

MINUTES OF THE MEETING JUNE 13, 2022

PRESIDENT SHERER: Good evening ladies and gentlemen and welcome to Canton City Council. If everyone could please turn your cellphones to vibrate. With a quorum being present, the Chair calls this meeting of Canton City Council to order. Roll... roll call please, Madam Clerk.

ROLL CALL TAKEN BY CLERK PRO TEM WENSEL:

12 COUNCIL MEMBERS PRESENT: (WILLIAM SMUCKLER, JAMES BABCOCK, LOUIS GIAVASIS, GREG HAWK, BRENDA KIMBROUGH, JASON SCAGLIONE, CHRIS SMITH, ROBERT FISHER, KEVIN HALL, JOHN MARIOL, PETER FERGUSON AND FRANK MORRIS)

TWELVE COUNCIL MEMBERS PRESENT.

CLERK PRO TEM WENSEL: Twelve present, Mr. President.

PRESIDENT SHERER: Tonight's invocation will be given by Ward 7 Council Member, John Mariol. If you would all please stand and remain standing for the Pledge of Allegiance, please.

The regular meeting of Canton City Council was held on June 13, 2022 at 7:00 P.M. in the Canton City Council Chamber. The roll call was taken (see above) by Clerk of Council Pro Tem, Elizabeth Wensel. The invocation was given by Ward 7 Council Member, John Mariol. The Pledge of Allegiance was led by President Sherer.

PRESIDENT SHERER: Thank you, Member Mariol.

AGENDA CORRECTIONS AND CHANGES

PRESIDENT SHERER: We are now under Agenda Corrections and Changes. Leader.

MEMBER SMUCKLER: Mr. President, I move Rule 22A be suspended to add second readings of Ordinances #23 through #27 to this evening's agenda.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule... Rule 22A to add second readings to Ordinances 23 through 27 to this evening's agenda. Are there any remarks? ...Hearing none, roll call, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Twelve yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 23 through 27 are a legal part of your agenda.

PUBLIC HEARINGS

PRESIDENT SHERER: We are now under Public Hearings and we have no Public Hearings for this evening.

OLD BUSINESS

PRESIDENT SHERER: We are now under Old Business, and there is no Old Business for this evening.

MINUTES OF THE MEETING JUNE 13, 2022**PUBLIC SPEAKS**

PRESIDENT SHERER: We are now under Public Speaks and we have four speakers for tonight. Our first speaker... um, and just... when everybody... the Rules for Council state that you do get three minutes to speak, and I will ask you for your name and residential address, please. And our first speaker is Mr. Chris Mack. And you're more than welcome to take the mask off, I was just gonna ask you. Mr. Mack, could you please give us your residential... your name and residential address, please.

CHRIS MACK: Yes. Um, my name is... uh, most people refer to me as C. Mack, but Chris Mack. And I'm here speaking on behalf of my father... uh, Henry Mack who lives at Cornelia and 4th Street for the last 60 years. Um, this is a... uh... uh, a revisit of the discussion that we all had together six months ago. Uh, Mr. Hall, you were not here in that meeting. Um, but six months ago we all came together and we talked about how to take the area in northeast Canton that borders between Belden and Hamilton and Tuscarawas and Georgetown, and to really emphasize that as a residential neighborhood and to not treat it as a light industrial neighborhood. And so... uh... uh, I will be the first of several speakers, but that the Genesis, that's the emphasis of what we're working... what we're here to discuss is to really work with the City in partnership, to work with our elected leaders in partnership for this to be a residential neighborhood and not a light industrial neighborhood. And what I'd now like to do is to give you an update on all the work we've been doing since our last discussion. And so again, this will be an update on the work we've been doing. Uh, the first issue that we discussed last time we were here was the Belden Avenue transmission lines that are owned by AEP, and the first discussion that Mr. Mack had was... uh, and he had two conversations actually with, at the time the City Engineer, I believe his name was Dan Moeglin, and Dan has since moved on to work with Stark Parks. But in those discussions... uh... uh, Dan was not aware as to what the actual voltage is that is going through those transmission lines. Uh, what's more, he is not aware as to what type of transmission lines those are, so they could be 100 kilowatt, they could be 250 kilowatt, they could be 500 kilowatt. Uh, and so we've continued to... to work through that. Uh, Mr. Mack also... and because we did not get an answer from Mr. Moeglin... uh, then sent another letter to Nicholas Akins, who's the CEO of AEP in Columbus. Uh, Mr. Akins has responded and that... that answer that we got was not as transparent as we'd like, and so we're gonna be following up again with AEP to get a more direct answer from AEP. Uh, Mr. Mack has also sent another letter to Jennifer Granholm, who is the U.S. Energy Secretary, to say can you send someone in to tell us, to make sure that we can be assured that those transmission lines are safe, particularly for the kids that are going to school at Belden Elementary School. And so that's are biggest concern, is are those lines safe? We don't know, and we... every time we try to get answers, we're not able to get answers, but we're continuing to follow up. The second issue that I brought up was with Belden Avenue pollution and again, we followed up with Dan Moeglin. Uh, Dan was attempting to... to work a deal with us where we would allow there to be... uh... uh, bike lanes, but we really pushed back three times to say we do not believe that there should be bike lanes where the mothers and fathers of this neighborhood would agree to have tractor/trailers going beside our kids on bike lanes. And so we... we've pushed back three times to say that we do not agree with that, that's not a good idea. We've subsequently followed up with the Ohio EPA because the pollution, the air on Belden Avenue, is actually worse today, we believe, than the air coming out of Republic Steel. And so we're... we're continuing to push with the Ohio EPA on that issue. We've also followed up with the Canton Health Department, and again we're making progress there. In addition, Mr. Mack has sent a letter to Mike Regan... Michael S. Regan, who is the U.S. EPA Administrator, and he has asked Mr. Regan if he could come in and make sure that that air is safe. The third issue, very quickly, is Republic Steel pollution. Uh, Mr. Mack has been raising that as an issue since 1977, and finally in 2017, the Ohio EPA did measure the air, they... they read it and agreed with Mr. Mack that

MINUTES OF THE MEETING JUNE 13, 2022

that air in our neighborhood is toxic. Uh, and so subsequent from that, there have been... um... uh, additional readings. Republic Steel has been fined three times we believe, and but again, the emphasis is on making sure that that neighborhood has clean air. We've begun to go block by block, and as we've done that, it is flat out heartbreaking how many men, women and children in that neighborhood have died from cancer and asthma as a result of that air pollution. We're not ready to share with you today what that... our... our complete findings are, but there are numerous neighbors in that neighborhood that have died from air pollution.

PRESIDENT SHERER: Mr. Mack.

CHRIS MACK: Yes.

PRESIDENT SHERER: Could you please bring your remarks to a close out of respect for the other speakers, please.

CHRIS MACK: Uh, I will... I will do that. Uh... uh, I'll... I'll cut it off there. Uh, the final point I wanted to make you aware of is that Mr. Mack has also written to... uh, again Michael Regan on this issue. We are very pleased that Mr. Regan has agreed to designate that area as an overburdened minority area and is doing two things. One, they are actually working with Republic Steel. The second thing they've done is they have... uh, uh, established with the Justice Department a specific division that will go after polluters in min... minority neighborhoods. To summarize... uh, Pres... Mr. President, we would like this, our elected leaders' help in treating this neighborhood as a residential area, and not as a light commercial area. Uh, thank you so much for the time today.

PRESIDENT SHERER: Thank you. And I would encourage you to stick around after the meeting, if you could.

CHRIS MACK: Yes, sir. We will.

PRESIDENT SHERER: Thank you, thank you.

CHRIS MACK: Thank you.

PRESIDENT SHERER: Our next speaker is Mr. Theor...Theodore Johnson. Mr. Johnson. Mr. Johnson, can you please state your name and residential address, please.

THEODORE JOHNSON: He's a little taller than me. (*Adjusts the mic*) Uh, my name is Theodore Johnson. I live at 332 Freedom Avenue NE. I've lived there since 1982. Um, first of all, I am President of Affairs of the Community, which is the neighborhood that Mr. Mack was speaking of. And we've had several of our members come today, and I'd like to... for them to meet them. Wou...everybody from Affairs of the Community, would you rise. Thank you. We have several issues. One of them is Lincoln Highway, which could be an economic development advantage to the city of Canton, but I do not see where the city of Canton is taking advantage of the Lincoln Highway. There is a website out there that just showed me... um, it's called the Lincoln Highway Association, that a caravan from New York on the 12th is coming down Lincoln Way to Illinois, but I don't see where anywhere they are actually going to stop in Canton. And I think that's a shame.

MINUTES OF THE MEETING JUNE 13, 2022

Those of you that don't know, Lincoln Highway happens to be a transcontinental hi... uh, highway created in 1913 that goes from New York City to San Francisco. That was before the highway system was established. It goes through Canton. We have a few monuments that actually show that... respond to the Lincoln Highway. We've done a lot to Canton that would be really nice if we took advantage of trying to find out these groups that are coming through that aren't stopping and take advantage of them to have them stop and use some of the facilities in Canton. The other part is part of the Lincoln Highway comes through my neighborhood. It looks horrible. Why would Canton want the... a historical site to look the worst in Canton. That doesn't make any sense to me. If you... you know, if you want economic development, you should take advantage of things you have. You don't have to create this, you don't have to buy this history, it's already there. Just take advantage of it. Thank you.

PRESIDENT SHERER: Thank you, Mr. Johnson. Our next speaker is Ms. Sharon Jackson. Ms. Jackson, could you please state your name and residential address, please.

SHARON JACKSON: Yes. My name is Sharon Jackson. I live at 2421 Tuscarawas Street East, Canton, Ohio 44707.

PRESIDENT SHERER: Thank you.

SHARON JACKSON: I'm also talking about Lincoln Highway, which is East Tuscarawas Street. And I've been there for... in that area for 56 years and I don't want to move. I love my home where I'm... where I'm at. I love my house, I want to stay there. I'm a senior citizen. I live in that neighborhood and it's going... it's just a mess. As he said, it's a mess. Um, a lot of rental homes, not kept up, lawns not cut. Just trash ha... I go out every day and pick up trash in my yard. Every day. And... um, that's my complaint. We have a sign that co... when you come into the city of Canton, you're coming from Minerva, Lisbon, Minerva, East Canton and Canton Township, and I'm two blocks inside. I can step... I can walk to Canton Township from my house. But when you come into the city of Canton, you have the sign saying "Welcome to Canton," but you don't feel welcome because you come into a mess, and I just feel when you go into a city and you see a sign that says welcome, it should look like you... you're welcome to be there. I don't know why we don't get our streets cleaned like they... like they should. I... I've been told that you have to... they have a certain time to clean certain streets in the city, but that's a main corridor. That... that... when I was coming here this evening, I could look straight down East Tusc and look at the heart of Canton. You can see all the... all the tall... tall buildings, the heart of Canton. You're coming into Canton where there's the courthouse, there's Stark County Office Building, that is the heart of Canton, and to me when you come down a street like that, it shouldn't be a messy street with empty houses. Uh, it's just messy, and... and as... as he said, I don't know why we... I don't know why we can't get anything done out there. I... I reported something that was going on that I don't know why... we have a Code Department. I don't understand why they weren't checking around the city at these homes. It was a hoarder's house, and I didn't even realize it until the snow melted how bad it was over there, awful, bad, mattresses, furniture, everything outside that... that couldn't fit inside was coming out on the porch, out in the yard. I don't want to live in a neighborhood like that. I pay too much money for my home to be in that situation. I don't want to move, but if I could move my house, I would move it two blocks into Canton Township if I could. But that's my complaint, is that I don't feel that the City is as fair to homeowners as they should be. I'm a homeowner, I've been there for years. I don't think I'm getting treated fairly when I have people who own property, landlords who don't take care of the property, they either don't live here or they live

MINUTES OF THE MEETING JUNE 13, 2022

somewhere else, but if they can't take care of the property, then they should have a property manager handling that property. There should be more rules for landlords, and that's my complaint. Thank you.

PRESIDENT SHERER: Thank you, Ms. Jackson. And our last speaker is... and I'm probably gonna mess this up a little bit, Anwar Ali... Alayamini (*pronounced Ala-mane-ee*)?

ANWAR ALAYAMINI: Alayamini (*pronounced Ali-amean-ee*), close enough.

PRESIDENT SHERER: Okay, close. (*Chuckles*)

ANWAR ALAYAMINI: You know, I wrote... um...

PRESIDENT SHERER: Could you please state your name and residential address, please.

ANWAR ALAYAMINI: Oh. Anwar Alayamini. The residential address is complicated, but we'll use 2417 4th Street in this instance. I wrote something to tell the Council to meet my three minutes, but it's amazing how God works. He makes conversations tie into a conversation. I was... I came here today to stop the demolition of 2417 4th Street. This building was owned by my father and my uncle. My father passed away four years ago and the building sat vacant during that time. We had some family complications and complexities which didn't allow me as his son to take ownership and fix the building, but effective April 11th, I am now the half legal owner of the property and my mother will be the half legal owner after we finish probate. I grew up here. I moved to California. I am now an investor coming from California to bring money back into Canton, back into the city, back to turn a neighborhood and bring something, whether it's a business or a youth advocate program, and to take care of the rental properties above it, and the City did not give me a chance as a new owner to present my case, to present my plan. I have spoken with so many different people before that kill date. I have spoken with directors, I have spoken with everyone that I can think of. I even hired an attorney who was not able to file the motion in time because the case is so complex with probate, we had to come up with three additional documents... or two additional documents, and my motion to stay won't be submitted until Wednesday. I don't want to wait until Wednesday to see my dad's building be demolished. My father, before he died, owns a mosque at 1300 7th Street in Councilman Hawk's ward. If you drive by that mosque, it is well kept, it's well taken care of. My father has put people in place directing that mosque that gives back to the community that are not only just Muslims, but also non-Muslims. We're good people. We take care of our stuff. Unfortunately, my dad passed away and I was put in a bad situation. All I'm asking is that the City gives me a chance to not only rectify and repair the code violations, but also sit with me so we can talk about a bigger plan of what I could bring into the building intentionally that might help that neighborhood, that might help the kids that walk by that neighborhood. The other day when I was trying to clean up as much as I could, a girl was walking barefoot and I talked with her for 45 minutes because her mom kicked her out of the house and she didn't know where to go. I'm trying to make a difference here, and I feel like the City is not allowing me to make a difference because they don't know who I am and they don't believe me. So give me a chance. Don't demolish the building and allow for a piece of land to just sit there and sit empty for years to come. It's not fair to the community, it's not fair to me, it's not fair to my father or my mother and my sister. That's all I ask for.

PRESIDENT SHERER: Thank you and I would encourage you to stick around after the meeting.

MINUTES OF THE MEETING JUNE 13, 2022

ANWAR ALAYAMINI: Thank you.

PRESIDENT SHERER: Thank you.

INFORMAL RESOLUTIONS

PRESIDENT SHERER: We are now under Informal Resolutions and we have one for this evening. Madam Clerk, would you please read Informal Resolution #1, by title.

1. COUNCIL-AS-A-WHOLE: HONORING JOE PALMISANO FOR HIS WORK IN POLAND WITH UKRAINIAN REFUGEES. – ADOPTED

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, may I have that read, please.

PRESIDENT SHERER: Madam Clerk.

CLERK PRO TEM WENSEL: An Informal Resolution respectfully submitted by Canton City Council on this 13th day of June, 2022. **Whereas**, Joe Palmisano is a semi-retired business owner, former football coach, broadcaster for WHBC and, in 2019, traveled to China to compete in International Kung Fu; and **Whereas**, On March 19, 2022, Joe flew to Warsaw Poland to help Ukrainian refugees. He drove to Medyka, Poland where the majority of Ukrainians were crossing the border seeking help; and **Whereas**, In order to communicate with the Ukrainian refugees, Joe used a translator app on his cell phone and was able to provide them with companionship, trust, money, food and supplies; and **Whereas**, Joe helped approximately 150 people in Poland, and still today continues to communicate with some of the refugees; and **Whereas**, Joe Palmisano is married to his lovely wife, Kirby, and is a prostate cancer survivor. **Now Therefore Be It Resolved:** That we, the Members of Canton City Council, do hereby go on record recognizing **Joe Palmisano** for his heroism and unselfish acts of kindness to the Ukrainian refugees. (*Applause*)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt the Resolution.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Informal Resolution #1. Are there any remarks? ...Hearing none, by voice vote, all those in favor, signify by saying aye. Those opposed no.

NO REMARKS

RESOLUTION #1 PASSED UNANIMOUSLY BY VOICE VOTE

PRESIDENT SHERER: The ayes have it, the motion carries and Informal Resolution #1 is adopted. Leader.

JOE PALMISANO: Thank you all.

MEMBER SMUCKLER: I got Joe... I got Joe here by a little deception. Um, because... and you gotta come back up here. (*Laughter*) The guy's in the media and he doesn't even know.

MINUTES OF THE MEETING JUNE 13, 2022

JOE PALMISANO: I don't... I... I'm shocked.

MEMBER SMUCKLER: You know, it's too often where somebody says, somebody should do something about that. Somebody should take care of that. Here's a guy who climbed on a plane, not knowing anyone, and took care of it. It's an incredible story. I've been trying to get some families adopted out of the Ukraine. I've talked to numerous people. I've even offered jobs out of my business. It's tough to do because we're not accepting Ukraine refugees right now. But it's really something for someone to get on a plane and go over there and spend their money, their time, their effort. Somebody saw something wrong and they took care of it, and Joe, I can't say enough good things about what you've done in this world to make it a better place to live.

JOE PALMISANO: Thank you.

MEMBER SMUCKLER: Thank you. (*Applause*)

JOE PALMISANO: I... uh, this... this... this whole thing was... was all God. Um, picking up and telling my wife I'm... I was with no organization, I knew nobody there. I flew to Warsaw, I rented a car, got ripped off on the car by the way, and then drove four hours to Medyka where the refugees were coming across. Had no idea what I was going to do, found a shopping cart, started walking, went through check points, Polish, Ukraine, into Ukraine about a mile or two into a village with a shopping cart that I borrowed from a local shopping... uh, shopping area, and carried people's luggage back across and... and whole families across the border and made them a vow that I would be with them for the whole time. Um, I did that for two weeks until I couldn't go anymore. My wife and I are still supporting two families in Italy right now, four children, two adults. No men, the men are all fighting. Um, they don't know daily if they're going to make it. I've made a vow to them that I'm going to be there when they go back to help them rebuild, and I'm going to. But the one thing I... I learned from that is that same... that same attitude has to be brought back here. Um, there are so many things I want to do in this community. Uh, God has blessed me with the means to do some of these things, and there are so many young people that I want to reach. I spent 18 years coaching college football. Um, I've been... I've been everywhere in the country recruiting and doing those things. I want to work in Canton. I... I heard all the things, you know, people struggle, people are struggling. Young people don't have a place to play. Um, you know, and I'm... I'm reaching out to all of you saying whatever you need from me, whatever I can do to help. I'm 69 years old. I'm a cancer survivor. God has blessed me and he has laid it on my heart to help. So anything you need in your communities, anything that we can do... I already believe that... like Whispering Grace Horses is... is an unbelievable place. They have... they have a horse farm out there where they take thousands of people. Um, young people, and they also have a... uh, Freedom Farms which is across the way which is for veterans, police veterans, army veterans. It would be a great place to bring young people, maybe first time offenders, maybe people that are going through... that are struggling with, you know, do I... if I don't have anything to do, do I become part of a gang, or do I get into drugs or do I do this. And you would be amazed what can happen to a young person or an old person when they're around horses. When they see and they get to train horses and they get out there. I'm willing to... to open up a whole other wing out at Whispering Grace and talk to Bill and Marcia Shearer and say, let's bring first time offenders out. Let's bring young people who are on the edge, and bring them out there and work with them. I love this community. I've been here 20 years now, in Stark County. Uh, there is no better place in the entire country than the... than here. The people in Stark County... I've lived in ten different states and I've been all over the place. There's no better people than the people of Stark County. If you ask for something to happen, it happens. And so I want to

MINUTES OF THE MEETING JUNE 13, 2022

get back, and I thank you so much for this. I don't deserve this, but I thank you so much for this. I really do. *(Applause)*

PRESIDENT SHERER: We're now... want to continue on with Communications? We can take care of that here in a little bit, Bill, if you want to.

MEMBER SMUCKLER: Yeah, uh... *(Brief pause)*

PRESIDENT SHERER: Unless you want to do it under Miscellaneous Business.

MEMBER SMUCKLER: Uh, so he doesn't leave? *(Chuckles)* Let's do it now.

PRESIDENT SHERER: That's fine. Just... Bill, let's just take care of it right now. That's fine.

MEMBER SMUCKLER: I'd like to introduce someone else to the audience this evening. Um, Ethan Moorhead, would you please stand. You're going for your Eagle Scout, is that why you're here tonight?

ETHAN MOORHEAD: Yes...*(inaudible)*. *(Applause)*

MEMBER SMUCKLER: That's something to be very proud of. Thank you.

PRESIDENT SHERER: And thank you for coming this evening.

COMMUNICATIONS

PRESIDENT SHERER: Alright, we are now under Communications. Let the journal show that all Communications are received as read.

NOTE: ALL COMMUNICATIONS WHICH FOLLOW, LISTED BY AGENDA TITLE, ARE ON FILE IN THEIR ENTIRETY IN THE COUNCIL OFFICE.

2. STATEMENT OF SERVICES FOR REGENT AVE NE - CITY SERVICE CENTER - CHAIRMAN MARIOL
3. ADOPT ALTERNATIVE TAX BUDGET FOR FISCAL YEAR ENDING 12/31/23 - FIN DIR CROUSE
4. TRF OF FUNDS FOR WRF ELECTRICAL IMPROVEMENTS - FIN DIR CROUSE
5. NEW PERMIT FOR JACSCHU ENTERPRISES LTD @ 601 CLEVELAND AVE NW 3RD FLOOR - LIQUOR CONTROL DIV (OH)
6. TRF PERMIT FROM MARK & FRANCES MILLS TO MARKS TAVERN LLC @ 1652 BRYAN AV SW 1ST FL FRONT - LIQUOR CONTROL DIV (OH)
7. HALL OF FAME VILLAGE STADIUM PACE FINANCING - MAYOR BERNABEI

MINUTES OF THE MEETING JUNE 13, 2022

8. CANTON MEMORIAL CIVIC CENTER FACILITY NEEDS AND CONDITION ASSESSMENT STUDY - PLANNING DIR ANGUS
9. RPT OF DEPOSITS AND PAY-INS TO AMBULANCE LOCK BOX FOR MAY 2022 - POLICE CHIEF GABBARD
10. USPCA AKC REUNITE K9 GRANT - SAF DIR PERRY
11. WAIVING REQUIREMENT OF CITY RESIDENCY AND AUTH STARTING ANNUAL SALARY FOR SHERICE L. FREEMAN FOR DIR OF COMMUNITY DEV - SERV. DIR. HIGHMAN
12. COMPARATIVE REPORT OF CASH RECEIPTS AS OF 4/30/22 - TREASURER PEREZ
13. RPT OF PARKING METER REVENUE FOR MAY 2022 - TREASURER PEREZ
14. RPTS OF BANK RECONCILIATIONS AND OUTSTANDING INVESTMENTS AS OF 5/31/22 - TREASURER PEREZ
15. AUTH AUDITOR TO PAY MORAL OB TO FIRST DATA CORPORATION FOR CREDIT CARD MERCHANT SERVICES - TREASURER PEREZ

ORDINANCES AND FORMAL RESOLUTIONS FOR FIRST READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their First Reading. Madam Clerk, would you please begin with Ord... Ordinance #16.

NOTE: PRESIDENT SHERER CALLED UPON CLERK PRO TEM WENSEL TO READ ORDINANCES #16 THROUGH #22 FOR THEIR FIRST READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#16. (1ST RDG) AN ORDINANCE ESTABLISHING THE HALL OF FAME VILLAGE COMMUNITY ENTERTAINMENT DISTRICT AND DESIGNATING CERTAIN PROPERTY LOCATED IN THE CITY OF CANTON, OHIO, AS A COMMUNITY ENTERTAINMENT DISTRICT PURSUANT TO OHIO REVISED CODE SECTION 4301.80; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Community & Economic Development Committee
PUB HRG 7/11/22 @ 7:00 PM
- O#17. (1ST RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$185,000.00 APPROP TRF FR 5410 206006 COLLECTION SYSTEMS DEPARTMENT – OTHER TO 5410 206323 VIOLA ESTATES SANITARY SEWER PROJECT, GP 1336 – OTHER)
Referred to Finance Committee
- O#18. (1ST RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR THE PURCHASE OF ONE (1) CLOSED CIRCUIT TELEVISION CAMERA VAN FOR THE COLLECTION SYSTEMS DEPARTMENT; OR TO ALTERNATIVELY PURCHASE SAID VEHICLE PURSUANT TO ANY

MINUTES OF THE MEETING JUNE 13, 2022

COOPERATIVE PURCHASING AGREEMENT AUTHORIZED BY LAW; AND
DECLARING THE SAME TO BE AN EMERGENCY

Referred to Public Property Capital Improvement Committee

O#19. (1ST RDG) AN ORDINANCE AMENDING SECTION 919.04, RESPONSIBILITIES OF CITY AND PROPERTY OWNERS AND SECTION 919.06, APPLICATION PROCEDURES OF CHAPTER 919 OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE
Referred to Judiciary Committee

O#20. (1ST RDG) AN ORDINANCE AUTHORIZING THE DIRECTOR OF PARKS AND RECREATION IN CONJUNCTION WITH THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE WEIS PARK TENNIS COURT RECONSTRUCTION; ALTERNATIVELY ENTER INTO ALL CONTRACTS NECESSARY FOR SAID PROJECT; AUTHORIZING THE AUDITOR TO PAY ALL MORAL OBLIGATIONS FOR CONTRACT CHANGE ORDERS; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Parks & Recreation and Finance Committees

O#21. (1ST RDG) **ADOPTED AS ORDINANCE NO. 141/2022** A RESOLUTION APPROVING THE STATEMENT OF SERVICES TO BE PROVIDED TO THE PROPERTY OWNERS IN THE REGENT AVE NE – CITY SERVICE CENTER ANNEXATION AREA, THE APPROXIMATE DATE SERVICES WILL BE PROVIDED, PROCEDURE TO RECONCILE INCOMPATIBLE ZONING USES UPON ITS BEING ANNEXED TO THE CITY OF CANTON, OHIO; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Annexation Committee

O#22. (1ST RDG) **ADOPTED AS ORDINANCE NO. 142/2022** AN ORDINANCE WAIVING THE REQUIREMENT OF CITY RESIDENCY CONTAINED IN ORDINANCE NO. 100/2011 AND AUTHORIZING A STARTING ANNUAL SALARY FOR SHERICE L. FREEMAN OF \$95,800.00 FOR THE POSITION OF DIRECTOR OF COMMUNITY DEVELOPMENT; AND DECLARING THE SAME TO BE AN EMERGENCY
Referred to Personnel Committee

CLERK PRO TEM WENSEL: Mr. President.

PRESIDENT SHERER: At this time the Chair would declare an in-house recess for the Annexation and Personnel Commit... Committees to meet in regards to Ordinances 21 and 22 on your agenda this evening. You are now in recess.

(COUNCIL RECESSED AT 7:38 PM FOR THE ANNEXATION AND PERSONNEL COMMITTEES TO DISCUSS ORDINANCE #21 AND ORDINANCE #22; RECONVENED AT 7:46 PM)

PRESIDENT SHERER: Council is reconvening after the recess. Leader.

MEMBER SMUCKLER: Mr. President, I move we suspend Rule 22A to add Ordinances 21 and 22 back to this evening's agenda.

MINUTES OF THE MEETING JUNE 13, 2022

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend Rule 22A to place Ordinances 21 and 22 back on this evening's agenda. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Twelve yeas, Mr. President.

PRESIDENT SHERER: The motion carries and Ordinances 21 and 22 are a legal part of your agenda, Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance num... I'm sorry. Mr. President, I move we suspend Statutory Rules of Ordinances 21 and 22.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to suspend the Statutory Rules on Ordinances 21 and 22. Are there any remarks? ...Hearing none, roll call vote please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Twelve yeas, Mr. President.

PRESIDENT SHERER: You've heard the three readings, Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #21.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #21. Are there any remarks under this Ordinance? ... Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Twelve yeas, Mr. President.

#21 ADOPTED AS ORDINANCE NO. 141/2022

PRESIDENT SHERER: The motion carries and Ordinance #21 has been adopted. Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #22.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded that you adopt Ordinance #22. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

MINUTES OF THE MEETING JUNE 13, 2022

CLERK WOOD: Twelve yeas, Mr. President.

#22 ADOPTED AS ORDINANCE NO. 142/2022

PRESIDENT SHERER: The motion carries and Ordinance #22 is adopted. Ms. Freeman, I know you had a chance to introduce yourself, but would you like to say a few words real quick, if you wouldn't mind?

SHERICE FREEMAN: Uh, no. I'm just looking forward to being... uh, basically to assist the community as I've always done, it's just in a formal capacity. Um, I hear that I'm filling some big shoes, but I'm hoping that I will do pretty well of a job in servicing for the Director, Mr. Highman... for the Mayor and Mr. Highman. And I'm just looking forward to it. Thank you.

PRESIDENT SHERER: Well, we would like to welcome you, and from what I hear, I don't think you're gonna have a problem filling those shoes, girl. So...

SHERICE FREEMAN: Thank you.

PRESIDENT SHERER: Thank you, absolutely.

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING

PRESIDENT SHERER: Okay, we are now under Ordinances and Formal Resolutions for their Second Reading. Madam Clerk, will you please begin with Ordinance #23.

NOTE: PRESIDENT SHERER CALLED UPON CLERK PRO TEM WENSEL TO READ ORDINANCES #23 THROUGH #27 FOR THEIR SECOND READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

- O#23. (2ND RDG) AN ORDINANCE AUTHORIZING CANTON TO ANNEX THE TERRITORY KNOWN AS THE 4955 BROADWAY AVE. NE 2022 ANNEXATION AREA CONTAINING APPROXIMATELY 3.998 ACRES, MORE OR LESS; ASSIGNING SAID TERRITORY TO WARD 6 OF THE CITY; ZONING SAID TERRITORY AS I-1 LIGHT INDUSTRY; AND REQUIRING THE OWNER OF THE ANNEXED TERRITORY TO PROVIDE A BUFFER SEPARATING THE USE OF THE ANNEXED TERRITORY AND THE ADJACENT LAND REMAINING WITHIN THE TOWNSHIP; AND DECLARING THE SAME TO BE AN EMERGENCY
- O#24. (2ND RDG) AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$250,000.00 SUPP APPROP FR UNAPPROP BAL OF 2190 HOFV FUND TO 2190 861102 PACE FINANCING – OTHER) (SPECIAL ASSESSMENT FOR HOF VILLAGE HOTEL)
- O#25. (2ND RDG) AN ORDINANCE AUTHORIZING THE AUDITOR TO CREATE THE 2405 ONEOHIO OPIOID FUND; AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$25,000.00 SUPP APPROP FR UNAPPROP BAL OF 2405 ONEOHIO OPIOID FUND TO 2405 200501 GENERAL GOVERNMENT SUPPORT ADMIN – OTHER) (OPIOID SETTLEMENT CASE)

MINUTES OF THE MEETING JUNE 13, 2022

O#26. (2ND RDG) AN ORDINANCE RETROACTIVELY AUTHORIZING THE APPROPRIATIONS IN FUND 2809 FOR THE AMERICAN RESCUE PLAN ACT BE BUDGETED AT THE FUND LEVEL TO JANUARY 1, 2022; AND DECLARING THE SAME TO BE AN EMERGENCY

O#27. (2ND RDG) AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO CONTRACT WITH THE GREATER STARK COUNTY URBAN LEAGUE UTILIZING ARPA FUNDS IN AN AMOUNT NOT TO EXCEED \$574,341.39; AND DECLARING THE SAME TO BE AN EMERGENCY

CLERK PRO TEM WENSEL: Mr. President.

PRESIDENT SHERER: Thank you, Madam Clerk.

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD AND FINAL READING

PRESIDENT SHERER: We are now under Ordinances and Formal Resolutions for their Third, Final Reading and Vote. Madam Clerk, would you please begin with Ordinance #28.

NOTE: PRESIDENT SHERER CALLED UPON CLERK PRO TEM WENSEL TO READ ORDINANCE #28 THROUGH ORDINANCE #32 FOR THEIR THIRD READING BY TITLE AS REQUIRED BY STATE LAW, AS FOLLOWS:

O#28. (3RD RDG) **ADOPTED AS ORDINANCE NO. 143/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN 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)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #28.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #28. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Twelve yeas, Mr. President.

#28 ADOPTED AS ORDINANCE NO. 143/2022

PRESIDENT SHERER: Motion carries and Ordinance #28 is adopted. Ordinance #29, please.

O#29. (3RD RDG) **ADOPTED AS ORDINANCE NO. 144/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$58,756.00 SUPP APPROP FR UNAPPROP BAL OF 2793 US

MINUTES OF THE MEETING JUNE 13, 2022

DEPT JUST/BUREAU ASST FUND TO 2793 102001 POLICE ADMIN – ADV OUT)
(RETURN OF ADVANCED MONEY TO GENERAL FUND)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #29.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #29. Are there any remarks?
...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Twelve yeas, Mr. President.

#29 ADOPTED AS ORDINANCE NO. 144/2022

PRESIDENT SHERER: Motion carries and Ordinance #29 is adopted. Ordinance #30, please.

O#30. (3RD RDG) **ADOPTED AS ORDINANCE NO. 145/2022** AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO ALL CONTRACTS NECESSARY FOR THE PURCHASE 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; OR TO ALTERNATIVELY PURCHASE SAID ITEMS PURSUANT TO ANY PROCUREMENT PROCESS AUTHORIZED BY LAW; AND DECLARING THE SAME TO BE AN EMERGENCY (WATER DEPT)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #30.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #30. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Twelve yeas, Mr. President.

#30 ADOPTED AS ORDINANCE NO. 145/2022

PRESIDENT SHERER: Motion carries and Ordinance #30 is adopted. Ordinance #31, please.

O#31. (3RD RDG) **ADOPTED AS ORDINANCE NO. 146/2022** AN ORDINANCE AMENDING APPROPRIATION ORDINANCE NO. 68/2022; AND DECLARING THE SAME TO BE AN EMERGENCY (\$150,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201

MINUTES OF THE MEETING JUNE 13, 2022

WATER FUND TO 5201 207022 – WATER DISTRIBUTION FUND – OTHER)
(WATER PORTION OF HURSH PL NW ROADWAY AND WATER PROJ)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #31.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #31. Are there any remarks under this Ordinance? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Twelve yeas, Mr. President.

#31 ADOPTED AS ORDINANCE NO. 146/2022

PRESIDENT SHERER: Motion carries and Ordinance #31 is adopted. Ordinance #32, please.

O#32. (3RD RDG) **ADOPTED AS ORDINANCE NO. 147/2022**: AN ORDINANCE AUTHORIZING THE MAYOR OR DIRECTOR OF PUBLIC SERVICE TO ENTER INTO AN ENTERPRISE ZONE AGREEMENT WITH B&T ASSOCIATES, LLC AND TERYDON INCORPORATED TO PROVIDE A REAL PROPERTY TAX EXEMPTION; AUTHORIZING THE AUDITOR TO MAKE PAYMENTS TO THE CANTON CITY SCHOOL BOARD OF EDUCATION AS REQUIRED TO BE PAID PURSUANT TO SECTION 5709.82(C) OF THE REVISED CODE; AND DECLARING THE SAME TO BE AN EMERGENCY (PURCH OF AEP BILLING CTR @ 420 4TH ST SW)

PRESIDENT SHERER: Leader.

MEMBER SMUCKLER: Mr. President, I move we adopt Ordinance #32.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adopt Ordinance #32. Are there any remarks? ...Hearing none, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Twelve yeas, Mr. President.

#32 ADOPTED AS ORDINANCE NO. 147/2022

PRESIDENT SHERER: Motion carries and Ordinance #32 is adopted.

ANNOUNCEMENT OF COMMITTEE MEETINGS

PRESIDENT SHERER: We are now under Announcement of Committee Meetings. Our next meeting day will be June 27th and I believe Committee starts at 6:30?

MINUTES OF THE MEETING JUNE 13, 2022

CLERK PRO TEM WENSEL: Right.

PRESIDENT SHERER: Okay.

MEMBER HAWK: Mr. President.

PRESIDENT SHERER: Member Hawk.

MEMBER HAWK: Finance Committee will meet Monday, June 27th at 7... 6:30 PM. Thank you.

PRESIDENT SHERER: Thank you, Member Hawk.

MEMBER SCAGLIONE: Mr. President.

MEMBER HALL: Mr. Pres...

PRESIDENT SHERER: Member Hall.

MEMBER HALL: Mr. President, Community & Economic Development, same time, same place.

PRESIDENT SHERER: Thank you, Member Hall. Member Giavasis.

MEMBER GIAVASIS: Mr. President, the Judiciary Committee will meet same time, same place.

PRESIDENT SHERER: Thank you, Member Giavasis.

MEMBER SCAGLIONE: Mr. President.

PRESIDENT SHERER: I don't think you're on the list, are you? Okay, Member Scaglione. *(Chuckles)*

MEMBER SCAGLIONE: Public Property Capital Improve... Improvement will meet same time, same place.

PRESIDENT SHERER: Thank you, Member Scaglione.

MEMBER MORRIS: Mr. President...

PRESIDENT SHERER: Member...

MEMBER MORRIS: Parks & Rec will meet same time, same place.

PRESIDENT SHERER: Thank you, Member Morris.

MISCELLANEOUS BUSINESS

PRESIDENT SHERER: We are now under Miscellaneous Business. Is there any Miscellaneous Business for this evening?

SAFETY DIRECTOR PERRY: Mr. President.

MINUTES OF THE MEETING JUNE 13, 2022

PRESIDENT SHERER: Safety Director.

SAFETY DIRECTOR PERRY: Mr. President and Members of Council... um, the Canton Police Department in conjunction with the Canton Fire Department, the Stark County Prosecutor's Office and our Parks and Recreation Department has scheduled some various community events throughout the summer. The first one is gonna take place on Wednesday, June 22nd. Um, the theme is We Believe in Canton, so we'd like for you to join them on Wednesday, June 22nd at Crenshaw Park, 1500 Sherrick Road, which is in what ward?

MEMBER SMITH: Ward 4.

SAFETY DIRECTOR PERRY: And it'll be at 3:00 PM and it's free and open to the public. Um, they'll have fire trucks, free food, games and ice cream trucks and things of that nature for the community. Thank you.

PRESIDENT SHERER: Thank you, Safety Director. Is there any other Miscellaneous Business for this evening?

MEMBER FERGUSON: Mr. President.

PRESIDENT SHERER: Member Ferguson.

MEMBER FERGUSON: Uh, we have a tour of Aultman Cancer Center next Monday night at 5:30. You will be receiving emails about where to park, and there will be people meet you and take you over to the Cancer Center.

PRESIDENT SHERER: Thank you, Member Ferguson.

MEMBER MORRIS: Mr. President.

PRESIDENT SHERER: Member Morris.

MEMBER MORRIS: Just a reminder, work session Wednesday, June 15th at 6:00 PM in Council Chambers for Park & Rec.

PRESIDENT SHERER: Thank you, Member Morris. Member Kimbrough.

MEMBER KIMBROUGH: Oh, just to remind everyone that the Juneteenth Festival is gonna be at Nimisilla Park on the 18th and the 19th. And that's (*inaudible*).

PRESIDENT SHERER: Thank you, Member Kimbrough. Leader.

MEMBER SMUCKLER: Yeah, first... um, Member Kimbrough and... um, what was the other one scheduled for... for... please have the Clerk send out reminders to everybody. I'm not sure who's getting what, but sometimes it's better on a text message to all the phones, so everybody remembers what's.. uh, day these are, the time they are and the place they are so we can all be there, those of us that can make it in attendance. Number two, I'd like to recognize someone else here who helped me today. Um, when you walk through life, you get to wear many hats, and one of my other hats is President of the Ex-Newsboys. For those of you that don't know, we raised money for kids to be clothed in school, and I met a guy named Larry Leno, sitting out there, and Larry pressed me real hard to get... find some way to get Joe down here and it worked out real well.

MINUTES OF THE MEETING JUNE 13, 2022

Um, and Joe, I... I do want to say thank you again for being a doer in the community and also we welcome your help at anything you want to provide for the kids in this community. Uh, last and certainly not least, I always pick something out of the agenda and I draw your attention to Communication #7 on the agenda, Hall of Fame Stadium PACE Financing submitted by Mayor Bernabei. Now, they were here in April for another PACE Project. Again, this doesn't cost the City anything. This is not one dollar. They will be refinancing the Stadium \$35 million. Again because of the way this goes, we have to pass it. Again, doesn't cost us a dollar. We're just giving them the authority to do it. It will be asked to be passed on first reading June 27th at that meeting. I will have someone there from the Hall of Fame. Anne Graffice was here in April and either Mike Crawford or Anne I'm sure will be here on the 27th to discuss this. And again, I stress this is no money out of the City's coffers. Law Director, did I do that right?

LAW DIRECTOR BATES AYLWARD: You're right. It's not any of our money.

MEMBER SMUCKLER: Okay.

MEMBER SMITH: Mr. President...

PRESIDENT SHERER: Mem...

MEMBER SMITH: I just have one last thing to mention to you all. Brenda and I attended a meeting this morning at the Board of Election, and we have new voting polls. The newest one will be at Union Baptist Church, so I hope that that will be much more convenient for you all, especially the ones that are sitting out here now. *(Applause)*

PRESIDENT SHERER: Thank you, Member Smith. That's great news.

MEMBER SMUCKLER: Anyone else? Mr. President, I move we adjourn.

MEMBER BABCOCK: Second.

PRESIDENT SHERER: It's been moved and seconded to adjourn. Madam Clerk, roll call vote, please.

NO REMARKS

ROLL CALL 12 YEAS, 0 NAYS

CLERK PRO TEM WENSEL: Twelve yeas, Mr. President.

PRESIDENT SHERER: *(Gavel falls)* This meeting is adjourned. Thank you for coming this evening.

ADJOURNMENT TIME: 8:03 PM

ATTEST: 6/16/22

APPROVED:

ELIZABETH WENSEL
CLERK OF COUNCIL PRO TEM

WILLIAM SHERER
PRESIDENT