

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

NOVEMBER 9, 2015

ROLL CALL: All Members Present

MOTION TO EXCUSE MEMBERS: Not Necessary

INVOCATION: Chris Smith, Ward 4 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#2A; 2nd Rdg O#3 - O#9; O#2A Adopted on 1st Rdg; O#10 Adopted as Amended)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Pete DiGiacomo spoke about the interview that Chief Lawver gave to Channel 5 news. The interview was in regards to lawsuits involving automobile violations and high speed chases which result in collisions during a pursuit. Mr. DiGiacomo believes that if the suspect runs, you should go after them. He also spoke about the name of the Kresge Lot/Market Place being changed to Rotary Park. He thinks that something should be kept with the City of Canton's name.

INFORMAL RESOLUTIONS:

35. COUNCIL-AS-A-WHOLE: COMMENDING SOPHIA RADOSEVIC ON WINNING 2015 4TH GRADE ESSAY CONTEST ON PREVENTING KITCHEN FIRES AT 50TH ANNUAL FIRE PREVENTION WEEK KICKOFF BREAKFAST. - ADOPTED
36. COUNCIL-AS-A-WHOLE: COMMENDING 2015 CANTON FIREFIGHTERS/PARAMEDICS OF THE YEAR, DANIEL GREER AND DAN KINZLER. - ADOPTED

COMMUNICATIONS:

373. ANNEXATION CHAIRMAN WEST: REQ STATEMENT OF SERVICES FOR FAIRCREST-SHAWNEE ANNEXATION. - ANNEXATION COMMITTEE
374. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERT DATED 10/30/15. - RECEIVED & FILED
375. COMMUNITY DEV DIR MILLER: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH ALLIANCE FOR CHILDREN & FAMILIES TO PROVIDE A GRANT UTILIZING HOME FUNDS IN AN AMT NOT TO EXCEED \$325,000.00 FOR B-FIRST PROJ. (10-UNIT APT WITH 30-BED CAPACITY IN 500 BLOCK OF LINWOOD SW FOR HOMELESS FAMILIES). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
376. COMMUNITY DEV DIR MILLER: APPROVE DEPT. OF DEVELOPMENT'S AMENDED CITIZEN PARTICIPATION PLAN (PROVIDE INTERPRETATION SERVS FOR NON-ENGLISH SPEAKING & HEARING IMPAIRED INDIVIDUALS, ENSURING HANDICAP ACCESSIBILITY, AND INCLUDE LOW AND MODERATE INCOME RESIDENTS OF SLUM AND BLIGHTED AREAS). - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
377. COUNCIL MEMBER WEST: ESTABLISH ORD DECLARING DEC. 7 - 11 AS AMNESTY WEEK FOR PERSONS WITH UNPAID PARKING TICKETS AND UNPAID REGISTRATION FEES. - FINANCE COMMITTEE
378. COUNCIL MEMBER WEST
COUNCIL MEMBER MARIOL: REQ LEGISLATION ACCEPTING DONATIONS FOR MARKET SQUARE (CANTON ROTARY CLUB AND STARK CTY COMMUNITY FOUNDATION). - FINANCE COMMITTEE
379. COURT ADMIN KOCHERA: AUTHORIZE MAYOR TO ENTER INTO AGMT WITH STATE OF OHIO, DEPT. OF MENTAL HEALTH & ADDICTION SERV (ODMHAS) FOR RECEIPT OF FY2016 SPECIALIZED DOCKET SUBSIDY GRANT IN AMT OF \$42,700.70 COMMENCING 10/1/15 - 6/30/16; \$42,700.70 SUPP APPROP FR UNAPPROP BAL OF SPECIALIZED DOCKET GRANT FUND #2797 TO SPECIALIZED DOCKET GRANT FUND #2797 PERSONNEL (SUBSIDIZE 65% OF SALARY & FRINGE BENEFITS FOR PROBATION OFFICER ASSIGNED TO SPECIALIZED DOCKET). - FINANCE COMMITTEE
380. DEPUTY MAYOR WILLIAMS: REQ LEGISLATION AMENDING SECTION 1 OF O#179/2015 (TO ALLOW DAY KETTERER FULL BENEFIT OF THE TAX INCENTIVE). - JUDICIARY COMMITTEE

COMMUNICATIONS CONTINUED:

381. FINANCE DIRECTOR DIRUZZA: AMEND APPROP O#266/2014 (SUPP APPROP OF \$48,850.00 FR UNAPPROP BAL OF GUARDRAIL/ATTENUATOR REPLACEMENT FD TO 2415 202210 STREET MAINT - OTHER; APPROP TRFS OF \$52,000.00 FR 1001 202210 STREET MAINT - OTHER, \$10,000.00 FR 1001 204010 BUILDING MAINT - PERSONNEL, \$4,350.00 FR 1001 204010 BUILDING MAINT - OTHER, \$70,150.00 FR 1001 808005 PIROLOZZI JUDGMENT NOTE - OTHER TO 1001 103501 CENTRAL COMMUNICATION ADMIN - PERSONNEL - \$60,000.00, 1001 104040 TRAFFIC ENG/PARKING METER - PERSONNEL - \$28,000.00, 1001 202210 STREET MAINT - PERSONNEL - \$32,000.00, 1001 501101 HUMAN RESOURCES - PERSONNEL - \$6,500.00, 1001 901001 CIVIL SERVICE ADMIN - PERSONNEL - \$10,000.00; APPROP TRFS FR 2111 104020 TRAFFIC SIGNAL - PERSONNEL - \$32,000.00, 2111 202020 URBAN FORESTRY - OTHER - \$926.00, 2111 202210 STREET MAINT - PERSONNEL - \$31,000.00 TO 2111 104001 TRAFFIC ENGINEER ADMIN - PERSONNEL - \$28,000.00, 2111 104010 TRAFFIC SIGN & PAINT - PERSONNEL - \$35,000.00, 2111 202020 URBAN FORESTRY - PERSONNEL - \$926.00; APPROP TRF OF \$1000.00 FR 4501 202020 URBAN FORESTRY - OTHER TO 4501 202020 URBAN FORESTRY - PERSONNEL) TO MEET PAYROLL AND OTHER OB FOR REMAINDER OF YR. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
382. FINANCE DIRECTOR DIRUZZA: REQ COUNCIL EXERCISE SECOND ONE-YR EXTENSION OF FUEL CREDIT CARD PROGRAM WITH SPEEDWAY, LLC. FOR 2016. - FINANCE COMMITTEE
383. LAW DIRECTOR MARTUCCIO: AUTHORIZE SERV DIR TO ENTER INTO CONTRACT WITH STARK CO. PUBLIC DEFENDER COMMISSION FOR PERIOD 1/1/16 THRU 12/31/16 WITH OPTION TO RENEW ADDT'L 1-YR PERIOD COMMENCING 1/1/17 THRU 12/31/17 AT RATE OF \$195.00 PER CASE (LEGAL SERV FOR INDIGENTS CHARGED WITH JAILABLE CITY ORD OFFENSES). - FINANCE COMMITTEE
384. LAW DIRECTOR MARTUCCIO: AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO IMMEDIATE CONTINUATION OF NATURAL GAS AGGREGATION PROG WITH CONSTELLATION ENERGY SERVICES. - ENVIRONMENTAL & PUBLIC UTILITIES COMMITTEE
385. LIQUOR CONTROL DIV (OHIO): REQ TRF OF D2 D2X D3 PERMIT FROM EMMA JEAN KING DBA BE BOPS VULCAN CAFÉ TO RICHARD DONATO DBA VULCAN CAFÉ @ 1649 HARRISON AV SW 1ST FL & BSMT (WARD 5). - RECEIVED & FILED
386. SAFETY DIRECTOR PERRY: REQ TO WITHDRAW COM #363 FROM FR 10/19/15 AGENDA. - RECEIVED & FILED
387. SAFETY DIRECTOR PERRY: AMEND O#266/2014 (\$1,351,074.50 APPROP TRF FR 7509.505010 - FAIR HOUSING DEPARTMENT - OTHER TO 7509.101501 - CODE ENFORCEMENT ADMINISTRATION - OTHER). - FINANCE COMMITTEE
388. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO 36 MONTH EXTENSION OF CURRENT CONTRACT WITH AT&T CORP FOR DS1, DS3, AND ISDN SERVS (PHONE CARRIER SERVS); AUTHORIZE MAYOR AND/OR SERV DIR TO NEGOTIATE AND ENTER INTO CONTRACT WITH AT&T CORP FOR IP FLEXIBLE SOLUTION TO REPLACE CITY'S CURRENT PHONE CARRIER SERVS AND LONG DISTANCE CONTRACTS; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES
389. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERVS AND/OR COOP PURCH CONTRACT PURSUANT TO CANTON CODIFIED ORD SEC 105.10 AND/OR SEC 105.11 WITH PRO ONCALL TECHNOLOGIES LLC FOR AMT NOT TO EXCEED \$44,000.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHER (UPGRADE TOSHIBA PHONE SYSTEM, REPLACE VM SERVER AND PROVIDE 5-YR SOFTWARE SUPPORT/UPGRADE SERV. - FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES

COMMUNICATIONS CONTINUED:

390. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROF SERVS CONTRACT WITH PROFESSIONAL SERVICE INDUSTRIES, INC. FOR DESIGN, ENGINEERING, CONTRACT ADMIN, AND OTHER PROF SERVS FOR CITY HALL ROOF REPAIR/REPLACEMENT PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR CITY HALL ROOF REPAIR/REPLACEMENT PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO PROFESSIONAL SERVS CONTRACT WITH PROFESSIONAL SERVICE INDUSTRIES, INC. FOR DESIGN, ENGINEERING, CONTRACT ADMIN, AND OTHER PROF SERVS FOR CIRELLI BLDG ROOF REPAIR/REPLACEMENT PROJ; AUTHORIZE MAYOR AND/OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR THE CIRELLI BLDG. ROOF REPAIR/REPLACEMENT PROJ; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEE
391. TREASURER PEREZ: REQ \$3,000.00 APPROP TRF FR 1001 852001 TREASURER - OTHER TO 1001 852001 TREASURER - PERSONAL SERVICES; \$51,014.21 FR 2120 852101 INCOME TAX - OTHER AND \$15,000.00 FR 2120 852101 INCOME TAX - INCOME TAX REFUND TO 2120 852101 TREASURER - PERSONAL SERVICES. - FINANCE COMMITTEE
392. TREASURER PEREZ: REQ FOR ADOPTION AND IMPLEMENTATION OF NEW MUNICIPAL INCOME TAX CODE IN COMPLIANCE WITH H.B. 5, EFFECTIVE 1/1/16. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AMEND APPROP O#266/2014; EMERGENCY (\$100,000.00 SUPP APPROP FR UNAPPROP BAL OF 6018 VEHICLE SELF INSURANCE FUND TO 6018 VEHICLE SELF INSURANCE FUND - OTHER)
Referred to Finance Committee
- 1ST RDG 2. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO CONSTRUCTION CONTRACT FOR 53RD STREET RESERVOIRS REROOFING PROJ; RECEIVE GRANT FUNDS IN AMT OF \$355,417.00 AND ZERO PERCENT INT LOAN IN AMT OF \$369,923.00; AUTHORIZE AUDITOR TO ESTABLISH 5231 53RD ST. RESERVOIR ROOF REPLACEMENT PROJ FUND; AMEND APPROP O#266/2014; EMERGENCY (\$725,340.00 SUPP APPROP FR UNAPPROP BAL OF 5231 53RD ST. RESERVOIR ROOF REPLACEMENT PROJECT FUND TO 5231 207033 53RD ST. RESERVOIR ROOF REPLACEMENT PROJECT - OTHER
Referred to Finance Committee
- 211/2015 2A. AMEND O#179/2015; EMERGENCY (2 CONCURRENT 7-YR, PARTIAL TAX REIMBURSEMENT AGMTS WITH DAY KETTERER LAW FIRM)
Referred to Judiciary Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD 2ND RDG O#3 - O#9)**

- 2ND RDG 3. RENAME BRUCE AVE SE, FRED JOHNSON WAY SE (PS&T)
- 2ND RDG 4. AMEND APPROP O#266/2014; EMERGENCY (\$39.84 SUPP APPROP FR UNAPPROP BAL OF 2772 2013 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT FUND TO 2772 102001 2013 EDWARD BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT - OTHER) (FIN)
- 2ND RDG 5. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT FOR PURCH OF A BACKHOE PURSUANT TO O.R.C. SEC 125.04 AND CANTON CODIFIED ORDINANCE SEC 105.11; EMERGENCY (WATER DEPT) (PPCI)
- 2ND RDG 6. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO A JOB RETENTION TAX INCENTIVE AGMT WITH CUSTOM UTILICOM, INC. PURSUANT TO CITY'S INCENTIVE PROG; EMERGENCY (C&ED)
- 2ND RDG 7. AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AMT NOT TO EXCEED \$148,215.00 FOR WORK TO BE PERFORMED AT FORMER WEBER DENTAL FACILITY; AUTHORIZE AUDITOR TO CREATE FUND 2817 JOBS OHIO FUND; AMEND APPROP O#266/2014; EMERGENCY (\$148,215.00 SUPP APPROP FR UNAPPROP BAL OF 2817 JOBS OHIO FUND TO 2817 506001 COMM DEV ADMIN - OTHER) (FIN)
- 2ND RDG 8. AUTHORIZE SAFETY DIR TO RECEIVE BLUE RIBBON ARSON COMMITTEE (BRAC) GRANT FOR SUPPLIES WORTH UP TO \$1,000.00; EMERGENCY (FIRE DEPT ARSON K-9 UNIT) (FIN)
- 2ND RDG 9. AUTHORIZE SAFETY DIR TO RECEIVE 2015 COPS HIRING PROG GRANT IN ESTIMATED AMT OF \$981,670.00; AUTHORIZE AUDITOR TO RENAME 2773 BYRNE MEMORIAL JUSTICE ASSISTANCE GRANT TO 2773 2015 COPS HIRING PROG GRANT FUND; EMERGENCY (FIN)

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

- 212/2015** 10. AMEND APPROP O#266/2014; EMERGENCY (\$8,350.00 SUPP APPROP FR UNAPPROP BAL OF 2215 FAIR HOUSING FUND TO 2215 505010 FAIR HOUSING DEPARTMENT - OTHER)
- 213/2105** 11. AMEND APPROP O#266/2014; EMERGENCY (\$12,000.00 APPROP TRANS FR 2314 301001 - OTHER TO 2314 301001 PERSONNEL)
- 214/2015** 12. AMEND APPROP O#266/2014; EMERGENCY (\$6,883.33 SUPP APPROP FR UNAPPROP BAL OF 2181 GERVASI 1700 LLC TIF FUND TO 2181-202087 55TH ST. PROJ, GP 1125; \$0.01 SUPP APPROP FR UNAPPROP BAL OF 4570 RAILROAD CROSSING/TRAFFIC SIGNAL UPGRADE PROJ, GP 1149, FUND TO 4570-202097 RAILROAD CROSSING/TRAFFIC SIGNAL UPGRADE PROJ, GP 1149 - OTHER)

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, November 16, 2015 in Council Caucus Room at 6:15 PM

1) Finance Committee

MISCELLANEOUS BUSINESS: Law Director Martuccio thanked Council and the Administration for agreeing to support the pending "Right-to-Work" case that's coming before the Supreme Court. Member West commended the Community Development and Building Code Departments on taking down abandoned houses in Ward 2. Member Dougherty wished all Veterans a Happy Veteran's Day and reminded everyone that if you run into a Veteran to thank him/her for their service or to even call a Veteran and say thanks. President Schulman commended Mayor-Elect Bernabei for running a good campaign and said he was looking forward to working with him. He also commended Mayor Healy and his Administration for doing an exceptional job, and for giving 110% to the citizens of the Canton. He said they tried and they made progress.

ADJOURNMENT: 8:00 P.M.

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, NOVEMBER 16, 2015 @ 7:30 PM