.00; AUTH AUDITOR TO PAY ALL MORAL OBS RELATED TO THIS CHANGE ORDER; EMERGENCY (SECURITY/ACCESS CONTROL EXPANSION)  
(FIN)
- 121/2022 16. AUTH MAYOR OR SERV DIR TO ENTER INTO GRANT AGMT WITH COMMUNITY BUILDING PARTNERSHIP OF STARK COUNTY, INC. IN AMT NOT TO EXCEED \$200,000.00 UTILIZING ISSUE 13 COMPREHENSIVE PLAN NEIGHBORHOOD FUNDS; EMERGENCY  
(C&ED)

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

- 122/2022 17. AUTH LAW DIR TO DISTRIBUTE FREE OF CHARGE TO PUBLIC OFFICIALS AND PUBLIC INSTITUTIONS COPIES OF 2021-2022 SUPP TO CANTON COD ORD; AFFIX PRICE FOR SALE OF SAME; EMERGENCY
- 123/2022 18. AUTH EDITING AND INCLUSION OF CERTAIN ORD AS PARTS OF VARIOUS COMPONENT CODES OF COD ORD OF CANTON; EMERGENCY

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

- 124/2022** 19. AUTH MAYOR OR SAF DIR TO ENTER INTO FIVE (5) YEAR SOLE SOURCE CONTRACT WITH STRYKER COT AND LOADING SYSTEMS IN AMT NOT TO EXCEED \$22,790.30 PER YEAR FOR TOTAL OF \$113,951.52 FOR CANTON FIRE DEPT; EMERGENCY (FIRE DEPT)
- 125/2022** 20. AUTH MAYOR OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT WITH BURGESS & NIPL LTD. FOR DESIGN OF SCHROYER AVE. SW SEWER REPLACEMENT PROJ, GP 1380; AMEND APPROP O#68/2022; EMERGENCY (\$65,900.00 INTRA-FUND TRF FR 5410 206006 COLLECTION SYSTEMS DEPARTMENT – OTHER TO 5410 206327 SCHROYER AVE SW SANITARY SEWER REPLACEMENT, GP 1380 – OTHER)
- 126/2022** 21. AMEND O#100/2011, AS AMENDED, TO ESTABLISH CLASSIFICATION PLAN FOR SERV DIR'S ENGINEERING DIV EMPLOYED BY CITY; EMERGENCY (CHIEF DEPUTY CITY ENGINEER TO REPLACE ONE OF THREE ASST CITY ENGINEERS)
- 127/2022** 22. AUTH MAYOR OR SERV DIR TO ENTER INTO CONTRACT CHANGE ORDER #2 – ALLEN AVE SE AREA SANITARY SEWER REPLACEMENT PROJ WITH ENVIRONMENTAL DESIGN GROUP FOR DESIGN REVISIONS IN AMT NOT TO EXCEED \$77,856.37; AUTH AUDITOR TO PAY ALL MORAL OBS RELATED TO CHANGE ORDER THAT TOOK PLACE PRIOR TO FINAL COMPLETION OF SAID CHANGE ORDER; AMEND APPROP O#68/2022; EMERGENCY (\$77,856.37 INTRA-FUND TRF FR 5410 206006 COLLECTION SYSTEMS DEPARTMENT – OTHER TO 5410 206322 ALLEN AVE SE AREA SANITARY SEWER PROJECT, GP 1332 – OTHER)
- 128/2022** 23. AMEND APPROP O#68/2022; EMERGENCY (\$3,260,000.00 SUPP APPROP FR UNAPPROP BAL OF 5445 ALLEN AVE SANITARY SEWER PROJECT, GP 1332 TO 5445 206322 ALLEN AVE SANITARY SEWER PROJECT, GP 1332 – OTHER; \$121,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 206322 ALLEN AVE SE AREA SANITARY SEWER/WATERLINE FUND – OTHER)
- 129/2022** 24. AUTH MAYOR OR SERV DIR TO ENTER INTO AN EASEMENT AGMT WITH OHIO POWER COMPANY FOR UNDERGROUND ELECTRIC SERV FACILITIES ON PART OF CITY OUTLOT 711; EMERGENCY (ONGOING DEVELOPMENT OF HALL OF FAME VILLAGE)
- 130/2022** 25. AUTH MAYOR OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT WITH BURGESS & NIPL LTD. FOR DESIGN OF HARTER HEIGHTS WATER MAIN REPLACEMENT PROJ, PHASE 1; AMEND APPROP O#68/2022; EMERGENCY (\$104,900.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207083 HARTER HEIGHTS AREA WATER MAIN REPLACEMENT PROJECT – PHASE 1 – OTHER)
- 131/2022** 26. AMEND O#100/2011, AS AMENDED, TO ESTABLISH CLASSIFICATION PLAN FOR SERV DIR'S BLDG MAINTENANCE DEPT; AMEND APPROP O#68/2022; EMERGENCY (\$60,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL OPERATING FUND TO 1001 204010 OTHER BUILDINGS – PERSONNEL (CREATION OF ASST SUPERINTENDENT)

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, June 6, 2022 in Council Caucus Room @ 6:15 PM**

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

**MISCELLANEOUS BUSINESS:** Member Smuckler reminded everyone that the curfew will be 12:30 AM for 30 days before being switched to 11:00 PM and he is hoping for enforcement of the curfew.

**ADJOURNMENT:** 8:27 PM

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JUNE 6, 2022 @ 7:00 PM**