

FINAL
A G E N D A
7:30 PM

CANTON CITY COUNCIL

FEBRUARY 29, 2016

ROLL CALL: Eleven Members Present

MOMENT OF SILENCE FOR DEREK JACOBSEN AND FIREFIGHTER TONYA JOHNSON

MOTION TO EXCUSE MEMBERS: President Schulman & Member Morris Absent

INVOCATION: Pastor Dansby, St. Paul AME Church

PLEDGE OF ALLEGIANCE: President Pro Tem Smuckler

AGENDA CORRECTIONS & CHANGES: (Suspended Rule 22A to add 2nd Rdg O#9 - O#13; O#13 Adopted on 2nd Rdg)

PUBLIC HEARINGS: None

OLD BUSINESS (PUBLIC SPEAKS): None

PUBLIC SPEAKS (CITY BUSINESS): Pete DiGiacomo apologized for his tone during the last Council meeting. He said he gets a little emotional about retirees possibly losing their pension. He has been retired from the Timken company after working there 30 years and 25 of those years he was the Shop Steward. He watched the news and saw where the Carrier Air Conditioning Company and the United Tech Company are moving to Mexico in 2 - 3 years. The jobs here are all gone. He said that during the recession, banks and big businesses were bailed out but nobody was watching to make sure the money was put back in the right place.

INFORMAL RESOLUTIONS:

23. COUNCIL-AS-A-WHOLE: RECOGNIZING CONTRIBUTIONS MADE BY AMERICA'S SOCIAL WORKERS AND PROCLAIMING THE MONTH OF MARCH 2016 AS NATIONAL SOCIAL WORK MONTH. - ADOPTED
24. COUNCIL-AS-A-WHOLE: URGING BOARD OF STARK. CO. COMMISSIONERS TO ACT IN ANY MANNER AVAILABLE TO PROMOTE PROPOSED RT. 30 EXPANSION. - ADOPTED
25. PERSONNEL COMMITTEE: CONFIRMING APPT OF RONALD LEMMO TO THE CANTON RECREATION BOARD COMMENCING 1/1/16 THRU 12/31/20. - ADOPTED
26. PERSONNEL COMMITTEE: CONFIRMING APPT OF JOHN GIUA TO THE INCOME TAX REVIEW BOARD COMMENCING 1/1/16 THRU 12/31/17. - ADOPTED

COMMUNICATIONS:

89. COUNCIL MEMBER SMITH: ANNOUNCEMENT OF NAMING AND OPENING OF WAYNE DOUGLAS JAMERSON SPRAY PARK. - PARKS & RECREATION COMMITTEE
90. DEV DIRECTOR MILLER: REQ ADOPTION OF DEPT. OF DEV'S AFFIRMATIVE MARKETING POLICY REQUIRED BY HUD TITLE 24 CODE OF FEDERAL REGULATIONS, SEC 92.351 AND CITY'S FAIR HOUSING ACTION PLAN. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
91. DEV DIRECTOR MILLER: REQ ADOPTION OF STANDARDS FOR LOW-INCOME OR MINORITY CONCENTRATIONS REQUIRED BY DEPT. OF DEV'S FAIR HOUSING ACTION PLAN. - COMMUNITY & ECONOMIC DEVELOPMENT COMMITTEE
92. LAW DIRECTOR MARTUCCIO: REQ AUTHORIZING TO PREPARE LEGISLATION TO REPEAL CODIFIED ORDINANCE SECTION 107.05 (USE OF COUNCIL CHAMBERS). - JUDICIARY COMMITTEE
93. MAYOR BERNABEI: REQ AUTHORIZATION OF RE-APPT OF REMEL MOORE TO TREE COMMISSION COMMENCING 1/1/16 - 12/31/17. - PERSONNEL COMMITTEE
94. MAYOR BERNABEI: REQ AUTHORIZATION OF RE-APPT OF JOHN STONE TO TREE COMMISSION COMMENCING 1/1/16 - 12/31/17. - PERSONNEL COMMITTEE
95. MAYOR BERNABEI: REQ AUTHORIZATION OF APPT OF WILLIAM J. JEFFRIES TO TAX INCENTIVE REVIEW BOARD COMMENCING 1/1/16 - 12/31/17. - PERSONNEL COMMITTEE
96. MAYOR BERNABEI: REQ AUTHORIZATION OF APPT OF INDIA JENKINS TO TAX INCENTIVE REVIEW BOARD TO FILL UNEXPIRED TERM COMMENCING 1/1/16 - 12/31/17. - PERSONNEL COMMITTEE

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING:

- 1ST RDG 1. AUTHORIZE AUDITOR TO PAY VENDORS LISTED ON EXHIBIT A; EMERGENCY (MORROW CONTROL & SUPPLY - \$786.37; S.A. COMUNALE - \$903.60; B & C COMMUNICATIONS - \$863.21; ARROW INTERNAT'L - \$1,568.00; PATRICK MARTINEZ - \$110.00)
Referred to Finance Committee
- 1ST RDG 2. AMEND APPROP O#259/2015, AS AMENDED, BY MAKING SUPP APPROP AND INTER-FUND TRF; EMERGENCY (\$27,600.00 SUPP APPROP FR UNAPPROP BAL 1001 GENERAL FUND - OTHER TO 1001 753020 LAW NON OPERATIONAL LEGAL EXPENSE - OTHER; \$27,600.00 INTER-FUND TRF FR 1001 GENERAL FUND TO 1105 POLICE SETTLEMENT FUND)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR FIRST READING CONTINUED:

- 1ST RDG 3. APPROVE AND ACCEPT REPLAT AND RENUMBERING OF PART OF OUTLOT 487 AND PART OF LOT 13145; EMERGENCY (DALE JONES FOR PIN OAK TREE, 2702 CLEVELAND AVE. SW, WARD 4)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 4. APPROVE AND ACCEPT REPLAT OF LOTS 36904 AND 36905 AND PART OF LOT 36930; EMERGENCY (MICHAEL & ANNA DRAKE AND DAVID & LUCINDA ASHLEY, CORNER OF 44TH ST NW & NORMAN AVE NW, WARD 8)
Referred to Public Safety & Thoroughfares Committee
- 1ST RDG 5. AUTHORIZE AUDITOR TO PAY AMT NOT TO EXCEED \$1,005.25 TO HARRISON PAINT COMPANY; EMERGENCY (TRAFFIC SIGN & PAINT GRECO PAINTING MACHINE)
Referred to Finance Committee
- 1ST RDG 6. AUTHORIZE MAYOR OR SAF DIR TO RECEIVE AND APPROP COMMUNITY GRANT FROM WALMART IN AMT OF \$2,400.00 TO PURCHASE PORTABLE GAS DETECTORS AND MONITORS FOR FIRE DEPT; AMEND APPROP O#259/2015; EMERGENCY (\$2,400.00 FR UNAPPROP BAL OF 2783 FIRE DONATION FUND TO 2783 103002 FIRE DONATION - COMMUNITY GRANT - OTHER)
Referred to Finance Committee
- 1ST RDG 7. APPROVE CANTON CITY WATER MAIN EXTENSION TO LEXINGTON FARM NORTH NO. 1 IN PLAIN TWP; AUTHORIZE SERV DIR TO ENTER INTO CONTRACT(S) FOR EXTENSION OF WATER MAIN; EMERGENCY (PATRICK LONG - 12 PROPOSED RESIDENTIAL PROP)
Referred to Environmental & Public Utilities Committee
- 1ST RDG 8. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE PROF SERVS CONTRACT WITH BURGESS & NIPLE FOR DESIGN AND CONSTRUCTION OVERSIGHT OF SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ; AMEND APPROP O#259/2015; EMERGENCY (\$325,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207042 SUGARCREEK WATER TREATMENT PLANT BACKWASH WATER SLUDGE LAGOON PROJ - OTHER)
Referred to Finance Committee

ORDINANCES & FORMAL RESOLUTIONS FOR SECOND READING:**(SUSPENDED RULE 22A TO ADD 2ND RDG O#9 - O#13; O#13 ADOPTED ON 2ND RDG)**

- 2ND RDG 9. AMEND O#55/77, AS AMENDED, KNOWN AS CITY OF CANTON ZONING ORDINANCE; EMERGENCY (907 - 11TH ST NW FOR DARLENE LEGHART, HAMMER & NAILS FR PB-4 (PLANNED SPECIAL BUSINESS) AND R-1A (SINGLE-FAMILY RESIDENTIAL) TO PB-4 (PLANNED SPECIAL BUSINESS), WARD 1)
PUB HRG 3/7/16 @ 7:30 PM
(JUD)
- 2ND RDG 10. AMEND O#38/2004; EMERGENCY (REDUCE PREMIUM RATE FOR COMPENSATED ABSENCES FR 125% TO 105% FOR ALL PAYROLLS IN 2016, RETRO TO FIRST PAYROLL OF YR)
(FIN)
- 2ND RDG 11. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND EXECUTE CONSTRUCTION CONTRACT FOR 41ST ST AND 49TH ST AREA WATER IMPROVEMENT PROJ; AMEND APPROP O#259/2015; EMERGENCY (\$143,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207041 41ST ST AND 49TH ST AREA WATER IMPROVEMENT PROJ - OTHER)
(FIN)
- 2ND RDG 12. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD AND EXECUTE CONSTRUCTION CONTRACT AND EXECUTE PROF SRVS CONTRACT FOR CONSTRUCTION OVERSIGHT FOR MONUMENT ROAD WATER MAIN REPLACEMENT PROJ; AMEND APPROP O#259/2015; EMERGENCY (\$1,200,000.00 SUPP APPROP FR UNAPPROP BAL OF 5201 WATER FUND TO 5201 207039 MONUMENT ROAD WATER MAIN REPLACEMENT PROJ - OTHER)
(FIN)
- 21/2016 13. AUTHORIZE MAYOR AND/OR SERV DIR AND/OR PARK COMMISSION TO APPLY FOR , ENTER INTO AGMT FOR, AND RECEIVE FUNDS FR MULTIPLE POTENTIAL FUNDING SOURCES FOR VARIOUS CITY PROJECTS; EMERGENCY
(FIN)

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

- 22/2016 14. PROVIDE FOR ISSUANCE OF A NOTE IN ANTICIPATION OF COLLECTION AND PYMT OF INCOME TAXES, GENERAL PROP TAXES, AND OTHER REVENUE SOURCES; DECLARE NECESSITY OF ISSUANCE OF SAID NOTE; PROVIDE FOR RE-AUTHORIZATION, AMEND O#259/2015; EMERGENCY (\$400,000.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 801001 AUDITOR ADMIN - OTHER; \$600,000.00 SUPP APPROP FR UNAPPROP BAL OF 2120 INCOME TAX FUND TO 2120 852101 INCOME TAX ADMIN - OTHER)
- 23/2016 15. AUTHORIZE SAF DIR TO PAY MORAL OB IN AMT NOT TO EXCEED \$2,400.00 TO KENT STATE UNIVERSITY; EMERGENCY (EXCEL TRAINING)
- 24/2016 16. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO PROF SERV CONTRACT WITH FROST BROWN TODD LLC FOR LEGAL SERV RELATED TO OHIO ENVIRONMENTAL PROTECTION AGENCY'S REGULATION OF CANTON WATER RECLAMATION FACILITY; EMERGENCY
- 25/2016 17. AMEND APPROP O#259/2015; EMERGENCY (\$725,340.00 SUPP APPROP FR UNAPPROP BAL OF THE 5231 53RD ST RESERVOIR ROOF REPLACEMENT PROJECT FUND TO 5231 207033 53RD ST. RESERVOIR ROOF REPLACEMENT PROJECT- OTHER)

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

- 26/2016** 18. AUTHORIZE MAYOR OR SERV DIR TO ADVERTISE, RECEIVE BIDS, AWARD, AND ENTER INTO CONTRACT FOR PURCHASE OF ONE (1) INTERNATIONAL TANDEM AXLE CAB/CHASSIS; OR TO ALTERNATIVELY PURCHASE SAID VEHICLE PURSUANT TO STATE COOPERATIVE PURCHASING AGMTS; EMERGENCY (WATER DEPT DUMP TRUCK)
- 27/2016** 19. AUTHORIZE MAYOR OR SERV DIR TO EXECUTE CHANGE ORDER NO. 2 IN AN AMT NOT EXCEED \$37,291.10 WITH LOCKHART CONCRETE COMPANY FOR THE ALLENFORD SE SANITARY SEWER PROTECTION PROJ; EMERGENCY (GP 1114, CONTRACT NO. 2015-27)
- 28/2016** 20. AUTHORIZE AND CONSENT TO FINE GRADED POLYMER AC OVERLAY TO STA US 30 FROM 16.46 TO 18.35; EMERGENCY (PID NO. 100958, GP1244)
- 29/2016** 21. AUTHORIZE AND CONSENT TO REALIGNING AND RECONFIGURING INTERSECTIONS US-62, MIDDLEBRANCH, HARRISBURG, AND 30TH STREET IN PLAIN TWP, STARK COUNTY, OHIO WITH CONSTRUCTION OF A ROUNDABOUT AT HARRISBURG AND 30TH STREET; EMERGENCY (PID 96346, GP 1214)
- 30/2016** 22. AUTHORIZE AND CONSENT TO RESURFACING FROM 22.19 TO 24.06 AND BRIDGES, MISC BRIDGE WORK TO NINE (9) STRUCTURES WITHIN CANTON; EMERGENCY (STA-US62-22.19, PID 84654, GP1243)
- 31/2016** 23. AUTHORIZE MAYOR OR SERV DIR TO ENTER INTO CONTRACT WITH BROWNFIELD RESTORATION GROUP IN AMT NOT TO EXCEED \$148,215.00 FOR PHASE 2 ENVIRONMENTAL ASSESSMENT WORK PERFORMED AT FORMER WEBER DENTAL FACILITY; AMEND APPROP O#259/2015; EMERGENCY (\$148,215.00 SUPP APPROP FR UNAPPROP BAL OF 1001 GENERAL FUND TO 1001 506001 COMM. DEV. ADMIN. - OTHER; \$148,215.00 SUPP APPROP FR UNAPPROP BAL OF 2817 JOBS OHIO FUND TO 2817 506001 COMM. DEV. ADMIN. - OTHER; \$148,215.00 INTERFUND ADVANCE/ADVANCE REPAYMENT FR 1001 506001 COMM. DEV. ADMIN. - ADV. OUT TO 2817 506001 COMM. DEV ADMIN.-ADV. IN; \$148,215.00 INTERFUND ADVANCE/ADVANCE REPAYMENT FR 2817 506001 COMM. DEV. ADMIN. - ADV. OUT TO 1001 506001 COMM. DEV. ADMIN. - ADV. IN)

ANNOUNCEMENT OF COMMITTEE MEETINGS:**MONDAY, March 7, 2016 in Council Caucus Room at 6:30 PM**

- 1) Finance Committee
- 2) Public Safety & Thoroughfares Committee
- 3) Environmental & Public Utilities Committee

MISCELLANEOUS BUSINESS: Member West said he was proud of the City of Canton and the way they handled the Tonya Johnson situation and have been helping the family, beginning with the Safety Director to the Assistant Majority Leader to the Fire Department. He commended the Mayor for his radio comments and for being at the funeral. Member Smuckler stated that he had some done some research but needed help from the Law Department and the Board of Elections to investigate the qualifications of members of a Legislative Authority, particularly the age requirement, because today is Member Scaglione's birthday. Due to the fact that he was born during a Leap Year, he is only 11 years of age! Member Scaglione said that he had been waiting on a call from Member Smuckler because he was told that they needed more Council Members with hair!

ADJOURNMENT: 8:09 P.M.

NEXT REGULAR COUNCIL MEETING WILL BE HELD ON MONDAY, MARCH 7, 2016 @ 7:30 PM