

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

CANTON CITY COUNCIL

JANUARY 11, 2016

ROLL CALL: Eleven Members Present

MOTION TO EXCUSE MEMBERS: Member Mack Absent

INVOCATION: Chris Smith, Ward 4 Council Member

PLEDGE OF ALLEGIANCE: President Schulman

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 1st Rdg O#4 - O#5; O#4 & O#5 Adopted on 1st Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Henry Preston inquired as to who owns the property between the sidewalk and the curb known as the devil strip, and asked Law Director Martuccio to clarify this. Richard Manson spoke about the counterflow bike lanes. He did some research, and discovered that most cities are not in favor of these lanes for safety reasons. He was almost killed using one, and he is sure that someone will be. James Parker made reference to the fourth estate, which he said is the fourth branch of government. He feels that politics and freedom of speech must go hand in hand to the benefit of both.

INFORMAL RESOLUTIONS:

5. COUNCIL-AS-A-WHOLE: COMMENDING FIRE CHIEF STEPHEN J. RICH ON HIS RETIREMENT. - ADOPTED

COMMUNICATIONS:

8. AUDITOR MALLONN: REQ FOR ADDT'L AMENDED CERTIFICATE DATED 12/31/15. - RECEIVED & FILED

9. LAW DIRECTOR MARTUCCIO: AUTHORIZE LEGISLATION TO ENTER INTO CONTRACTS FOR PROSECUTORIAL SERV WITH CITIES OF LOUISVILLE AND NORTH CANTON AND VILLAGES OF EAST CANTON, EAST SPARTA, HARTVILLE, MAGNOLIA AND WAYNESBURG FOR 2 YR PERIOD FR 2016 THRU 2017. - FINANCE COMMITTEE

10. MAYOR BERNABEI: RE-APPT OF ROBERT FAY TO INCOME TAX REVIEW BD COMMENCING 1/4/16 TO SERVE AT-WILL IN PERPETUITY FOR THE TERM OF THIS MAYOR. - RECEIVED & FILED

11. SERVICE DIRECTOR BARTOS: AUTHORIZE MAYOR AND/OR SERV DIR TO ENTER INTO ONE OR MORE PROF SERV CONTRACTS FOR ARCHITECTURAL, ENGINEERING, CONSTRUCTION OVERSIGHT, AND ALL OTHER PROF SERV NECESSARY FOR MARKET SQUARE ENHANCEMENT PROJ FOR TOTAL AMT NOT TO EXCEED \$200,000.00; AUTHORIZE AUDITOR TO DRAW WARRANTS UPON RECEIPT OF VOUCHERS. - FINANCE COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING

1ST RDG 1. AUTHORIZE MAYOR AND/OR SERV DIR AND SAFETY DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND ENTER INTO VARIOUS CONTRACTS FOR SUPPLY EQUIP, ITEMS, MATERIALS, SUPPLIES, AND SERV PURSUANT TO CODIFIED ORDINANCE SEC 105.09; ENTER INTO PROF SERV CONTRACTS PURSUANT TO CODIFIED ORDINANCE SEC 105.10; ENTER INTO AND UTILIZE COOP PURCH AGMTS PURSUANT TO CODIFIED ORDINANCE SEC 105.11; ENTER INTO CONTRACTS PURSUANT TO ORC SEC 735.05 AND 737.03 WITH QUALIFIED NONPROFIT AGENCIES DURING THE 2016 CALENDAR YR; EMERGENCY
Referred to Finance Committee

1ST RDG 2. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE PROF SERV CONTRACT WITH CT CONSULTANTS FOR DESIGN OF AVONDALE AREA WATER MAIN REPLACEMENT PROJ (PHASE II), AMEND APPROP O#259/2015; EMERGENCY (\$84,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207040 AVONDALE AREA WATER MAIN REPLACEMENT PROJ PHASE II - OTHER)
Referred to Finance Committee

1ST RDG 3. AUTHORIZE MAYOR, SERV DIR AND/OR SAFETY DIR TO COMPLETE CONTRACTING PROCESS FOR VARIOUS CONTRACTS PREVIOUSLY AUTHORIZED BUT NOT COMPLETED BY 1/1/16; EMERGENCY
Referred to Finance Committee

(COUNCIL RECESSED AT 7:50 P.M. FOR THE FINANCE AND PUBLIC PROPERTY CAPITAL IMPROVEMENT COMMITTEES TO DISCUSS ORDINANCES #4 AND #5; RECONVENED AT 7:58 P.M.)

2/2016 4. AUTHORIZE MAYOR OR SAFETY DIR TO ENTER INTO CONTRACT EXTENSION FOR HEALTH CARE BENEFITS ADMIN AND PROF SERV CONTRACT FOR STOP-LOSS INSURANCE FOR CITY EMPLOYEES AND THEIR DEPENDENTS; EMERGENCY
Referred to Finance Committee

3/2016 5. FINAL RESOLUTION ADOPTING PLANS, AUTHORIZING MAYOR OR SERV DIR TO COOPERATE WITH AND REQUEST TRANSPORTATION DIR TO PROCEED WITH WIDENING OF MARKET AVE FR 55TH ST N TO APPLGROVE ST TO 4/5 LANES, INCLUDING PEDESTRIAN/BIKE TUNNEL AND NEW SIDEWALKS; EMERGENCY
Referred to Public Property Capital Improvement Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING: None

ORDINANCES & FORMAL RESOLUTIONS FOR THIRD/FINAL READING & VOTE: None

ANNOUNCEMENT OF COMMITTEE MEETINGS:

MONDAY, January 25, 2016 in Council Caucus Room at 6:30 PM

1) Finance Committee

Presentation for the Water Meter Replacement Project

MISCELLANEOUS BUSINESS: Member Hawk asked Law Director Martuccio to help clarify the sanctity of an Executive Meeting. Law Director Martuccio explained that the duty of the Executive Committee is one of trust and obligation for what is best for the Committee. Sanctity is a good word to describe Executive Session. While activities of government agencies are open to the public, the Ohio Revised Code allows secrecy during Executive Session. Members exit Executive Session with the understanding that they do not discuss what took place, it is private and confidential. If there is a leak, it could compromise what had been discussed. Member West announced that the Martin Luther King Breakfast is this Thursday at 8:00 A.M. at St. Haralambos Church, and on Monday there will be a Southeast Community Center celebration. Mayor Bernabei announced that Chief Rich's retirement party will take place Saturday, March 23, at 6:00 P.M. at the Onesto. He indicated that he gave the oath of office to the new fire chief, Thomas Garra, who will be a good leader and follow in Chief Rich's footsteps. Member Scaglione personally knows the family to whom Jethro, the police dog who was killed, belonged. He indicated that the money that was donated will go for medical expenses and needs for animals. He asked that we keep Jethro's family as well as all our safety forces in our prayers. Law Director Martuccio addressed Mr. Preston's question regarding devil strips. He explained that the city has an easement which acts as a license or permit to use this area to fix things. It is the duty of the property owner to mow this area and trim any trees. He then addressed Mr. Manon's issue regarding counterflow bike lanes. The Law Department did research this and spoke with the Ohio Department of Transportation. The conclusion is the bike lanes are legal. Time will tell whether or not they are sensible. He feels that Chief Rich has done an exemplary job and he is someone young people should emulate. Two of his sons are firefighters, and his son, Anthony, was a prosecutor in the Law Department. He applauds the Chief for his virtues and service. He is grateful for Jethro and may he rest in peace. He also mentioned the death of David Bowie and asked that God be with him.

ADJOURNMENT: 8:12 P.M.