

**FINAL**  
**A G E N D A**  
7:30 PM

CANTON CITY COUNCIL

MARCH 16, 2015

**ROLL CALL:** All Members Present

**MOTION TO EXCUSE MEMBERS:** President Schulman Absent

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

**PLEDGE OF ALLEGIANCE:** President Pro Tem Morris

**AGENDA CORRECTIONS & CHANGES:** (Suspended Rule 22A to add 1<sup>st</sup> Rdg O#7; 2<sup>nd</sup> Rdg O#8 - O#13; O#7 Adopted on 1<sup>st</sup> Rdg; O#17 and O#24 Adopted as Amended)

**PUBLIC HEARINGS:** None

**OLD BUSINESS (PUBLIC SPEAKS):** None

**PUBLIC SPEAKS (CITY BUSINESS):** Mr. Zachary spoke about the sewer rate increase. He is retired and on a fixed income and believes that since the City "floated" money to the Hall of Fame Project and the Onesto Hotel, they should "float" money to help pay utilities, such as sewer, instead of passing the cost to the citizens. Mr. Zachary also spoke about E. Tuscarawas not being Streetscaped, although there was a promise to have it done in 2000. E. Tuscarawas is the gateway to his community and is a main route to the city of Canton. He stated that each Councilman should have a plan and should go before his constituents with that plan every year. In all of the years that he's been coming to Council, only Councilmen Dougherty and Hart have had plans. He also mentioned that when he spoke with a Councilman at a previous meeting he was told to contact his Congressman. Mr. Nordman mentioned that there will be a recognition for Officer Judy Solly, Tuesday at 12:00, for her work with Neighborhood Associations. He also praised the work of Steve Coon and Council for granting Mr. Coon a loan and a tax abatement. He stated that Mr. Coon has rented out all of the apartments at the Onesto except 2 single lofts. He mentioned that Mr. Coon has booked an event for every Saturday in 2015, except 1, and that the 32 people who started out working with Mr. Coon, continue to work with him, which makes for a stable company. Mr. Nordman stated that when Mr. Coon does speaking engagements, he asks the various groups to stay at the McKinley Grand Hotel in downtown Canton, as opposed to staying at the new hotels outside of Canton. Mr. Knight spoke about his claim against the city of Canton. On January 14, 2015 a sanitation truck struck a pole that took out his electricity. The Sanitation worker didn't call it in or make a report, and Mr. Knight had no service to do so. He has turned in pictures and video to the Law Department, who made a determination 7 weeks later. Mr. Knight said he would speak on that outcome at a later date. Mr. Preston commended Council for taking an active part in the conversation during Caucus regarding the phone system. He asked Council Member Smuckler not to paint the entire city with the same brush when it comes to the potholes and admonished him to call in and report the potholes, maybe 1 each day, and watch them get filled. Mr. Fonte spoke about the sewer rate increase. There have been 4 years of increases at about 9%. He understands the City is considering another 3% increase. He represents seniors and retirees and wishes that they City would consider the seniors when raising these prices. He stated that he retired 11 years ago and receives a pension. He hasn't received an increase on his pension, but prices keep going up. He stated that seniors can't afford to live in their homes anymore. He mentioned that the United States spends so much to bomb the Middle East, that they should take a week of not bombing and put that money back into infrastructure. Mr. Fonte also commended the people installing the new water meters, stating that they are courteous, on time, and have mounted the receivers in this terrible weather. He stated that the roads are in terrible condition, not just in Canton, but everywhere, and can't believe that someone hasn't come up with a better solution for filling the potholes.

**INFORMAL RESOLUTIONS:** None

**COMMUNICATIONS:**

- |      |                          |   |
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| 106. | COURT ADMIN. KOCHERA:    | REQ SUPP APPROP TO JUDGES ADMIN CAPITAL PROJ FUND #4501 (\$10,000.00 FR UNAPPROP BAL #4501-701001 CAPITAL PROJ FUND TO MAJOR EQUIPMENT #4501-701001-75806 CAPITAL PROJ FUND). - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE   |
| 107. | PLANNING COMMISSION:     | APPROVE WARD ASSIGNMENT AND ZONING CLASSIFICATION FOR WRF ANNEXATION (ZONING CLASSIFICATION - I-2 - HEAVY INDUSTRIAL, WARD 4). - ANNEXATION COMMITTEE   |
| 108. | SAFETY DIRECTOR PERRY:   | AUTHORIZE MAYOR AND/OR SAF DIR TO ENTER INTO 1 YR PROF SERV CONTRACT (WITH OPTION OF SUCCESSIVE 1 YR RENEWALS) WITH COMPMANAGMENT, INC. IN APPROX AMT OF \$29,000.00 FOR WORKERS' COMP ADMIN SERV RETRO TO 1-1-15; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE   |
| 109. | SERVICE DIRECTOR BARTOS: | AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH MANNICK & SMITH GROUP, INC. FOR ENGINEERING SERV RELATED TO TUSCARAWAS ST. (WEST) CORRIDOR SAFETY PROJ, PID 92562, GP 1165; AUTHORIZE AUDITOR TO ESTABLISH AND CREATE 4578 TUSCARAWAS ST (WEST) CORRIDOR SAFETY PROJ, PID 92562, GP 1165 FUND FOR PURPOSE OF TRACKING PROJ REVENUES AND EXPENDITURES; MAKE SUPP APPROP OF \$250,000.00 FROM UNAPPROP BAL OF THE 4578 TUSCARAWAS ST. (WEST) CORRIDOR SAFETY PROJECT, PID 92562, GP 1165 FUND TO 4578-202043 TUSCARAWAS ST. (WEST) CORRIDOR SAFETY PROJECT, PID 92562, GP 1165 - OTHER; MAKE SUPP APPROP OF \$44,563.65 FROM UNAPPROP BAL OF THE 4501 CAPITAL FUND TO 4501-202043 TUSCARAWAS ST. (WEST) CORRIDOR SAFETY PROJECT, PID 92562, GP 1165 - OTHER; AUTHORIZE MAYOR AND/OR SERV DIR TO APPLY FOR GRANTS AND ENTER INTO GRAND FUNDING AGMTS PERTAINING TO THIS PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE |

**COMMUNICATIONS CONTINUED:**

110. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR PURCH OF 1 FORD F150 PICKUP TRUCK, 1 FORD F250 PICKUP TRUCK, 1 FORD F350 CAB/CHASSIS, 1 FORD 450 CAB/CHASSIS; ALTERNATIVELY AUTHORIZE THE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT FOR PURCH OF SAID ITEMS IN ACCORDANCE WITH ORC SEC 125.04 OR ORC SEC 5513.01; AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT FOR 3-YR LEASE AGMT FOR 2 FORD FUSIONS, OR ALTERNATIVELY, TO ENTER INTO CONTRACT FOR LEASE OF SAID VEHICLES IF LEASE IS LESS THAN \$20,000.00 THRESHOLD; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
111. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH BURGESS & NIPLER FOR DESIGN AND CONSTRUCTION ADMIN SERV FOR THE 53<sup>RD</sup> ST RESERVOIRS REROOFING PROJ (\$89,000.00 SUPP APPROP FR UNAPPROP BAL OF THE 5201 WATER FUND TO 5201 207033 - 53<sup>RD</sup> ST RESERVOIR ROOF REPLACEMENT PROJECT - OTHER); AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
112. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH PROFESSIONAL SERVICE INDUSTRIES, INC. FOR DESIGN, ENGINEERING, CONTRACT ADMINISTRATION, AND OTHER PROFESSIONAL SERVICES FOR CANTON MEMORIAL CIVIC CENTER ROOF REPAIR/REPLACEMENT PROJECT; AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR CANTON MEMORIAL CIVIC CENTER ROOF REPAIR/REPLACEMENT PROJECT; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

**ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:**

- 1<sup>ST</sup> RDG 1. RENAME A PORTION OF TIMKEN PLACE S.W. IN THE CITY OF CANTON, TIMKENSTEEL DRIVE S.W.  
Referred to Public Safety & Thoroughfares Committee
- 1<sup>ST</sup> RDG 2. AUTHORIZE AUDITOR TO ESTABLISH 2335 EARLY HEAD START FUND; EMERGENCY (\$34,000.00 IN FUND MONEY REC'D FR YWCA TO SUPPORT ONSITE SERV)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 3. AMEND APPROP O#266/2014; EMERGENCY (\$42,200.00 FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 301001 HEALTH ADMINISTRATION - OTHER; \$9,000.00 FR UNAPPROP BAL OF 2318 HIV GRANT FUND TO 2318 301001 - OTHER FOR PURCH EXAM TABLES FOR CLINIC ROOMS AND LAPTOPS FOR SANITARIANS)  
Referred to Public Property Capital Improvement Committee
- 1<sup>ST</sup> RDG 4. AMEND APPROP O#266/2014; EMERGENCY (\$85,072.28 FR UNAPPROP BAL OF THE 2763 LAW ENFORCEMENT TRUST FUND TO 2763 102001 POLICE ADMINISTRATION - OTHER TO OFFSET COST ASSOC WITH PURCH OF TASER CARTRIDGES)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 5. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO COOP AGMT WITH STARK CO FOR CITY OF CANTON'S SHARE OF STARK CO'S FAIRHOPE SANITARY SEWER LIFT STATION REHAB PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$120,000.00 FR UNAPPROP BAL OF THE 5410 SANITARY SEWER FUND TO 5410 206315 SANITARY SEWER - OTHER)  
Referred to Finance Committee
- 1<sup>ST</sup> RDG 6. AUTHORIZE MAYOR OR SERV DIR TO NEGOTIATE AND ACCEPT DONATION OF 2 PARCELS OF LAND VALUED AT COMBINED TOTAL OF \$5,600.00 FROM PEPPERTREE FARMS, LLC; EMERGENCY (PARCEL NOS. 305205 AND 305206 FOR LAND CONSERVATION AND STORM WATER DETENTION OR RETENTION)  
Referred to Community & Economic Development Committee

***(COUNCIL RECESSED AT 7:55 P.M. FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #7; RECONVENED AT 7:56 P.M.)***

- 44/2015 7. DECLARE 13 BLDGS LISTED ON EXHIBIT A TO BE PUBLIC NUISANCES; AUTHORIZE SAF DIR TO ENTER INTO CONTRACT FOR DEMO OF SAID BLDGS; AUTHORIZE CLERK OF CANTON CITY COUNCIL TO CERTIFY COSTS OF DEMO TO STARK CO. AUDITOR; EMERGENCY (EXHIBIT A ATTACHED)  
Referred to Community & Economic Development Committee

**ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**  
**(SUSPENDED RULE 22A TO ADD 2<sup>ND</sup> RDG O#8 - O#13)**

- 2<sup>ND</sup> RDG 8. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$3,305.95 TO AKRON VETERINARY REFERRAL; EMERGENCY (VET SRVS FOR POLICE CANINE K-9 LUCO) (FIN)
- 2<sup>ND</sup> RDG 9. AMEND APPROP O#266/2014; EMERGENCY (\$350,000.00 FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 103001 FIRE ADM - OTHER FOR \$250,000.00 AND 4501 102001 POLICE ADM - OTHER FOR \$100,000.00) (PPCI)
- 2<sup>ND</sup> RDG 10. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO A 60 MONTH LEASE TO OWN PURCH/MAINT CONTRACT WITH COPECO, INC. FOR COPY, PRINT, SCAN AND FAX MACHINE AT ESTIMATED COST OF \$440.00 PER MO THRU THE NAT'L JOINT POWERS ALLIANCE CO-OP PURCH AGMT IN ACCORDANCE WITH ORC SEC 9.48 AND CODIFIED ORDINANCE SEC 105.11; EMERGENCY (FIN)
- 2<sup>ND</sup> RDG 11. AMEND APPROP O#266/2014; EMERGENCY (\$165,100.00 FROM UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 208001 DMV ADM - OTHER FOR \$5,100.00, 4501 504010 INFO TECH MGR - OTHER FOR \$100,000.00, AND 4501 202210 STREET MAINT - OTHER FOR \$60,000.00) (PPCI)
- 2<sup>ND</sup> RDG 12. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT(S) FOR THE PURCH OF VARIOUS VEHICLES AND/OR EQUIP FOR THE COLLECTION SYSTEMS DEPT; AUTHORIZE MAYOR OR SERV DIR TO ALTERNATIVELY PURCH SAID VEHICLES AND/OR EQUIP PURSUANT TO STATE CO-OP PURCH AGMTS; EMERGENCY (1 FORD F-350, 1 JOHN DEERE 85G EXCAVATOR, 1 FORD E-450) (PPCI)
- 2<sup>ND</sup> RDG 13. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE A PROF SRVS CONTRACT WITH OMNIPRO SRVS FOR CONSTRUCTION ENGINEERING FOR THE APPLGROVE ST/MIDDLEBRANCH AVE/WERNER CH RD PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$627,000.00 FROM UNAPPROP BAL OF 5201 WATER FUND TO 5201 207032 APPLGROVE/MIDDLEBRANCH/WERNER CH WATER MAIN PART B - JOINT PROJ - OTHER) (FIN)

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE:**

- 45/2015 14. AMEND APPROP O#266/2014; EMERGENCY (\$30,000.00 FR UNAPPROP BAL OF THE 2766 MUNICIPAL PROBATION SERVICES FUND TO 2766 701001 75806 MUNICIPAL PROBATION SERVICES - OTHER)
- 46/2015 15. AUTHORIZE AUDITOR TO PAY TAX REMISSION REFUND TO CANTON COURTHOUSE COMPANY, LLC IN AMT NOT TO EXCEED \$40,236.39; AMEND APPROP O#266/2014; EMERGENCY (\$63,598.94 FR UNAPPROP BAL OF THE 2233 FED CAMPUS FUND TO 2233 506001 FED CAMPUS - OTHER)
- 47/2015 16. AMEND APPROP O#266/2014; EMERGENCY (\$1,051,132.04 FR UNAPPROP BAL OF 2211 CDBG FUND TO 2211 506001 CDBG - OTHER; \$30,647.59 FR UNAPPROP BAL OF 2212 NSP1 FUND TO 2212 506009 NSP 1 - OTHER; \$2,623.50 FR UNAPPROP BAL OF 2213 NSP3 FUND TO 2213 506001 NSP3 - OTHER; \$637,747.27 FR UNAPPROP BAL 2214 HOME FUND TO 2214 506001 HOME - OTHER; \$159,487.79 FR UNAPPROP BAL 2219 ESG FUND TO 2219 506001 ESG - OTHER; \$133,223.82 FR UNAPPROP BAL 1152 NIP ACQ. DEMO FUND TO 1152 506001 COMMUNITY DEVELOPMENT DEPT - OTHER)
- AMENDED AS**  
48/2015 17. AMEND APPROP O#266/2014; EMERGENCY (APPROP REDUCTIONS AND SUPP APPROPS LISTED ON EXHIBIT A - PAY LEGAL SETTLEMENT, MUNI RD FUND - ENG; AUDITOR MEET OBLIGATIONS FOR YR.)
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- 49/2015 18. AMEND APPROP O#266/2014; EMERGENCY (INTERFUND ADVANCE OF \$30,000.00 FROM 1001 301001 GENERAL FUND - OTHER TO 2323 301001 84341 PERS. RESPONSIBILITY EDUCATION PROGRAM FUND - OTHER)
- 50/2015 19. AUTHORIZE CANTON PARK COMMISSION TO ENTER INTO PROF SRVS AGMT WITH YMCA OF CENTRAL STARK CO FOR MGMT OF EDWARD "PEEL" COLEMAN COMMUNITY CENTER; EMERGENCY (AMT NOT TO EXCEED \$66,000.00 IN 2015 AND AMT NOT TO EXCEED \$90,000.00 IN 2016)
- 51/2015 20. AMEND APPROP O#266/2014; EMERGENCY (\$67,000.00 SUPP APPROP FR UNAPPROP BAL OF 2530 PARK OPERATING FUND TO 2530 - OTHER; \$90,000.00 FR UNAPPROP BAL OF 2530 PARK OPERATING FUND TO 2530 - OTHER; \$40,000.00 FR UNAPPROP BAL OF 2530 PARK OPERATING FUND TO 2530 - OTHER)
- 52/2015 21. AUTHORIZE AUDITOR TO ESTABLISH AND CREATE THREE SPECIAL PARK FUNDS; EMERGENCY (2531 - GARDEN CENTER FUND; 2532 - HOLIDAY LIGHTS FUND; 2533 - SPECIAL EVENTS FUND)
- 53/2015 22. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONTRACT WITH NON-PROFIT ORGANIZATION FOR 5-YR LEASE, WITH OPTION OF 5-YR RENEWAL, OF APPROX 3 ACRES OF PARK PROP AT HERBRUCK PARK TO ESTABLISH URBAN FARM; EMERGENCY (2600 - 19<sup>TH</sup> ST. NE.)
- 54/2015 23. RATIFY DECISION TO FORGO ESTABLISHED PROCEDURE FOR ADJUSTING CITY OF CANTON'S SOLID WASTE COLLECTION RATES; MAINTAINING THE CURRENT RATES; EMERGENCY

**ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE CONTINUED:****AMENDED AS**

- 55/2015** 24. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE A CONSTRUCTION CONTRACT FOR FULTON RD. RESURFACING PROJ, G.P. 1184; EXECUTE PROF SERV CONTRACT FOR CONSTRUCTION ENGINEERING SERVS AND ENTER INTO AGMT WITH AND/OR RECEIVE GRANT FR STARK COUNTY AREA TRANSPORTATION STUDY AND/OR OHIO DEPT OF TRANSPORTATION TOTALING \$1,258,000.00; AUTHORIZE AUDITOR TO ESTABLISH 4577 FULTON RD. RESURFACING PROJECT, G.P. 1184 FUND; AMEND APPROP O#266/2014; EMERGENCY (\$1,258,000.00 SUPP APPROP FR UNAPPROP BAL OF 4577 FULTON RD. RESURFACING PROJECT, G.P. 1184 FUND TO 4577 202042 FULTON RD. RESURFACING PROJECT, G.P. 1184 - OTHER; \$314,500.00 APPROP TRANSFER FROM 4501 601001 CAPITAL FUND - COUNCIL ADMINISTRATION - OTHER TO 4501 202042 CAPITAL FUND - FULTON RD. RESURFACING PROJECT, G.P. 1184 - OTHER)
- 56/2015** 25. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO COOP AGMT WITH KUBOTA MEMBRANE USA CORP; EMERGENCY

**ANNOUNCEMENT OF COMMITTEE MEETINGS:****MONDAY, March 23, 2015 in Council Caucus Room at 6:45 PM**

- 1) Finance Committee
- 2) Public Safety & Thoroughfares Committee
- 3) Public Property Capital Improvement Committee
- 4) Community & Economic Development Committee

**WEDNESDAY, March 18, 2015 in Council Caucus Room at 10:00 AM**

Personnel Committee

**MISCELLANEOUS BUSINESS:** Member West spoke to Mr. Zachary and invited him to the State of the Ward to listen to the plan that he has for Ward 2. He also mentioned that during his State of the Ward address, he makes the State of the City information available to those who would like to hear it. Member Griffin announced that they will also be recognizing Fire Chief Rich and a Deputy Sheriff at the Blue Mass on Tuesday, along with Officer Solly. Member Hawk recognized the students from Central Catholic High School. Service Director Bartos referenced an email sent to Council from Michael Rorar and reiterated that they will be doing repair to the main roads, secondary roads, and then residential areas. The workers have used 378 tons of material and are out patching everyday. He stated that the workers will all be going to the daytime shift as opposed to a split shift, to get the work done when the hot mix becomes available April 1<sup>st</sup>.

**ADJOURNMENT:** 8:16 P.M.

**THE NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 23, 2015 @ 7:30 PM**