

# CANTON CITY COUNCIL

**President** Kristen Bates Aylward

**Council At Large:**

James Babcock - **Asst. Majority Leader**  
Louis Giavasis  
Crystal Smith

**Mailing Address:**

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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  
Jonathan Cooks, Ward 6  
John Mariol, Ward 7 - **Majority Leader**  
Richard Sacco, Ward 8  
Frank Morris, Ward 9

**Final Agenda**  
**July 29, 2024**  
**7:00 PM**

**Roll Call:** Ten Members Present

**Motion to Excuse Members:** Member Cooks and Member Giavasis Absent

**Invocation:** James Babcock, Council Member-at-Large

**Pledge of Allegiance:** President Bates Aylward

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1st Rdg O#23 - O#26; add 2nd Rdg O#27 - O#38; O#23, O#24, O#25, O#26 Adopted on 1st Rdg; O#37 & O#38 Adopted on 2nd Rdg)

**PUBLIC HEARINGS:** 7:00 PM - AN ORDINANCE AMENDING CHAPTER 1131, DEFINITIONS; CHAPTER 119, CONDITIONAL USE OF PART ELEVEN PLANNING AND ZONING CODE, PLANNING COMMISSION RECOMMENDS APPROVAL (NO SPEAKERS) SEE O#141/2024; 7:01 PM - AN ORDINANCE AMENDING O#55/77, AS AMENDED, KNOWN AS THE CITY OF CANTON ZONING ORDINANCE; (PARCELS 235903) FROM R-3 (GARDEN AND TOWNHOUSE APARTMENT) AND B-1 (BUSINESS OFFICE DISTRICT) TO B-1 (BUSINESS OFFICE DISTRICT), WARD 7; (PARCELS 225644) FROM R-1A (SINGLE FAMILY RESIDENTIAL) AND B-1 (BUSINESS OFFICE DISTRICT) TO B-1 (BUSINESS OFFICE DISTRICT), WARD 7; (PARCELS 240604) FROM R-1A (SINGLE FAMILY RESIDENTIAL) AND B-1 (BUSINESS OFFICE DISTRICT) TO B-1 (BUSINESS OFFICE DISTRICT), WARD 7; (PARCEL 400878) FROM R-1 (SINGLE-FAMILY RESIDENTIAL) TO R-1A (SINGLE-FAMILY RESIDENTIAL DISTRICT), WARD 4; (PARCEL 244939) FROM I-1 (LIGHT INDUSTRIAL DISTRICT) AND B-3 (GENERAL BUSINESS DISTRICT) TO I-1 (LIGHT INDUSTRIAL DISTRICT), WARD 4-; (PARCELS 203816, 209300, 209301, 209303, 209304, 239242, 239244, 239246, 239264, 239266, 239272, 282529, 282531, AND 282549) FROM B-3 (GENERAL BUSINESS DISTRICT) AND I-1 (LIGHT INDUSTRIAL DISTRICT) TO B-3 (GENERAL BUSINESS DISTRICT), WARD 4; PLANNING COMMISSION RECOMMENDS APPROVAL (NO SPEAKERS) SEE O#142/2024

**OLD BUSINESS:** None

**PUBLIC SPEAKS:** David Kerestes spoke about the No Fears Act of 2022. Rev. Dr. Joyce Penfield, Hasan Muheisen, Abdallah Masri, Eric Resnick, Ahmed Cheema, Andie Edwards, and Skylark Bruce all expressed their concerns about the ongoing tragedies happening in Palestine and asked the Council to vote for a Ceasefire Resolution. Skylark Bruce along with Kim Bell also spoke about Frank Tyson and ongoing policing issues.

### **INFORMAL RESOLUTIONS:**

1. Council Members Chris Smith, Richard Sacco, and Frank Morris: Req adoption of Gaza Ceasefire Resolution. - Failed

### **COMMUNICATIONS:**

2. Rpt of deposits and pay-ins to Ambulance Lock Box for June, 2024. - Chief Bennett
3. Req new C1 liquor permit for Ajanel Convenient Market LLC DBA Mi Bandera Guatemala @ 921 12th St. NW, (Ward 7). - Liquor Control Div
4. Req Leg. for Delinquent Property Acquisition and Improvement. - Majority Leader Mariol and Mayor Sherer
5. Req Leg. for Climate Action and Sustainability Plan. - Majority Leader John Mariol, Council Members Robert Fisher, Richard Sacco, Brenda Kimbrough, Crystal Smith
6. Req Leg. for Civic Center property and ownership. - Mayor Sherer
7. Establish Cod Ord within Chpt 105, pricing as fair mrkt value; emergency. - Majority Leader Mariol and Mayor Sherer
8. Req to Amend O#40/2000, Exhibit A. - Safety Director Perry
9. Req Leg. for tasers for Police. - Safety Director Perry
10. Req Leg. for 2024 Office of Criminal Justice Services, State of Ohio Violent Crime Reduction Grant. - Safety Director Perry
11. Req Leg. for 9th St. SW Bridge Reconstruction Project, G. P. 1298, PID 112849 Construction Engineering Contact Amend No. 1. - Service Director Highman
12. Req Leg. for I-77 Sanitary Sewer Rehab, GP 1455 design. - Service Director Highman
13. Req Leg. for Northeast Water Treatment Plant Driveway Re-alignment Project. - Service Director Highman
14. Comparative Rpt of Cash Receipts as of 6/30/24. - Treasurer Perez
15. Rpts of Bank Reconciliations and Outstanding Investments as of 6/28/24. - Treasurer Perez
16. Rpt of Parking Meter revenue for 6/28/24. - Treasurer Perez

## FIRST READINGS:

17. Approve statement of services to prop owner in Canton Service Center-30th St. NE.- 2024 annexation area, approx date serv will be provided, procedure for incompatible zoning uses upon being annexed to city; emergency. - Annexation Committee
18. Amend appro O#61/2024 (Supp approp trfs fr Other Recovery Court ATP Fund to Various Personnel Fund); emergency. – Finance Committee
19. Amend approp O#61/2024 (Supp Unapprop #2792-701001 Recovery Court ATP Fund #2792 to Supp Approp Balance - Other #2792-701001 Recovery Court ATP Fund #2792); emergency. – Finance Committee
20. Auth Mayor or Serv. Dir. to sign petition for annexation for parcel nos. 5200863 and 10010986; emergency. – Annexation Committee
21. Auth Mayor or Serv. Dir. execute a contract for procurement of electrical equipment needed for the WRF electrical equipment replacement project; Amend approp O#61/2024; emergency. (Supp Approp 5413 Sewer Replacement Fund to 5413 206053 WRF Electrical Improvement Proj - Other). - Finance Committee
22. Auth Mayor or Serv. Dir. to enter into agrmnt for \$4,000 in grant funds from Walmart's 2024 Spark Good Local Grant for the Canton Police Department; Amend approp O#61/2024; emergency. (supp approp fr 1001 General Operating Fund to 1001 102001 Police Admin - Other). – Finance Committee

***(Council recessed at 7:42 PM for the Finance and Public Property Capital Improvement Committees to discuss O#23 thru O#26; reconvened at 7:49 PM)***

23. **134/2024** Amend approp O#61/2024 (Supp Approp fr Fund 2314 Infant Mortality Reduction to Fund 2314.301001 Infant Morality Reduction: 700 - Other - Direct Costs); emergency. – Finance Committee\*
24. **135/2024** Amend approp O#61/2024 (supp approp 2324 Naloxone Access Grant Fund to 2324 Naloxone Access Grant Fund: 700 -Other Direct Costs; 2320 Nursing Clinic Activity Fund to 2320.303002 Travel Clinic: 700 - Other Direct Costs); emergency. – Finance Committee\*
25. **136/2024** Auth Mayor or Director of Public Service to: terminate the Canton Memorial Civic Center sublease agreement with Arts in Stark (AIS); emergency. - Public Property Capital Improvement and Finance Committee\*
26. **137/2024** Auth Mayor or Director of Public Service to: terminate the lease agreement with the Stark County of County Board Commissioners parcel 10004949; emergency. – Public Property Capital Improvement and Finance Committee\*

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

**SECOND READINGS: (SUSPENDED RULE 22A TO ADD 2ND RDG O#27 - O#38; O#37 AND O#38 ADOPTED)**

27. Auth replat of Outlot 374 & Part of Outlot 375, Parcels 209937 & 210876, Ward 9 (Anthony Gattuso, Boss Property Management LLC, 1837 19th St NE); emergency. - PS&T
28. Auth replant of Lots 17536 thru 17548, Lots 18139 thru 18146, Part of Lot 18138, & Part of Lots 18147, & Lots 30065 thru 30067, Parcels 231822 & 200427, Ward 9 (Anthony Gattuso, Boss Property Management LLC, 1727 19th St NE); emergency. - PS&T
29. Amend O#61/2024; emergency (supp approp 1155 NIP Acquisition Demo Fund to 1155 101501 Code Enforcement Admin - Other; inter-fund advance repayment 1155 NIP Acquisition Fund - Advance Repayment to 1001 General Operating Fund - Advance Due Other Fund). - FIN
30. Amend Chpt 151 Employment Provisions of Title Five Administrative Code of the Canton Codified Ordinances. - JUD
31. Auth editing and inclusion of ordinances as parts of various component codes of codified ordinances; emergency. - JUD
32. Auth Law Director to distribute public officials and public institutions copies of 2024 Supplement to Canton Codified Ordinances; to affix price; emergency. - JUD
33. Amend portions of Chpt. 1501, Chpt. 1507, Chpt. 1509, Chpt. 1511, Chpt. 1513; emergency. - JUD
34. Auth to hire additional Chief Chemist within Water Dept; emergency. - PERS
35. Auth to file any action plan/action plan amendments with U.S. Dept of Housing and Urban Development; emergency. - FIN
36. Auth to enter into change order #1 with Thayer Power and Communication for the City/County Fiber Network Proj; enter contract amendment #1 with Board of Stark County Commissioners for additions to their portion of the proj; enter contract for Fiber Leading to Stark County jail; enter contract for fiber related GIS services; enter contracts for railroad license fees, easements, etc., for proj; emergency. (supp approp 2175 Comprehensive Plan Imp. Fund to 2175 202003 Fiber Project - Other). - FIN
37. **138/2024** Auth Clerk of Council to certify county Auditor unpaid and delinquent charges for services performed by Building Code Dept. for board up/cleanup/demolition charges; emergency. - PS&T\*
38. **139/2024** Auth Auditor to rename and establish the 4531 18th St SW Storm Center CIPP Fund; Amend approp O#61/2024; Auth to advertise, receive bids, award and enter contract for Cherry Streetscape Tusc to 2nd NW, GP 1427 Prj; emergency (supp approp 4531 18th Str SW Storm Swr CIPP Fund to 4531 207027 18th Str SW Stom Swr CIPP Fund - Other; approp trfrs 4501 202027 18th Str SW Storm Swr CIPP 2175 202075 E. Tusc Streetscape GP 1422 to 4501 202001 Engineering Admin - Other 2175 202082 Cherry Streetscape Tusc to 2nd NE). - PPCI\*

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

### THIRD READINGS:

39. **140/2024** Amend Ordinance No. 282/2022 & 283/2022 to amend existing TIF Coop Disbursement agrmt with Canton Commerce Delvop, LLC; emergency.
40. **141/2024** Amend Chapt 1131; emergency. **PUB HRG: 7/29/24 @ 7:00 PM**
41. **142/2024** Amend O#55/77, as amended; emergency. **PUB HRG: 7/29/24 @ 7:01 PM**
42. **143/2024** Auth replat of Part of Outlot 701 & Part of Outlot 703, Ward 9 (Canton City Schools, 316 30th St NW); emergency.
43. **144/2024** Auth replat Part of Outlot 510 & Part of Outlot 642, Parcels 280036 & 280016, Ward 5 (Canton City Schools, 2800 13th St SW); emergency. - PS&T
44. **145/2024** Auth replat of Lots 29494, 29495, & 29496, Parcels 227041 & 241725, Ward 9 (Vivek Bagal & Linda Franci, 804 22nd St NE); emergency.
45. **146/2024** Auth replat of Lots 22052 & 22053, Parcels 321151 & 231152, Ward 7 (Lawrence Chapman, Broadhead Properties LLC, 1422 25th St NW); emergency.
46. **147/2024** Auth replat of Lot 3589 & Part of Lot 3590, Parcels 201434, 202959, 221477, Ward 4 (Habitat for Humanity, 2022 Tuscarawas St E); emergency.

### COMMITTEE MEETINGS:

**Monday, August 12, 2024 in Council Chambers @ 6:30 PM**

Finance Committee

Annexation Committee

**MISCELLANEOUS BUSINESS:** Member Chris Smith spoke about Ida Ross Freeman and all of her accomplishments and asked for a moment of silence since her recent passing and for everyone to keep her family in prayer. Member Scaglione spoke about a fire that happened close to his residence and wanted to give a big shout-out to the Canton City Fire Department for their hard work and for getting there in a quick amount of time.

**ADJOURNMENT:** 8:07 PM

**THE NEXT REGULAR COUNCIL MEETING:** MONDAY, AUGUST 12, 2024 @ 7:00 PM