

FINAL
A G E N D A
7:00 PM

CANTON CITY COUNCIL

JANUARY 3, 2022

PRO TEM OFFICE APPOINTMENTS: Jill Wood, Clerk Pro Tem, Elizabeth Wensel & Timothy Dunbar, Jr., Council Staff

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Kevin Hall, Ward 6 Council Member

PLEDGE OF ALLEGIANCE: President Sherer

AGENDA CORRECTIONS & CHANGES: (Inf Re#8 retained in committee; suspended Rule 22A to add 1st Rdg O#7 – O#13; O#7 adopted as amended on 1st Rdg; O#8 – O#13 adopted on 1st Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Joseph Butts spoke about the recent shooting of James Williams. He asked that the case be handled in a dignified way with transparency and an expeditious sharing of information. Melissa Falkner spoke on behalf of the Colonial Heights Neighborhood Association. She said that 90% of the members are against the bike path, however the City is going forward with the project. She wants Council to be aware of the Association's stand regarding this. Keith Taggart also spoke about the bike path and said that it is a waste of time and money. It will reduce parking areas and remove mature trees. Sierra Mason said she fears for her and her daughter's life every day in the community. The Canton Police continue a pattern of killing Black people. She wants clarity, accountability and transparency regarding the shooting of another Black man in his own backyard. She also stressed the need for youth activities.

INFORMAL RESOLUTIONS:

1. COUNCIL-AS-A-WHOLE: ELECTION OF COUNCIL VICE-PRESIDENT – WILLIAM SMUCKLER. – ADOPTED
2. COUNCIL-AS-A-WHOLE: ELECTION OF COUNCIL FIRST VICE-PRESIDENT – JAMES BABCOCK. – ADOPTED
3. COUNCIL-AS-A-WHOLE: ELECTIONS OF CLERK OF COUNCIL & OFFICE STAFF:
CLERK OF COUNCIL: JILL M. WOOD;
ADMINISTRATIVE ASSISTANT V: ELIZABETH WENSEL;
ADMINISTRATIVE ASSISTANT V: TIMOTHY DUNBAR, JR. – ADOPTED
4. COUNCIL-AS-A-WHOLE: AUTHORITY TO ADVERTISE ORDINANCES, RESOLUTIONS & NOTICES. – ADOPTED

AWARDED TO: The Repository/Beacon Journal as alternate
5. COUNCIL-AS-A-WHOLE: APPROVING AND ADOPTING RULES OF PROCEDURE FOR CANTON CITY COUNCIL EFFECTIVE JANUARY 3, 2022. – ADOPTED
6. PERSONNEL COMMITTEE: CONFIRM REAPPT OF DARREN ELLIOTT TO CANTON CONSTRUCTION BOARD COMMENCING 1/1/22 TO 12/31/24. – ADOPTED
7. PERSONNEL COMMITTEE: CONFIRM REAPPT OF DAWN M. DEVINE TO INVESTMENT BOARD COMMENCING 1/1/22 TO 12/31/23. – ADOPTED
8. PERSONNEL COMMITTEE: CONFIRM REAPPT OF PATRICK MCCARTHY TO INVESTMENT BOARD COMMENCING 1/1/22 TO 12/31/23. – RETAINED IN COMMITTEE
9. PERSONNEL COMMITTEE: CONFIRM REAPPT OF JACK HAWK TO BOARD OF BUILDING APPEALS COMMENCING 1/1/22 TO 12/31/24. – ADOPTED
10. PERSONNEL COMMITTEE: CONFIRM REAPPT OF JEFFREY BROWN TO TREE COMMISSION COMMENCING 1/3/22 TO 12/31/24. – ADOPTED
11. PERSONNEL COMMITTEE: CONFIRM REAPPT OF JOHN STONE TO TREE COMMISSION COMMENCING 1/3/22 TO 12/31/24. – ADOPTED

COMMUNICATIONS:

1. AGENT CHARLES D. HALL III: REQ ZONE CHANGE OF PARCELS 230241, 230242 AND 230243 LOCATED AT 1819 MARKET AVE N, WARD 9 (DR. MICHELLE N. HALL). – PLANNING COMMISSION
2. DEPUTY MAYOR WILLIAMS: WITHDRAW COM #439 FROM THE 12/20/21 AGENDA. – RECEIVED & FILED
3. LAW DIRECTOR BATES AYLWARD: AUTH TO AMEND RE #238/2021 TO CLARIFY IF STREET OR HIGHWAY IS DIVIDED OR SEGMENTED BY BOUNDARY LINE BETWEEN TWP AND MUNI CORP (4595 KIRBY AVE NE ANNEX). – ANNEXATION COMMITTEE

COMMUNICATIONS CONTINUED:

4. LAW DIRECTOR BATES AYLWARD: AUTH TO ENTER INTO CONTRACT WITH STARK CO PUBLIC DEFENDER COMMISSION FOR PROVISION OF LEGAL SERVS TO INDIGENTS. – FINANCE COMMITTEE
5. LAW DIRECTOR BATES AYLWARD: AUTH TO ENTER INTO CONTRACTS WITH CITIES OF LOUISVILLE AND N CANTON AND VILLAGES OF E CANTON, E SPARTA, HARTVILLE, MAGNOLIA AND WAYNESBURG TO PERFORM PROSECUTORIAL DUTIES IN CANTON MUNI CT ON BIANNUAL CONTRACT BASIS. – FINANCE COMMITTEE
6. MAYOR BERNABEI: AUTH OF REAPPT OF MS. COLLYN FLOYD TO FAIR HOUSING COMMISSION COMMENCING 1/1/22 TO 12/31/26. – PERSONNEL COMMITTEE
7. MAYOR BERNABEI: AUTH APPT OF MS. DELORIS ANGELI TO ZONING BOARD OF APPEALS COMMENCING 1/10/22 TO 12/31/24. – PERSONNEL COMMITTEE
8. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH CT CONSULTANTS, INC. FOR DESIGN OF 25TH ST NE TRANSMISSION WATER MAIN REPLACEMENT PROJ; AMEND APPROP O#251/2021 (\$144,500.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207080 25TH STREET NE TRANSMISSION WATER MAIN REPLACEMENT PROJECT – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES
9. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH MOTTER & MEADOW ARCHITECTS FOR DESIGN OF WATER SERVICE SHOP BLDG RENOVATIONS; AMEND O#251/2021 (\$325,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207079 – WATER SERVICE SHOP BUILDING RENOVATIONS FUND – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – PUBLIC PROPERTY CAPITAL IMPROVEMENT AND FINANCE COMMITTEES
10. SERVICE DIRECTOR HIGHMAN: AUTH MAYOR AND/OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH IBI GROUP FOR DESIGN OF PERRY HEIGHTS WATER MAIN REPLACEMENT PROJ – PHASE I; AMEND APPROP O#251/2021 (\$283,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207081 PERRY HEIGHTS WATER MAIN REPLACEMENT PROJECT PHASE I – OTHER); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES
11. SERVICE DIRECTOR HIGHMAN: AUTH PRELIM PARTICIPATORY LEGISLATION THAT ALLOWS ODOT TO CONSTRUCT SR43D (WALNUT AVE)/SR172 (TUSCARAWAS), PID 102743, GP1286 PROJ; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH ODOT FOR CONSTRUCTION OF PROJ; EMERGENCY. – PUBLIC SAFETY & THOROUGHFARES COMMITTEE
12. SERVICE DIRECTOR HIGHMAN: CERTIFY AMTS INCLUDED IN LIST TO STARK CO. AUDITOR TO BE ENTERED UPON TAX DUPLICATES TO BE LIENS UPON THE APPLICABLE PROP PURSUANT TO CANTON COD ORD 917.05; AUTH APPROP OFFICIAL TO DELETE PROP OWNER'S NAMES FR EXHIBIT PRIOR TO CERT TO CO. AUDITOR, PROVIDED SERV DIR VERIFIES RECEIPT OF PMT OR THAT LIEN AMTS WERE UNJUST OR UNWARRANTED; AUTH MAYOR AND/OR SERV DIR TO WAIVE CERT AMTS ONCE PAID IF OWNER OF PROP PROVIDES SUFFICIENT PROOF THAT LIEN AMT WAS UNJUST OR UNWARRANTED; EMERGENCY. – FINANCE COMMITTEE
13. SERVICE DIRECTOR HIGHMAN: AUTH ODOT TO CONSTRUCT PROJECT STA-SR687-1.40, PID 114922 FULTON RD RESURFACING, GP 1379; AUTH MAYOR AND/OR SERV DIR TO ENTER INTO AGMT WITH ODOT FOR CONSTRUCTION OF SAID PROJ; EMERGENCY. – PUBLIC SAFETY & THOROUGHFARES COMMITTEE

COMMUNICATIONS CONTINUED:

14. SERVICE DIRECTOR HIGHMAN: AMEND APPROP O#251/2021 (\$500,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207072 US 62 ODOT WATER MAIN RELOCATION PROJECT – OTHER); AUTH AND DIRECT AUDITOR TO PAY ANY AND ALL MORAL OBS RESULTING FROM HIGHER BID COSTS/NECESSARY CHANGE ORDERS ENCOUNTERED BY ODOT DURING THIS PROJ; AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY (STA US-62-24.05 PID 100824 ADDT'L APPROP). – FINANCE COMMITTEE
15. SERVICE DIRECTOR HIGHMAN: AUTH AND DIRECT AUDITOR TO RENAME FUND 5246 THE CANTON SOUTH WATERLINE EXTENSION PHASE 2 AND 3 FUND IN ORDER TO ACCT FOR COMBINING OF TWO PROJS; AMEND APPROP O#251/2021 (\$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); AUTH AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS; EMERGENCY. – ENVIRONMENTAL & PUBLIC UTILITIES AND FINANCE COMMITTEES
16. STARK CO COMMISSIONERS: REQ ANNEXATION OF 3.903 ACRES IN CANTON TWP TO CITY OF CANTON (AMBAFLEX 2021). – PLANNING COMMISSION

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTH CANTON MUNICIPAL COURT TO ENTER INTO PROF SERVS AGMT WITH PROTECH SECURITY IN AMT NOT TO EXCEED \$90,000.00; EMERGENCY (EXPANSION OF COURT'S ACCESS CONTROL SYSTEM)
Referred to Finance Committee
- 1ST RDG 2. AUTH MAYOR, SERV DIR OR SAF DIR TO ENTER INTO CONTRACT WITH PARKMOBILE, LLC FOR PARKING SOFTWARE AND APPLICATIONS AND PSX, INC. FOR PURCH AND INSTALLATION OF ALL EQUIP AND SOFTWARE NEEDED TO AUTOMATE CORNERSTONE AND MILLENNIUM PARKING DECKS; AMEND APPROP O#251/2021; EMERGENCY (\$184,170.00 SUPP APPROP FR UNAPPROP BAL OF 4501 CAPITAL PROJECTS FUND TO 4501 102001 POLICE ADMIN – OTHER; \$21,300.00 SUPP APPROP FR UNAPPROP BAL OF 2155 CITY PARKING DECK/LOT FUND TO 2155 102001 POLICE ADMIN – OTHER)
Referred to Public Property Capital Improvement and Finance Committees
- 1ST RDG 3. AUTH PARKS & REC DIR TO ENTER INTO AGMT WITH J. BABE STERN COMMUNITY CTR (JBSC) TO PROVIDE FUNDING FOR RECREATIONAL SERVS AT JBSC; EMERGENCY
Referred to Finance Committee
- 1ST RDG 4. VACATE PORTIONS OF 21ST ST SW, LINWOOD AVE SW, 19TH 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)
Referred to Public Safety & Thoroughfares Committee **PUB HRG WAIVED**
- 1ST RDG 5. 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)
Referred to Finance Committee
- 1ST RDG 6. AUTH MAYOR OR SERV DIR TO: ADVERTISE AND RECEIVE BIDS FOR ALL CONTRACTS FOR SUGAR CREEK WATER TREATMENT PLANT RENOVATION PROJ; AWARD AND EXECUTE ALL CONTRACTS FOR PROJ CONTINGENT UPON RECEIVING FUNDING; ENTER INTO AGMT WITH OHIO WATER DEVELOPMENT AUTHORITY TO RECEIVE FROM WATER SUPPLY REVOLVING LOAN ACCT, LOW INTEREST LOAN TO BE AMORTIZED OVER 25-YR PERIOD FOR PROJ; EMERGENCY
Referred to Environmental & Public Utilities and Finance Committees

(COUNCIL RECESSED AT 7:59 PM FOR PERSONNEL, FINANCE AND ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEES TO DISCUSS O#7 THROUGH O#13; RECONVENED AT 8:19 PM)

AMENDED AS

- 1/2022 7. AUTH MAYOR OR SAF DIR TO ENTER INTO PROF SERVS AGMT WITH OAK GROUP, INC. TO SERVE AS CITY OF CANTON CHIEF BUILDING OFFICIAL IN AMT NOT TO EXCEED \$79,040.00 PER YR; EMERGENCY (CHARLES CORCORAN, ARCHITECT)
Referred to Personnel and Finance Committees
- 2/2022 8. AUTH CITY OF CANTON TO JOIN POWER A CLEAN FUTURE OHIO; EMERGENCY
Referred to Environmental & Public Utilities Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 3/2022** 9. AUTH MAYOR OR SAF DIR TO ENTER INTO ANY AND ALL CONTRACTS NECESSARY TO RESPOND TO 801 RYAN CT NE DEMO; AUTH AUDITOR TO PAY ANY AND ALL MORAL OBS FROM RESPONDING TO THIS EMERGENCY SITUATION; EMERGENCY
Referred to Finance Committee
- 4/2022** 10. AUTH MAYOR, SERV DIR OR THEIR DESIGNEE TO APPROP ESTATE AND/OR INTEREST IN PROPERTIES DESCRIBED IN EXHIBIT A IN FURTHERANCE OF COLONIAL BLVD NE PROJ, GP 1206; AUTH MAYOR, SEV DIR OR THEIR DESIGNEE TO MAKE MINISTERIAL CHANGES TO CORRECT PROPERTY OWNER NAMES, PARCEL NUMBERS AND OTHER NUMERICAL DESCRIPTIVE OR TYPO ERRORS; EMERGENCY
Referred to Environmental & Public Utilities Committee
- 5/2022** 11. AUTH MAYOR, SERV DIR AND/OR SAF DIR TO COMPLETE CONTRACTING PROCESS FOR VARIOUS CONTRACTS PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY 1/1/22; EMERGENCY
Referred to Finance Committee
- 6/2022** 12. AUTH MAYOR, SERV DIR OR SAF DIR TO APPLY FOR, ENTER INTO AGMT FOR AND RECEIVE FUNDS FROM ANY AND ALL POTENTIAL FUNDING SOURCES FOR VARIOUS CITY PROJS; EMERGENCY
Referred to Finance Committee
- 7/2022** 13. AUTH MAYOR AND/OR SERV DIR AND SAF DIR TO: ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO VARIOUS CONTRACTS FOR SUPPLY EQUIP, ITEMS, MATERIALS, SUPPLIES AND SERVICES PURSUANT TO CODIFIED ORD SEC 105.09; ENTER INTO PROF SERVS CONTRACT PURSUANT TO CODIFIED ORD SEC 105.10; ENTER INTO CONTRACTS PURSUANT TO ORC SEC 735.05 WITH QUALIFIED NONPROFIT AGENCIES; ENTER INTO CONTRACT FOR PURCH OF SUPPLY EQUIP, ITEMS, MATERIALS, SUPPLIES AND SERVICES UTILIZING ANY PURCH PROCESS AUTH BY EITHER ORC OR CANTON CODIFIED ORD; ENTER INTO CHANGE ORDERS AND/OR CONTRACT AMENDMENTS FOR SAID PURCH DURING 2022 CALENDAR YR; WAIVE INFORMAL RESOLUTION REQUIREMENTS; AUTH AUDITOR TO PAY ALL MORAL OBS FOR CONTRACT CHANGE ORDERS THAT ARE OTHERWISE APPROVED BY BOARD OF CONTROL PURSUANT TO ORD 105.14; EMERGENCY
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING: (NONE)**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE:** (NONE)**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, JANUARY 10, 2022 in Council Caucus Room @ 6:15 PM**

- 1) Rules Committee
- 2) Public Property Capital Improvement Committee
- 3) Finance Committee
- 4) Environmental & Public Utilities Committee
- 5) Public Safety & Thoroughfares Committee
- 6) Personnel Committee

**Presentation by Maureen Austin for
Community Building Partnership**

MISCELLANEOUS BUSINESS: President Sherer welcomed the students from Central Catholic High School to the meeting. Member Morris asked the Safety Director for transparency regarding the recent shooting of James Williams. He said he did not appreciate reading about it on social media, and asked her to convey to Chief Angelo that it would be nice to hear from him when these things occur. Member Scaglione thanked Service Director Highman for helping one of his residents who was without sewer service. He said that Director Highman is always there to help and thanked him for all his hard work. President Sherer welcomed newly elected Councilman-at-Large, Lou Giavasis.

ADJOURNMENT: 8:35 PM

THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, JANUARY 10, 2022 @ 7:00 PM