

CANTON CITY COUNCIL

President William V. Sherer, II

Council At Large:

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

Mailing Address:

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Canton, Ohio 44702
(330) 489-3223
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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
November 13, 2023
7:00 PM

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 1st Rdg O#26 & O#27; 2nd Rdg O#29 - O#45; O#26 & O#27 Adopted on 1st Rdg; O#55 & O#59 Adopted as Amended)

PUBLIC HEARINGS: None

OLD BUSINESS: None

PUBLIC SPEAKS: Bruce Lupfe (sp) spoke about I.D. theft and asked for assistance in obtaining a State I.D. Justin Nicely believes his Constitutional rights have been violated by the Canton Police Department, other City Departments and the Courts. He said he has the right to access City Hall without harassment.

INFORMAL RESOLUTIONS:

1. Majority Leader Smuckler: Auth and direct purchase and installation of two RAS pump impellers at WRF. - Adopted

COMMUNICATIONS:

2. Req for Add'l Amended Certificate dated 10/31/23. - Auditor Mallonn
3. Statement of Cash Position dated 10/31/23. - Auditor Mallonn
4. Req TIF Designation for Parcels 242788, 242789, 210855, 232239, 202963, 244498 & 230138 owned by KATO Automotive LLC (15th St NW); emergency. - Economic Development Director Hardesty

5. Req to amend Approp O#51/2023; emergency (supp approp to Tourism Development District - Other). - Finance Director Crouse
6. Req for D5 permit trf from Jeff Pope, dba Imperial to Imperial Room LLC, dba Imperial @ 420 Court Ave NW, 1st Fl (Ward 2). - Liquor Control Div
7. Req Agrmt with City of Fairlawn and CCIC to provide High Speed Internet and related services to Canton Innovation District; emergency. - Mayor Bernabei
8. Advise that Skyline Terrace Apts Developers LLC plans to be Managing Member of residential rental development @ 635 Alan Page Dr SE. - Paths Management Services LLC
9. Advise that Chip Townhouses Developers LLC plans to be Managing Member of residential rental development @ 3124 Kalahari St NE. - Paths Management Services LLC
10. 105.04 Emergency Report for demo of 1408 6th St NE; emergency. - Safety Director Perry
11. Req to accept FY23 COPS Hiring Program award number 15JCOPS-23-GG-04598-UHPX; Amend Approp O#51/2023; emergency (supp approp from grant fund). - Safety Director Perry
12. Req properties be certified to County Auditor for liens due to unpaid mowing and clean up (2022); emergency. - Safety Director Perry
13. Req properties be certified to County Auditor for liens due to unpaid mowing and clean up (retroactive, 2021); emergency. - Safety Director Perry
14. Req all necessary contracts for Water Service Shop Renovation Project; emergency. - Service Director Highman
15. Req Water Supply Revolving Loan Agrmt with Ohio EPA and Ohio Water Dev Authority for Water Service Shop Renovation Project; emergency. - Service Director Highman
16. Req acquisition of excess land from Stark County (STA-62-24.90, 30th St NE and Harrisburg Rd NE Intersection Improvement); emergency. - Service Director Highman
17. Req prof servs contract for 42" East Side Interceptor Rehab, GP 1441 Design; Amend Approp O#51/2023; emergency (supp approp to project fund). - Service Director Highman
18. Req Substantial Amendment to 2019 Annual Action Plan for CDBG-CV Funds; emergency. - Service Director Highman
19. Req 2023 Capital Budget Update and Clarifications for Norman Ave NW and East Tusc Street Projects; Amend O#51/2023; emergency (supp trfs and approps to project funds). - Service Director Highman

20. Auth all necessary contracts for Canton Memorial Civic Center Upgrades Project; Amend O#51/2023; emergency (supp approp from General Fund to Other Buildings). - Service Director Highman
21. Auth purch and installation of two impellers for Return Activated Sludge (RAS) pumps at WRF. - Service Director Highman
22. Req to amend Section 182 of the Canton Codified Ordinances (Municipal Income Tax). - Treasurer Perez

FIRST READINGS:

23. Amend O#55/77; emergency (zone change for Kristopher Schmid on Faircrest St SW, Parcel #8300001, from B-3 (General Business) to PB-4 (Planned Special District). - Judiciary Committee **PUB HRG 11/27/23 @ 7:00 PM**
 24. Amend Approp O#51/2023; emergency (supp approp and inter-fund adv repayment fr State of Ohio Camera Grant Fund) - Finance Committee
 25. Auth all necessary contracts for Police in Parks Initiative Program; Auth Sole Source/Professional Servs contract for necessary equip to connect to City Camera Network; emergency - Finance Committee
- (Council recessed at 7:19 PM for the Finance Committee to discuss O#26 and O#27; reconvened at 7:23 PM)***
26. **171/2023** Auth all necessary contracts to respond to 1376 Park Ave SW demo; emergency - Finance Committee *
 27. **172/2023** Auth Clerk of Council to certify to County Auditor list of unpaid and delinquent charges for servs performed by and/or on behalf of Canton Engineering Dept, Urban Forestry Div; emergency - Finance Committee *
 28. Auth agrmt with City of Fairlawn, dba Fairlawngig and CCIC, and all necessary contracts, to provide Internet Services to qualifying customers within Innovation District; emergency - Finance Committee

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

SECOND READINGS: (SUSPENDED RULE 22A TO ADD 2ND RDG O#29 - O#45)

29. Auth submission of 2022 Annual Action Plan to US Dept of HUD; Auth all necessary contracts for expenditure of HOME Prg funds and effective operation of prog; emergency - C&ED
30. Amend Approp O#51/2023; emergency (approp trf in Court's Computer Fund) - FIN
31. Declare Improvements to real prop owned by Miller Clyde Alvin TTEE, exempt tax for 30 yrs; Establish the 2188 MAC.BID TIF Fund; emergency (Parcel No. 10016277, 3715 Harmont Ave. NE) - C&ED

32. Modify automatic cost of living adjust increase for certain elected officials for 2024; emergency - PERS
33. Amend Approp O#51/2023; emergency (supp approp and inter-fund trf fr State Body Worn Camera Grant Fund) - FIN
34. Amend Approp O#51/2023; emergency (supp approx and inter-fund trf fr 2780 FY 19 Bullet Proof Vest Grant Fund) - FIN
35. Amend Approp O#51/2023; emergency (inter-fund trf fr Asst. to Firefighters Fund) - FIN
36. Amend Approp O#51/2023; emergency (supp approp and inter-fund trf fr Proj Safe Neighborhood Grant Fund) - FIN
37. Amend Approp O#51/2023; emergency (supp approp and inter-fund trf fr US Dept. Just/Bureau Asst Fund) - FIN
38. Auth wage increase of 3% for MGMT and Non-Bargaining Unit Personnel as of 1/1/24; emergency - PERS
39. Auth Sub-Award argmt with Newton Family Apartments Limited Partnership in Home Funds; emergency. - C&ED
40. Auth Sub-Award argmt with Newton Family Apartments Limited Partnership in ARPA Funds; emergency - C&ED
41. Auth American Rescue Plan Act Sub-Award argmt with Canton For All People Acquisition and Holdings, LLC; emergency - C&ED
42. Auth trf of real property to the Stark County Port Authority for subsequent trf to Canton For All People Aquisition and Holdings, LLC; emergency - C&ED
43. Auth Auditor to close PO #2021-00005196; emergency - C&ED
44. Accept the 2023 Prisoner Extradition Reimbursement Grant; Amend Approp O#51/2023; emergency - FIN
45. Amend exhibit A to O#40/2000, As Amended, Classification Plan for Bargaining Unit Personnel; emergency - PERS

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

THIRD READINGS:

46. **173/2023** Amend Approp O#51/2023; emergency (approp trf in Clerk of Court Admin Fund)
47. **174/2023** Amend Approp O#51/2023; emergency (supp approp in Municipal Probation Fund)
48. **175/2023** Auth Job Creation Tax Incentive Agrmt with Howmet Aerospace; emergency

49. **176/2023** Auth American Rescue Plan Act Sub-Award Agrmt with Beacon Charitable Pharmacy, Inc.; emergency
50. **177/2023** Amend Approp O#51/2023; emergency (supp approp from PACE Financing to Tourism Develop District TDD)
51. **178/2023** Amend Sec 1(0) of O#177/2006; emergency (Parks Change Drawer)
52. **179/2023** Approve and accept replat of Outlots 1164 and 1411; emergency (Shawnee Dev and Giltz Assoc, Faircrest St SW)
53. **180/2023** Approve and accept replat of Lots 2264 and 5299; emergency (Terry & Peggy Miller, 1003 Cherry Ave NE)
54. **181/2023** Approve and accept replat of part of Lots 6340 and 6342; emergency (Habitat for Humanity, 200 blk Warner Rd SE)
55. **AMENDED AS**
182/2023 Auth agrmt for and accept funds from 2023 Patrick Leahy Bullet Proof Vest Partnership Grant in amt of \$12,690.00; Auth contract for purch of approx 27 bulletproof vests for Police Dept; Amend Approp O#51/2023; emergency (supp approp from grant fund to Police Admin - Other)
56. **183/2023** Auth all necessary contracts for purch of dumpster hauler truck for Sanitation Dept; Amend Approp O#51/2023; emergency (supp approp from Refuse Op Fund to Refuse Admin - Other)
57. **184/2023** Amend Approp O#51/2023; emergency (supp approp and inter-fund trf from 55th Street NE Water Line Extension Fund)
58. **185/2023** Amend Approp O#51/2023; emergency (supp approp and inter-fund trf from Lake-Hartville Water Line Extension Fund)
59. **AMENDED AS**
186/2023 Auth Contract Change Order #4 for Allen Ave SE area Sanitary Sewer Replacement, GP 1332; emergency
60. **187/2023** Auth to apply for, accept and enter into Supplemental Water Pollution Control Loan Fund Agrmt for planning, design and/or construction of wastewater facilities; Auth to designate dedicated repayment source for loan; emergency

COMMITTEE MEETINGS:

Monday, November 20, 2023 in Civic Center's McKinley Room @ 6:45 PM
Finance Committee
Judiciary Committee

MISCELLANEOUS BUSINESS: Member Hall asked for a report on the Summer Program and how many kids were involved. Mayor Bernabei said that they will prepare a report and give it to him and Council this coming week. Member Smuckler congratulated the Council Members who were elected for the new term, Crystal Smith and Richard Sacco, and said they will attend the Organizational Meeting. He also congratulated the newly elected Mayor, William Sherer, and said he has an

awesome responsibility. Member Morris clarified that the Organizational Meeting is a Democratic Party meeting and not a Council meeting, and that is why it is not open to the public.

ADJOURNMENT: 7:49 PM

THE NEXT REGULAR COUNCIL MEETING: MONDAY, NOVEMBER 20, 2023 AT 7:00 PM AT
THE CANTON CIVIC CENTER