

# CANTON CITY COUNCIL

**President** William V. Sherer, II

**Council At Large:**

Bill Smuckler - **Majority Leader**  
James Babcock - **Asst. Majority Leader**  
Louis Giavasis

**Mailing Address:**

218 Cleveland Ave. S.  
Canton, Ohio 44702  
(330) 489-3223  
[www.CantonOhio.gov](http://www.CantonOhio.gov)



**Ward Council Members:**

Greg Hawk, Ward 1  
Brenda Kimbrough, Ward 2  
Jason Scaglione, Ward 3  
Chris Smith, Ward 4  
Robert Fisher, Ward 5  
Kevin Hall, Ward 6  
John Mariol, Ward 7  
Peter Ferguson, Ward 8  
Frank Morris, Ward 9

**FINAL AGENDA**  
**September 18, 2023**  
**7:00 PM**

**Roll Call:** Ten Members Present

**Motion to Excuse Members:** Member Smuckler and Member Scaglione Absent

**Invocation:** Frank Morris, Ward 9 Council Member

**Pledge of Allegiance:** President Sherer

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1st Rdg O#23 - O#25; 2nd Rdg O#26 - O#34; O#23 - O#25 Adopted on 1st Rdg)

**PUBLIC HEARINGS:** None

**OLD BUSINESS:** None

**PUBLIC SPEAKS:** Kimberly Bell spoke again about the James Williams shooting and the traumatic affect it has had on his six daughters. Sadie Owens spoke about her visit to the Canton Baptist Temple this past Sunday for a Memorial Service. She said she was horrified when the pastor attempted to force his political belief regarding Issue 1 on the congregation. She encouraged any Council Member interested in supporting the truth to speak with her about such behavior on the part of 501(c)(3) organizations and what can be done to stop it.

**INFORMAL RESOLUTIONS:**

1. Majority Leader Smuckler: Auth PO to Bachtel Excavating, Inc. for Hursh Pl & Demario Ct NW Storm Sewer Installation and Roadway Repair Project, GP 1436. - Adopted
2. Personnel Committee: Confirm Mayor's reappt of Mr. Dave Grabowsky to Canton Construction Bd commencing from 9/18/23 to 12/31/25. - Adopted

**COMMUNICATIONS:**

3. Auth contracts for sale of Parcel #217913 located in 1900 blk of Cleveland Ave SW, no longer needed for municipal purposes, to 1827 Group Ltd. - Economic Development Director Hardesty
4. Auth contracts for sale of Parcel #209340 located in 600 blk of Cook Ave SW, no longer needed for municipal purposes, to Greener Properties LLC. - Economic Development Director Hardesty
5. Ltr advising of retirement in January 2024. - Health Commissioner Adams
6. Auth editing and inclusion of certain ordinances adopted from 1/30/23 to 8/7/23 into Canton Codified Ordinances; auth to distribute copies of 2023 Supplement free of charge to public officials and institutions and affix price for sale of same. - Law Director Reese
7. Req grant to Arts in Stark from ARPA funds for new roof on "Ziegler Tire building" for En-Rich-Ment Youth Program. - Mayor Bernabei
8. Req replat of Lot 28958 and part of Lot 28959, Parcels 229644 & 206788, Ward 7 (Brian Leiby, 1500 blk Ridge Rd NW). - Planning Commission
9. Req replat of Lots 22800, 22801 and 39901, Parcel #243242, Ward 4 (Habitat for Humanity, 2300 blk 7th St NE). - Planning Commission
10. Req replat of Lots 780 and 781, Parcels 211022, 284867 & 284868, Ward 2 (Refuge of Hope, 609 E Tusc St). - Planning Commission
11. Auth contract for EMS Billing Services for Fire Dept; emergency. - Safety Director Perry
12. Auth contract for City Hall HVAC and Executive Garage Repair Project; Amend O#51/2023; emergency (supp approp fr General Fund to Other Buildings). - Service Director Highman
13. Auth acquisition for right-of-way of Stark Co. Auditor Parcel #217050 using TAAP; emergency. - Service Director Highman
14. Req PO to Bachtel Excavating, Inc. for Hursh Pl & Demario Ct NW Storm Sewer Installation and Roadway Repair Proj, GP 1436. - Service Director Highman
15. Rpt of parking meter revenue for 8/31/23. - Treasurer Perez
16. Rpts of Bank Reconciliations and Outstanding Investments as of 8/31/23. - Treasurer Perez
17. Comparative Rpt of Cash Receipts as of 8/31/23. - Treasurer Perez

**FIRST READINGS:**

18. Auth American Rescue Plan Act Subaward Agrmt with Northeast Wellness and Business Center; emergency - Community & Economic Development Committee

19. Amend Approp O#51/2023; Amend O#60/2023; emergency (approp trfs & supp approps to adjust various accounts) - Finance and Public Property Capital Improvement Committees
20. Approve Petition for Special Assessments for Special Energy Improvement Proj and Supplemental Plan for Canton Regional Energy SID under Chpt 1710 of ORC; Auth all necessary documents in connection therewith; emergency (HOF Village Hotel II LLC PACE Financing) - Finance Committee
21. Auth contract change orders #2 and #3 for Allen Ave SE Area Sanitary Sewer Replacement Proj, GP 1332; Amend Approp O#51/2023; emergency (supp approp from Water Fund to Project Fund) - Environmental & Public Utilities and Finance Committees
22. Auth Cooperative Agrmt with Canton City School District Bd of Ed for 4th St NW Storm and Santuary Sewer Relocation Proj; emergency - Environmental & Public Utilities Committee

***(Council recessed at 7:17 PM for the Finance Committee to discuss O#23 - O#25; reconvened at 7:21 PM)***

23. **121/2023** Auth agrmt with State of Ohio, Dept of Mental Health & Addiction Servs for SFY2024 Specialized Docket Payroll Subsidy Grant in amt of \$90,000.00; Amend Approp O#51/2023; emergency (supp approp to Grant Fund - Personnel) - Finance Committee\*
24. **122/2023** Auth agrmt with State of Ohio, Dept of Mental Health & Addiction Servs for SFY2024 Recovery Court ATP grant in amt of \$6,351.00; Amend Approp O#51/2023; emergency (supp approp to Grant Fund - Other) - Finance Committee \*
25. **123/2023** Amend Approp O#51/2023; emergency (supp approp in Public Health Workforce Grant Fund) - Finance Committee \*

**\*Ordinances and Formal Resolutions for First Reading Vote**

**SECOND READINGS: (SUSPENDED RULE 22A TO ADD 2ND RDG O#26 - O#34)**

26. Auth all contracts for Timken Gatehouse Renovation Project; Auth all grant/outside funds for completion of the project; emergency. - PARKS & REC
27. Amend O#55/77 as amended, known as Canton Zoning Ordinance (2701 Harrison Ave NW, 2704 Harrison Ave NW, & 2006 Hillcrest Rd NW, for Angel So); emergency. - JUD  
**Pub Hrg. 10/2/23 @ 7:00 PM**
28. Approve and accept replat of Part of Lot 2962 and all Lots 2963-2964 (927 WC Henderson Ave NE for Robert Thompson); emergency. - PS&T
29. Auth all contracts for installation of variable frequency drive at NE Water Treatment Plant; emergency (\$625,000.00 supp approp fr Water Fund). - FIN
30. Auth contract change order #1 with Wenger Excavating, Inc. for 34th St NW Area Water Main Project; emergency. - FIN

31. Auth contract change order #1 with final with CTI Engineers, Inc for 4th St SE Sewer Replacement Project , GP 1338; emergency (\$31,730.02 supp approp for Collection Systems Department). - FIN
32. Amend sec 105.01, construction contracts, sec 105.09, notice and bidding required when, and sec 105.12, local bidder preference of chpt 105; emergency. - JUD
33. Auth to enter a TIF Cooperative Disbursement agrmt with Chamber Ave LLC and Emaxx NE Ohio LLC dba Eco-Maxx; emergency. - C&ED
34. Auth Community Reinvestment Area agrmt with Chamber Ave LLC and EMAXX NE Ohio LLC DBA ECO-MAXX; emergency. - C&ED

**\*Ordinances and Formal Resolutions for Second Reading Vote**

**THIRD READINGS:**

35. **124/2023** Amend Approp O#51/2023; emergency (\$1,200,000.00 supp approp fr Health & Life Insurance Fund for med claims)
36. **125/2023** Vacate portion of Minerva Ct NW; Approve and accept replat of Lots 4305, 4306, 4307, 4308, 4309, 4310, 4311, 4312, 4313 and vacated portion of Minerva Ct NW; emergency (Kempthorn Motors)
37. **126/2023** Auth all necessary contracts for West Park Bike Park Proj; emergency
38. **127/2023** Dedicate Parcels 4880024, 4880032, 4880033, 4880013, 4880010, 4880031, 4880011 and 4880014 (Nimishillen Creek Park) as park land; Auth Joint Facility Development and Use Agrmt with Stark County Park District; Auth all necessary contracts for this proj; emergency
39. **128/2023** Approve Canton City Water Main Extension to Sparwood Farms Development; Auth all necessary agrmts for said water main; emergency

**COMMITTEE MEETINGS:**

**Monday, September 25, 2023 in Council Caucus Room @ 6:30 PM**

Finance Committee

Environmental & Public Utilities Committee

Community & Economic Development Committee

Public Property Capital Improvement Committee

**MISCELLANEOUS BUSINESS:** Member Kimbrough gave a "hats off" to Ward 2 for the wonderful Canton Helping Canton event, and she commended the Police and Fire Chiefs for the wonderful activities put on by their departments for the kids all summer long. Member Smith thanked Mayor Bernabei for supporting the grant that the Southeast Community Center applied for from Stark Metropolitan Housing in the amount of \$500,000.00, She further thanked the Mayor for all his support for the Center, Ward 4 and the entire city.

**ADJOURNMENT: 7:37 PM**

**THE NEXT REGULAR COUNCIL MEETING: MONDAY, SEPTEMBER 25, 2023 AT 7:00 PM**