

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

May 11, 2015

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: President Schulman & Member Hawk

INVOCATION: James Griffin, Ward 3 Council Member

PLEDGE OF ALLEGIANCE: President Pro Tem Morris

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#6 & O#14; add 2nd Rdg O#15 - O#22; O#6 & O#14 Adopted on 1st Reading)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Dan Reardon, head football coach from McKinley, spoke about the controversy over the consolidation of Timken and McKinley High Schools. He indicated that the kids are blending together very well. He currently has over 100 students from various grades on the team, and he is certain the citizens of Canton will be proud of their efforts. He challenged everyone to visibly support McKinley High School, and offered suggestions such as painting bulldog paws on some of the streets leading to the stadium, displaying pictures of student athletes at various places, and designating Pup Days where everyone dresses in red and black. David Westrich spoke about the gas and electric aggregate program. He said that he is getting double billed and is fighting to get off the program. He feels the money being spent on the aggregate program should be put into a general fund and spent on more important issues such as street repair or the police department because the aggregate program just does not work. Dan Moeglin presented a plaque to Council from Tree City USA Arbor Day Foundation for 2014. He recognized the efforts of Mayor Healy, Council-as-a-Whole, Councilman Jim Griffin, City Arborist Dick Drake, the Street Department, Community Development, the Law Department, AEP for helping to cut down trees, and Habitat for Humanity for removing hazardous trees. Mary Bennett congratulated the mayor and all council members who won their primary elections. She asked if landlords are allowed to rent houses that are not registered. President Pro Tem Morris explained that Council does not respond during public speaks, but would address issues later. Ms. Bennett went on to say she's had nothing but problems with landlords, and was talking about the water being turned on in her daughter's rental on Worley and the pipes bursting when her three minutes ended. She continued with another story about a rental full of bed bugs when President Pro Tem Morris indicated that, per Council Rules, her three minutes were concluded. Before he could explain further, she became angry and left the Council Chambers. Richard Manson is a local cyclist who was almost hit by a car on Market and 6th Street. He feels the bike lane on Walnut, which is a northbound lane going the wrong way on a one way street, is a stupid idea. He said it is very dangerous and someone could get killed. He said a bike lane on Cleveland Avenue going north would make a lot more sense. Pete DiGiacomo spoke about the Market Square/Kresge lot, saying that before spending the money, the City should have a meeting with the public on how the lot should be used. He said we do not need more cement. We need green space, especially since we are now members of Tree City USA.

INFORMAL RESOLUTIONS: None

COMMUNICATIONS:

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| 176. | AUDITOR MALLONN: | REQ FOR ADD'L AMENDED CERT DATED 4/29/15. - RECEIVED & FILED |
| 177. | AUDITOR MALLONN: | MTHLY RPT BY FUND FOR 4/1/15 THRU 4/30/15. - RECEIVED & FILED |
| 178. | AUDITOR MALLONN: | YRLY RPT BY FUND FOR 1/1/15 THRU 4/30/15. - RECEIVED & FILED |
| 179. | CANTON WATER WORKS: | 2014 ANNUAL REPORT. - RECEIVED & FILED |
| 180. | CCIC ADMIN RODRIGUEZ: | 2014 TAX ABATEMENTS REVIEW. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE |
| 181. | FINANCE DIRECTOR DIRUZZA: | REQ \$90,000.00 SUPP APPROP FR UNAPPROP BAL 2111 STREET MAINT FUND TO 2111 202210 MAINT, \$63,000.00 APPROP TRF (\$40,000.00 FR 2111 104020 TRAFFIC SIGNAL & \$23,000.00 FR 2111 202020 ENGINEER URBAN FORESTRY) TO 2111 202210 MAINT, AND \$48,000.00 APPROP TRF FR 1001 200501 GENERAL GOVERNMENT SUPPORT TO 1001 202210 MAINT FOR CITY'S SALT CONTRACT. - FINANCE COMMITTEE |
| 182. | LIQUOR CONTROL DIV: | REQ NEW DI LIQ PERMIT FOR HAMLIN COFFEE CO, LLC, DBA HAMLIN COFFEE @ 309 CLEVELAND AVE NW (WARD 2). - RECEIVED & FILED |
| 183. | LIQUOR CONTROL DIV: | REQ STOCK C1 C2 LIQ PERMIT FOR BAIT NABALAH, INC., DBA BEST FOR LESS @ 1100 12 TH ST NW (WARD 1). - RECEIVED & FILED |
| 184. | LIQUOR CONTROL DIV: | REQ D5 LIQ PERMIT TRF FR BOBBIE J. McCALL ESTATE, DAVID S. TABRON, ADMR, DBA BJ'S PUB & PATIO TO BJS PUB LTD, DBA BJ'S PUB & PATIO @ 2543 WINFIELD WAY NE (WARD 6). - RECEIVED & FILED |
| 185. | LIQUOR CONTROL DIV: | REQ LIQ AGENCY ONLY PERMIT FOR TAMARKIN CO, DBA CANTON GIANT EAGLE 4387 @ 3100 CROMER AVE NW (WARD 7). - RECEIVED & FILED |

COMMUNICATIONS CONTINUED:

186. SERVICE DIRECTOR BARTOS: AMEND CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL TO ALLOW FOR 2 COMPUTER NETWORK ENGINEERS AND TOTAL OF 4 ANALYSTS AND ANALYST PROGRAMMERS IN DEPT OF MANAGEMENT INFO & SYSTEMS. - PERSONNEL COMMITTEE
187. SERVICE DIRECTOR BARTOS: AMEND CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL TO ALLOW FOR 10 TREATMENT OPERATOR 3'S AND ELIMINATE CLASSIFICATION OF TREATMENT OPERATOR 2 IN WATER RECLAMATION FACILITY, RETRO TO 11/29/14. - PERSONNEL COMMITTEE
188. SERVICE DIRECTOR BARTOS: AMEND CLASSIFICATION PLAN FOR BARGAINING UNIT PERSONNEL TO ALLOW FOR 2 APPLICATIONS DEV ADMINS IN PUBLIC WORKS WATER CONSTRUCTION, REPAIR, MAINT, SUPPLY & TREATMENT DIV. - PERSONNEL COMMITTEE
189. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE A PROF SERV CONTRACT WITH MICHAEL BAKER, JR., INC. FOR DESIGN OF WATER MAINS ALONG MONUMENT RD FR 11TH ST NW TO 23RD ST NW; REQ \$65,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207039 MONUMENT RD WATER MAIN REPLACEMENT PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
190. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROF SERV CONTRACT WITH ARCADIS FOR DESIGN OF 41ST ST AND 49TH ST AREA WATER IMPROVEMENT PROJ; REQ \$22,200.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207022 DISTRIBUTION MAINT - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
191. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE PROF SERV CONTRACT WITH ME/IBI GROUP FOR DESIGN OF HARRISON AVE/44TH ST NW WATER MAIN REPLACEMENT PROJ; REQ \$43,516.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207036 HARRISON AVE/44TH ST WATER MAIN REPLACEMENT PROJ - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
192. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO EXECUTE CHANGE ORDER #1 FOR WATER RECLAMATION FACILITY PHOSPHORUS/TOTAL NITROGEN PROJ - CONTRACT #26 IN AMT OF \$233,629.00; REQ \$233,629.00 SUPP APPROP FR UNAPPROP BAL OF 5442 WRF PHOSPHORUS PROJ (MEMBRANE) FUND TO 5442 206054 WRF PHOSPHORUS (CONSTRUCTION) - OTHER; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE
193. SISTERS OF CHARITY (CANTON): 2014 ANNUAL REPORT. - RECEIVED & FILED
194. TREASURER PEREZ: RPT OF PARKING METER REVENUE FOR APRIL, 2015. - RECEIVED & FILED
195. TREASURER PEREZ: RPT OF AMBULANCE LOCK BOX ACCT FOR APRIL, 2015. - RECEIVED & FILED

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (1604 HARRISBURG RD NE, HOB NOB, WARD 9) **PUB HRG 6/1/15 @ 7:30 P.M.**
Referred to Judiciary Committee
- 1ST RDG 2. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (1411 CHERRY AVE NE, FOP MCKINLEY #2, WARD 2) **PUB HRG 6/1/15 @ 7:31 P.M.**
Referred to Judiciary Committee
- 1ST RDG 3. AMEND O#77/55, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (211 15TH ST NW, DR. JAMES JOHNS, WARD 9) **PUB HRG 6/1/15 @ 7:32 P.M.**
Referred to Judiciary Committee
- 1ST RDG 4. ESTABLISH FAIR REUSE VALUE OF 3 PARCELS OF CITY-OWNED PROPERTY; AUTHORIZE SALE AND CONVEYANCE OF SAID PROPERTIES; EMERGENCY (PARCEL #02-25379, PART OF LOT #1619; PARCEL #02-20767, PART OF LOT #1619 & 1577; PARCEL #02-14421, PART OF LOT #1576 LOCATED ON 2ND ST NW TO CANTON LABORERS' HOME CO)
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 5. AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO DEPT OF REHAB & CORRECTION FOR RECEIPT OF FY 2016 COMMUNITY CORRECTIONS ACT GRANT IN AMT NOT TO EXCEED \$170,601.00; EMERGENCY (MUNICIPAL COURT PROBATION DEPT)
Referred to Finance Committee

(COUNCIL RECESSED AT 7:55 PM FOR THE FINANCE COMMITTEE TO DISCUSS ORDINANCE #6; RECONVENED AT 8:00 PM)

- 89/2015 6. PROVIDE FOR ISSUANCE AND SALE OF BOND ANTICIPATION NOTES IN AGGREGATE AMT NOT TO EXCEED \$1,300,000 TO PROVIDE FUNDS FOR COURT-APPROVED SETTLEMENT OF CLAIM AGAINST THE CITY (PIROLOZZI V. STANBRO)
Referred to Finance Committee

- 1ST RDG 7. AMEND APPROP O#266/2014; EMERGENCY (\$31,960.00 INTERFUND ADVANCE FR 1001 301001 82341 GEN FUND - OTHER TO 2335 301001 84341 EARLY HEAD START GRANT FUND - OTHER; \$31,960.00 SUPP APPROP FR UNAPPROP BAL OF 2335 EARLY HEAD START GRANT FUND TO 2335 301001 - OTHER)
Referred to Finance Committee

- 1ST RDG 8. AUTHORIZE AUDITOR TO PAY MORAL OB IN AMT NOT TO EXCEED \$1,519.60 TO SPRINT; EMERGENCY (POLICE DEPT AIR CARDS NOT TIMELY DEACTIVATED FROM AT&T)
Referred to Finance Committee

- 1ST RDG 9. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CHANGE ORDER 3 WITH CENTRAL ALLIED ENTERPRISES FOR 12TH ST N. CORRIDOR PROJ, GP 1098, PID 85299; AMEND APPROP O#264/2013; EMERGENCY (\$326,425.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 202077 12TH ST N CORRIDOR IMPROVEMENT - OTHER)
Referred to Finance Committee

- 1ST RDG 10. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH ARCADIS FOR DESIGN OF 40TH ST/GRUNDER AVE AREA WATER MAIN REPLACEMENT PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$88,500.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207038 40TH ST/GRUNDER AVE AREA - OTHER)
Referred to Finance Committee

- 1ST RDG 11. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE PROF SERV CONTRACT WITH CT CONSULTANTS FOR DESIGN OF AVONDALE AREA WATER MAIN REPLACEMENT PROJ (PHASE I); AMEND APPROP O#266/2014; EMERGENCY (\$78,500.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207035 AVONDALE AREA WATER MAIN - OTHER)
Referred to Finance Committee

- 1ST RDG 12. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH ME/IBI GROUP FOR DESIGN OF 38TH ST NW WATER MAIN REPLACEMENT & ROADWAY RECONSTRUCTION PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$40,000.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207037 38TH ST NW IMPROVEMENT PROJ - OTHER; \$50,000.00 FR UNAPPROP BAL OF 4501 CAPITAL FUND TO 4501 207037 38TH ST NW IMPROVEMENT PROJ - OTHER)
Referred to Public Property Capital Improvement Committee

- 1ST RDG 13. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT FOR WESTMORELAND AVE NW WATER MAIN REPLACEMENT PROJ; EXECUTE PROF SERV CONTRACT FOR CONSTRUCTION OVERSIGHT SERV AND TO PURCH 3 EASEMENTS FOR THIS PROJ; RECEIVE GRANT FUNDS IN AMT OF \$750,000.00 AND 0% LOAN IN AMT OF \$750,000.00 FR OPWC; AUTHORIZE AUDITOR TO ESTABLISH SEPARATE FUND FOR PROJ; AMEND APPROP O#266/2014; EMERGENCY (\$1,500,000.00 FR UNAPPROP BAL OF 5230 WESTMORELAND WATER MAIN REPLACEMENT PROJ FUND TO 5230 207029 WESTMORELAND WATER MAIN REPLACEMENT - OTHER; \$1,322,000.00 FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207029 WESTMORELAND WATER MAIN REPLACEMENT - OTHER)
Referred to Finance Committee

(COUNCIL RECESSED AT 8:05 PM FOR THE COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE TO DISCUSS ORDINANCE #14; RECONVENED AT 8:07 PM)

- 90/2015 14. DECLARE BLDG LOCATED AT 3803 FAIRMOUNT BLVD NE TO BE PUBLIC NUISANCE; AUTHORIZE SAF DIR TO ENTER INTO CONTRACT FOR DEMO OF SAID BLDG; EMERGENCY
Referred to Community & Economic Development Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:

(SUSPENDED RULE 22A TO ADD 2ND RDG O#15 - O#22)

- 2ND RDG 15. AUTHORIZE MAYOR OR SAF DIR TO ENTER INTO 1 YR PROF SERV CONTRACT WITH COMPMANAGEMENT, INC. IN APPROX AMT OF \$29,000.00 FOR WORKERS' COMP ADMIN SERV RETROACTIVE TO 1/1/15; EMERGENCY (FIN)

- 2ND RDG 16. AUTHORIZE AUDITOR TO ESTABLISH 2461 MARKET SQUARE DONATION FUND; EMERGENCY (FIN)

- 2ND RDG 17. APPROVE AND ACCEPT REPLAT OF LOT 7855 AND PARTS OF LOTS 7854, 7851, 7865, 7856, 7857 AND VACATED PORTION OF A 15' ALLEY; EMERGENCY (1604 HARRISBURG NE - HOB NOB) (PS&T)

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING CONTINUED:

- 2ND RDG 18. AMEND APPROP O#266/2014; EMERGENCY (\$501.11 SUPP APPROP FR UNAPPROP BAL OF 2783 2014 FIRE DONATION FUND TO 2783 103001 2015 FIRE DONATION FUND - OTHER LINE 734.58 - MISCELLANEOUS SUPPLIES; \$7,868.79 SUPP APPROP FR UNAPPROP BAL 2812 2014 EMS TRAINING/EQUIPMENT TO 2812 103001 2015 EMS TRAINING/EQUIPMENT - OTHER LINE 734.58 - MISCELLANEOUS SUPPLIES - \$3,000.00, LINE 734.17 - EQUIPMENT (\$0-500) - \$3,000.00, LINE 722.20 - REGISTRATION - \$1,868.79) (FIN)
- 2ND RDG 19. AMEND APPROP O#266/2014; EMERGENCY (\$4,524.16 SUPP APPROP FR UNAPPROP BAL OF 2769 2011 EDWARD BYRNE GRANT FUND TO 2769 102001 POLICE ADMIN - OTHER; \$62.09 SUPP APPROP FR UNAPPROP BAL OF 2771 2012 EDWARD BYRNE GRANT FUND TO 2771 102001 POLICE ADMIN - OTHER; \$18,825.49 FR UNAPPROP BAL 2772 2013 EDWARD BYRNE GRANT FUND TO 2772 102001 POLICE ADMIN - OTHER) (FIN)
- 2ND RDG 20. AUTHORIZE AND CONSENT TO MISC BRIDGE WORK TO THREE STRUCTURES; EMERGENCY (US 62) (PS&T)
- 2ND RDG 21. AUTHORIZE AND CONSENT TO REPAIR AND SEAL SPALLED ABUTMENT JOINT, INSTALL LATERAL RESTRAINT AT PIERS AND INSTALL ABUTMENT END DIAPHRAM WITHIN CORP LIMITS OF CITY; EMERGENCY (US30) (PS&T)
- 2ND RDG 22. AUTHORIZE AND CONSENT TO DECK SEALING OF STRUCTURES STA-SR 43-12.39 AND STA-U.S. 62-18.82; EMERGENCY (PS&T)

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

- 91/2015 23. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO COOP AGMT WITH ODOT FOR STA-US30-18.35 EXTENSION, PID 20344, GP 1141 PROJ; AUTHORIZE \$50,000.00 CONTRIBUTION TO FINAL DESIGN PROJ; EMERGENCY (EXT OF US 30 EAST OF CANTON FROM TRUMP RD TO SR 44)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, May 18, 2015 in Council Caucus Room at 6:15 PM**

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

MISCELLANEOUS BUSINESS: Member West asked if the problem Mr. Westrich had with the aggregate billing could be addressed. Ass't Law Director Jason Reese said yes, that Mr. Westrich should contact Cindy in the Law Department or schedule an appointment so they could look at the bill. Member Hart inquired about the work being done at the fire station at Cleveland and 25th Street. He also gave kudos to Pat Kirk for all her efforts with Tree City, and thanked Member Morris for helping a neighbor mow his lawn. Member Babcock asked if someone will address Ms. Bennett's issues. Safety Director Perry said she would get her contact information and take care of it. As far as the issue with the fire station, Safety Director Perry said that the ceiling has been leaking since it was built, and the contractors are there to address it. Ass't Law Director Reese confirmed and said the contractors will cooperate and find the problem. Member Morris congratulated Jason Scaglione and all council members on winning their primary elections.

ADJOURNMENT: 8:17 P.M.

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MAY 18, 2015 @ 7:30 PM